

Hon. Mr. Russell.

## TOWN-PLANNING.

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### A BILL INTITULED

AN ACT to regulate the Planning of Towns.

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

1. This Act may be cited as the Town-planning Act, 1917, and shall come into operation on a day to be fixed by Proclamation.

2. In this Act, if not inconsistent with the context,—

“District” means the area of a local authority, and may include the whole or part of the area of one or more local authorities:

“Council” means the Board of a local governing authority:

“Commission” means the Town-planning Commission:

“Minister” means the Minister of Internal Affairs:

“Responsible authority” means the authority appointed to carry out a town-planning scheme where the town-planning area is in more than one district.

Title.

Short Title and commencement.

Interpretation.

Town-planning  
Commission  
constituted.

3. For the purposes hereinafter mentioned a Town-planning Commission is hereby appointed, and shall consist of the following persons :—

The Surveyor-General.  
The Engineer-in-Chief, Public Works Department. 5  
The Government Architect.  
The Valuer-General.  
The Chief Health Officer.  
The Under-Secretary, Internal Affairs Department, or his  
appointee. 10

Three persons appointed by the Governor-General, who shall hold office during the pleasure of the Governor-General, including one person appointed by the Governor-General on the recommendation of the Municipal Association, and one person appointed by the Governor-General on the recommendation of the New Zealand Institute of Architects, who shall each hold office for the term of three years from the date of his appointment. 15

Meetings of  
Commission.

4. (1.) Meetings of the Town-planning Commission may be summoned by the Minister of Internal Affairs. 20

(2.) Notice of every such meeting shall be given to each member of the Commission, but no meeting shall be deemed to be improperly called or constituted by reason of any failure to give such notice to any member.

(3.) At any meeting of the Commission four members shall form a quorum. 25

(4.) All matters coming before the Commission shall be considered and determined only at meetings of the Commission, and at every such meeting the decision of a majority of the members present thereat shall be deemed to be the decision of the Commission. 30

(5.) At every such meeting the Surveyor-General if present shall be Chairman, and in all other cases the members present shall elect one of their number to be chairman of the meeting.

(6.) The Chairman shall have the same right of voting as any other member present at the meeting. 35

(7.) Meetings of the Commission shall be private.

(8.) The Commission may make rules consistent with this Act governing its own procedure.

Secretary to  
Commission.

5. There shall be a Secretary to the Commission, who shall be appointed by the Governor-General, and who shall be paid such salary as is from time to time fixed by Parliament. Such Secretary may be an officer of the Public Service. 40

Seal of Commission.

6. (1.) The said Commission shall have in the custody of its Secretary a seal, which may, in the discretion of the Commission, be used for the authentication of any documents executed or issued by the Commission. 45

(2.) The seal shall be affixed only in the presence of two members of the Commission, who shall attest the affixing thereof.

Functions of  
Commission.

7. The powers, duties, and functions of the Town-planning Commission shall be to hold all such inquiries, to give all such decisions, awards, determinations, recommendations, and consents, and to do all such other acts and things as are in this or any other Act provided for in that behalf: 50

Provided that no act of the Town-planning Commission shall be binding unless and until it has been approved by the Minister.

8. (1.) The Commission, and any of its members if so authorized by the Commission, shall have all the powers of a Commission under the Commissions of Inquiry Act, 1908, in respect of any matter coming before it.

Commission to have powers of Commissions of Inquiry.

(2.) No person shall be concerned to inquire as to whether any member of the Commission acting in pursuance of this section was authorized by the Commission so to act.

10 9. There shall be paid to each member of the Commission appointed by the Governor-General a sum not exceeding *two* pounds for every meeting of the Commission at which he is present and for every day in which he with the authority of the Commission is engaged on the business of the Commission.

Remuneration of members appointed by Governor-General.

15 10. All expenses incurred by the Commission in the performance of its duties shall be paid out of moneys appropriated by Parliament.

Payment of expenses of Commission.

20 11. As soon as practicable after the close of every financial year the Commission shall transmit to the Minister a full report of its proceedings during that year, and such report shall within ten days after such transmission be laid before Parliament if then in session, and if not in session, then within ten days after the commencement of the next ensuing session.

