Urban Development Bill: Approval for Introduction

Proposal

1. This paper seeks approval to introduce the Urban Development Bill (the Bill), which will support Kāinga Ora – Homes and Communities (Kāinga Ora) to undertake and facilitate transformational, complex urban development that contributes to sustainable, inclusive, and thriving communities.

2. This Bill complements the Kāinga Ora – Homes and Communities Act 2019, which established Kāinga Ora as a Crown entity on 1 October 2019.

Policy

3. New Zealand’s urban areas are facing unprecedented pressure and are not delivering the improvements in living standards that we want. While our urban areas are growing, we are experiencing unaffordable housing (both rental and owner-occupied), rising urban land prices, increasing homelessness and pressure on the public housing register, increasing greenhouse gas emissions, lack of transport choice, and flattening productivity.

4. We need to change the ways we develop our urban areas so that our cities can make room for growth and thrive. This must happen at a scale and pace so everyone in New Zealand can live in healthy and safe homes, in sustainable communities with opportunities to achieve success. This calls for transformational urban development projects that achieve a wide range of public good objectives across:

   4.1. public and affordable housing
   4.2. economic development
   4.3. local employment
   4.4. public transport
   4.5. infrastructure provision.

5. The current New Zealand urban development system does not effectively facilitate and enable the delivery of complex or strategically important projects, particularly those revitalising urban areas. Our system does not provide the tools, certainty and coordination required to do comprehensive, large-scale, timely and transformational urban development.
6. This Bill tackles these long-term challenges by providing Kāinga Ora with:

6.1. access to land acquisition powers when undertaking urban development both inside and outside of SDPs.

6.2. the ability to enable, lead or facilitate a special type of complex, transformational development – called specified development projects (SDPs).

6.3. access to a tool-kit of existing development powers when undertaking SDPs.

7. This will enable complex, transformational development that will improve the social and economic performance of New Zealand’s urban areas. It is not designed to address wider issues in the urban development and planning system, for example those issues covered by the comprehensive review of the resource management system.

8. The Bill has a range of safeguards in place to ensure that the benefits of urban development are balanced against a range of other considerations, including environmental, cultural and historic heritage values. Early engagement is required with Māori and key stakeholders, so their local needs and aspirations can be ascertained, and full public consultation is required on the development plan for the project.

9. The Bill recognises the aspirations that Māori have in urban development, as potential development partners, as people significantly impacted by historic and current pressures in housing, and through their connections with the land and other natural resources. This Bill establishes protections for land in which Māori have interests and supports the strong expectations in the Kāinga Ora – Homes and Communities Act 2019 that Kāinga Ora will identify and support Māori aspirations for urban development, including through the opportunity to participate in development.

10. The Bill also recognises the essential role of territorial authorities in realising transformational urban development and provides for their partnership with Kāinga Ora and representation in project governance.


The Bill will enable Kāinga Ora to bring together land it needs to support urban development

12. The Bill enables Kāinga Ora to bring together different parcels of land to help support and progress urban development, through land acquisition powers.

13. These powers will be available for all urban development undertaken by Kāinga Ora. This will support Kāinga Ora to undertake smaller-scale developments that are not formally established as SDPs, and to acquire land in future development areas prior to any further uplift in land values following a project’s announcement. An example of this is would be acquiring parcels of land along a transport corridor before the route is announced as part of a project.
14. This power is equivalent to the existing powers in the Public Works Act 1981 (PWA). However, the Bill provides greater clarity than the PWA regarding works Kāinga Ora can acquire land for by compulsion. This is achieved by providing a definition of “specified works” for which land can be acquired (for example housing, associated commercial or industrial works, community facilities, or urban renewal).

15. The Bill also has two other differences from the PWA. Firstly, it allows for compulsorily acquired land to be transferred to private developers to deliver specified works without triggering existing PWA offer back requirements. Such transfer may be necessary when a developer needs to own the land to be able to access development finance. There are appropriate safeguards in place if this transfer is required, including Kāinga Ora retaining the right to take back the land if necessary.

