



Housing Accords and Special Housing Areas (Wellington) Order 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 14th day of August 2017

Present:

Her Excellency the Governor-General in Council

This order is made under sections 15 to 17 of the Housing Accords and Special Housing Areas Act 2013—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Building and Construction made in accordance with sections 15(2) and (7) and 16(2), (3), and (4)(a)(i) of that Act.

Contents

		Page
1	Title	2
2	Commencement	2
3	Revocation of this order	2
4	Interpretation	2
5	Outline	2
6	Declaration of special housing areas	3
7	Criteria for qualifying developments in special housing areas	3
	Schedule 1	4
	Churton Park (Stebbings Valley) special housing area	
	Schedule 2	5
	Glenside (Westchester Drive) special housing area	

Schedule 3	6
Johnsonville (Moorefield Road) special housing area	
Schedule 4	7
Lincolnshire Farm special housing area	
Schedule 5	8
Mount Cook (Adelaide Road) special housing area	
Schedule 6	9
Mount Cook (Arlington Apartments) special housing area	
Schedule 7	10
Te Aro special housing area	
Schedule 8	11
Thorndon (Ballantrae Place and Portland Crescent) special housing area	
Schedule 9	12
Woodridge (White Pine Avenue) special housing area	

Order

1 Title

This order is the Housing Accords and Special Housing Areas (Wellington) Order 2017.

2 Commencement

This order comes into force on the day after the date of its notification in the *Gazette*.

3 Revocation of this order

This order is revoked on 16 September 2019.

4 Interpretation

In this order, unless the context otherwise requires,—

Act means the Housing Accords and Special Housing Areas Act 2013

Wellington City District Plan (2000)—

- (a) means the Wellington City District Plan prepared under the Resource Management Act 1991 and made operative on 27 July 2000; and
- (b) includes all amendments to that plan notified before the commencement of this order.

5 Outline

- (1) This order—

- (a) declares 9 areas in the district of Wellington City Council to be special housing areas for the purposes of the Act; and
 - (b) sets out criteria that apply for qualifying developments in those special housing areas.
- (2) This clause is only a guide to the general scheme and effect of this order.
- (3) *See also* <https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/wellington-housing-accord> for associated special housing area maps and plans.

6 Declaration of special housing areas

The area comprising all the land identified in Part 1 of each schedule of this order is severally declared to be a special housing area for the purposes of the Act.

7 Criteria for qualifying developments in special housing areas

The criteria set out in Part 2 of each schedule of this order are criteria that apply for qualifying developments in the special housing area to which the schedule relates.

Schedule 1

Churton Park (Stebbing Valley) special housing area

cls 6, 7

Part 1

Description of area

The following land to the extent that the land is zoned Outer Residential in the Wellington City District Plan (2000):

- (a) Lots 744, 767, 790, and 839 to 861 DP 469313:
- (b) Lots 716, 723, 724, 725, and 735 DP 465503:
- (c) Lots 742, 743, 745 to 757, and 759 to 766 DP 470218:
- (d) that part of Lot 8 DP 508795 and those parts of Lots 715, 717, 721, 722, 728, 729, 732, 733, 734, 736, and 737 DP 465503 lying to the north of the south-western boundary of the former Lot 5 DP 469313:
- (e) Lots 2 and 3 DP 470218:
- (f) Lots 768 to 789 DP 472319:
- (g) Lots 791 to 805, 811 to 824, 840, and 841 DP 490536.

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	10

Schedule 2
Glenside (Westchester Drive) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 505739	764791	19.0784
Lot 2 DP 505739	764792	1.1268

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	10

Schedule 3

Johnsonville (Moorefield Road) special housing area

cls 6, 7

Part 1

Description of area

All the land in the suburb of Johnsonville that is zoned Medium Density Residential Area in the Wellington City District Plan (2000) bounded by—