Annual report of Commission.

25 12. The Governor-General may on the recommendation of the Minister and either with or without the consent of the local authority, by Proclamation, declare that any district, together with or without adjacent land as is defined by the Proclamation, shall be subject to the provisions of this Act, and thereupon the district and such adjacent land shall be subject to those provisions accordingly:

Governor General may declare any district subject to Act.

30 Provided that the Councils of the cities of Auckland, Wellington, Christchurch, and Dunedin may by resolution passed at an ordinary meeting of the Council apply to have such city or such city and the adjacent land described in the resolution and in the application declared to be subject to the provisions of this Act, and upon the issue of the Proclamation such city, or such city together with the adjacent land defined in the Proclamation, shall be subject to those provisions accordingly.

40 (2.) Upon any district being proclaimed subject to this Act, no land exceeding ten acres in extent within the proclaimed area may be subdivided for sale, except with the approval of the Minister, if the area is wholly within a district or, in other cases, unless the plan of subdivision is deposited with and approved by the Conference provided in section *fifteen* hereof, which Conference shall be convened whenever necessary by the Council which prepared the scheme.

45 (3.) It shall be the duty of the Conference to see that adequate provision is made in such plans for roading, water-supply, drainage, and lighting of roads in conformity with the town-planning scheme, and that due provision is made for schools and recreation-grounds. Any land required for post-offices, drill-halls, town halls, cemeteries, schools, and recreation-grounds, not exceeding a tenth of the total area, may be taken by the Crown under the provisions of the Public Works Act at the Government valuation of the land prior to its being offered for sale.

Power to prepare town-planning scheme.

13. (1.) Subject to the provisions of this Act, a Council may by resolution passed at an ordinary meeting, resolve to prepare and adopt a scheme (hereinafter called a town-planning scheme) providing for all or any of the matters mentioned in the Schedule hereto :

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Provided that the Minister may, if he considers it desirable, require a Council to prepare a scheme, but such scheme must be adopted by the Council before being proceeded with.

(2.) Every scheme shall define clearly the area (hereinafter called the town-planning area) within which it is intended to have effect, and shall be accompanied by a schedule of proposed expenditure upon each separate portion of the scheme.

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(3.) The general objects of a scheme shall be to improve and develop the town-planning area to the best possible advantage, and in particular—

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(a.) To secure proper sanitary and hygienic conditions, healthfulness, amenity, and convenience ;

(b.) To make suitable provision in connection with the laying-out or improvement of any street, road, or right-of-way for traffic and for means of communication so that it shall be adapted to the existing water-supply, drainage, roading, *et cetera* ;

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(c.) To make suitable provision for the use of land for building or other purposes ; and

(d.) To make provision for the acquisition and reservation of areas for the growing of timber for the use of persons within the town-planning area ;

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and with those objects the scheme may plan or replan and provide for reconstructing the whole or any part of the town-planning area.

(4.) The scheme may also have regard to and make arrangements for furthering the like objects in connection with other lands adjoining or in the neighbourhood of the town-planning area.

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(5.) The town-planning area may include the whole of any district or any part thereof, and in either case with or without any land adjacent to the district.

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(6.) A town-planning scheme may make comprehensive provision for the whole of the town-planning area for some purposes, and separate provision for different defined parts thereof for other purposes.

Public notice of scheme to be given.

(7.) Before any town-planning scheme is adopted public notice of the scheme, and of the estimates of cost, and of the intention to adopt the same, shall be given at least four times at intervals of not less than one week, and, in particular, public notice of the time and place of the meeting of the Council at which the adoption of the scheme is to be proposed shall be given not less than seven days nor more than fourteen days before the day of that meeting.

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(8.) The Council shall also give public notice of the proposals and estimates of cost, the period within which the scheme is to be carried out, and the maximum yearly rate that will be payable in connection with the scheme.

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(9.) Before making any recommendation with regard to a town-planning scheme the Council shall, without limiting its inquiry, make inquiry with regard to the following matters:—

- 5 (a.) The necessity for the proposed works ;  
 (b.) The reasonableness of the estimate ; and  
 (c.) The proposals for repayment ;  
 (d.) Any other matters arising out of the proposal.

