

## APPENDIX A

### NOTE ON LEGAL ASPECTS OF PLANNING

"And whereas the inhabitants themselves are best qualified, as well by their more intimate knowledge of local affairs as by their more direct interest therein, effectually to provide for the same: And whereas the habit of self-government in such cases hath been found to keep alive the spirit of self-reliance and a respect for the laws, and to prepare men for the due exercise of other political privileges . . . ."

This wording, taken from the recital to an Ordinance passed by the New Zealand Parliament as far back as 1842—which was aimed at the establishment and regulation of Municipal Corporations "for the good order, health, and convenience of the inhabitants of towns and their neighbourhoods"—bears striking testimony to the deep-rooted nature of the relation which has always been seen to exist between problems of physical development and the encouragement of local interest in the planning of such development; at least in so far as they have a direct impact on the affairs of each locality.

By 1926 it had become evident that co-ordination of planning was necessary, and the Town-planning Act, 1926, was enacted to provide for the making and enforcement of town and regional planning schemes. A Town-planning Board was established. Amendment in 1929 renamed the "regional planning schemes" as "extra-urban planning schemes," and applied the former term to a much broader field.

The purpose of a town-planning scheme was stated to be "the development of the city or borough to which it relates (including, where necessary, the reconstruction of any area therein that has been already subdivided and built on) in such a way as will most effectively tend to promote its healthfulness, amenity, convenience, and advancement."

The purposes of an extra-urban planning scheme were expressed thus: "Every extra-urban planning scheme shall have in relation to the rural area to which it relates the same general purposes as a town-planning scheme in relation to a city or borough, but, save in cases where exceptional conditions prevail, every extra-urban planning scheme shall primarily be prepared and dealt with in relation to and as complementary of the town-planning scheme of any city or borough in the vicinity of the rural area."

The general purpose of a regional planning scheme was stated to be "the conservation and economic development of the natural resources of the region to which it relates by means of the classification of the lands comprised therein for the purposes for which they are best suited by Nature or for which they can best be adapted, and by the co-ordination of all such public improvements, utilities, services, and amenities as are not limited by the boundaries of the district of any one local authority; or do not relate exclusively to the development of any one such district."

Town and extra-urban planning are obligatory and are the responsibility of existing local authorities within the boundaries of their own districts. Regional planning as contemplated by the Town-planning Amendment Act, 1929, is based on a voluntary combination of a number of local authorities, and the boundary of the planning area is a matter for determination by the Town-planning Board upon the recommendation of the authorities concerned.