- (a) Woodland Road, Earp Street, and Ironside Road to the north, Moorefield Road, Lot 2 DP 12933, Lot 1 DP 74131, Lots 3 and 4 Deeds Plan 412, Lot 1 DP 12800, Lot 2 DP 53651, Part Lot 40 Deeds Plan 156, Trafalgar Street, Frankmoore Avenue, Dr Taylor Terrace, Wanaka Street, and Moorefield Road again to the east, Broderick Road, Heath Street, Lot 5 DP 2107, Bannister Avenue, Broderick Road again to the south, Lot 5 DP 17901, Lots 2 and 3 DP 26172, Lots 8, 9, and 10 DP 13008, Lot 2 DP 55700, Lot 2 DP 336047, Lots 2 and 3 DP 13008, Lot 2 DP 47993, Lot 1 DP 27943, Lot 6 DP 22803, Lots 3, 4, and 5 DP 41002, Lot 1 DP 86058, and Lots 3, 4, 5, 6, and 7 DP 1434 to the west; and
- (b) Broderick Road to the north, Lots 1, 2, and 3 DP 50532, Part Subdivision 4 Section 8 District of Porirua, Wiremutaone 1B, Parts Subdivision 13 Section 8 District of Porirua, Lots 1 and 2 DP 8462, Lots 81, 82, and 83 DP 15422, Lot 1 DP 16295, Corlett Street, Johnsonville Road, and State Highway 1 to the east, Lot 1 DP 20419, Tarawera Road, Pollen Street, Fraser Avenue, Lot 4 DP 1716, the Johnsonville Rail Line, and Haumia Street to the south, and Moorefield Road to the west; but excluding the Johnsonville Rail Line.

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	2

Schedule 4

Lincolnshire Farm special housing area

cls 6, 7

Part 1

Description of area

All the land identified as Residential 1, Residential 2, and Rural Residential in the Lincolnshire Farm Structure Plan in the Appendix to Chapter 28 of Volume 1 of the Wellington City District Plan (2000) forming part of the land zoned as Urban Development Area in the Wellington City District Plan (2000).

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	10

Schedule 5

Mount Cook (Adelaide Road) special housing area

cls 6, 7

Part 1

Description of area

All the land identified in Appendix 1 (section C) of Chapter 7 of the Wellington City District Plan (2000) as being within Height Zone 1 or 2 of the Mt Cook (Adelaide Road) Centre bounded by Rugby Street to the north, Part Section 1248 and Parts Section 1250 Town of Wellington, Part Town Belt Town of Wellington, Lots 8, 9, and 10 DP 85556 (but excluding that portion of Lot 10 DP 85556 lying to the east of a right line formed by extending the east boundary of Lot 1 DP 42805 northwards to meet the south boundary of Lot 11 DP 85556), Part Lot 1 DP 1846, Lot 2 DP 1846, and Riddiford Street to the east, Part Reserve 13 Town of Wellington, Part Lot 1 DP 11042, Lot 1 DP 9370, Lot 1 DP 9703 (but excluding that portion of Lot 1 DP 9703 lying to the west of a right line formed by extending the west boundary of Lot 3 DP 9703 southwards to meet the north boundary of Part Lot 2 DP 9370), Lot 2 DP 448539, Lots 5 and 6 DP 9108, Part Section 917 Town of Wellington, Lot 1 DP 63149, Adelaide Road, Lot 2 DP 4412, and Lot 4 DP 847 to the south, Hanson Street, John Street, Tasman Street, Lot 1 and Part Lot 14 DP 72, Hanson Street again, King Street, Lot 6 DP 1776, Lots 21, 22, 23, and 24 DP 956, Lot 3 DP 363654, Lot 19 DP 956, Lot 1 DP 18098, Lots 13, 14, 15, 16, 17, 25, and 26 DP 956, Part Section 732 Town of Wellington, Myrtle Crescent, Lots 2 and 3 DP 91220, Part Section 729 Town of Wellington, Douglas Street, and Tasman Street again to the west.

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	2

Schedule 6
Mount Cook (Arlington Apartments) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 81471	WN48A/523	0.0066
Lot 1 DP 52534	WN24B/466	0.6815
Lot 2 DP 52534	WN24B/467	0.3311
Part Lot 1 DP 40327	WN48A/524	0.7495

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	10

Schedule 7

Te Aro special housing area

cls 6, 7

Part 1

Description of area

All the land south of Cable Street that is zoned Central Area in the Wellington City District Plan (2000) that has a height limit of 27.0 metres or less, as shown on Map 32 of that Plan, but excluding any land identified as a Heritage Area as defined and mapped in that Plan.

