

## URBAN RENEWAL AND HOUSING IMPROVEMENT BILL

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### EXPLANATORY NOTE

THIS Bill amends the Housing Improvement Act 1945 to make provision for urban renewal.

*Clause 1* relates to the Short Title.

*Clause 2* alters the Short Title of the Housing Improvement Act 1945 to the Urban Renewal and Housing Improvement Act 1945, and consequentially amends any reference to the principal Act in any other enactment.

*Clause 3* substitutes the Minister of Housing for the Minister of Works in the interpretation clause of the principal Act, and has the effect of transferring the administration of that Act to the Minister of Housing.

*Clauses 4 and 5* alter references to the Minister of Works in the principal Act to the Minister of Housing.

*Clause 6* inserts a new Part IIA in the principal Act (comprising sections 24A to 24H) relating to comprehensive urban renewal areas.

*Section 24A* defines the expressions "urban renewal" and "renewal area".

*Section 24B* requires a local authority that has an operative district scheme and proposes to carry out urban renewal to notify the Commissioner of Works of its proposals.

*Section 24C* requires a local authority that has notified the Commissioner under *section 24B* and is proceeding with urban renewal to obtain the consent of the Minister of Housing to its proposed plan, explanatory report, and code of ordinances.

*Section 24D* empowers the local authority to incorporate in its operative district scheme the plan, explanatory report, and code of ordinances as approved by the Minister.

*Section 24E* amends section 30 of the Town and Country Planning Act 1953, in its application to a renewal area, by providing that a renewal area and code of ordinances shall be reviewed at not longer than 20-year intervals instead of at 5-yearly intervals as provided for in that section.

*Section 24F* provides that any urban renewal in a renewal area shall be deemed to be a conditional use as defined in the Town and Country Planning Act 1953, except to the extent of any contrary provision in the code of ordinances attaching to the renewal area. This means that the consent of the local authority is required to any development in the renewal area, although the rights of appeal to the Town and Country Planning Appeal Board will still be available.

*Section 24G* empowers the Minister to contribute towards the cost of investigating and planning a renewal area.

*Section 24H* provides that sections 20 to 24 and section 25 of the 1945 Act relating to reclamation areas apply to renewal areas. These sections provide for the following matters:

- (a) Section 20 authorises the local authority to acquire compulsorily or by purchase land in or near a reclamation area if its acquisition is reasonably necessary for the satisfactory development or use of the area.
- (b) Section 21 confers on a local authority power to resubdivide and improve a reclamation area, and for that purpose to exercise powers set out in the section.
- (c) Section 22 enables financial assistance to be given by the Government following the entering into of a joint works agreement with the local authority.
- (d) Section 23 enables possession to be obtained of buildings on land acquired by the local authority.
- (e) Section 24 relates to the vesting of closed streets in the local authority.
- (f) Section 25 relates to compensation for land taken.

*Clause 7* consequentially amends sections 32, 34, and 35 of the principal Act. Section 32 confers a power of entry into any house or land, section 34 prohibits the occupier of any house interfering with the performance by the owner of any duty imposed by the Act, and section 35 requires the occupier or the agent of the owner of any house to disclose to the local authority or the Minister the name and address of the owner. The amendments to these sections extend these provisions to other buildings as well as to houses.

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*Hon. Mr Rae*

## URBAN RENEWAL AND HOUSING IMPROVEMENT AMENDMENT

### ANALYSIS

Title	
1. Short Title	24c. Preparation of plan, report, and ordinances
2. Alteration of Short Titles of principal Act and amending Act	24d. Incorporation of plan into district scheme
3. Interpretation	24e. Review of district scheme in relation to renewal area
4. Regulations prescribing standards of fitness of houses	24f. Consent of local authority required to urban renewal
5. Regulations as to overcrowding	24g. Financial contributions towards cost of investigating and planning renewal areas
6. New Part IIA inserted in principal Act	24h. Provisions relating to reclamation areas to apply
PART IIA	
COMPREHENSIVE URBAN RENEWAL AREAS	
24A. Interpretation	7. Consequential amendments
24B. Proposals as to renewal area to be advised to Commissioner of Works	

### A BILL INTITULED

#### An Act to amend the Housing Improvement Act 1945

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. **Short Title**—This Act may be cited as the Urban Renewal and Housing Improvement Amendment Act 1969, and shall be read together with and deemed part of the Act heretofore cited as the Housing Improvement Act 1945\* (hereinafter referred to as the principal Act).

\*1957 Reprint, Vol. 6, p. 255

**2. Alteration of Short Titles of principal Act and amending Act**—(1) The principal Act may hereafter be cited as the Urban Renewal and Housing Improvement Act 1945.