10 (10.) Any person interested may, by notice in writing to the Town Clerk at any time before the date of the meeting at which the adoption of the scheme is to be proposed, object to the scheme. Every such notice shall state the grounds of the objection. Every such objection shall be considered and determined by the Council before the scheme is adopted. Objections to scheme.

15 (11.) Within twenty-eight days after the adoption of a town-planning scheme the scheme, together with all written objections thereto, shall be forwarded by the Council to the Commission. Scheme to be submitted to Commission.

20 (12.) On receipt of any such scheme it shall be the duty of the said Commission to consider the same, and to hold a public local inquiry, and to make such other inquiry as it thinks sufficient, calling upon all persons interested to set forth in writing any well-grounded objections to the Commission within a time specified in the notice.

25 (13.) After considering the scheme and all objections thereto as aforesaid the said Commission shall report fully thereon to the Minister, and make such recommendations in the matter as it thinks fit.

30 (14.) The Minister may either approve or disapprove of the scheme, or he may approve of the same with such modifications as he thinks fit, or he may refer the scheme to the Commission for further inquiry, in which case the Commission shall hold a further public local inquiry, and shall report thereon to the Minister. Approval of scheme.

(15.) Every scheme shall be ratified by Order in Council.

35 14. The publication of the Order in Council in the *Gazette* of the ratification of the Governor-General in Council of any scheme (either with or without modifications) shall confer on the scheme or on the scheme so modified, as the case may be, the authority of law as from a date specified in the Order in Council, and from that date the scheme shall have effect as if it were enacted in this Act. The Council may proceed with the whole or such portions of the scheme as it thinks fit. Ratification of scheme to be gazetted.

40 15. A town-planning scheme may be varied or revoked by a subsequent scheme prepared, adopted, and approved in accordance with this Act. Scheme may be varied or revoked.

45 16. (1.) Where a town-planning area extends beyond the limits of a district the Council which prepared the scheme shall, before it is adopted by that Council, submit to each of the local authorities into whose district the town-planning area so extends the whole or, at its discretion, that portion of the scheme which affects such district, and the said Council shall convene a conference of the members of the said Council and of the said local authorities for the consideration of the scheme. At such conference each local authority shall have one delegate for each ten thousand or less, and the voting shall be on a population basis. Scheme extending beyond district.

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(2.) At the Conference the scheme may either be approved or disapproved, or it may be approved with modifications, and any resolution of the Conference disapproving the scheme, or (unless the said Council agrees thereto) modifying the same, shall be deemed to be an objection to the scheme, and a copy thereof shall be forwarded to the Commission, together with other written objections (if any) received pursuant to subsection *twelve* of section *thirteen* hereof. 5

(3.) The Governor-General may from time to time, by Order in Council gazetted, make regulations prescribing the procedure for convening a Conference under this section, and regulating the proceedings at the Conference. 10

Responsible  
authority where  
scheme extends  
beyond borough.

17. Where a town-planning area extends beyond the limits of the district of the Council which proposed the scheme, the Order in Council ratifying the scheme shall specify that that Council, or some one of the local authorities into whose district the town-planning area extends, shall be the responsible authority for the carrying-out of the scheme, or it may specify one local authority for some purposes of the scheme and another or others for other purposes, or it may constitute a joint committee of all such local authorities, and all necessary provisions may be made by the order for constituting the joint committee, and giving it the necessary powers and duties. 15 20

Power to enforce  
scheme.

18. (1.) The Council in the case of a town-planning area which does not extend beyond the district of the Council, or the responsible authority in any other case, may, at any time, after giving such notice as may be provided by a town-planning scheme and in accordance with the provisions of the scheme,— 25

(a.) Remove, pull down, or alter any building or other work in the town-planning area which is such as to contravene the scheme, or in the erection or carrying-out of which any provision of the scheme has not been complied with ; 30  
or

(b.) Execute any work which it is the duty of any person to execute under the scheme in any case where it appears to the Council or responsible authority that delay in the execution of the work would prejudice the efficient operation of the scheme. 35

Recovery of  
expenses.

