

Reprint
as at 1 October 2017



Housing Accords and Special Housing Areas (Tauranga— New June 2015 Areas) Order 2015 (LI 2015/163)

Housing Accords and Special Housing Areas (Tauranga—New June 2015 Areas) Order 2015: revoked, on 1 October 2017, by clause 4 of the Housing Accords and Special Housing Areas Orders Revocation Order 2017 (LI 2017/240).

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 29th day of June 2015

Present:

His Excellency the Governor-General in Council

Pursuant to sections 15 to 17 of the Housing Accords and Special Housing Areas Act 2013, His Excellency the Governor-General makes the following order, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Building and Housing 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

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint. Note 4 at the end of this reprint provides a list of the amendments incorporated.

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

3	Interpretation	2
4	Declaration of special housing areas	2
5	Criteria for qualifying developments in special housing areas and parts of special housing areas	2
	Schedule 1	4
	Adler Drive special housing area	
	Schedule 2	5
	Domain Road special housing area	

Order

1 Title

This order is the Housing Accords and Special Housing Areas (Tauranga—New June 2015 Areas) Order 2015.

2 Commencement

This order comes into force on the 28th day after the date of its notification in the *Gazette*.

3 Interpretation

In this order,—

Act means the Housing Accords and Special Housing Areas Act 2013

nett developable area has the meaning given in Chapter 3 of the operative Tauranga City Plan

operative Tauranga City Plan—

(a) means the Tauranga City Plan made operative on 5 July 2014; and

(b) includes all amendments to that plan notified before 1 January 2015.

4 Declaration of special housing areas

- (1) The area comprising all the land identified in each schedule of this order is severally declared to be a special housing area for the purposes of the Act.
- (2) If there is any inconsistency between the description of the land comprising a special housing area and the map of that land, the description prevails.

5 Criteria for qualifying developments in special housing areas and parts of special housing areas

- (1) The criteria set out in subclauses (2) to (4) apply for qualifying developments in each special housing area declared by clause 4.
- (2) The maximum number of storeys that buildings may have is 6 (as provided in section 14(1)(b)(i) of the Act).

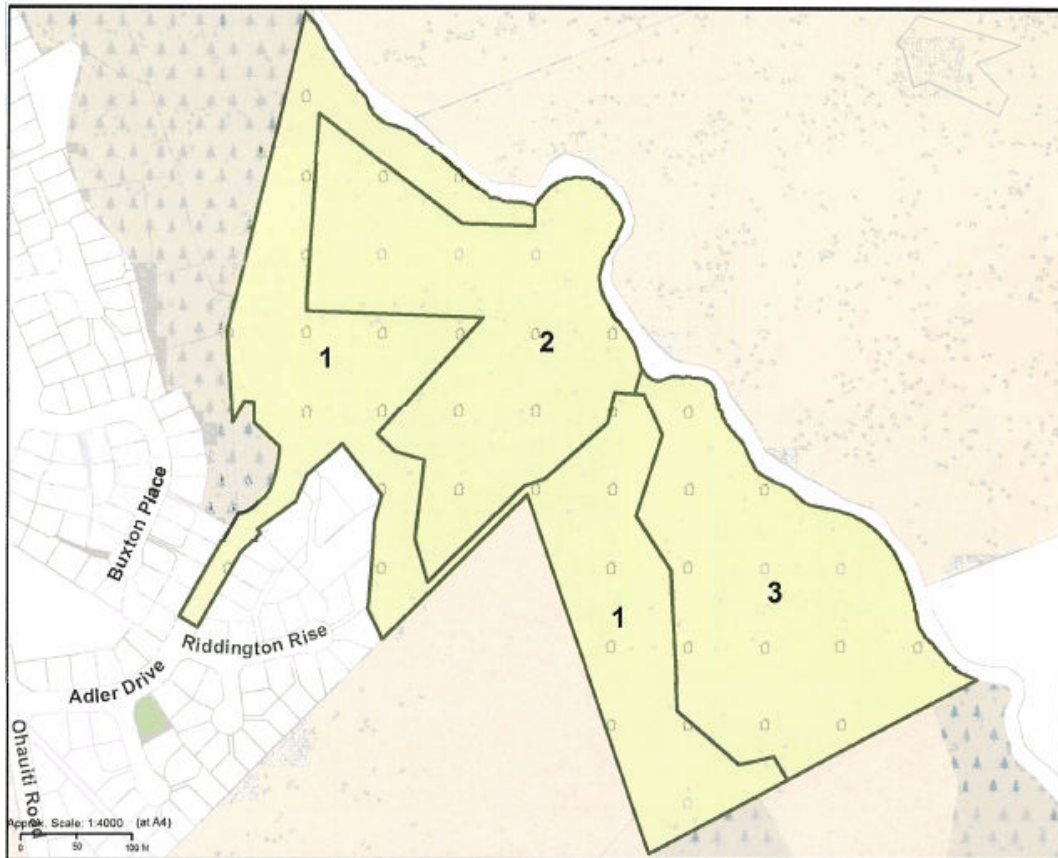
-
- (3) The maximum calculated height that buildings must not exceed—
- (a) in Adler Drive special housing area (*see* Schedule 1) is 9 metres:
 - (b) in Domain Road special housing area (*see* Schedule 2) is,—
 - (i) for areas 1, 2, and 3, 9 metres:
 - (ii) for area 1A, 14 metres.
- (4) The minimum number of dwellings that must be built—
- (a) in Adler Drive special housing area (*see* Schedule 1) is the product of 15 and the number of hectares of nett developable area in that special housing area:
 - (b) in Domain Road special housing area (*see* Schedule 2) is 36.
- (5) For the purposes of subclause (4)(a), if the calculation of the number of dwellings results in a fractional dwelling of one-half or more, that dwelling is counted as 1 dwelling, and any lesser fraction may be disregarded.

