

**TOWN AND COUNTRY PLANNING AMENDMENT
BILL**

EXPLANATORY NOTE

THIS Bill amends the Town and Country Planning Act 1953.

Clause 1 relates to the Short Title.

Clause 2 amends section 21 of the principal Act, which empowers the Minister or a local authority to make requirements to provide for existing and proposed public works in district schemes.

The amendment makes it clear that this power extends to the imposition of height and other restrictions on or in land, water, and air space necessary to ensure the adequate functioning or operation of public works.

Hon. Mr Connelly

TOWN AND COUNTRY PLANNING AMENDMENT

ANALYSIS

Title	1. Short Title 2. Contents of district schemes
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A BILL INTITULED

An Act to amend the Town and Country Planning Act 1953

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

1. Short Title—This Act may be cited as the Town and Country Planning Amendment Act 1975, and shall be read together with and deemed part of the Town and Country Planning Act 1953* (hereinafter referred to as the principal
10 Act).

2. Contents of district schemes—Section 21 of the principal Act is hereby amended by inserting, after subsection (7A) (as substituted by section 2 (1) of the Town and Country Planning Amendment Act 1972), the following subsection:
15 “(7B) Notwithstanding anything in the Public Works Act 1928 or in any other Act, a requirement that the Council shall make such provision in its district scheme as the Minister or local authority making the requirement may specify in
20 respect of any public work for which he or it has financial responsibility may be made under this section by the Minister or local authority in respect of the land used or to be used for that work and in respect of any other land or any water, subsoil, or air space, in respect of which a restriction is necessary to ensure the adequate functioning or operation of the
25 existing or proposed public work.”

*Reprinted 1972, Vol. 3, p. 2669
Amendments: 1973, No. 95; 1974, No. 125

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