



ANALYSIS

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1969, No. 134

An Act to amend the Housing Improvement Act 1945

[24 October 1969]

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).

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".

(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".

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".

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".

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

"PART II_A

"COMPREHENSIVE URBAN RENEWAL AREAS

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

"'Urban renewal' includes the construction, reconstruction, extension, repair, alteration, change of use, aggregation, and subdivision of any building and change of use, aggregation, and subdivision of any land:

"'Renewal area', means a comprehensive urban renewal area approved by the Minister and specified as 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 within the ensuing period of 20 years, 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 specified in the operative district scheme as a renewal area:

“Provided that nothing in this section shall be construed to restrict the jurisdiction of the Town and Country Planning Appeal Board on the hearing and determination of any appeal in respect of any matter arising out of the change or review.

“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:

“Provided that where the Minister, after considering the progress made in the effective implementation by the local

authority of the physical and financial programme for the renewal area and any other matters that he considers appropriate, so requires, the local authority shall review the renewal area as part of its next review of its district scheme.

“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.

“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.

“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.”

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

- (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”.