

Productivity Commission Urban Planning Council Survey Report

REPORT JUNE 2016

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Executive Summary

The survey suggests that planning processes and resources within councils are generally well supported, with responsibilities clear and a good level of training and development to keep council staff and councillors up-to-date with the skills required by the urban planning process. Although over half of councils report significant capability gaps in their ability to conduct economic impact assessments and create strategies and models for climate change adaptation.

Councils report that resources dedicated to planning have increased over time, and the planning process has a positive influence across a number of challenges faced by councils. The planning system can be used to positively influence a number of challenges faced by councils, in particular:

- Managing 'greenfield' development
- Recognising and protecting the special interests that Maori have in the environment
- Transitioning to higher housing densities
- Protecting biodiversity
- Accommodating population growth.

Councils say that the increased resources have been driven by the introduction of National Environmental Standards, long term infrastructure planning requirements, consultation with iwi, and the introduction of National Policy Statements.

The lack of public engagement and knowledge (both within the general public and iwi/Maori) is a reported barrier to effective urban planning. Resource Management Act (RMA) processes are viewed as particularly complex for the average person. The lack of public understanding of the planning process is identified as the number one barrier to successful implementation of urban planning.

While engagement with iwi has driven demand for more planning resources, further engagement with iwi is limited mainly due to the limited resources available to iwi/Maori groups to participate in the planning process.

The role of Central Government in the planning system is a common criticism in the survey – feedback from Central Government on how councils implement the RMA is not seen as constructive and helpful, nor is Central Government's oversight of the system.

There are several indications that councils face significant barriers when implementing planning legislation. The main barriers appear to be a lack of guidance from central government on implementing the RMA, how to navigate integration between different planning statutes, and unclear or ambiguous provisions in legislation. Only a minority of councils report that their staff receive the training and information required to implement new National Policy Statements and National Environmental Standards.

Although most agree that RMA processes are too complex, implementation is difficult, and integration with the LGA (the Local Government Act) and LTMA (Land Transport Management Act) is poor, only a handful of councils think that the RMA is broken and cannot be fixed.

Water and transport infrastructure, as well as legislative requirements for investment plans, take up the most council resources. Most agree that the problem of infrastructure funding could and should be addressed through more extensive use of user charges.

Objectives and methodology

Objectives

The Government has asked the Productivity Commission to undertake an inquiry into the system of urban planning in New Zealand. The main purpose of the inquiry is “to review New Zealand’s urban planning system and to identify, from first principles, the most appropriate system for allocating land use through this system to support desirable social, economic, environmental and cultural outcomes”.

In December 2015 the Commission released an Issues Paper aimed at assisting individuals and organisations prepare submissions to the inquiry. The Commission is due to release a draft inquiry report in July 2016 with the final report to the Government being due on 30 November 2016.

To inform its inquiry into New Zealand’s urban planning system, the Productivity Commission (the Commission) appointed Colmar Brunton to conduct a survey of New Zealand’s 78 local government authorities. The survey sought information in the following areas:

- Current planning practices
- Council engagement with iwi on planning
- Capability within the system
- Urban planning and infrastructure
- Barriers to successful implementation of council plans.

Methodology

In late March 2016 the Productivity Commission’s Chair wrote to the Chief Executives of all of New Zealand’s local authorities notifying them about the upcoming survey and encouraging them to participate. The letter also advised Chief Executives to nominate the most appropriate person in the Council to participate in the survey. On some occasions, the Chief Executive completed the questionnaire, but on most occasions, the nominated contact was the Chief Planning Officer or another Planning Manager within the Council.

Based on feedback from participants, we are aware that in some councils a number of planning staff (not just the main contact) collated answers for the questionnaire. The final profile of survey participants is described in Appendix 1.

In mid-April Colmar Brunton sent an online survey to the relevant contact at each Council. The survey invitation described the purpose of the survey and the fact that answers would be treated in confidence. The survey questionnaire contained a range of questions about urban planning and took around 20 minutes to complete.

After sending the initial survey invitation Colmar Brunton:

- issued an initial email reminder
- contacted those not responding to the initial email reminder by telephone
- issued a final email reminder.

By the time the survey closed on 18 May, 47 councils had completed the questionnaire, which is a response rate of 60%. While not as high as previous Productivity Commission survey research with councils, this is still a respectable response rate which represents the majority of local authorities in New Zealand.

There was no particular trend in the type of council which responded to the survey. The final sample includes a broadly representative range of regional, district/city, and unitary authorities. During telephone contact, three non-responding councils mentioned that they could not see the relevance of an urban planning survey as they did not consider themselves to be an urbanised council. In these cases, Colmar Brunton stressed that the survey was relevant to all councils regardless of their level of urbanisation, however, this did not always result in the council completing the survey.

Reading this report

Results in this report are broadly representative of local authorities in New Zealand.

Wherever possible, subgroup analysis was conducted for key variables within the report. However, given the limited sample size (n=47), there are not many statistically significant differences by council-type within the survey results. The most common difference detected was between councils which are responsible for one or more urban areas (ie, closely settled areas of more than 20,000 people) vs. councils that are not responsible for urban areas. All reported differences are statistically significant at the 95% confidence level.

Nett proportions are described in several places in the report. A 'nett' combines two or more categories together to form an overall result. The most common nett described in the report combines the following two categories: 'strongly agree' and 'tend to agree' into 'nett agree'. Sometimes the two (or more) percentage points for each individual category do not add up to the total nett percentage point. This is due to rounding (for example, 47.4% + 47.4% = 95%).

No weighting was applied to the survey results.

Current planning practices

This section covers questions on the use of planning tools to positively influence specific challenges, use of planning practices, assessing applications for out-of-centre developments, activity classifications, assessment criteria, and resources dedicated to planning.

The use of planning tools to positively influence challenges

Survey participants were shown 25 challenges that councils are faced with and asked to indicate the extent to which councils can use the planning system to positively influence each one. Response options were that councils could use the system to have a major positive influence, moderate positive influence, minor positive influence, or that they cannot use the system to positively influence each challenge.

Figure 1 overleaf shows the summary of responses for each challenge. The challenges that are seen as most able to be positively influenced by using the planning system include:

- managing greenfield development (98% rate the influence as majorly or moderately positive);
- recognising and protecting special interests that Maori have in the environment such as kaitiakitanga (92%);
- transitioning to higher housing densities (89%);
- protecting biodiversity (88%);
- accommodating population growth (87%).

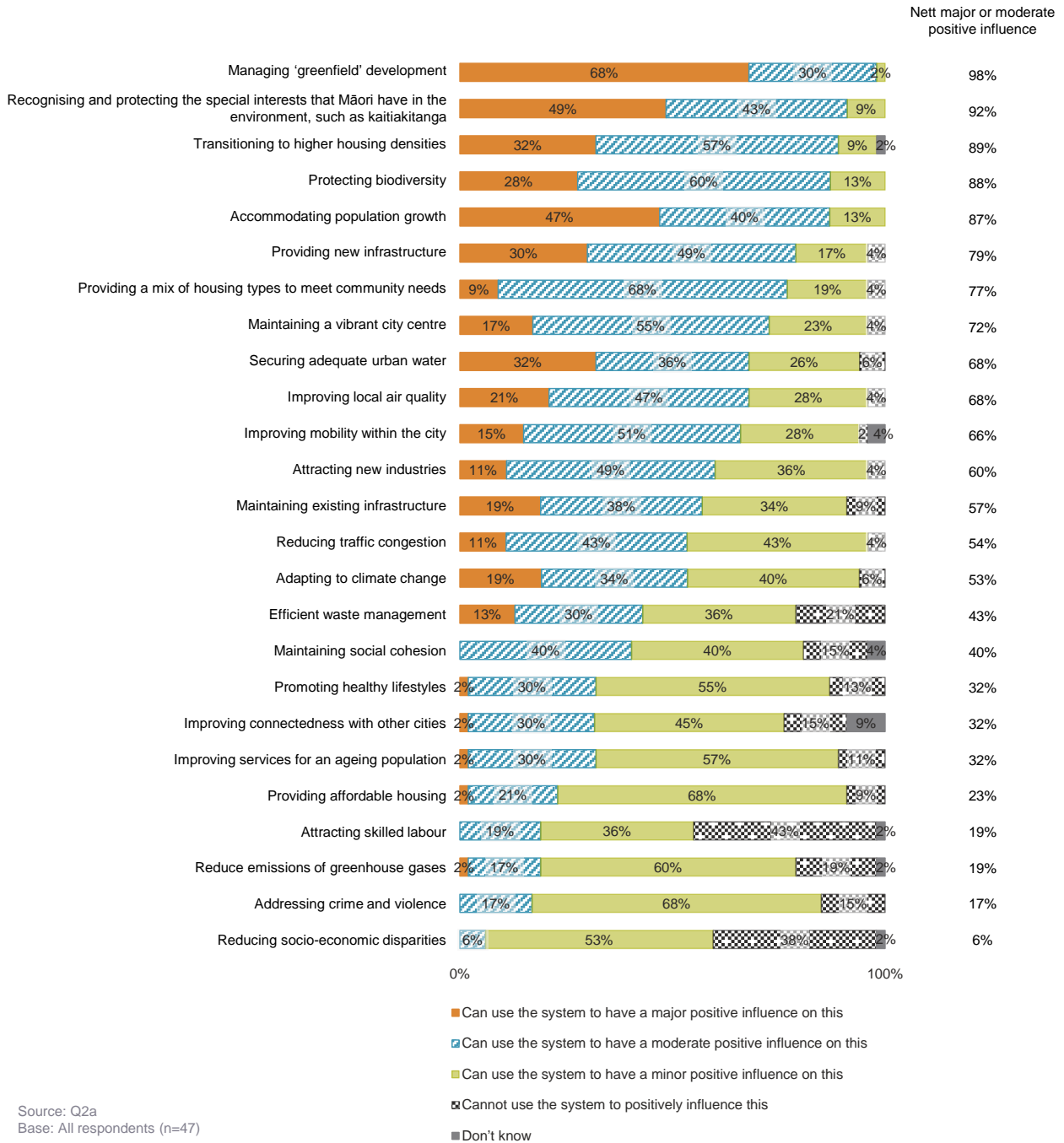
The challenges least able to be positively influenced by using the planning system include:

