

STATUTORY AND NON-STATUTORY APPROACHES TO CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

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Crime Prevention through Environmental Design (CPTED) is a concept premised on the belief that a link exists between the design of the built environment and the incidence of crime within that environment. In his address to the Urbanism Down Under conference in August, the Honourable Phil Goff drew attention to the CPTED guidelines being developed by the Ministry of Justice with the Wellington City Council (WCC) as part of its Safer Communities Action Plan. These guidelines will be advisory only at the national level. Local authorities will be able to incorporate the new CPTED guidelines into District Plans (statutory) or offer them as design guidelines (non-statutory) for consideration in new developments. This effort by central government reflects the increasing interest in implementing CPTED principles in New Zealand over the past several years and builds on a number of existing 'safe design' guidelines including those used in Wellington and Auckland.

Auckland City Council (ACC) is taking a statutory approach to the implementation of CPTED while Wellington City Council is taking a non-statutory approach. This article considers both approaches and argues that embedding CPTED principles in the District Plan is the most effective. The next section summarises the key principles of CPTED.

The statutory and non-statutory approaches to implementing CPTED by the ACC and WCC are then discussed. Results from interviews with staff at both Councils are then used to critically assess the methods used to implement CPTED in both places.

Principles of CPTED

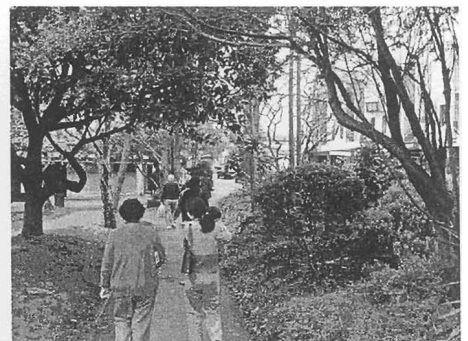
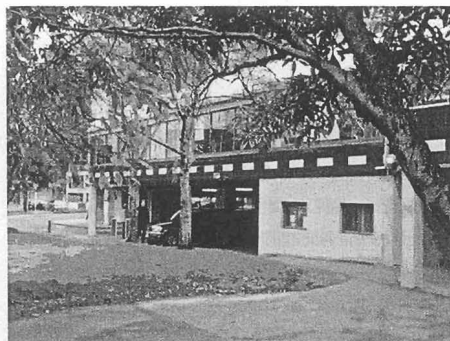
The principles of CPTED were first articulated by C. Ray Jeffery (1971) in his book entitled *Crime Prevention through Environmental Design*. The notion of 'defensible space' through urban design was also popularized around this time with the work of Oscar Newman (1972). The ideas put forward by Jeffery and Newman both built on earlier work by Jane Jacobs (1961) that considered

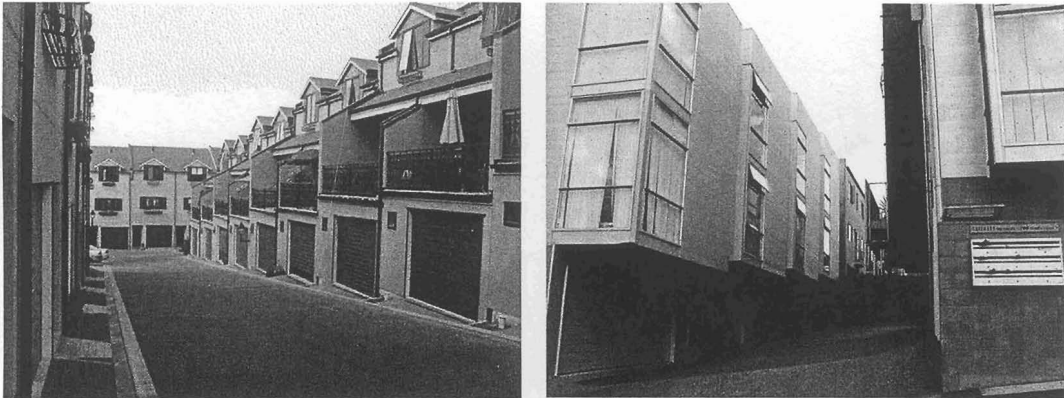
the safety promoting qualities of American cities. There are four interconnected core principles commonly associated with CPTED: 1) Surveillance; 2) Territoriality; 3) Access control; and, 4) Space management.

Surveillance refers to the extent to which spaces are watched by other people so that undesirable activity will be observed. The fear that a criminal is being watched has been proven to reduce the incidence of crime (Doyle and Stiver, 2004).

BELOW LEFT:: Good design of public space through provision of clear sightlines along path.

BELOW RIGHT:: Poor control of access between public open space and semi-private carpark.





FAR LEFT: Good surveillance of shared areas from balconies of residential development.

LEFT: Poor surveillance of shared areas at rear of residential development.

The integration of a broad range of urban design criteria would ensure that designing to improve safety would not come at the expense of good quality urban design overall. To this end, there is a need to retain flexibility in the application of CPTED principles.

Territoriality refers to how the design of the built environment can affect one's sense of whether a space is private or semi-private. The use of landscaping, decorative fencing or landforms, for example, can increase the sense of risk for potential criminals. Such features can extend a sense of 'ownership' into the space from those living or working in the area.

Access control refers to the level of control that people exercise over spaces. This is achieved by limiting the points at which the public can enter private or semi-private spaces. It is also achieved by denying access to a crime target with either physical built elements such as walls and fencing or mechanical devices such as doors and locks, which also make it more obvious to the casual observer when someone is where they should not be.

A poorly maintained area suggests that it is not often used and gives the impression that criminal activity undertaken there stands a good chance of going undetected. The concept of space management links back to territoriality and the idea that a well-maintained space projects 'ownership' and frequent use.