(2.) Any expense incurred by a Council or responsible authority under this section may be recovered from the person in default in such manner and subject to such conditions as may be provided by the scheme. 40

(3.) Any questions which arise as to whether any building or work contravenes a town-planning scheme, or whether any provision of a town-planning scheme has not been complied with in the erection or carrying-out of any such building or work, shall, unless the parties otherwise agree, be determined by a Judge of the Supreme Court, and the decision of the Judge shall be final and conclusive and binding on all persons. 45

Compensation.

19. (1.) Subject to the provisions of this Act, any person whose property is injuriously affected by the operation of a town-planning scheme shall be entitled to full compensation for the injury sustained by him, which may be claimed and shall be determined in the manner provided by the Public Works Act, 1908. 50

(2.) A person shall not be entitled to compensation on account of any building erected on, or contract made or other thing done with respect to, land included in a town-planning scheme after the date of the first publication of the notice of the Council's or  
5 responsible authority's intention to adopt the scheme made pursuant to section *twelve* hereof.

(3.) Where property is alleged to be injuriously affected by reason of any of the provisions of a town-planning scheme no compensation shall be payable in respect thereof if or so far as  
10 the provisions are such as would have been enforceable if contained in a by-law made by the local authority.

(4.) Property shall not be deemed to be injuriously affected by reason of any of the provisions of a town-planning scheme which regulate the space about buildings, or limit the number of build-  
15 ings to be erected, or prescribe the height or character of buildings.

(5.) Where a town-planning scheme is altered or revoked any person who has incurred expenditure for the purpose of complying with the scheme shall be entitled to compensation in accordance with this section in so far as any such expenditure has been rendered  
20 abortive by reason of the alteration or revocation of the scheme.

(6.) Where a person is entitled to compensation under this Act in respect of any matter or thing and he would be entitled to compensation in respect of the same matter or thing under any other enactment, he shall not be entitled to compensation both under  
25 this Act and that other enactment, or to any greater compensation under this Act than he would be entitled to under the other enactment.

(7.) Where by the preparation, adoption, or making of any scheme any land or other property is, as from such time as is  
30 specified therein, increased in value, the Council or the responsible authority may make a claim in respect of the increase in value within the time limited by the scheme, and shall be entitled to recover from the owner for the time being of such land or property one-half of the amount of such increase.

(8.) No person shall be entitled to compensation for severance or disturbance in the possession of lands by reason of the realignment of any street, road, or right-of-way under any scheme as distinguished from compensation for the land under the scheme.

20. The carrying-out of a town-planning scheme by a Council  
40 or a responsible authority shall be deemed to be a public work within the meaning of the Municipal Corporations Act, 1908, and the Public Works Act, 1908, and may apply to the whole district or a particular area; and in raising any loan not exceeding five thousand pounds, or  
45 any loan secured by a rate not exceeding one half-penny in the pound on the rateable value of the area affected, it shall not be necessary to take any poll of the ratepayers unless a petition signed by not less than ten per centum of the ratepayers affected who are entitled to vote at any such poll is presented to the Council or responsible authority praying that a poll be taken:

50 Provided that if the poll is rejected a fresh proposal may be made.

Scheme deemed to be a public work.

Borrowing powers.

Power to make and  
suspend by-laws.

21. Where any part of a town-planning area extends beyond the district of the Council that prepared the scheme the responsible authority appointed to carry out the scheme may suspend any by-law in force within that part, and may make such by-laws applicable to that part as it might make if the same were within its district. 5

Regulations.

22. (1.) The Governor-General may make regulations prescribing a set of general provisions, or separate sets of general provisions respectively adapted for areas of different characters for carrying out the general objects of town-planning schemes, and in particular for dealing with the matters set out in the Schedule. 10

(2.) The general provisions or the set of general provisions appropriate to the scheme area prescribed as provided by subsection *one* hereof shall take effect as part of every scheme, except so far as special provision is made by the scheme, as approved by the Minister, for the variation or the exclusion of any of those provisions, 15 and as so varied, and subject to any such exclusion, shall, with respect to the particular scheme, have the same effect as if enacted in this Act.