Schedule 1

Adler Drive special housing area

cl 4

Map of special housing area



Description of Adler Drive special housing area

Land identification	CT number	Area (ha)
Lot 53 DP 326360	329910	8.8518
Lot 5 DP 382552		
Lot 1 DPS 55067	SA45C/90	6.1700
Lot 2 DPS 55067	SA45C/91	5.9300

Schedule 2 Domain Road special housing area

cl 4

Map of special housing area



Description of Domain Road special housing area

Areas 1 and 1A

- 1 Area 1 is that part of Part Lot 38 DPS 10608 that is not described in item (2).
- 2 Area 1A is that part of Part Lot 38 DPS 10608 limited to the land parcel bounded by the lines described below, commencing 7.50 metres from the northernmost corner of Part Lot 38 DPS 10608 on a bearing of 116.5015° ; then—
 - (a) on a bearing of $206^\circ 50' 30''$ for a distance of 23.00 metres; then
 - (b) on a bearing of $116^\circ 50' 15''$ for a distance of 29.71 metres; then
 - (c) on a bearing of $148^\circ 24' 30''$ for a distance of 7.31 metres; then
 - (d) on a bearing of $179^\circ 59' 50''$ for a distance of 25.34 metres; then
 - (e) on a bearing of $89^\circ 59' 50''$ for a distance of 23.00 metres; then

- (f) continue along the eastern, north-eastern, and northern boundaries of Part Lot 38 DPS 10608 back to the commencement point 7.50 metres from the northernmost corner of Part Lot 38 DPS 10608.

Area 2

Lot 1 DPS 8369

Area 3

Lot 39 DPS 10608

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 28th day after the date of its notification in the *Gazette*, declares 2 areas in Tauranga 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 described and shown on a map in a schedule of the order.

The order also specifies the criteria that a development in each of the special housing areas 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, are—

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

This order does not prescribe affordability criteria for either 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, applications for resource consents can (but do not have to) be made under the Act instead of under the Resource Management Act 1991. Also, because Tauranga City Council is a party to a housing accord under the Act, an applicant for a resource consent can request a variation to the Tauranga City Plan in certain circumstances where that is associated with the resource consent application.

This order is the second to create special housing areas in Tauranga. The first order to do so was the Housing Accords and Special Housing Areas (Tauranga City) Order 2015.

Reprinted as at
1 October 2017

**Housing Accords and Special Housing Areas
(Tauranga—New June 2015 Areas) Order 2015**

Explanatory note

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 2 July 2015.

Reprints notes**1 *General***

This is a reprint of the Housing Accords and Special Housing Areas (Tauranga—New June 2015 Areas) Order 2015 that incorporates all the amendments to that order as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Housing Accords and Special Housing Areas Orders Revocation Order 2017 (LI 2017/240): clause 4