- providing affordable housing (23% rate the influence as majorly or moderately positive);
- attracting skilled labour (19%);
- reducing emissions of greenhouse gases (19%);
- addressing crime and violence (17%);
- reducing socio-economic disparities (6%).

In particular, two challenges received a relatively high proportion of responses of “cannot use the system to positively influence this”. These challenges are: attracting skilled labour (43% cannot use the system to positively influence this); and reducing socio-economic disparities (38%).

Figure 1: The extent to which councils can use the planning system to positively influence specific challenges

Q: To what extent can councils use the planning system to positively influence the following 25 challenges?



Source: Q2a
Base: All respondents (n=47)

Sub-group analyses reveal that those who are responsible for an urban area are more likely to say the system can be used for moderate or major effect in a number of challenges. Table 1 shows the combined proportion saying the system can be used to have moderate and major positive influence, split by those responsible for an urban area and those not responsible for an urban area. Statistically significant differences (at the 95% confidence interval) are shown in green (significantly higher).

Table 1: The extent to which councils can use the planning system to positively influence specific challenges, split by responsibility for an urban area

	Responsible for an urban area (n=21)	Not responsible for an urban area (n=26)
Accommodating population growth	100%	77%
Managing 'greenfield' development	100%	96%
Transitioning to higher housing densities	100%	81%
Protecting biodiversity	95%	81%
Providing new infrastructure	95%	65%
Recognising and protecting the special interests that Maori have in the environment, such as kaitiakitanga	90%	92%
Securing adequate urban water	90%	50%
Improving mobility within the city	86%	50%
Improving local air quality	81%	58%
Providing a mix of housing types to meet community needs	81%	73%
Adapting to climate change	76%	35%
Reducing traffic congestion	76%	35%
Maintaining a vibrant city centre	71%	73%
Maintaining existing infrastructure	67%	50%
Attracting new industries	57%	62%
Efficient waste management	57%	31%
Maintaining social cohesion	48%	35%
Improving services for an ageing population	43%	23%
Improving connectedness with other cities	38%	27%
Promoting healthy lifestyles	38%	27%
Addressing crime and violence	24%	12%
Providing affordable housing	24%	23%
Attracting skilled labour	19%	19%
Reduce emissions of greenhouse gases	14%	23%
Reducing socio-economic disparities	5%	8%

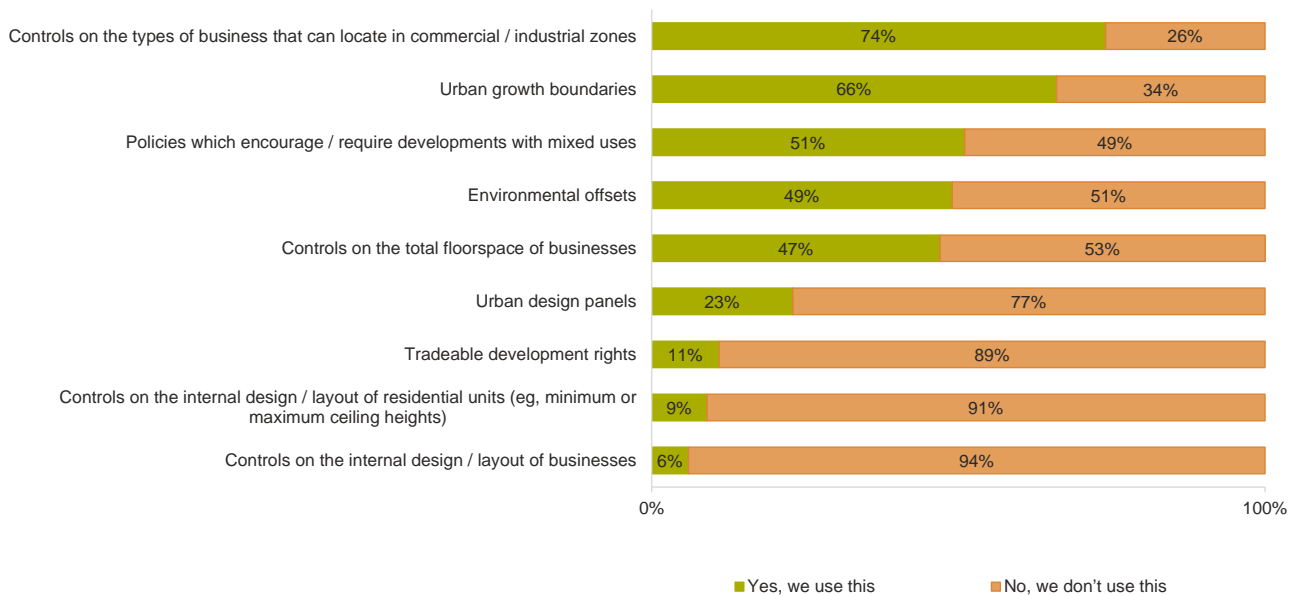
Planning practices in use

Survey participants were shown a number of planning practices and asked to indicate which were used by their council. Figure 2 represents their responses.

Almost three quarters (74%) use controls on the types of business that can locate in commercial/industrial zones, and two thirds (66%) use urban growth boundaries. There is far lower use of tradeable development rights (11%), controls on internal design of residential units (9%), and controls on the internal design of businesses (6%).

Figure 2: Use of planning practices

Q: Which of the following planning practices does your council use?



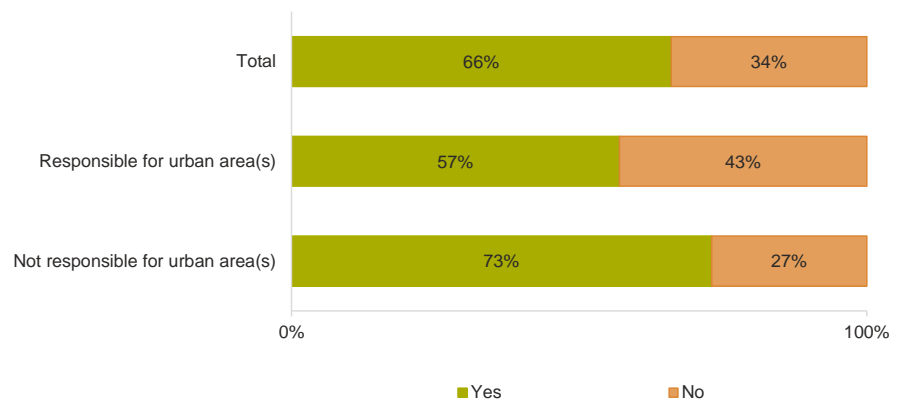
Source: Q2b
Base: All respondents (n=47)

Out of centre developments

Two thirds of councils have policies in place to restrict the development of large format retail or commercial activity outside of centres (shown in Figure 3). Councils with no responsibility for urban areas are more likely to have policies in place to restrict development (73% compared with 57% of those with responsibility for urban areas).

Figure 3: Proportion of councils who have policies in place to restrict the development of large format retail or commercial activity outside of centres

Q: Does your council have policies in place which restrict the development of large format retail or other commercial activity outside of centres?