*Acquisition of Land.*

Power to acquire  
land.

23. Unless otherwise provided for under a town-planning 20 scheme, a Council or a responsible authority may, with the consent of the Minister, at any time either before or after the scheme has been adopted, acquire any land by gift, or by purchase, or by exchange pursuant to agreement.

*Expenses of a Scheme.*

Expenses of a  
scheme.

24. (1.) Special provision shall be made in any scheme pre- 25 scribing in what manner and by what persons or authorities the expenses of preparing and obtaining the approval of the scheme and carrying the same into effect, and otherwise in connection with or for the purposes of the scheme are to be defrayed, and in what 30 manner and by what persons or authorities the funds for that purpose are to be provided and obtained.

(2.) Subject to the provisions of a scheme or in so far as a scheme does not provide, the following provisions shall apply as to the expenses mentioned in subsection *one* hereof (which expenses 35 are hereinafter in this section referred to as expenses in connection with the scheme):—

(a.) When the town-planning area or the area to which the town-planning scheme applies comprises lands within two 40 or more local-government areas, or when for any other reason any expenses in connection with the scheme are properly attributable to more than one Council, such expenses may in either case be apportioned between such Councils by agreement, or, on the application of either of 45 such Councils or of the responsible authority, by the Minister, whose apportionment shall be final, and not subject to any appeal.

(b.) A Council may defray its expenses in connection with the scheme (whether as a responsible authority or otherwise) 50 out of its general revenue, or out of moneys raised by rates or by loan as provided by this section, or partly out of such revenue and partly out of moneys so raised.



(c.) A Council without the consent of ratepayers may declare such rates as may be necessary to defray its expenses in connection with the scheme, and may borrow money for defraying such expenses on the security of such rates by the issue of debentures :

Provided that if the town-planning area does not comprise the whole of the lands within the local-government area of such Council such rates shall be declared only on the lands within the respective areas aforesaid.

(d.) Subject to the provisions of this Act, the provisions of the Municipal Corporations Act, 1908, the Counties Act, 1908, the Town Boards Act, 1908, the Rating Act, 1908, the Public Works Act, 1908, and the Local Bodies' Loans Act, 1913 (according to the nature of the case), as to the declaration and recovery of rates, and as to the borrowing of money, and as to the debentures to secure the repayment thereof, shall (with any necessary modifications) apply to this Act and to rates declared, moneys borrowed, and debentures issued under this section :

Provided that the rates so declared or the moneys so borrowed, shall not, if the Minister so directs, be reckoned as rates declared or moneys borrowed within the meaning of any provision of any of those Acts fixing limits upon the power to declare rates or to borrow money.

(e.) A responsible authority may exercise all the powers of a Council under this section, and for that purpose may, if it thinks proper, treat the town-planning area as one local-government area, notwithstanding that such area comprises lands situated in several local-government areas :

Provided that, notwithstanding anything contained in a scheme or in this section, no responsible authority shall have power to declare rates on any lands without the consent of the Council within the local-government area of which such lands are comprised, nor to borrow money on rates so declared without such consent.

25. The Council or the responsible authority may from time to time revise a plan of the area of any city, town, or township and the suburbs thereof within which a town-planning area is comprised, and the probable future extensions of such city, town, or township and suburbs, showing tentative schemes both for the developed and undeveloped portions of such areas. Plans.

26. A Council or a responsible authority may call for competitive designs for the plan referred to in section *twenty-five*, or for the preparation of or for carrying out the scheme, on such terms and conditions as it thinks proper, and pay money by way of prizes for such designs. Competitive designs.

#### *Town-planning Fund.*

27. There shall be a town-planning fund, which shall consist of— Town-planning fund.

- (a.) Moneys paid into the fund from ordinary revenue by a Council ;
- (b.) Moneys received from lands sold or leased ;
- (c.) Moneys borrowed for town-planning purposes ; and
- (d.) Donations.

Additional  
borrowing powers.