16. Secondly, where Kāinga Ora or a private developer develops land acquired under the Bill for some purposes (for example housing, a commercial or industrial work, or for urban renewal purposes), it may sell the land and the works built on it out of public ownership without offering it back to the former owners.

17. In both cases there is an exception for land that was Māori land or general land owned by Māori as a result of a declaration under the Maori Affairs Amendment Act 1967 when it was acquired (former Māori land). In that case, the former Māori land cannot be on sold unless it has first been offered to its former owners in accordance with the PWA.

18. In every case, transfer of the land outside public ownership is subject to any Rights of First Refusal (RFR) under settlement legislation or deeds.

Land in which Māori have interests is protected from compulsory acquisition

19. The Bill recognises that land is a taonga for Māori and must be protected. Protections for land in which Māori have interests have been built into the land acquisition provisions. The Bill will not take away protections currently afforded to land under existing Treaty settlement Acts or deeds. In some areas, it strengthens these protections (for example by protecting general land acquired as redress from compulsory acquisition). This is because of the fundamental importance of this land to its owners’ identity and their cultural, social and economic well-being, and the need to ensure Kāinga Ora is not breaching Treaty settlements.

20. Some types of land and Māori interests in natural resources are completely protected from development under the Bill. Other categories of land may be developed using powers under the Bill if the owners of the land agree. This includes:

20.1. Māori freehold land

20.2. general land held by Māori that ceased to be Māori freehold land due to an order of the Māori Land Court after 1993 or under the Maori Affairs Amendment Act 1967

20.3. land held by a post-settlement governance entity acquired as redress for the settlement of Treaty claims or by the exercise of rights under a Treaty settlement Act or Treaty settlement deed
20.4. land held by or on behalf of an iwi or hapū if the land was transferred with the intention of returning the land to the holders of mana whenua.

21. Crown land that is subject to RFR may be developed subject to the RFR, though the Bill provides new development opportunities for RFR holders. This is discussed in more detail in paragraphs 33-38.

The Bill will enable the establishment of Specified Development Projects

22. This Bill establishes the SDP process, a streamlined process for getting complex, transformational urban development projects up and running. The process provides a mechanism to coordinate the activities of multiple central and local government agencies and private sector participants, and to work across the national, regional and local planning systems.

23. The SDP process is intended for the types of projects that would struggle to progress under the current development regime which is often constrained by lack of coordination and integration. The SDP process will mean that these projects can go through multiple processes concurrently and ensure they are applied in a joined-up way. As a result, all the planning, infrastructure and funding for a project will be established up front, allowing for a more streamlined process. A diagram that shows the SDP process is attached at Annex 1.

24. In response to feedback from key stakeholders, officials have done further work to simplify the SDP process from what was considered by Cabinet in the Legislating to empower complex urban development projects paper [CAB-18-MIN-0243 refers]. The simplified SDP process was approved under delegated authority by the Minister of Housing and Urban Development, Minister for the Environment and the Minister for Local Government [BRF 19/20070352 refers]. Changes focused on public engagement and consultation, information needed to support decision making and bringing Ministerial approvals earlier in the SDP process.

Powers available to Kāinga Ora for SDPs

25. Where approved by the development plan, Kāinga Ora and its partners will have access to a tool-kit of powers that currently exist through numerous pieces of legislation. Ordinarily these powers are spread across central and local government and must be accessed through separate approval processes. This often slows down development as it requires developers to work out the best ways to sequence applications, so they are successful.

26. Each power is designed to address a specific barrier to development, such as planning constraints, old and aging infrastructure, and limited funding for development activities. Used together, they enable multiple aspects of the urban environment to be changed with greater certainty, integration and speed.