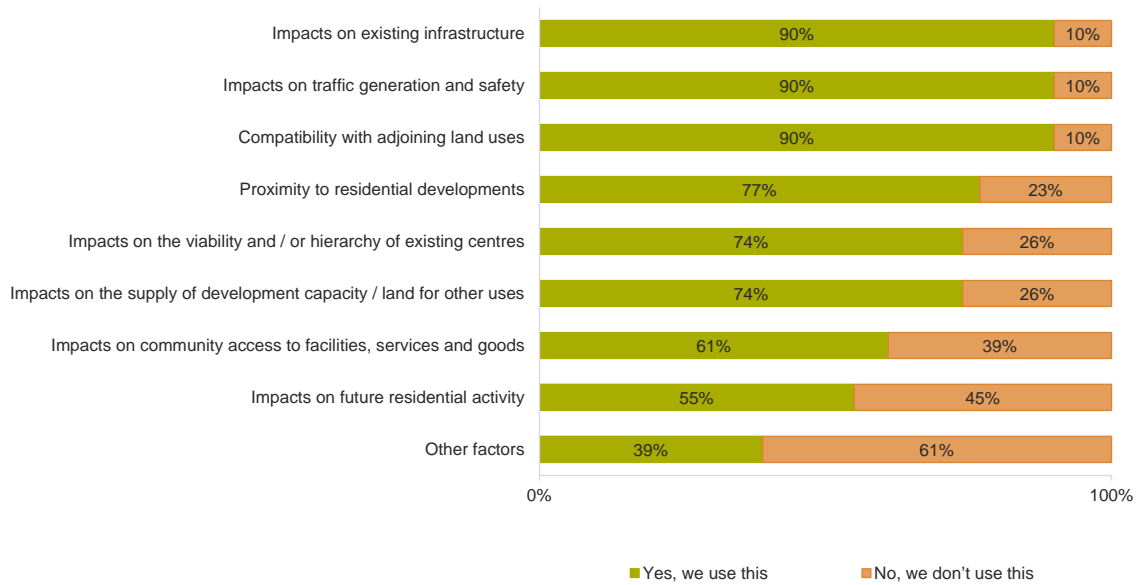
Source: Q2c and Q1d

Bases: All respondents (n=47); Responsible for urban area(s) (n=21); Not responsible for urban area(s) (n=26)

Those who have policies in place to restrict large format retail and other commercial activity outside of centres were asked what factors must be considered under their RMA plan when assessing applications for such activity. Figure 4 outlines the list of factors provided and the proportion saying they use each one. Almost all (90%) consider impact on existing infrastructure, impacts on traffic generation and safety, and compatibility with adjoining land uses. Only 55% consider impacts on future residential activity.

Figure 4: Factors that must be considered when assessing applications for out-of-centre developments

Q: Under your RMA plan, what factors must be considered when assessing applications for out-of-centre developments?



Source: Q2d
 Base: Councils with policies in place restricting heavy development outside of centres (n=31)

Changes to activity classifications and assessment criteria

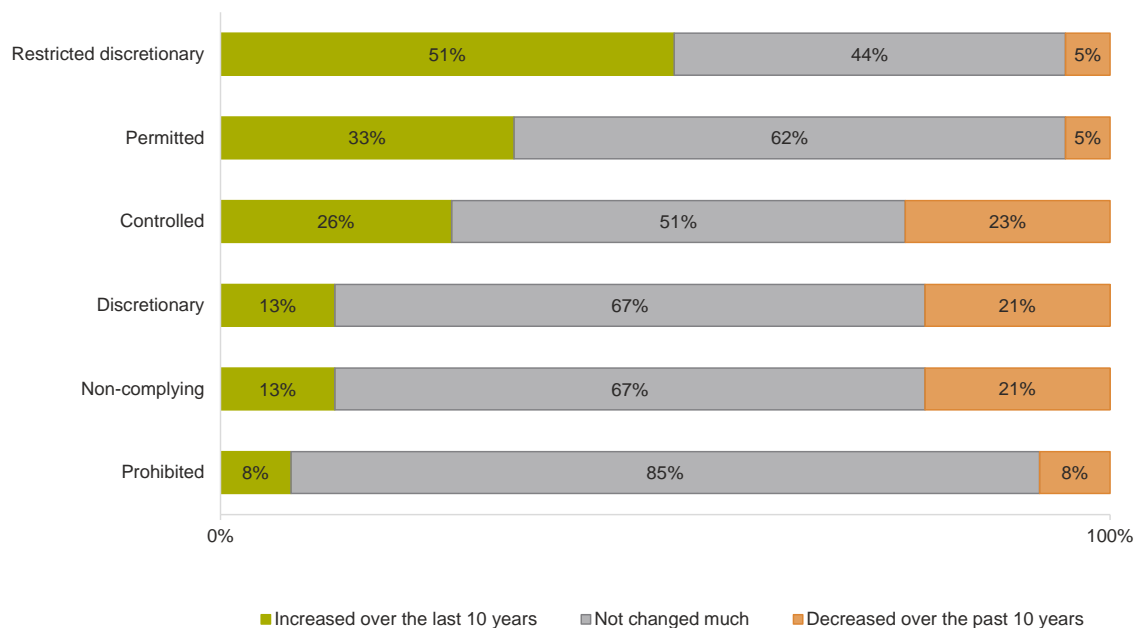
City/district councils and regional councils were asked about the trend they see in their use of activity classifications – whether use for each classification has increased, stayed the same, or decreased over the last ten years. Figure 5 shows that the use of restricted discretionary classification has increased in 51% of city and regional councils over the last ten years, with only 5% of councils saying the use of this classifications has decreased.

Both the discretionary classification and non-complying classification both show a net decrease in the proportion of councils using each in the last ten years. Discretionary classification has increased in use for 13% of councils, but decreased in use for 21%; and non-complying classification has increased in use for 13% of councils, but decreased for 21%.

For the majority of classifications (aside from restricted discretionary) the most common response was that there has not been much change to their use of each classification over the last ten years.

Figure 5: Change in the use of activity classifications over the last ten years

Q: Over the past ten years, would you say your council’s use of the following activity classifications has increased or decreased? Or has this not changed much over the past ten years?



Source: Q2e
 Base: City/district councils and regional councils only (n=39)

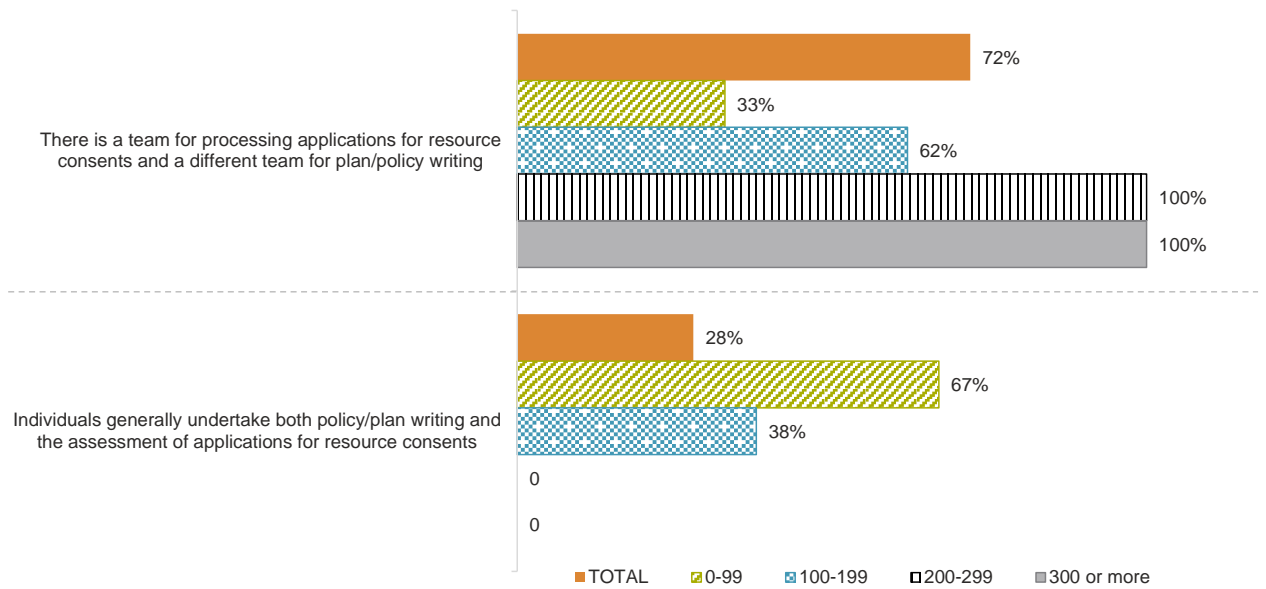
In addition, the city/district and regional councils were asked how the number of assessment criteria for restricted discretionary activities has changed over the last ten years. Almost half (49%) say that the number of assessment criteria has increased over the last ten years, 13% say the number has decreased, and 38% say the number has not changed much.

Staff organisation and allocation of resources

In asking councils how their planning staff are organised, it is clear that the larger the council (in terms of FTE staff) the more likely they will have a dedicated team for processing applications for resource consents, and a different team for plan and policy writing. Figure 6 shows the survey results split by FTE bands (0-99 FTE staff, 100-199, 200-299, and 300 or more). All councils with 200 or more FTEs have a separate processing team and plan/policy writing team. This decreases to 62% having separate teams for councils with 100-199 FTEs, and just 33% for councils with 0-99 FTEs.