Wellington City Council – Guidelines for Design against Crime

Wellington City Council has had non-statutory, non-mandatory CPTED guidelines in its District Plan since 1994. The District Plan contains a number of design guidelines which are linked to rules and therefore compliance with them is mandatory, such as the Design Guide for Multi-unit Housing and the Cuba Street Character Area Design Guide. Although the issue of design against crime was raised when the first District Plan was being drafted, it was not considered appropriate to make CPTED principles mandatory. There was a desire to provide guidelines for design against crime, however, and they were included for information purposes at the back of the District Plan where they remain today.

Auckland City Council – CPTED Plan Change

In 2004 ACC became the first council in the country to incorporate substantial CPTED requirements directly into the District Plan. The CPTED Plan Change to the Auckland City Operative District Plan (Isthmus Section) was publicly notified in July 2004. As with all plan changes it became a statutory requirement on that date. The CPTED Plan Change

involved changes to the issues, objectives and policies of the District Plan, to explanatory parts of the Plan, to assessment criteria and to some rules, particularly in Part Six – Human Environment. Within the Residential, Business, Open Space, Special Purpose and Transportation sections there are cross-references to Part Six and other amendments. Design guidelines were also prepared which form a non-statutory part of the Plan to provide explanations and examples of how the assessment criteria could be met. Auckland City Council has an Urban Design Panel consisting of outside experts (planners, urban designers, architects) who advise on urban design matters, including those pertaining to CPTED.

Consideration of the two Approaches

Developers and agents acting on their behalf (e.g. planning consultants, architects) are less likely to take CPTED principles into account if it is not a statutory requirement in the District Plan. There are a number of possible reasons for this, such as applicants not being aware of the existence of guidelines when they are not embedded in the Plan. Developers may also argue that CPTED

Portfolios

While NZPI® Councillors are updating their portfolios in anticipation of the new Council election next year, the new Labour government has also allocated portfolios. Those of relevance to planning and resource management include:

Ranking	Ministers	Portfolio
1	Rt Hon Helen Clark	Arts, Culture and Heritage
3	Hon Jim Anderton	Biosecurity, Agriculture, Forestry, Fisheries
7	Hon Trevor Mallard	Economic Development, Industry & Regional; Development, SOE's, Sport & Recreation
8	Hon Pete Hodgson	Health, Land Information
9	Hon Parekura Horomia	Maori Affairs
10	Hon Mark Burton	Local Government, Justice, Treaty Negotiations
12	Hon Chris Carter	Conservation, Housing, Ethnic Affairs
13	Hon Rick Barker	Internal Affairs, Civil Defence Veterans and Courts
14	Hon David Benson-Pope	Environment, Social Development, Employment
16	Hon Damian O'Connor	Tourism, Rural Affairs, Corrections
18	David Parker	Energy, Transport, Attorney General, Climate Change
20	Clayton Cosgrove	Building Issues, Statistics
22	Hon Judith Tizard	Auckland Issues
24	Hon Harry Duynhoven	Transport Safety
26	Winne Laban	Community and Voluntary Sector
		Urban Affairs (Unassigned at time of drafting)

There are also Associate Ministers to the above portfolio; for more information see: <http://www.beehive.govt.nz/Documents/Files/Cabinet%20portfolio%20list.pdf>

considerations are outweighed by other concerns if not a statutory requirement. Interview participants felt that the approach taken by ACC to include CPTED in the District Plan by way of a Plan Change was instrumental in getting applicants to address CPTED principles in their development plans. Participants from ACC expressed that having CPTED criteria included in the District Plan limits the extent to which arguments occur with developers about its relevance or applicability. The issue was raised as to whether the ACC CPTED Plan Change, and assessment criteria in particular, would be better addressed as part of an overall set of urban design criteria, rather than as a stand-alone requirement. The integration of a broad range of urban design criteria would ensure that designing to improve safety would not come at the expense of good quality urban design overall. To this end, there is a need to retain flexibility in the application of CPTED principles.

Participants from WCC expressed that statutory measures to implement CPTED principles would be helpful and it was generally felt that Council staff would be in a stronger position to insist upon changes if the guidelines were statutory. While the present WCC guidelines have improved the implementation of CPTED principles, modifications to development plans are generally requested by staff with a special interest in this area such as urban designers and safety officers. Resource consent planners usually do not raise issues around CPTED

independently. If CPTED principles were embedded within the District Plan rules regime, consent planners would be required to consider them in their assessment of applications. Similarly, applicants would have to address them in their preparation of proposals.

Conclusion

With the finalisation by the Ministry of Justice's Crime Prevention Unit of a national set of CPTED guidelines, it is timely for planners to consider how these might be used locally in order to ensure that safety is a priority in quality urban design. Research on the Auckland and Wellington experiences suggests that embedding CPTED principles in the 'rules regime' of the District Plan is more effective than non-statutory approaches such as voluntary guidelines. As noted by Bartlett (2001), CPTED should be an inherent part of the planning process so that it is taken into account from the very early stages of designing a development. The best way to ensure that this occurs is to include CPTED principles directly within the District Plan.

Ending on a critical note, while most discussion of CPTED has focused on physical design as a crime prevention strategy, 'second generation' CPTED experts are calling for the incorporation of a wider range of social crime prevention strategies (Sarkissian, 2002). Raising community consciousness of the urban environment, promoting street activities through street fairs and encouraging a

diverse mix of residents, densities and activities spanning all hours of the day can contribute to a collective sense of ownership and surveillance of the public realm. This brings us back to what Jane Jacobs was talking about in 1961.

Acknowledgements

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