27. These powers include:

27.1. access to coordinated planning processes, including designations

27.2. the ability to create, reconfigure and reclassify reserves
27.3. the ability to build, change, and move infrastructure

27.4. tools to fund infrastructure and development activities, including the ability to levy targeted rates.

28. Detail on the activities contemplated by the powers, and where the powers sit in existing legislation, is outlined in a table attached at Annex 2.

Supporting Māori interests and aspirations

29. The Bill ensures that Kāinga Ora recognises and supports Māori aspirations for urban development while ensuring their interests are appropriately protected.

30. As part of the SDP process, Kāinga Ora will engage with Māori entities and the former owners of, and the hapū associated with any former Māori land within a proposed project area when assessing a proposal to establish a SDP. This includes seeking expressions of interest from Māori entities to develop any land within the proposed project area in which they have an interest. It also provides an opportunity for Māori to influence the project area and project objectives sought when establishing the SDP.

31. Where the land is former Māori land that may pass out of public ownership, Kāinga Ora must engage with the land’s former owners and the relevant hapū associated with the land before undertaking development on the land. The engagement is to understand their aspirations for the land and how these aspirations may be taken into account in the way the land is developed. Kāinga Ora must also offer the land back under the PWA before it can proceed with development.

32. To ensure that Māori interests are appropriately recognised and provided for when undertaking urban development:

32.1. Kāinga Ora is required to act in accordance with all Treaty settlements, commitments, and co-governance arrangements.

32.2. If any provision of the Urban Development Bill is inconsistent with the Te Ture Whenua Maori Act 1993, Te Ture Whenua Maori Act 1993 prevails.

The Bill provides RFR holders with new development opportunities

33. The Bill recognises the aspirations that Māori have in urban development, as potential development partners, as people significantly impacted by historic and current pressures in housing, and through their connections with the land and other natural resources.

1 including an iwi or hapū authority, entities who have an ownership interest in Māori land, an urban Māori authority, Māori trusts, associations and incorporations, post-settlement governance entities, a body corporate or the trustees of a trust appointed to administer a Māori reservation, an entity that is authorised to act for a natural resource with legal personhood, and a customary marine title group or protected customary rights group with an interest in a project area or adjoining a project area.

2 “Former Māori land” is land that was taken for a public work by the Crown (or a specified work by Kāinga Ora), and was, immediately before it was taken, Māori land, or Māori land that became general land under the Māori Affairs Amendment Act 1967.
34. The Bill sets out an approach to the Right of First Refusal (RFR) that is designed to support Māori aspirations in urban development, provide the commercial redress that was agreed as part of the relevant Treaty settlements, and enable Māori to participate in development opportunities:

34.1. If Kāinga Ora wishes to develop RFR land (whether or not the land will subsequently pass out of public ownership), it must engage with the RFR holder and offer the opportunity to undertake the development on specified terms.

34.2. If agreement cannot be reached on the development of the land on those or other terms, the development cannot proceed, unless approval is obtained from the Minister for Māori Crown Relations: Te Arawhiti and the Minister responsible for the administration of the legislation. The RFR terms will still need to be complied with when the land is sold.

35. Further analysis of the ability for Ministers to authorise development on RFR land without RFR holders’ approval has suggested that while this would ensure that Kāinga Ora could progress necessary housing and urban development, it would unreasonably limit the rights of RFR holders.

36. I have discussed this matter with the Minister for Treaty of Waitangi Negotiations, and other relevant Ministers, and recommend that the provision relating to the ability for Ministers to authorise development on RFR land without RFR holders’ approval is removed from the Bill [see clause 22(1)(b) of the Bill]. This would require rescinding the relevant Cabinet recommendation [CAB-19-MIN-0168.01 – paragraph 47 refers] and amending the Bill accordingly.

37. The new development opportunities in the Bill only apply to mixed housing development and specified development projects. They do not apply to the maintenance of current public housing stock (e.g. replacing roofs or installing insulation) and development or redevelopment projects that deliver only public housing.