Figure 6: How planning staff are organised with regards to processing resource consents and plan/policy writing

Q: Which statement best describes how planning staff are organised at your council?



Source: Q2g
 Base: All respondents (n=47); 0-99 (n=12); 100-199 (n=13); 200-299 (n=7); 300 or more (n=15)

Councils were asked about the allocation of resources to planning functions. Specifically, they were shown twelve planning and council requirements or demands and asked for whether each requirement/demand has increased the resources allocated to planning (either a lot or a small amount), has had no impact, or has decreased the resources allocated to planning (a small amount or a lot). Figure 7 outlines the results.

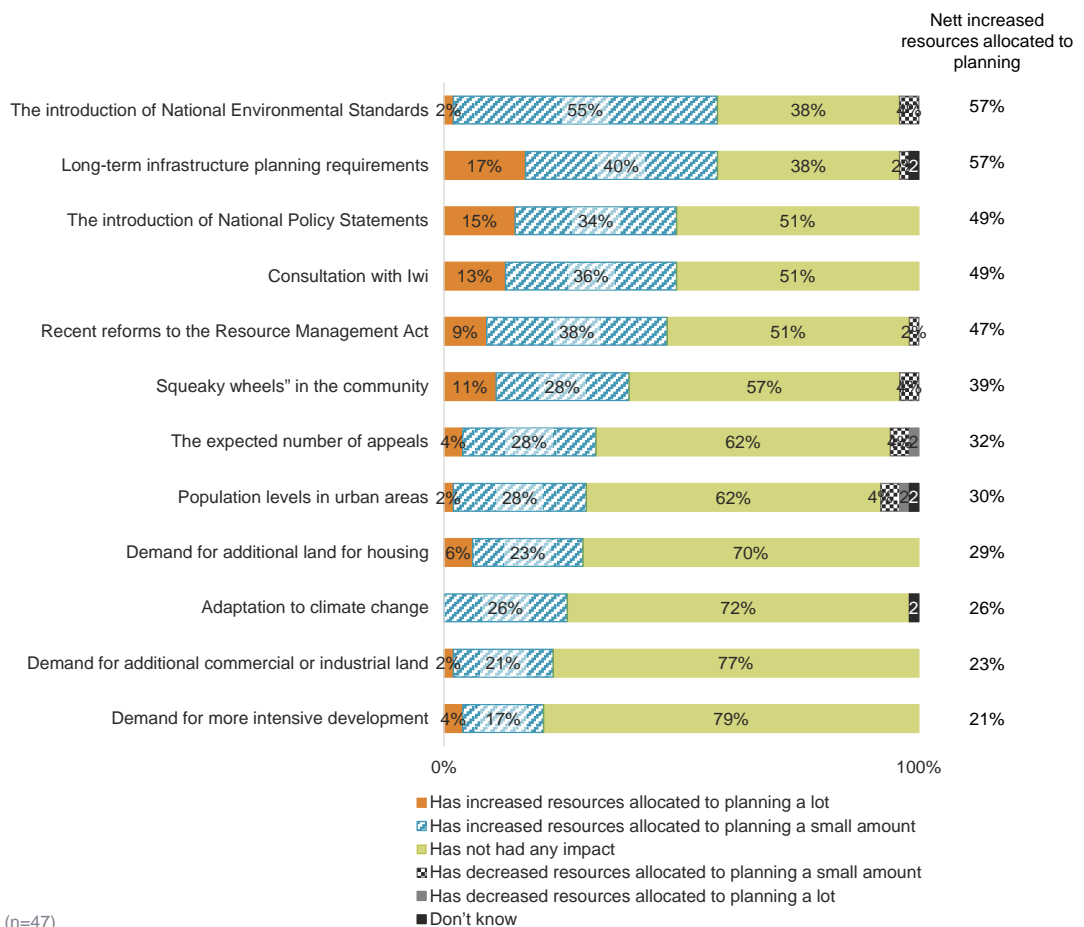
Both the introduction of National Environment Standards and long term infrastructure planning requirements have created a 57% net increase in resources allocated to planning (either increased a lot or a small amount). However, long term infrastructure planning requirements are more likely to have increased the resources allocated by a lot (17%), whereas only 2% of councils say the introduction of National Environment Standards has increased the level of resources allocated by a lot.

Those councils that are responsible for urban areas are more likely to say that long term infrastructure planning requirements have increased resources allocated by a lot – 29% select this response, compared to just 8% of those who are not responsible for an urban area.

For the most part there has been little impact from the demand for more intensive development (79% say this has not had any impact). Similarly more than seven in ten councils say there has been no impact on resource allocation based on the demand for additional commercial or industrial land (77% say it has not had any impact), and adaptation to climate change (72%).

Figure 7: The extent have each demand/requirement has increased or decreased the level of resources allocated to planning

Q: To what extent have each of these 12 things increased or decreased the level of resources allocated to planning?

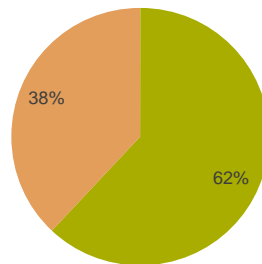


Source: Q2h
Base: All respondents (n=47)

Council representatives were also asked whether, aside from those issues listed, were there other local issues that have influenced how they have allocated resources to planning functions. Figure 8 below shows that 62% of councils have experienced local issues that influence resources allocated to planning functions.

Figure 8: Proportion experiencing other local issues that have influenced allocation of resources to planning functions

Q: Other than those issues we just listed, are there other local issues that have influenced how you have allocated resources to planning functions?



Source: Q2i
Base: All respondents (n=47)

■ Yes ■ No

While the sample size is low, it is worthwhile noting that of the eight regional councils surveyed, seven said they were faced with other issues that influence resource allocation for planning functions. Similarly three out of four unitary authorities say this. Only nineteen out of the thirty-five city or district councils said they have other local issues that have influenced resource allocation to planning functions.

When asked what these local issues are that have influence resource allocation to planning functions, several main themes emerged:

- Environmental issues: this includes freshwater management, catchment management, implementation of intensive farming land use rules, etc.
 - *“Freshwater management/delivering on the Canterbury Water Management Strategy. Air Quality in Christchurch and Timaru.”*
 - *“Desire for greater engagement with communities over freshwater management.”*
 - *“Reducing sedimentation and pollution entering Te Awarua-O-Porirua Harbour- including infrastructure planning to reduce sewerage overflows, and improving storm water quality”*
- Flow-on effects from the Canterbury earthquakes
 - *“Canterbury earthquake sequence Central government involvement in planning the CER Act Recovery Plans.”*
 - *“Liquefaction risks.”*
- Consents activity, enforcement, and management
 - *“The biggest drain on resources in the consents and compliance area recently is lay persons taking enforcement action against their neighbour or a development nearby and the council gets dragged in as a second respondent and because the bringer of the action does not have legal representation we end up effectively helping their case even when there is little logic or merit to it.”*
 - *“Increased allocation of resource to monitoring of consents/activity and enforcement.”*

- Complexity and competing demands from within the council and external parties
 - *“Competing internal priorities for limited dollars e.g. infrastructure provision versus planning.”*
 - *“Increasing complexity of issues and increased expectations that council supports economic development has increased need for strategic advisers.”*
 - *“Capacity within current team - key members contributing to projects or aspects for the wider organisation. Greater need for strategic planning in parks and reserves and to prepare for NZTA proposals within the district.”*
 - *“Treaty settlements and co-governance demands; collaborative planning expectations from communities.”*

