

Reprint
as at 1 October 2017



Housing Accords and Special Housing Areas (Tauranga— New March 2016 Area) Order 2016

(LI 2016/66)

Housing Accords and Special Housing Areas (Tauranga—New March 2016 Area) Order 2016: 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 21st day of March 2016

Present:

His 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 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 area	2
5	Criteria for qualifying developments in special housing area and parts of special housing area	2
Schedule		3
Girven Road, Mount Maunganui special housing area		

Order

1 Title

This order is the Housing Accords and Special Housing Areas (Tauranga—New March 2016 Area) Order 2016.

2 Commencement

This order comes into force on the 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.

4 Declaration of special housing area

- (1) The area comprising all the land identified in the Schedule is 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 the special housing area and the map of that land, the description prevails.

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

The following criteria apply for qualifying developments in the special housing area declared by clause 4:

- (a) the maximum number of storeys that buildings may have is 6 (as provided in section 14(1)(b)(i) of the Act);
- (b) the maximum calculated height that buildings must not exceed is,—
 - (i) in Area 1, 11.5 metres;
 - (ii) in Area 2, 9 metres;
- (c) the minimum number of dwellings that must be built is 60.

Schedule
Girven Road, Mount Maunganui special housing area

cl 4

Map of special housing area



Description of Girven Road, Mt Maunganui special housing area

Land identification	CT number	Area (ha)
Part Lot 233 DP 35626	104148	0.6942
Part Lot 227 DP 35626	104148	0.0786
Lot 213 DP 35626	SA1105/200	0.0809
Lot 214 DP 35626	104148	0.0809
Lot 215 DP 35626	104148	0.0809

Area 1

Being a portion of Part Lot 233 DP 35626 limited to the land parcel bounded by lines described in the paragraphs below, commencing at the northernmost corner of Part Lot 233 DP 35626 then in a south-westerly direction, on a bearing of 209°26'30" for 5.07 metres, then in a south-easterly direction on a bearing of 125°31'00" for 2.87 metres (to the **point of commencement**), then commencing—

- (a) on a bearing of 125°31'00" for a distance of 73.21 metres; then
- (b) on a bearing of 215°38'00" for a distance of 52.26 metres; then
- (c) on a bearing of 305°27'30" for a distance of 67.29 metres; then
- (d) on a bearing of 29°00'00" for a distance of 52.47 metres to the point of commencement.

Area 2

Being that part of Girven Road, Mt Maunganui special housing area that is not within Area 1.

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 an area in Tauranga to be a special housing area for the purposes of the Housing Accords and Special Housing Areas Act 2013 (the **Act**). The land comprising the special housing area is described and shown on a map in the *Schedule*.

The order also specifies 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, 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 the special housing area.

The overall effect of the order is that if a proposed development in the 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 fifth to create special housing areas in Tauranga. The previous orders are—

- the Housing Accords and Special Housing Areas (Tauranga City) Order 2015:
- the Housing Accords and Special Housing Areas (Tauranga—New June 2015 Areas) Order 2015:
- the Housing Accords and Special Housing Areas (Tauranga—New October 2015 Area) Order 2015:
- the Housing Accords and Special Housing Areas (Tauranga—New February 2016 Area) Order 2016.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 24 March 2016.

Reprints notes**1 *General***

This is a reprint of the Housing Accords and Special Housing Areas (Tauranga—New March 2016 Area) Order 2016 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