

## **Kāinga Ora–Homes and Communities Factsheet**

### **Assembling land powers**

Kāinga Ora–Homes and Communities will be able to bring together different areas of land to help an urban development project progress.

#### **Why does Kāinga Ora–Homes and Communities need the power to bring parcels of land together?**

There are several reasons why Kāinga Ora–Homes and Communities will need to be able to bring areas of land together, including:

- Development along the city fringes or surrounding countryside can result in urban sprawl if not managed well.
- Existing land can be reconfigured and used more effectively by redeveloping existing urban areas.
- There are lots of small parcels of land in urban areas. It is difficult for developers to put together multiple parcels of land together for larger, commercially viable developments.

#### **What powers will Kāinga Ora–Homes and Communities have to bring parcels of land together?**

##### *Using Crown-owned land better*

If the Crown owns land in urban areas that is no longer needed for its current purpose, or that land could be used more effectively as part of a development project, Kāinga Ora–Homes and Communities could repurpose this land for a development project. There will be checks in place to ensure that only appropriate land is repurposed.

##### *Purchasing private land*

Kāinga Ora–Homes and Communities will be able to purchase private land for redevelopment. It will first try to buy the land by agreement. If this is not successful, it will be able to use the compulsory acquisition powers equivalent to those in the Public Works Act 1981 to buy the land. This is important as there may be cases where the private land is critical to the success of a development project.

These compulsory acquisition powers are not unique to Kāinga Ora–Homes and Communities and are available to all parts of the Crown. The current checks and balances will apply.

Land owners will be compensated for any land that is compulsorily acquired, or they might be offered an opportunity for an equity stake in the development project.

Sensitive Māori land won't be able to be compulsorily acquired for Kāinga Ora–Homes and Communities. This is because of the fundamental importance of this land to its owners' identity and their cultural, social and economic well-being.

### *Transferring land for development and for sale*

Kāinga Ora–Homes and Communities will be able to transfer land to private developers to deliver public works, such as housing, without triggering the legal obligation to first offer back the land for sale to its previous owners.

Removing offer back obligations will ensure that a project's strategic and development outcomes are achieved and reduce delays to development.

Offer back obligations will continue to apply to former Māori land. This recognises the connections that Māori have to some land, and the historic context of how the land was originally acquired by the Crown.

The offer back obligation will also not apply to the sale of completed works to their final owner. This will enable Kāinga Ora–Homes and Communities to ensure that completed KiwiBuild homes are sold to eligible buyers.

### *Ensuring outcomes*

To ensure development outcomes, Kāinga Ora–Homes and Communities will be able to take back land transferred to a developer if they do not deliver on the terms in the development agreement.

### **For more information and updates on Kāinga Ora–Homes and Communities**

- Visit: Ministry of Housing and Urban Development website – [www.hud.govt.nz](http://www.hud.govt.nz)
- Email: [info@hud.govt.nz](mailto:info@hud.govt.nz)