38. The Crown obligations on the development of RFR land covered by the Tāmaki Makaurau Collective Redress Act 2014, and the Tāmaki Makaurau Protocol which sits under it, remain in force and are not affected by this Bill.

3 Mixed housing developments include: public housing, affordable housing, homes for first-home buyers, and market housing.

4 Tāmaki Makaurau Protocol means the Department of Building and Housing Protocol set out in Part 7 of the Property Redress Schedule to the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed signed on 5 December 2012.
40. It is important to note that all urban development activities undertaken by Kāinga Ora are subject to the general conditions for RFR land around transfer of the land and the operating principles in the Kāinga Ora - Homes and Communities Act 2019. These principles include early and meaningful engagement with Māori and offering opportunities to participate in urban development.

41. It is likely that the new development opportunities for RFR holders will be an area of interest at select committee. The select committee will need to consider these views as part of its report back to Parliament. Officials will continue looking at the impacts of these new RFR land development requirements, so to best inform the select committee.

**Likely areas of interest at Select Committee**

42. The policy work regarding urban development legislation dates back over a decade. It included discussion documents issued by the two previous Governments in 2008 and 2017.

43. Responses to this engagement were generally supportive. Many stakeholders, particularly councils and the development community, indicated support for the objectives of the Urban Development Bill and the need to enable complex, transformational urban development in New Zealand.

44. However, the legislation is complex and by design overlaps with a number of existing regulatory frameworks. Development of the Bill has involved balancing facilitating urban development with other considerations, including protections for Māori land, private property rights, the environment, historic heritage, and existing infrastructure. The balance of this tension is likely to be of interest to the select committee – which will be concerned that they strike the right balance – and to submitters who in many cases will want to see their interests protected.

45. Key trade-offs or tensions include:

45.1. Changes have been made to the SDP process to make it more streamlined and flexible so that it is workable for Kāinga Ora and its partners and enables a wider range of complex, transformational projects. There is still a high degree of oversight by Ministers and Cabinet. This is intended to reflect the size and scope of SDPs and the multiple outcomes they are seeking to achieve. However, it may reduce the certainty and attractiveness of SDPs.

45.2. The provisions in the Bill relating to reserves and land held by Māori entities are prescriptive and require multiple Ministerial decision points. While this recognises the importance of protecting these types of land, it could potentially reduce the attractiveness of including them in SDPs.

45.3. Striking the right balance between enabling urban development and ensuring the appropriate environmental protections is a key tension in the Bill. The Resource Management Act 1991 (RMA) is incorporated throughout the Bill, particularly in the decision-making framework. While this is likely to facilitate the protection of the environmental outcomes, it is likely to slow development.
Some stakeholders may consider that it does not go far enough in promoting or prioritising urban development.

45.4. The land acquisition powers are critical for ensuring that Kāinga Ora can assemble adequate parcels of land to enable development. However, there are likely to be concerns around the potential impact on private property rights. The safeguards in the Bill are designed to ensure that the use of these powers strike an appropriate balance between the need to meet urban development outcomes and the need to maintain certainty of property rights.

**Legislative action is needed**

46. Legislative action is needed to give effect to these policy decisions. This is because the Bill brings together multiple processes spread across multiple piece of legislation.

**Outstanding policy matters**

47. I recommended to the Cabinet Legislation (LEG) committee that there no longer needs to be a requirement in the Bill for Kāinga Ora to prepare and publicly notify a development funding statement. While this statement was designed to set out how the various funding sources will be used for an SDP, and the amount of funding that is expected to be produced from each source, it could be seen as committing the Government to funding outside of normal Budget cycles.

48. LEG agreed in principle to remove the development funding statement requirements in the Bill. I am now seeking approval to rescind the Cabinet decisions from August 2018 to require Kāinga Ora to prepare and publicly notify a development funding statement.

**Impact analysis**

49. A Regulatory Impact Assessment was prepared in accordance with Cabinet requirements and was submitted to Cabinet in November 2018 [CAB-18-MIN-0562 refers].