(2) The Short Title of the principal Act, and the Short Title of the Housing Improvement Amendment Act 1955 are hereby consequentially amended, in each case, by inserting before the word “Housing” the words “Urban Renewal and” 5

(3) Every reference in any enactment to the Short Title of either of the said Acts is hereby consequentially amended by inserting, before the word “Housing”, the words “Urban Renewal and” 10

**3. Interpretation**—Section 2 of the principal Act is hereby amended by omitting from the definition of the term “Minister” the words “Minister of Works”, and substituting the words “Minister of Housing”. 15

**4. Regulations prescribing standards of fitness of houses**—Section 4 of the principal Act is hereby amended by omitting the words “Minister of Works”, and substituting the words “Minister of Housing”.

**5. Regulations as to overcrowding**—Section 15 of the principal Act is hereby amended by omitting the words “Minister of Works”, and substituting the words “Minister of Housing”. 20

**6. New Part IIA inserted in principal Act**—The principal Act is hereby further amended by inserting, after section 24, the following Part: 25

“PART IIA

“COMPREHENSIVE URBAN RENEWAL AREAS

“**24A. Interpretation**—In this Part of this Act, unless the context otherwise requires,— 30

“‘Urban renewal’ includes the construction, reconstruction, extension, repair, alteration, change of use, and subdivision of any building or land:

“‘Renewal area’, means a comprehensive urban renewal area approved by the Minister and designated as 35  
a renewal area in an operative district scheme.

“**24B. Proposals as to renewal area to be advised to Commissioner of Works**—Where in the opinion of any local authority it is desirable that any area in the district of the local authority which is included in an operative district scheme under the Town and Country Planning Act 1953 be dealt with under this Part of this Act, the local authority may notify in writing the Commissioner of Works of its proposals for the preparation of a plan of the area showing the parts of that area proposed for rehabilitation, conservation of buildings, urban reclamation, and co-ordinated re-development, and indicating in 5-yearly intervals the proposed physical and financial programme for each part of the area.

“**24C. Preparation of plan, report, and ordinances**—After the expiration of a period of 49 days following the notification of its proposals to the Commissioner of Works, the local authority may cause to be prepared a plan of the area showing the matters referred to in section 24B of this Act, an explanatory report of the proposals, and a code of ordinances for the administration, control, and implementation of urban renewal in the area, and may submit that plan, explanatory report, and code of ordinances to the Minister for his approval.

“**24D. Incorporation of plan into district scheme**—After the Minister has approved the plan, explanatory report, and code of ordinances, the local authority shall, if it proposes to proceed with the programme for urban renewal, take all necessary steps to have the plan, explanatory report, and code of ordinances as approved by the Minister incorporated in its operative district scheme by changing or carrying out a review of its district scheme under the Town and Country Planning Act 1953 in order to have the area shown in the plan designated in the operative district scheme as a renewal area.

“**24E. Review of district scheme in relation to renewal area**—The provisions of subsection (2) of section 30 of the Town and Country Planning Act 1953 requiring 5-yearly reviews of district schemes shall, in their application to any renewal area and to the code of ordinances referred to in section 24D of this Act, be read as if the reference in that subsection to 5 years were a reference to 20 years.

**“24F. Consent of local authority required to urban renewal—**Unless and to the extent that it is otherwise provided in the code of ordinances referred to in section 24D of this Act, any urban renewal in a renewal area shall be deemed to be a conditional use within the meaning of that expression as defined in the Town and Country Planning Act 1953, and the provisions of that Act and of the regulations made thereunder relating to conditional uses shall apply thereto. 5

**“24G. Financial contributions towards cost of investigating and planning renewal areas—**Payments may from time to time be made to any local authority from the Consolidated Revenue Account, out of money appropriated by Parliament for the purpose, as a contribution towards the cost of investigating and planning any renewal area, at such rate or of such amount as may from time to time be approved by the Minister of Housing with the concurrence of the Minister of Finance. 10 15

**“24H. Provisions relating to reclamation areas to apply—**The provisions of sections 20 to 24 of this Act and of section 25 of this Act, as far as they are applicable and with the necessary modifications, shall apply to a renewal area as if every reference in those sections to a reclamation area were a reference to a renewal area.” 20

**7. Consequential amendments—**The principal Act is hereby further amended— 25

- (a) By inserting in subsection (1) of section 32, after the word “house”, the words “other building”:
- (b) By inserting in section 34, after the word “house”, the words “or other building”:
- (c) By inserting in section 35, after the word “house” wherever it occurs, the words “or other building”. 30