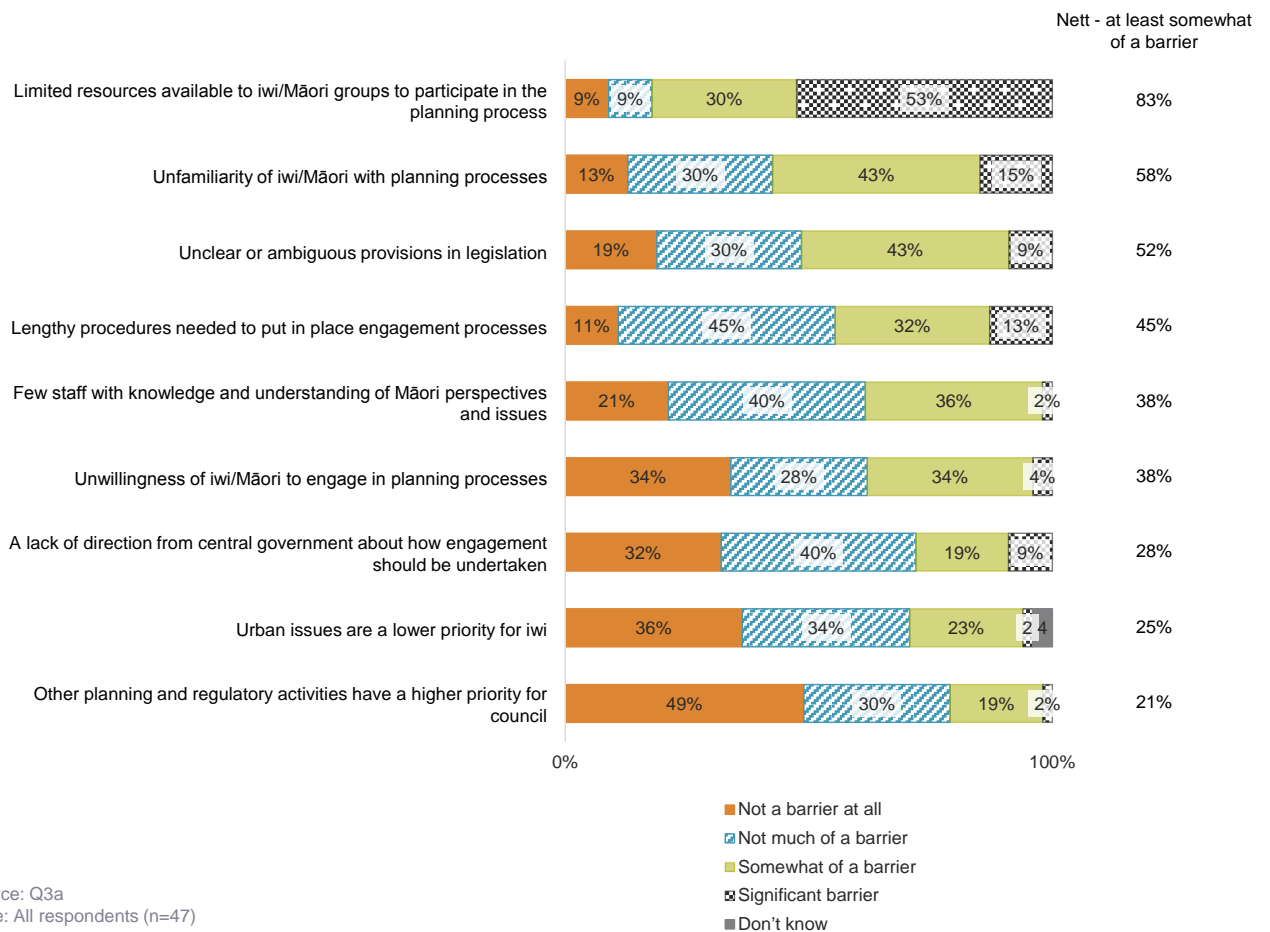
Engagement with Iwi on planning

The Resource Management Act and the Local Government Act recognise the Treaty of Waitangi and give iwi and Māori specific protections and rights of engagement in planning processes. This survey sought to understand the barriers to councils successfully engaging with iwi and Maori in urban planning processes. Survey participants were shown a list of nine factors and asked to rate each on a four point scale. Response options were: not a barrier at all; not much of a barrier, somewhat of a barrier, significant barrier, don't know. Figure 9 below represents the results of this question.

The main barrier is limited resources available to iwi/Maori groups to participate in the planning process – 53% of councils rate this as a significant barrier, and a further 30% rate it as somewhat of a barrier. This is a particular issue for those councils responsible for urban areas – 76% label the limited resources available as a significant barrier, compared to just 35% of those who are not responsible for an urban areas.

Figure 9: Barriers to successfully engaging with Maori and iwi in planning processes

Q: To what extent is each of the following 9 things a barrier for your council?



Source: Q3a
Base: All respondents (n=47)

Capability within the system

For a planning system to work effectively, those implementing the system need the necessary capability. The survey explored views on the level of training within each council and across the system more generally. Survey participants were asked to rate how strongly they agreed or disagreed with a number of statements relating to training, Figure 10 outlines the results for each factor.

Net agreement combines those saying they either strongly agree or tend to agree with each statement. The highest level of net agreement is with statements specifically focussed on planning staff within their particular council:

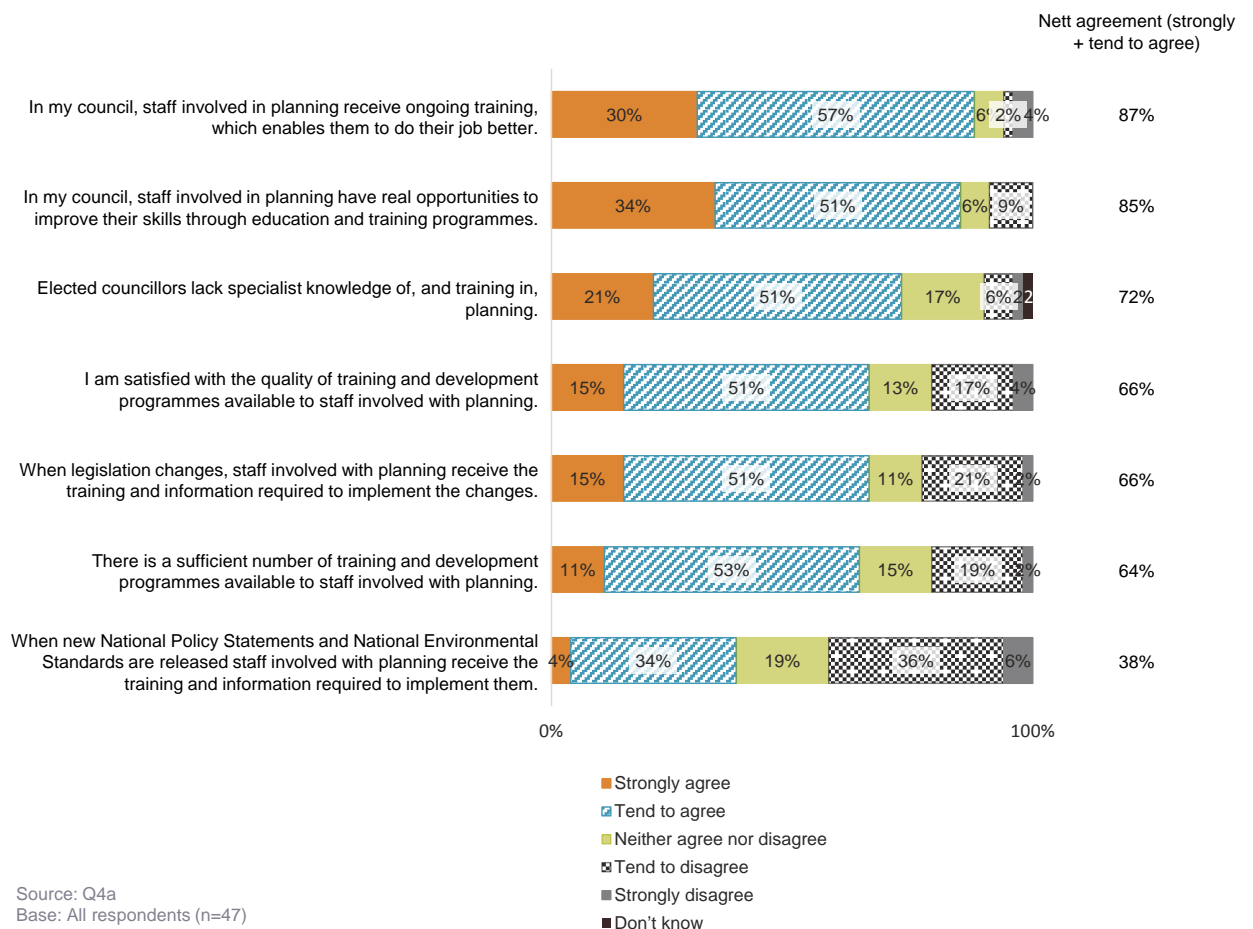
- 87% agreed their staff receive ongoing training which enables them to do their job better;
- 85% agreed their staff have real opportunities to improve their skills through education and training programmes.

Only 38% of councils agree that they receive the training and information required to implement new releases of National Policy Statements and National Environmental Standards – the lowest rating of all statements.

One of the statements given was written as a negative statement – that elected councillors lack specialist knowledge of, and training in, planning. Almost three quarters of participants (72%) agree with this statement, indicating that they don't believe elected councillors have sufficient planning knowledge.

Figure 10: Views on training and knowledge within the planning system

Q: How much do you agree or disagree with the following 7 statements?