**Compliance**

50. Minor revisions to the powers of entry provisions have been made following discussion with the Ministry of Justice regarding the New Zealand Bill of Rights Act 1990 vet. I am confident the Bill as submitted does not raise any unaddressed Bill of Rights Act concerns.

51. The Bill complies with:

   51.1. the principles of the Treaty of Waitangi

   51.2. the disclosure statement requirements

   51.3. the principles and guidelines set out in the Privacy Act 1993

   51.4. relevant international standards and obligations

Consultation

52. Policy for the Bill was based on the 2017 discussion document, Urban Development Authorities.

53. The Ministry of Housing and Urban Development has taken a partnership approach in the development of this Bill. Some drafting instructions were developed by other agencies, as subject matter experts in certain areas, including the Ministry for the Environment, the Office for Māori Crown Relations – Te Arawhiti, the Department of Internal Affairs and the Department of Conservation.

54. A range of government departments and Crown entities reviewed the draft Bill to ensure it is fit for purpose and were consulted on the policy and proposals, including, the Treasury, State Services Commission, Kāinga Ora – Homes and Communities, the Office for Māori Crown Relations: Te Arawhiti, Te Puni Kōkiri, Ministry for the Environment, Ministry of Transport, New Zealand Transport Agency, Department of Internal Affairs, Land Information New Zealand, Ministry of Education, Ministry of Health, Ministry for Culture and Heritage, Heritage New Zealand Pouhere Taonga, Ministry of Business, Innovation and Employment; and the Department of Conservation. The Department of Prime Minister and Cabinet was informed.

55. Targeted consultation and testing of the Bill have been undertaken with the Ministerial Advisory Group and a small group of subject matter experts from the local government, development and planning sectors. Feedback from these experts has been incorporated into the Bill. A draft of the Bill was also reviewed by an external resource management law firm.

56. Consultation has been undertaken with the government caucuses.

Binding on the Crown

57. The Bill will be binding on the Crown [CAB-18-MIN-0243].

Creating new agencies or amending law relating to existing agencies

58. The Bill does not create any new agency but does amend the law relating to an existing agency, Kāinga Ora-Homes and Communities. It provides Kāinga Ora with new functions and powers in relation to urban development.

Allocation of decision-making powers

59. The Bill does not change the allocation of decision-making powers.

Associated regulations

60. Cabinet provided for a broad regulation-making power to be included in the Bill, without direction on what it would be used for. Throughout the drafting of the Bill there has not been an identified need for creating and using regulations. If a need for this arises during the select committee process, a regulation making power will be introduced through a Supplementary Order Paper (SOP).
61. The Bill provides for the making of Orders in Council to establish a specified development project, authorise the collection of targeted rates and disestablish a specified development project.

Other instruments

62. Once a targeted rates order has been made, Kāinga Ora can issue a rates resolution that will set out the terms of the targeted rate. A rates resolution is a disallowable instrument, but not a legislative instrument, for the purposes of the Legislation Act 2012 and must be presented to the House of Representatives under section 41 of that Act.

63. The Bill also provides for Kāinga Ora to propose bylaw changes relating to the infrastructure within, or that will connect into, a project area. While this does not provide Kāinga Ora any power to make infrastructure-related bylaws, in certain circumstances Kāinga Ora may require bylaw changes to be made by the relevant bylaw-making authority once Kāinga Ora has been through the required process. Bylaw changes can also be proposed and approved through the development planning process. This includes bylaws that prescribe infrastructure and service charges.

Definition of Minister/department

64. The Bill defines the responsible Minister as the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is responsible for the administration of the Urban Development Act.

Commencement of legislation

65. The Bill will come into force on the day after the date on which it receives Royal assent.

Parliamentary stages

66. The Bill should be introduced into Parliament on 3 December 2019 and be passed by mid-2020, following a standard six month select committee process.

