



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE
OF
THURSDAY, MARCH 10, 1927.

Published by Authority.

WELLINGTON, SATURDAY, MARCH 12, 1927.

Regulations under the Town-planning Act, 1926.

CHARLES FERGUSSON, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington this 11th day of March, 1927.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Town-Planning Act, 1926, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the regulations hereinafter set forth.

REGULATIONS.

1. THESE regulations may be cited as the Town-planning Regulations, 1927.

2. In these regulations, unless the context otherwise requires—

- “The said Act” means the Town-planning Act, 1926 :
- “The Board” means the Town-planning Board established under the said Act :
- “Borough” includes “city,” and “Borough Council” includes “City Council” :
- “Director” means the Director of Town Planning appointed under the said Act.

CIVIC SURVEY MAP.

3. (1.) Except as provided in subclause (3) of this clause, every Borough Council required by the said Act to prepare a town-planning scheme shall forthwith prepare, in accordance with the following provisions of this clause, a map or maps of the borough. Such map (or, if more than one, all such maps taken together) shall constitute and be known as the Civic Survey Map.

(2.) The following particulars as existing at the date of the preparation of the Civic Survey Map shall be shown thereon :—

- (a.) The position of all streets and private streets, with the names, widths, and surface-levels thereof.
- (b.) The routes of tramways, railways, and licensed motor-omnibus services.
- (c.) The position of any harbour or other waterway, showing in relation thereto all wharves, quays, piers, jetties, or landing-stages.

- (d.) All reserves and other open spaces, with particulars as to their several purposes.
 - (e.) Areas of Crown land and of Native land.
 - (f.) Land with buildings thereon, with particulars as to the kinds of buildings (for example, residences, shops, factories, public buildings, or as the case may be) to be shown by means of distinctive colours.
 - (g.) The several allotments into which the land within the borough is divided, showing section numbers or other subdivisional references.
- (3.) Any existing map or maps on which the particulars required above are shown may be used as the Civic Survey Map, and in such case the local authority shall not be required to prepare a special map for the purpose.

PROVISIONAL TOWN-PLANNING SCHEME.

4. (1.) On the completion of the Civic Survey Map, and either by way of addition thereto, or by the preparation of a new map, the Council shall prepare a map to be known as the Provisional Town-planning Map.

(2.) On the Provisional Town-planning Map there shall be shown all works proposed for the purposes of a town-planning scheme, and in particular, the following matters :—

- (a.) All new streets proposed to be laid out :
- (b.) Any proposed widening, deviation, or other alteration of any existing street :
- (c.) The proposed building-lines, whether in respect of new streets, or of the widening of existing streets, or of new buildings to be erected in existing streets :
- (d.) Areas proposed to be reserved for recreation-grounds, children's playing areas, parks, or other open spaces, specifying with respect to each the purpose for which it is proposed to be reserved :
- (e.) The restrictions (if any) proposed with respect to the use of any land, showing in each case the area to which the restriction relates and the nature of the restriction. Without limiting the generality of this provision, such restrictions may relate to—
 - (i.) The character of the buildings (as for example, whether dwellinghouses, or shops, or public buildings, or workshops, or factories for inoffensive trades, or factories for noisome or offensive trades, or partly one class of building and partly another class) :
 - (ii.) The density of buildings :
 - (iii.) The heights of buildings.

(3.) The areas proposed to be reserved for open spaces as aforesaid, and the areas proposed to be made subject to

restrictions as to use, should be shown by distinctive colours or hatchings on the Provisional Town-planning Map prepared in accordance with this clause.

(4.) The contours of the several areas within the borough in relation to which any works are proposed to be carried out for the purposes of the scheme shall be shown on the Provisional Town-planning Map in such manner as the Board or the Director may from time to time require.

5. (1.) In addition to the Provisional Town-planning Map hereinbefore required to be prepared, the Council shall prepare a statement setting forth in detail an explanation and description of the several proposals as shown on the map; and, after having provisionally approved the scheme in accordance with section 16 of the said Act, shall forward to the Board, in duplicate—

- (a.) The Civic Survey Map, to be marked "Map No. 1";
- (b.) The Provisional Town-planning Map, to be marked "Map No. 2";
- (c.) The statement hereinbefore required to be prepared in explanation of the several proposals contained in the Provisional Town-planning Map;
- (d.) The by-laws of the Council in so far as they may affect the operation of the town-planning scheme, together with any proposal of the Council with respect to new by-laws.

(2.) Where the Civic Survey Map has been converted into the Provisional Town-planning Map, it shall be marked as "Map No. 1," and also as "Map No. 2."

6. (1.) The Board may require the Council, within such time as it may specify in that behalf, to make such modifications or alterations of the provisional town-planning scheme as it considers proper, and thereupon to make the necessary alterations in the Provisional Town-planning Map.

(2.) When all such alterations or modifications (if any) have been made to the satisfaction of the Board, the Board shall provisionally approve the scheme; provided that the Board shall not thereby be precluded from requiring any further alterations or modifications to be made in the scheme before finally approving the same in terms of section 21 of the said Act.

NOTIFICATION OF PROVISIONAL SCHEME.

7. (1.) When the Board has provisionally approved a scheme in accordance with the said Act and these regulations, the Council shall publicly notify the same by advertisement in one or more newspapers circulating in the borough.

