



THE TOWN AND COUNTRY PLANNING REGULATIONS 1960,
AMENDMENT NO. 4

ARTHUR PORRITT, Governor-General
By his Deputy
ALEXANDER TURNER
ORDER IN COUNCIL

At the Government House at Wellington this 7th day of August 1972

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Town and Country Planning Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Town and Country Planning Regulations 1960, Amendment No. 4, and shall be read together with and deemed part of the Town and Country Planning Regulations 1960* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Initiation of appeal—Regulation 24 of the principal regulations is hereby amended by omitting from the third proviso to subclause (6) (as added by regulation 6 (3) of the Town and Country Planning Regulations 1960, Amendment No. 3) the word “, respondent,”.

3. Arrangements for hearing appeal—(1) Regulation 26 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) **Time and place**—The Board shall fix a time and place for the hearing of the appeal, and the Secretary of the Board shall, not less than 1 month before the date fixed for the hearing, give notice of that time and place to the appellant, the applicant (if any), the Council,

*S.R. 1960/109

Amendment No. 1: S.R. 1966/149

Amendment No. 2: S.R. 1967/9

Amendment No. 3: S.R. 1970/126

the respondent, and every other person or body who or which has, before the giving of such notice, notified the Secretary of the Board of his or its desire to be heard on the appeal:

“Provided that the Board may reduce the said period of 1 month to any period of not less than 1 week if it is of the opinion that circumstances justify the reduction.”

- (2) The following regulations are hereby consequentially revoked:
- (a) Regulation 17 of the Town and Country Planning Regulations 1960, Amendment No. 2:
 - (b) Regulation 8 of the Town and Country Planning Regulations 1960, Amendment No. 3.

4. Signing and sealing of orders—The principal regulations are hereby further amended by inserting, after regulation 26, the following regulation:

“26A. The record of any order or determination of the Board or of the Chairman of the Board may be signed by the Chairman or Deputy Chairman of the Board or by the Secretary of the Board, and shall be authenticated with the seal of the Board.”

5. Determination of appeal and distribution of final order—(1) The principal regulations are hereby further amended by revoking regulation 27, and substituting the following regulation:

“27. On the final determination of the appeal the Secretary of the Board shall as soon as practicable—

- “(a) Return every exhibit in the Board’s custody to the party that submitted it:
- “(b) If the appeal was brought under the Act, supply a copy to such of the following persons or bodies who or which were not represented at the hearing, namely, the Commissioner of Works, the District Commissioner of Works, and the Regional Planning Authority (if any):
- “(c) If the appeal was brought under any other Act, supply a copy to the Commissioner of Works and the District Commissioner of Works, if they were not represented at the hearing.”

- (2) The following regulations are hereby consequentially revoked:
- (a) Regulation 18 of the Town and Country Planning Regulations 1960, Amendment No. 2:
 - (b) Regulation 9 of the Town and Country Planning Regulations 1960, Amendment No. 3.

6. Applications for consent to change of use, etc.—Regulation 32 of the principal regulations (as substituted by regulation 23 of the Town and Country Planning Regulations 1960, Amendment No. 2) is hereby amended by adding to subclause (4) the following proviso:

“Provided that, if the date of completion of the public notification falls within the period commencing on the 20th day of December in one year and ending with the 21st day of January in the next year, the date by which objections are required to be submitted shall be not earlier than the 10th day of February in that next year.”

7. Forms—The First Schedule to the principal regulations is hereby amended by inserting in form O (as inserted by regulation 28 (i) of the Town and Country Planning Regulations 1960, Amendment No. 2), after the words “in support of his objection”, the words “, and shall serve on the applicant a copy of the objection”.

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations make miscellaneous amendments to the provisions of the regulations relating to the initiation of appeals, arrangements for hearing appeals, signing and sealing of orders, determination of appeals, and forms.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 10 August 1972.
These regulations are administered in the Ministry of Works.