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	10

Schedule 8

Thorndon (Ballantrae Place and Portland Crescent) special housing area

cls 6, 7

Part 1

Description of area

All the land that is zoned Central Area in the Wellington City District Plan (2000) that has a height limit of 27.0 metres or less as shown on Map 32 of the District Plan and that is bounded by Bowen Street to the south, State Highway 1 to the west excluding the land zoned Open Space, Hill Street to the north, and Section 1 SO 38114 to the east.

Together with all the land that is zoned Central Area in the Wellington City District Plan (2000) that has a height limit of 27.0 metres or less as shown on Map 32 of the District Plan and that is bounded by State Highway 1 to the north-west, a right line commencing at the northern corner of Section 1 SO 36560 then to the north-eastern corner of Lot 1 DP 82047 to the east, the northern boundaries of Lot 1 DP 82047, Lots 1 and 2 DP 91272, and Parts Lot 15 DP 997, the north-western boundaries of Lot 16 and Part Lot 17 DP 997, along the northern boundary of Part Lot 17 DP 997 to the south, Portland Crescent to the south-east, and the northern boundaries of Lots 6 and 7 and Part Lot 5 DP 3162 and Part Section 1236 Town of Wellington to the south-west.

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	10

Schedule 9

Woodridge (White Pine Avenue) special housing area

cls 6, 7

Part 1

Description of area

Land identification	Computer register	Area (ha)
Lot 2 DP 385115	341007	3.8807

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	27 metres
Minimum number of dwellings to be built:	10

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on the day after the date of its notification in the *Gazette*, declares 9 areas in the district of Wellington City Council to be special housing areas for the purposes of the Housing Accords and Special Housing Areas Act 2013 (the **Act**).

The land comprising each special housing area is severally described in *Part 1* of each schedule of the order. *See also* the Ministry of Business, Innovation, and Employment's website for maps or plans of the special housing areas (*see clause 5(3)*).

This order also specifies, for each special housing area, the criteria that a development in the special housing area must meet in order to be a qualifying development for the purposes of the Act. Those criteria, which are additional to the requirement under the Act that the development will be predominantly residential, relate to—

- the maximum number of storeys that buildings in the development may have and the maximum height that they may be;
- the minimum number of dwellings to be built.

This order does not prescribe affordability criteria for any of the special housing areas.

The overall effect of the order is that if a proposed development in a special housing area will be predominantly residential and meets the criteria specified for qualifying developments in that special housing area, applications for resource consents relating to the development can (but do not have to) be made under the Act instead of the Resource Management Act 1991. Also, because Wellington City Council is a party to a housing accord under the Act, an applicant for a resource consent can request change to or a variation of the relevant plan or proposed plan in certain circumstances where that is associated with the resource consent application.

The special housing areas declared by this order have been the subject of previous orders as follows:

- the land described in each of *Schedules 1, 3, 5, 7, and 8* was severally declared to be a special housing area under the Housing Accords and Special Housing Areas (Wellington) Order 2014; and
- the land described in *Schedule 2* comprises land declared to be a special housing area under the Housing Accords and Special Housing Areas (Wellington—New June 2015 Areas) Order 2015 and additional land not previously declared as a special housing area or a part of a special housing area; and
- the land described in each of *Schedules 4 and 6* formed part of land that was severally declared to be a special housing area under the Housing Accords and Special Housing Areas (Wellington) Order 2014; and
- the land described in *Schedule 9* was declared to be a special housing area under the Housing Accords and Special Housing Areas (Wellington—New June 2015 Areas) Order 2015.

The previous special housing areas were disestablished on 16 September 2016. *See* Schedule 3 of the Act for transitional provisions applying in respect of things done in relation to qualifying developments in those special housing areas before they were disestablished.

See also the Wellington City Council's website for more information about special housing areas in the district.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 17 August 2017.

This order is administered by the Ministry of Business, Innovation, and Employment.