(2.) Such advertisement shall be published not less than once in each of three successive weeks, and shall be in the form No. 1 in the Schedule hereto or to the effect thereof.

(3.) The Council may also, if it thinks fit, publicly notify the town-planning scheme by posters or in any other appropriate manner.

OBJECTIONS.

8. (1.) Any objection to the scheme made by the occupier of any rateable property within the borough, as provided for by section 17 of the said Act, may be in the form No. 2 in the Schedule hereto or to the effect thereof.

(2.) The owner of any rateable property within the borough, not being the occupier of such property, shall have a right of objection to the provisions of a town-planning scheme to the same extent as if he were the occupier of such property.

9. (1.) Any person interested in the scheme, other than as an owner or occupier of rateable property within the borough, as aforesaid, may, in writing, make representations to the Council for the alteration of the scheme or otherwise in respect thereto.

(2.) Every person making any representation as aforesaid with respect to a scheme (as distinguished from a formal objection to the scheme) shall in his notice state the capacity in which he is acting, as, for example, whether he is acting individually, or is acting as the representative of some specified society or association of persons interested in the particular scheme or generally in the furtherance of town-planning principles, or as the case may be.

SUBMISSION TO BOARD OF PROVISIONAL SCHEME, OBJECTIONS, REPRESENTATIONS, AND RECOMMENDATIONS.

10. As soon as convenient after the expiration of the period of three months from the date of the first public notification of the scheme, the Council shall forward to the Board—

- (a.) A copy of each advertisement, poster, or other notification of the scheme;
- (b.) All objections and representations received in relation thereto;
- (c.) A report of the Council with reference to the several objections and representations made in relation to the scheme; and any recommendations that the Council may have to make for the modification of the scheme.

CONSIDERATION BY BOARD OF OBJECTIONS AND REPRESENTATIONS AS TO SCHEME.

11. (1.) The Board, or any Committee appointed by the Board pursuant to section 19 of the said Act, as the case may

be, shall fix a time and place for the hearing of objections and the consideration of recommendations made with respect to the scheme, and shall give notice of such time and place by advertisement published in one or more newspapers circulating in the borough to which the scheme relates.

(2.) The first such advertisement shall be published not less than seven days before the date fixed for the hearing.

FINAL APPROVAL OF SCHEME.

12. (1.) On the final approval by the Board of a town-planning scheme the Borough Council shall prepare a map to be known as the Approved Town-planning Map, on which shall be shown the particulars specified in clause 4 herewith as finally approved by the Board. The Approved Town-planning Map shall be marked, and may be referred to, as "Map No. 3."

(2.) With the approval of the Board the Provisional Town-planning Map may be adapted and used as the Approved Town-planning Map, in which case it shall be marked both as "Map No. 2" and as "Map No. 3."

(3.) A copy of the Approved Town-planning Map, together with a final statement of proposals and an explanation thereof, shall be prepared by the Council for the use of the Board.

REGIONAL-PLANNING SCHEME.

13. (1.) The provisions of these regulations as to town-planning schemes shall, with the necessary modifications, apply with respect to a regional-planning scheme, save that any maps or other documents prepared for the purposes of a regional-planning scheme shall be required to relate to that portion of the rural area that is defined for the purposes of the scheme pursuant to section 25 of the said Act.

(2.) The responsible authority for a rural area, appointed by or in terms of section 24 of the said Act shall, in relation to a regional-planning scheme, prepare all such maps and do such other things as a Borough Council is by these regulations required to prepare or do in relation to a town-planning scheme.

COMBINED TOWN- AND REGIONAL-PLANNING SCHEMES.

14. The provisions of these regulations as to town-planning schemes shall, with the necessary modifications, apply to joint schemes prepared pursuant to section 28 of the said Act.

MAPS.

15. All maps or plans prepared for submission to the Board with reference to any works proposed to be undertaken for the purposes of a town-planning scheme shall be on a scale of not less than 10 chains to the inch, and all other maps or plans prepared for submission to the Board for the purposes of these regulations shall be on the same scale, or on such other scale as the Board or the Director may require or approve.

SCHEDULE.

[Form No. 1.]

NOTICE WITH RESPECT TO TOWN-PLANNING SCHEME.

PUBLIC notice is hereby given that a town-planning scheme for the City [Borough] of _____ has been prepared in terms of the Town-planning Act, 1926, and has been provisionally approved by the Town-planning Board. Particulars of the scheme have been deposited in the [State with particularity the place of deposit, being in the office of the Council], and are there open for public inspection between the hours of _____ and _____ until and inclusive of the day of _____, 19 _____.

Objection to the scheme or to any part thereof may be made by way of written notice addressed to the Council at any time not later than [Specify date fixed for closing of objections, being three months after the date of first public notification of scheme].

Dated at _____ this _____ day of _____, 19 _____, Town Clerk.

[Form No. 2.]

OBJECTION TO TOWN-PLANNING SCHEME.

To the Town Clerk,
..... Borough Council.

TAKE notice that I, [Name, address, and occupation], being the (owner) (occupier) of rateable property within the borough of _____—to wit, [State Section No. and other particulars sufficient to identify the property], do hereby, in terms of section 17 of the Town-planning Act, 1926, object to the proposed town-planning scheme of the borough, on the following grounds, namely: [Set out particulars of objections].

Dated at _____ this _____ day of _____, 19 _____
[Signature of Objector.]

F. D. THOMSON,
Clerk of the Executive Council.