28. (1.) Subject to the provisions of section *twenty*, the Council or responsible authority may, if it does not propose to pledge a special rate, borrow money for the purposes of this Act by special order without taking the steps required by sections eight to twelve of the Local Bodies' Loans Act, 1913, and all such moneys shall be paid into "the town-planning fund." 5

(2.) Such fund shall be carried to a special account, and shall be under the control of and shall be operated on by the Council or responsible authority in pursuance of this Act. The account to be kept in two divisions—namely, capital and revenue; and any money payable into or out of the fund shall be entered in the appropriate division of the account. The account shall be audited by the Audit Office. 10

Disposal of moneys.

29. All moneys received in respect of lands and buildings sold or leased under this Act shall be paid into the town-planning fund. 15

Costs and expenses.

30. The town-planning fund shall be charged with all costs and expenses incidental to the town-planning scheme.

Power to make  
regulations.

31. (1.) In addition to any power by any other section of this Act conferred on the Governor-General to make regulations as to any matter (which power shall in every case be implied for the purpose of any section in which the regulations are referred to or in which the word "prescribed" is used), the Governor-General may make any regulations which may be necessary or convenient for carrying out any of the provisions of this Act, or for better effecting the objects of this Act. 20

(2.) Any regulation may impose a penalty not exceeding *twenty* pounds for any breach of that or any other regulation. 25

Schedule.

## SCHEDULE.

MATTERS WHICH MAY BE PROVIDED FOR IN A TOWN-PLANNING SCHEME SUBJECT TO THE APPROVAL OF THE MINISTER.

1. Streets, roads, and rights-of-way generally; and particularly the alteration, widening, closing, diverting, raising, lowering, aligning, realigning, grading, regrading, classifying, reclassifying, naming, renaming, constructing, reconstructing, maintaining, repairing, draining, re draining, sewerage, re sewerage, beautifying, gardening, and tree-planting of streets, roads, and rights-of-way; the junctions and intersections of streets, roads, and rights-of-way; the laying of sewers, pipes, and wires, and the placing of lamps, lamp-posts, tramway-poles, monuments, fences, gateways, public signs, notices, and other objects in or on land adjacent to streets, roads, and rights-of-way, and the reclamation of land.

2. Parks and open spaces generally, and particularly public reserves, gardens, playgrounds, sports and recreation grounds, drill-grounds, aviation-grounds, public squares, and other open public places, and fences, railings, monuments and statues, buildings, and other erections or works on parks, open spaces, public squares, and other public places.

3. Gardens and park spaces for the use of particular parts of the area and parkways for general use.

4. Public conveniences generally, and particularly location of churches, schools, educational and recreational institutions, libraries, public buildings, theatres, and other places of public entertainment, fountains, public-comfort stations, and refreshment-kiosks and other buildings.

(5.) The subdivision of land generally, and in particular any requirements deemed necessary—

- (a.) In regard to new subdivisions, or resubdivisions of any land (or maps, plans, sections, or particulars thereof) contained within the town-planning area, including drainage, size and shape of allotments (or separate parcels of land), and access thereto.
- (b.) For the classification of and prescribing and determining any requirements in regard to the length or width of any street, road, or right-of-way according to the use to which such street, road, or right-of-way is likely to be put, or according to the physical features of the land, together with the design, method of construction, and cost of completion or alignment of any street, road, or right-of-way; and
- (c.) For dealing with or disposing of land acquired under this Act by a responsible authority or by any Council or other public body or any person.

6. The replanning and reconstruction of the scheme area or any part thereof; including any provisions necessary for—

- (a.) Purchase under Public Works Act of lands affected, or the pooling of the lands of several owners (any man's roads, streets, or rights-of-way adjacent or near thereto);
- (b.) The redivision of such lands among such owners;
- (c.) Providing and making new roads, streets, or rights-of-way;
- (d.) Adjusting and altering the boundaries of any such lands, roads, streets, or rights-of-way;
- (e.) Effecting such exchange of lands or cancellation of existing subdivisions as may be necessary or convenient for the purposes aforesaid;
- (f.) Adjustment of rights between such owners or other persons interested in such lands, roads, streets, or rights-of-way;
- (g.) The vesting of such lands, roads, streets, or rights-of-way subject or not subject to any rights or trusts;

and any other provision necessary for giving effect to the purposes aforesaid.