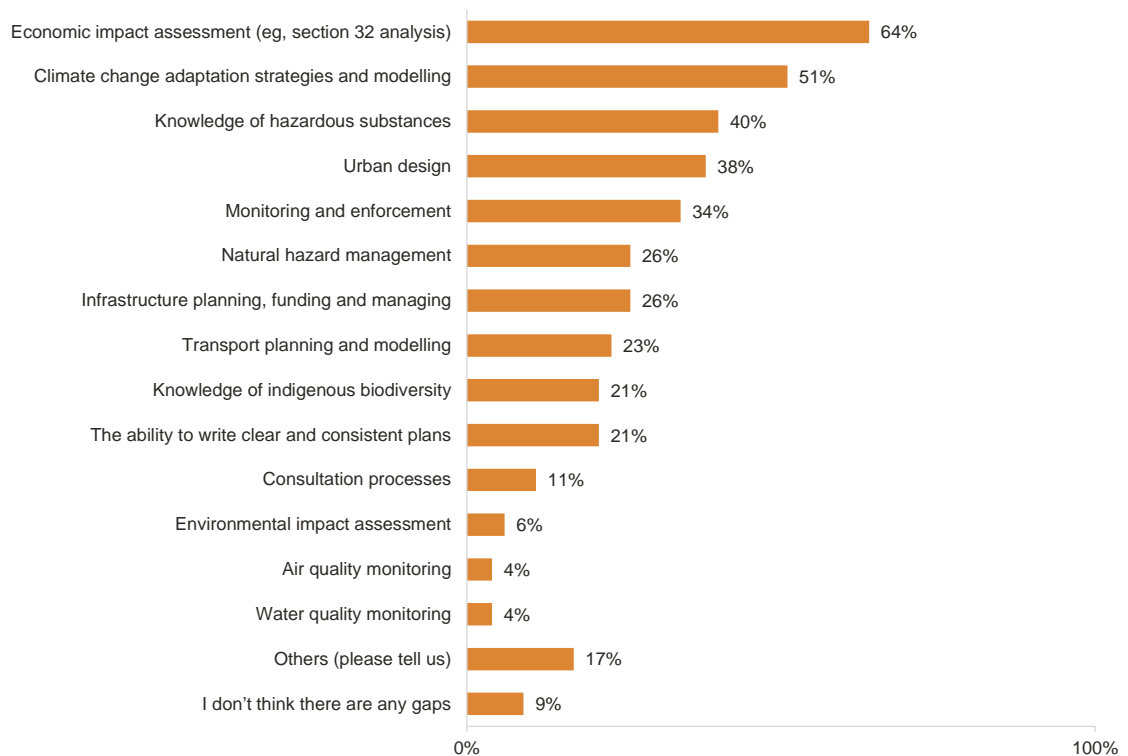
Survey participants were asked for their views on significant capability gaps within the planning system. Figure 11 shows that the main areas of perceived capability gaps are in economic impact assessment (64% identified this as a significant capability gap), climate change adaptation strategies and modelling (51%), knowledge of hazardous substances (40%), and urban design (38%).

Sub-group analyses reveals several slight differences in response between councils with responsibility for urban areas vs. those with no responsibility for urban areas. The main points of difference between these two groups are:

- economic impact assessment (76% for those responsible for urban areas identify this as a significant capability gap, compared to 54% for those not responsible for urban areas);
- urban design (48% c.f. 31%);
- knowledge of indigenous biodiversity (10% c.f. 31%).

Figure 11: Areas of significant capability gaps

Q: In your opinion, in which areas of the system are there significant capability gaps?



Source: Q4b
Base: All respondents (n=47)

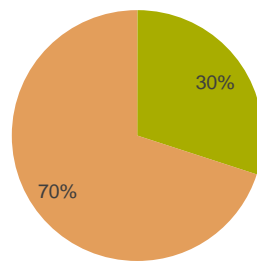
Membership of professional planning associations

Of the councils surveyed, only 30% require their planning staff to have membership of a professional planning association (shown in Figure 12). Those councils who do not require professional membership were asked the reasons behind this. The main reasons behind not requiring membership is that professional membership is not seen as a signal of competence (55%), and that it would restrict the pool of planners (42%).

Almost two thirds (64%) gave an alternative reason to in an open-ended response box (shown in Figure 13). These responses tended to centre around two main themes: a) membership is voluntary and encouraged but not required, and b) membership to NZPI is too narrow, not relevant for all staff, or too difficult to obtain.

Figure 12: Requirement for planning staff to have professional association membership

Q: Do you require planning staff (new and existing) to have membership of a professional planning association such as the New Zealand Institute of Planning?

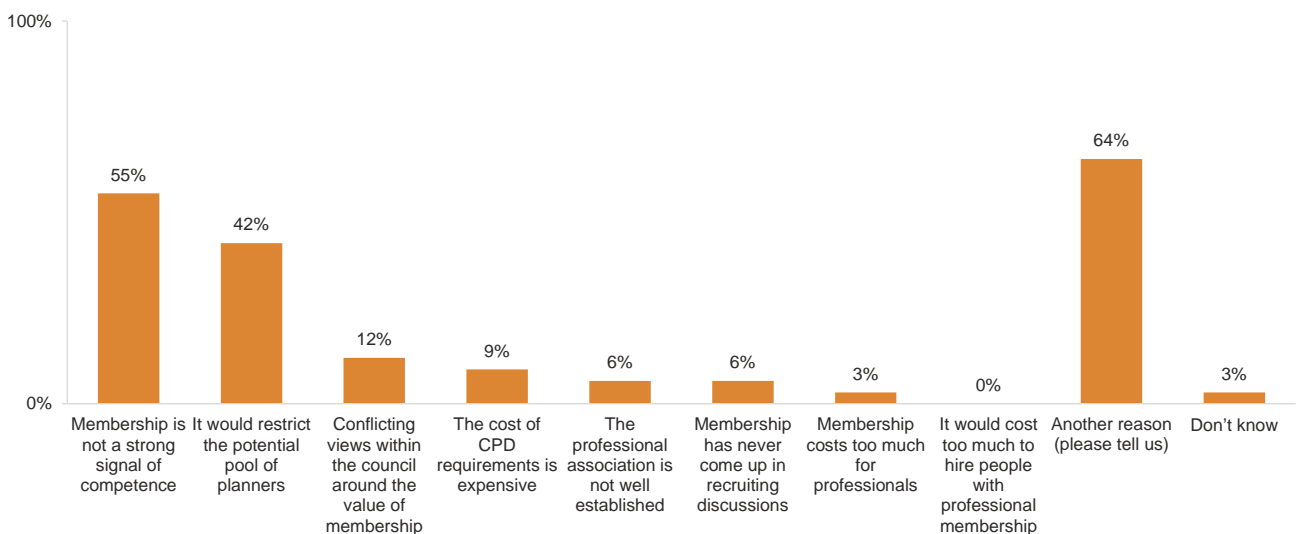


Source: Q4c
Base: All respondents (n=47)

■ Yes ■ No

Figure 13: Reasons professional membership is not required

Q: For what reasons is professional membership not required?



Source: Q4d
Base: Councils that do not require staff to join professional planning associations (n=33)

Urban planning and infrastructure

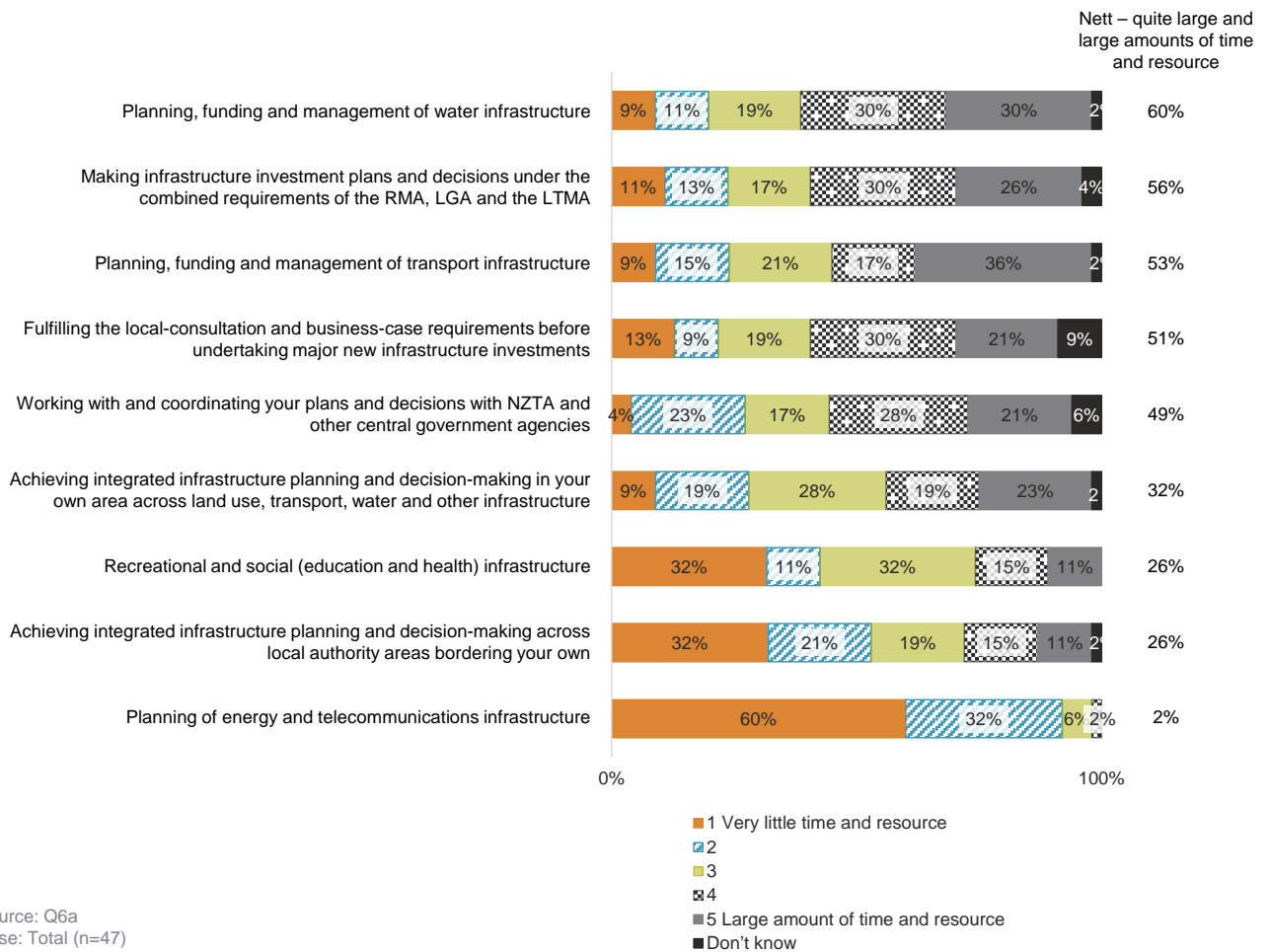
Survey participants were shown a list of activities and asked to rate how much council resource and time is taken up by each. The rating scale ranged from 1 (very little time and resource) to 5 (a large amount of time and resource). Figure 14 outlines responses to this question.