67. The Bill should be referred to the Environment Committee for consideration.

Proactive Release

68. I propose releasing this Cabinet paper proactively in whole.

Recommendations

The Minister for Urban Development recommends that the Committee:

1. note that the Urban Development Bill (formerly referred to as the Housing and Urban Development Bill) s 9(2)(f)(iv);

2. note that the purpose of the Bill is to facilitate urban development that contributes to sustainable, inclusive and thriving communities;
3. **note** that in August 2018, Cabinet agreed that Kāinga Ora needs to provide a funding impact statement that outlines why and how various funding sources will be used to fund the capital and operations needs of a specified development project, and the amount of funding that is expected to be produced from each source [CAB-18-MIN-0399.01 refers].

4. **note** that the Legislation Committee agreed in principle to rescind the decisions in recommendation three;

5. **agree** to rescind the decisions in recommendation three;

6. **note** that in April 2019 Cabinet agreed that Kāinga Ora cannot develop RFR land without the prior agreement of the Minister for Māori Crown Relations: Te Arawhiti and the Minister of Housing and Urban Development unless the relevant post-settlement governance entity has reached a formal agreement Kāinga Ora in respect of that land [paragraph 47 of CAB-19-MIN-0168.01 refers]

7. **note** that while the ability for the Minister for Māori Crown Relations: Te Arawhiti and the Minister responsible for the administration of the Act to authorise development on RFR land without RFR holders’ approval would ensure that Kāinga Ora can progress necessary housing and urban development, it may unreasonably limit the rights of RFR holders.

8. Either:

   **8.1. agree**:

   8.1.1. to rescind paragraph 47 of CAB-19-MIN-0168.01; and

   8.1.2. that the Minister for Urban Development may authorise Parliamentary Counsel Office to amend the Bill before introduction in order to give effect rescinding paragraph 47 of CAB-19-MIN-0168.01;

Or

8.2. **agree** to introduce the Bill as currently drafted (which gives effect to paragraph 47 of CAB-19-MIN-0168.01);

9. **approve** the Urban Development Bill for introduction, subject to the final approval of the government caucus and sufficient support in the House of Representatives;

10. **agree** that the Bill be introduced on 4 December 2019;

11. **agree** that the Government propose that the Bill be referred to the Environment Committee for consideration;
12. **agree** to proactively release this Cabinet paper in conjunction with the Bill being introduced to the House.

Authorised for lodgement

Hon Phil Twyford
Minister for Urban Development
Annex 1: SDP process diagram

**The Specified Development Project process**

Specified Development Projects (SDP) will be a crucial tool that Kāinga Ora will use to facilitate and deliver complex urban developments, in partnership with others. The process to establish and approve an SDP is designed so that it enables efficiency, while having built-in protections for Māori interests and the environment, culture and heritage. The SDP process has nine key steps and is split into three phases. Engagement with the public occurs at key stages throughout and each phase ends with Cabinet approval. The phases are:

1. **Establishing the SDP and setting the strategic direction** through engagement with key stakeholders (including relevant councils and iwi) and the public
2. **Preparing the draft development plan** through engagement with key stakeholders
3. **Refining and approving the development plan** through consultation with the public, and review by an Independent Hearing Panel.

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**Starting point**
Kāinga Ora determines whether to initiate the SDP process. Any party (e.g., iwi, developer or council) can recommend that a development project is considered.

**1. Initial assessment**
Kāinga Ora assesses the development proposal to define the project area and strategic objectives and to evaluate project feasibility.

**2. Kāinga Ora seeks Ministerial approval**
Kāinga Ora reports to its responsible Minister, noting the positions of council and iwi, and seeks approval to establish an SDP.

**3. Cabinet decision to establish**
Cabinet approves establishment of an SDP through an Order in Council and confirms the type of project governance body. Kāinga Ora publicises the project's boundaries and strategic objectives.