7. Buildings generally, and in particular—

- (a.) The height, location, purpose, dimensions, or the general character of buildings:
- (b.) The special control and regulation of buildings:
- (c.) The demolition or alteration of buildings:
- (d.) The prevention of the erection of ugly buildings which may destroy local amenities:
- (e.) The prohibition or regulation of the placing of advertisements, advertising-boards, illuminated signs, and other advertising devices and erections, or other disfigurements:
- (f.) The placing of new public buildings:
- (g.) Harmony in the exterior designs of buildings.

8. Limiting the number of apartment, tenement, detached, or other family dwellinghouses to the acre generally or in any particular locality, and the extent to which each subdivision, allotment, or parcel of land is to be built upon, and providing for adequate light and air to the windows of each house, and prescribing other requirements so far as is reasonable for the purpose of securing the convenience and the amenity of the scheme-area and proper sanitary and hygienic conditions in connection with any buildings therein.

9. The making, fixing, and altering and ascertaining of building-lines irrespective of the width of alignment of any street, road, or right-of-way to secure as far as practicable, having regard to the physical features of the site and the depth of the existing subdivisions, that the distance between the buildings to be erected or buildings likely to be reconstructed, on opposite sides of any street, road, or right-of-way shall not be less than that fixed by the scheme, according to the prospective traffic requirements, of such street, road, or right-of-way.

10. Classification of the town-planning area for residential, commercial, industrial, and other purposes respectively, including the provision of special areas for factories or for carrying on industries generally, and for warehouses, stores, stables, and other buildings used for commercial and industrial purposes, and fixing the sites for buildings required for any charitable, religious, or public purposes or for public conveniences as mentioned in paragraph four hereof; and prohibiting the carrying-on of any trade or manufacture, or the erection of any building in a particular part of the area other than in accordance with the provisions of the scheme.

11. Conservation of the natural beauties of the area, including lakes and other inland waters, banks of rivers, foreshores of harbours and other parts of the sea, hill slopes and summits and valleys.

12. The preservation of historic buildings and objects of historical or scientific interest.

13. Probable routes for railway, tramways, and canals and probable sites for bridges, docks, harbours, piers, quarries, and lighting, water, drainage, and sewerage works, and works for the disposal of drainage and sewerage, or any other public or private work or undertaking authorized by statute.

14. Works ancillary to or consequent on the scheme.

15. The extinction or variation of any right-of-way or easement, public or private, or to any restrictive covenant or covenants affecting land.

16. Power of entry and inspection.

17. The exercise of the power of the responsible authority to acquire land or buildings or to make any agreement or proposal in respect thereto.

18. The acquisition and preservation of areas for the growing of timber for the use of persons within the town-planning area.

19. Power of the responsible authority to remove, alter, or demolish any building which obstructs the observance or carrying-out of any scheme.

20. Power of a responsible authority to make agreements with owners and of owners to make agreements with one another.

21. Co-operation of the responsible authority and the owners of lands and co-operation between owners of land.

22. Co-operation between the responsible authority and the Government or any public or statutory bodies or authorities, including Councils.

23. Betterment charges payable by and compensation payable to owners of land, and the means of ascertaining, fixing, and recovering the same or charging betterment against the land.

24. The recovery of expenses incurred in giving effect to the scheme.

25. Provision for the responsible authority to raise money by rates or loans or otherwise, for the purposes of the scheme, and to accept and administer lands, moneys, and other gifts for such purposes.

26. The carrying-out and completion of the scheme generally, and particularly the time and manner in which and the persons and authorities by whom or by which the scheme, or any part thereof, shall be carried out and completed and its observance assured.

27. The carrying-out and supplementing, with respect to the scheme, of the provisions of this Act for enforcing schemes.

28. Any matter with respect to which under this Act an agreement relating to a scheme may be made.

29. Limitation of time for the operation of a scheme.

30. Any matter necessary or incidental to town-planning.