The activities taking up the most time and resource include:

- Planning, funding, and management of water infrastructure (60% rate 4-5 out of 5);
- Making infrastructure investment plans and decisions under the combined requirements of the RMA, LGA, and the LTMA (56% rate 4-5 out of 5);
- Planning, funding, and management of transport infrastructure (53% rate 4-5 out of 5);
- Fulfilling the local-consultation and business-case requirements before undertaking major new infrastructure investments (51% rate 4-5 out of 5).

Figure 14: Council resource and time dedicated to planning activities

Q: Please rate how much council resource and time is taken up by each of the following 9 things?

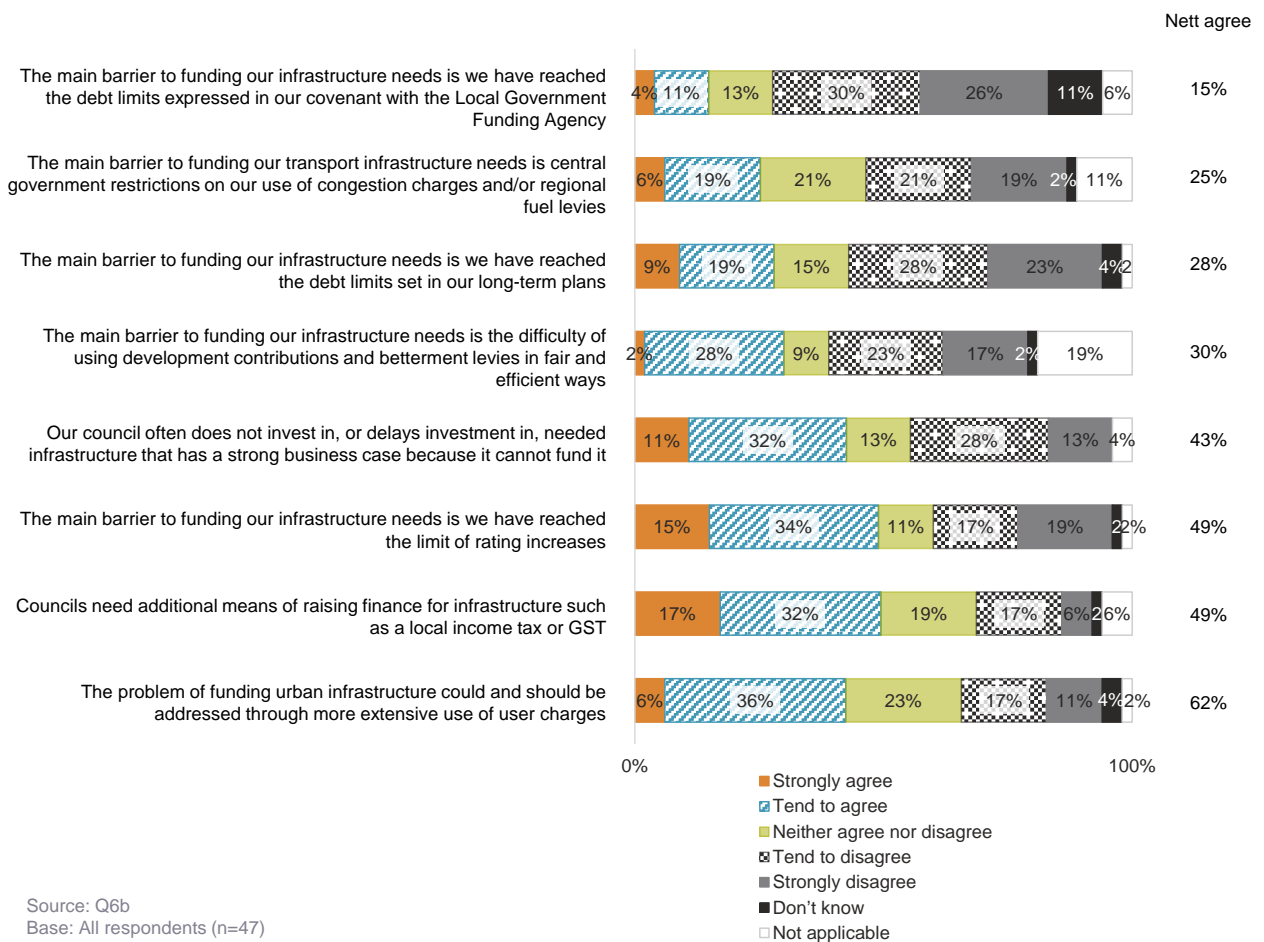


Source: Q6a
 Base: Total (n=47)

Survey participants were then shown a number of statements that relate to funding of infrastructure and asked to indicate how strongly they agree or disagree with each. Figure 15 shows that there is a strong level of agreement that the problem of funding could and should be addressed through more extensive use of user charges (62% agree). There's also strong agreement that we have reached the limit of rating increases (49% agree) and that councils need additional means of raising finance for infrastructure such as local income tax or GST (49% agree).

Figure 15: Funding of infrastructure

Q: How much do you agree or disagree with these 8 statements relating to funding of infrastructure?



Source: Q6b
Base: All respondents (n=47)

Barriers to successful implementation of urban planning

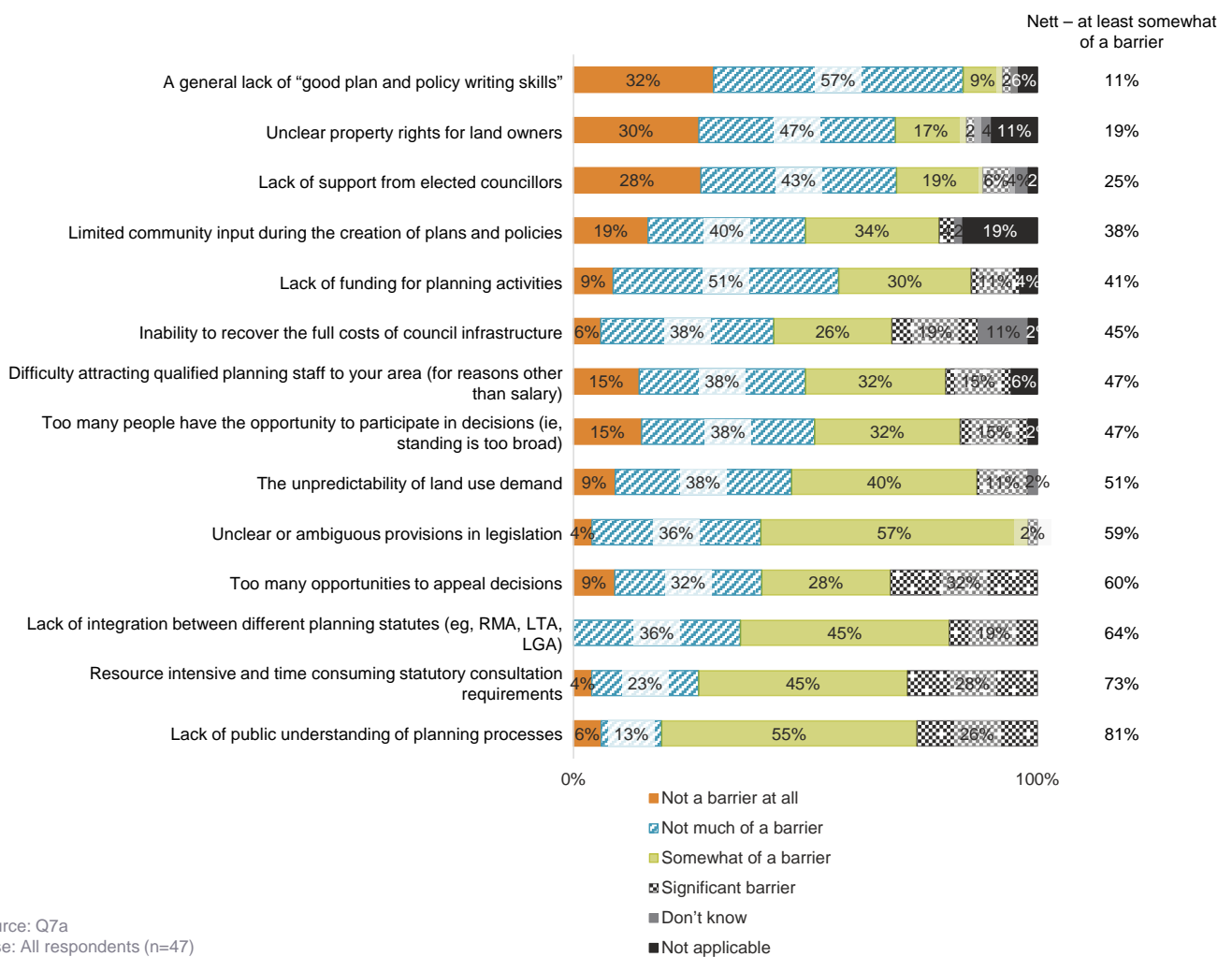
A section of the survey was dedicated to exploring the barriers to successfully carrying out urban planning functions. Survey participants were asked to rate the significance of a number of barriers using a four-point scale.