**4. Kāinga Ora prepares draft development plan**
Kāinga Ora drafts a development plan, which outlines the spatial plan, use of development powers, funding policy, and any changes to existing RMA plans and policy statements.

**5. Cabinet decision to notify public**
Cabinet approves the notification of the draft development plan for submissions.

**6. Public notified**
Kāinga Ora publicly notifies the draft development plan for submissions.

**7. Submissions lodged**
Public submissions on the draft development plan are lodged with the IHP.

**8. Independent Hearing Panel**
The SDP process has an independent review built into it, at step eight. This review includes a few stages.

**9. Minister decision to approve the development plan**
Responsible Minister reviews the development plan recommended by IHP and approves the Plan.

**Development Begins**
Kāinga Ora and/or its partners can access the development powers and development can begin, based on the development plan.

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**Independent Hearing Panel**
The SDP process has an independent review built into it, at step eight. This review includes a few stages.

- Kāinga Ora reports on the public submissions and recommends responses to IHP
- IHP hears submissions and considers plan and submissions
- IHP makes recommendations to the responsible Minister, noting where it disagreed with Kāinga Ora and why
- Responsible Minister can ask the IHP for further advice or reconsideration

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## Annex 2: Development Powers

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<tr>
<th>Development power category</th>
<th>Description of power</th>
<th>Act currently enabling this power</th>
<th>Agency currently responsible for the legislation relating to this power</th>
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| **Funding**                | • Set and assess targeted rates within a specified development project area  
                            • Require development contributions  
                            • Require betterment payments  
                            • Require infrastructure and administrative charges | • Local Government (Rating Act) 2002  
                            • Local Government Act 2002 | Department of Internal Affairs |
| **Planning and consenting**| • Override, add to, or suspend provisions in the relevant district plan, regional plan, or regional policy statement  
                            • Issue resource consents (City/District level – land use and subdivision consents) for activities within the project area (where Kāinga Ora is not the applicant)  
                            • Shortened resource consent process  
                            • Act as a requiring authority under the RMA to create designation inside and outside of the project area  
                            • Remove, change or replace designations for infrastructure  
                            • Veto or amend resource consent applications or plan changes in the project area during the period while the development plan is being prepared | • Resource Management Act 1991 | Ministry for the Environment |
| **Infrastructure**         | • Scope potential works including:  
                            o Having access to private property for the purposes of surveying  
                            o Require the local authority to provide information or charge a fee to the local authority to attain that information for themselves  
                            • Construct infrastructure that would support the project  
                            • Amend or remove existing infrastructure  
                            • Transfer ownership and operation of new infrastructure to a local authority | • Local Government Act 2002  
                            • Government Roading Powers Act 1989  
                            • Public Works Act 1981  
                            • Land Transport Management Act 2013 | • Department of Internal Affairs  
                            • Ministry of Transport  
                            • New Zealand Land Transport Agency  
                            • Land Information New Zealand |
- Construct, remove, amend and replace '3-waters' and drainage infrastructure
- Stopping and re-aligning roads
- Create, amend, remove carparking areas, public transport facilities and ancillary infrastructure
- Supplying social infrastructure such as community centres or recreational spaces
- Ability to request a local authority make, amend or suspend a bylaw for a defined area and time period, to support infrastructure development activities. Approval of the request may not be unreasonably withheld
- Make bylaws relating to roading if these are deemed appropriate as part of the development plan process

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<th>Land acquisition and transfer</th>
<th>Reserves Act 1977</th>
<th>Public Works Act 1981</th>
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<tr>
<td>Exchanging, revoking or reconfiguring reserves</td>
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<td>Creating, classifying and vesting of reserves</td>
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<td>Transferring and setting apart of Crown owned land</td>
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<td>Compulsory acquisition of private land</td>
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<td>Ability to transfer ownership to developers without triggering offer back</td>
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<td>Offer back of former Māori land</td>
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- Department of Conservation
- Land Information New Zealand
- Ministry of Housing and Urban Development.