



# Summary of Powers available to Kāinga Ora

The Urban Development Act gives Kāinga Ora access to a tool-box of development powers that it can use when undertaking specified development projects. Each power is designed to address a specific barrier to development. Not all powers will be needed by every project, and the development plan will set out which ones are needed to progress each specified development project.

Development power category	Description of power	Act currently enabling this power	Agency currently responsible for this power
<b>Infrastructure</b>	<ul style="list-style-type: none"> <li>● <b>Scope potential works including:</b> <ul style="list-style-type: none"> <li>○ Having access to private property for the purposes of surveying</li> <li>○ Require the Local Authority to provide information or charge a fee to the Local Authority to attain that information for themselves</li> </ul> </li> <li>● <b>Construct, remove, amend and replace '3-waters' and drainage infrastructure</b></li> <li>● <b>Construct, stop, amend and re-aligning roads</b></li> <li>● <b>Create, amend, remove carparking areas, public transport facilities and ancillary infrastructure</b></li> <li>● <b>Transfer ownership and operation of new infrastructure to a local authority (but not debt)</b></li> <li>● <b>Ability to request a Local Authority to make, amend or suspend a bylaw for a defined area and time period, to support development activities. Approval of the request may not be unreasonably withheld.</b></li> </ul>	<p>Local Government Act 2002</p> <p>Government Roading Powers Act 1989</p> <p>Public Works Act 1981</p> <p>Land Transport Management Act 2013</p>	<p>Department of Internal Affairs</p> <p>Ministry of Transport</p> <p>New Zealand Land Transport Agency</p> <p>Land Information New Zealand</p>
<b>Planning and consenting</b>	<ul style="list-style-type: none"> <li>● <b>Override, add to, or suspend provisions in the district plan, regional plan, or regional policy statement</b></li> <li>● <b>Issue resource consents (City/District level – land use and subdivision consents)</b></li> <li>● <b>Shortened resource consent process</b></li> <li>● <b>Act as a requiring authority under the RMA to create designation inside and outside of the project area</b></li> <li>● <b>Remove, change or replace designations for infrastructure within a project area</b></li> <li>● <b>Veto or amend the applications of resource consents or plan changes in the project area.</b></li> </ul>	<p>Resource Management Act 1991</p>	<p>Ministry for the Environment</p>
<b>Funding</b>	<ul style="list-style-type: none"> <li>● <b>Set and assess targeted rates within a specified development project area</b></li> <li>● <b>Require development contributions</b></li> <li>● <b>Require betterment payments</b></li> <li>● <b>Require infrastructure and administrative charges</b></li> </ul>	<p>Local Government (Rating Act) 2002</p> <p>Local Government Act 2002</p> <p>Local Government Act 1974</p> <p>Resource Management Act 1991</p>	<p>Department of Internal Affairs</p> <p>Ministry for the Environment</p>
<b>Land acquisition and transfer</b>	<ul style="list-style-type: none"> <li>● <b>Exchanging, revoking or reconfiguring some types of reserves</b></li> <li>● <b>Creating, classifying and vesting of reserves</b></li> <li>● <b>Transferring and setting apart of Crown owned land</b></li> <li>● <b>Compulsory acquisition of private land</b></li> <li>● <b>Ability to transfer ownership of land to a developer to deliver urban development works. This may be necessary when a developer needs to own the land to be able to access development finance.</b></li> <li>● <b>Ability to buy, sell or hold land in own name</b></li> <li>● <b>Transfer of former Māori land</b></li> </ul>	<p>Reserves Act 1977</p> <p>Public Works Act 1981</p> <p>Crown Entities Act 2004</p> <p>Housing Act 1955</p>	<p>Department of Conservation</p> <p>Land Information New Zealand</p>