The strongest perceived barrier is a lack of public understanding of planning processes – 81% rate this as at least a barrier.

Other common barriers are the time consuming statutory consultation requirements, lack of integration between different planning statutes, and having too many opportunities to appeal decisions (with at least 60% rating each as somewhat of a barrier or a significant barrier).

Figure 16: barriers to successful implementation of urban planning

Q: To what extent is each of the following 14 things a barrier for your council?



Source: Q7a
Base: All respondents (n=47)

The final survey question presented survey participants with 22 statements about the New Zealand planning system and asked them to rate how strongly they agree or disagree with each statement. Figure 17 on the next page outlines responses for each statement.

Most agree that the roles and responsibilities in urban planning are generally clear. There is a strong level of agreement that councils know what is expected of them (87% net agree – that is they either ‘strongly agree’ or ‘tend to agree’), and that the current planning system clearly allocates planning responsibilities (68% net agree). Although views on capability to deliver planning functions to a high standard are mixed (45% net agree, 30% net disagree).

There are some negative views about the Resource Management Act (RMA). The majority agree that the RMA, LGA, and LTMA are not working well together (62% net agree), and that RMA processes are viewed as complex for laypeople to understand (81% net agree), although only a handful agree that the RMA is broken and cannot be fixed (6% net agree).

Around eight in ten agree that there is a disconnect between the planning legislation and how it is implemented on the ground (76% net agree), and there are mixed views about arrangements for reviewing and appealing planning decisions.

Agreement that the planning system effectively engages the public are mixed:

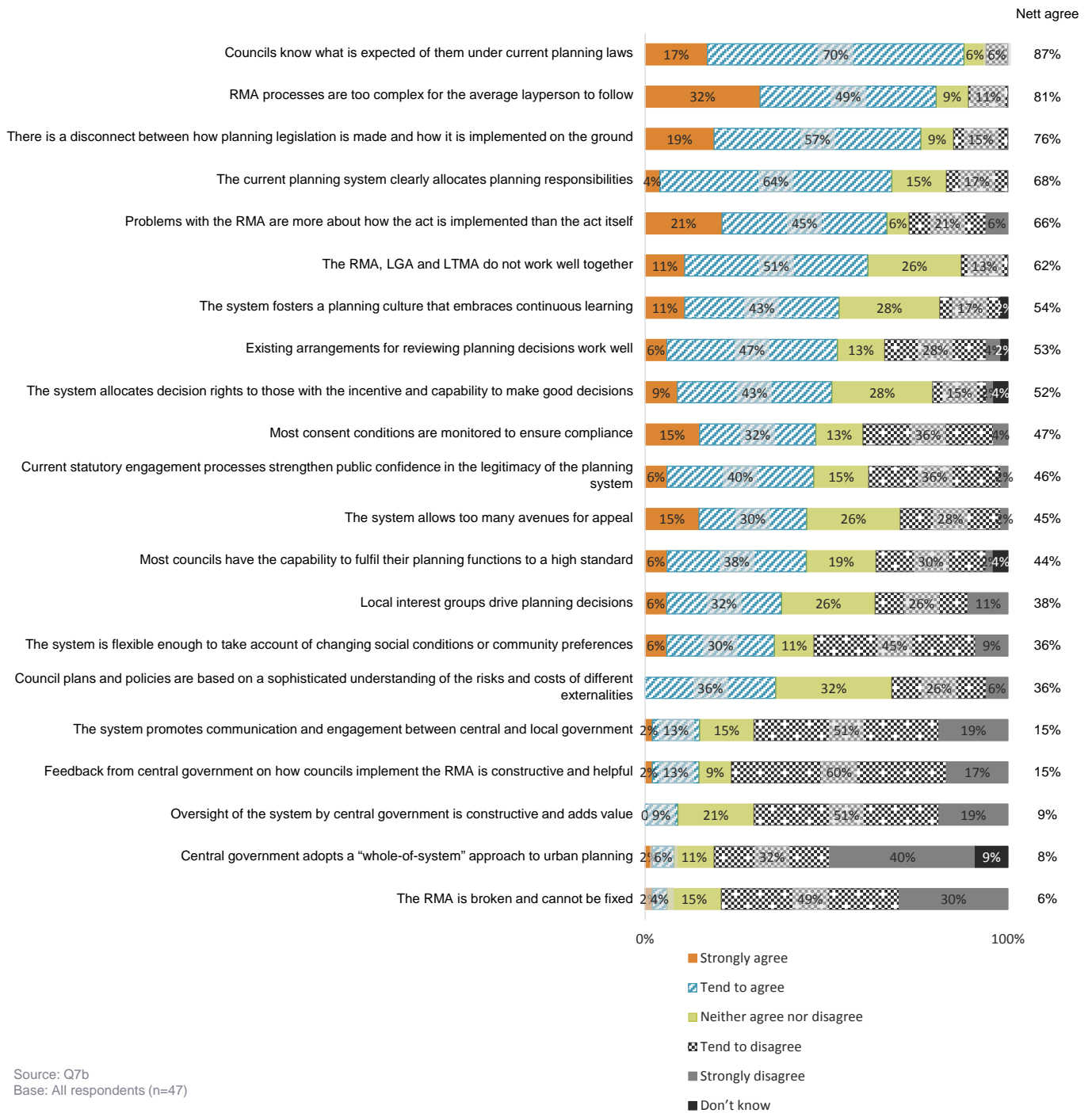
- Current statutory engagement processes strengthen public confidence in the legitimacy of the planning system (46% net agree, 40% disagree)
- The system is flexible enough to take account of the changing social conditions or community preferences (38% net agree, 37% net disagree)
- Local interest groups drive planning decisions (44% net agree, 32% net disagree).

Councils generally have negative views about Central Government’s role in the urban planning system:

- The system promotes communication and engagement between central and local government (15% net agree)
- Feedback from central government on how councils implement the RMA is constructive and helpful (15% net agree)
- Oversight of the system by central government is constructive and adds value (9% net agree)
- Central government adopts a “whole-of-system” approach to urban planning (8% net agree).

Figure 17: Perceptions of the New Zealand planning system

Q: To what extent do you agree or disagree with the following 22 statements about the New Zealand planning system?



Source: Q7b
Base: All respondents (n=47)

Appendix: Sample profile

	Count	Proportion
Number of FTE staff		
0-99	12	26%
100-199	13	28%
200-299	7	15%
300+	15	32%
Type of local authority		
City / district council	35	74%
Unitary authority	4	9%
Regional council	8	17%
Responsibility for urban areas		
Responsible for urban area(s)	21	45%
Not responsible for urban area(s)	26	55%
Growth of urban areas in council		
They are mostly growing	8	38%
They are mostly stable	9	43%
They are mostly in decline	0	0%
Something else (please tell us)	4	19%
Role		
Chief Executive	4	9%
Chief Planning Officer	19	40%
Planning Director/Manager	10	21%
District Planner	3	6%
Regulatory/Policy manager	4	9%
Planning and Policy Manager	3	6%
Other	4	9%