

Reprint
as at 27 April 2018



**Housing Accords and Special Housing Areas (Nelson)
Order 2017**
(LI 2017/237)

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.

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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.

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Order

1 Title

This order is the Housing Accords and Special Housing Areas (Nelson) 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.

5 Outline

(1) This order—

- (a) declares 16 areas in the district of Nelson 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 or parts of those special housing areas.

(2) This clause is only a guide to the general scheme and effect of this order.

(3) *See also* <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> for associated maps and drawings.

Clause 5(1)(a): amended, on 27 April 2018, by clause 4(1) of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

Clause 5(1)(b): amended, on 27 April 2018, by clause 4(2) of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

6 Declaration of special housing areas

(1) 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.

(2) If, in Part 1 of a schedule of this order, the land comprised in a special housing area is defined by reference to a named and dated drawing, subclause (3) applies.

(3) If there is any inconsistency between the land as defined by the drawing and the more general description of the land in Part 1 of the schedule, the drawing prevails.

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

The criteria set out in Part 2 of each schedule of this order—

- (a) are criteria that apply for qualifying developments in the special housing area to which the schedule relates; but
- (b) if any of those criteria are set out beneath an identified part of the special housing area (for example, by reference to a particular lot on a deposited plan), are criteria that apply for a qualifying development to the extent that the qualifying development is in that part.

Clause 7: replaced, on 27 April 2018, by clause 5 of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

Schedule 1

Atawhai (Bay View Road) special housing area

cls 6, 7

Schedule 1: replaced, on 27 April 2018, by clause 6 of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

Part 1

Description of area

All the following land:

- (a) all the land shown shaded on the drawing named Bayview SHA Site and dated 11 July 2017 (as available on <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> on the date of commencement of this order) (more generally being an area of approximately 39.8 hectares located to the east of Atawhai Drive, comprising Lot 19 DP 3717 and Part Section 8 Suburban North District (part computer register 164567), Lot 31 DP 487620 (computer register 703598), and part of Lot 34 DP 441653 (part computer register 550238));
- (b) all the land shown shaded in red on the drawing named Atawhai (Bay View Road) SHA Number Two and dated 21 March 2018 (as available on <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> on the date of commencement of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018) (more generally being an area of approximately 3.07 hectares located to the east of Atawhai Drive, comprising parts of Lot 34 DP 441653 (parts computer register 550238)).

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	3
Maximum calculated height that buildings must not exceed:	8 metres
Minimum number of dwellings to be built:	106

Schedule 2

Britannia Heights (Crown Terrace) special housing area

cls 6, 7

Part 1

Description of area

All the land shown shaded on the drawing named Crown Terrace SHA Site and dated 4 July 2017 (as available on <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> on the date of commencement of this order) (more generally being an area of approximately 10.29 hectares located near Princes Drive, Crown Terrace, and Ariesdale Terrace, comprising part of Lot 65 DP 464769 (part computer register 619451)).

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	8 metres
Minimum number of dwellings to be built:	60

Schedule 2A
Britannia Heights (Tasman Heights) special housing area

cls 6, 7

Schedule 2A: inserted, on 27 April 2018, by clause 7 of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

Part 1
Description of area

All the land shown shaded on the drawing named Western Block SHA and dated 4 September 2017 (as available on <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> on the date of commencement of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018) (more generally being an area of approximately 12 hectares located to the south of Windsor Drive and Princes Drive, comprising Lot 4 DP 417875 (computer register 587646), Lot 5 DP 417875 (computer register 417875), and part of Lot 66 DP 464769 (computer register 619452)).

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	3
Maximum calculated height that buildings must not exceed:	8 metres
Minimum number of dwellings to be built:	30

Schedule 3
Enner Glynn (Cherry Avenue) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Part Lot 13 DP 3850 and Lots 1 and 2 DP 4578	NL1A/536	0.3860

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	3
Maximum calculated height that buildings must not exceed:	9.5 metres
Minimum number of dwellings to be built:	4

Schedule 4
Marybank (Wastney Terrace) special housing area

cls 6, 7

Schedule 4: replaced, on 27 April 2018, by clause 8 of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

Part 1
Description of area

All the following land:

- (a) all the land shown shaded on the drawing named Wastney SHA Site and dated 10 July 2017 (as available on <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> on the date of commencement of this order) (more generally being an area of approximately 8 hectares located near Wastney Terrace and Sunnybank Rise, comprising Lot 8 DP 349116 (computer register 201462), Lot 10 DP 349116 (computer register 201464), part of Part Section 14 Suburban North District (part computer register NL3A/1007), part of Lot 1 DP 494804 (part computer register 724959), and part of Lot 2 DP 494804 (part computer register 724960));
- (b) all the land shown shaded in red on the drawing named Marybank (Wastney) Special House Area Number Two and dated 21 March 2018 (as available on <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> on the date of commencement of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018) (more generally being an area of approximately 3.27 hectares located to the east of Wastney Terrace, comprising part of Part Section IX Suburban North District (part computer register NL3A/1007) and part of Part Section 14 Suburban North District (part computer register NL3A/1007)).

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	3
Maximum calculated height that buildings must not exceed:	8 metres
Minimum number of dwellings to be built:	20

Schedule 5
Monaco (Quiet Woman Way) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 394234	376937	0.1170

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	3
Maximum calculated height that buildings must not exceed:	10.2 metres
Minimum number of dwellings to be built:	5

Schedule 6
Nelson South (Upper Trafalgar) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 2 DP 11078	NL5D/1083	0.2076

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	8.5 metres
Minimum number of dwellings to be built:	5

Schedule 7
Nelson South (Van Diemen Street) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 431	NL37/175	0.1667

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	3

Schedule 7A
Saxton (Summerset Village) special housing area

cls 6, 7

Schedule 7A: inserted, on 27 April 2018, by clause 9 of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 14458	NL9B/1246	0.1999
Lot 2 DP 507574	771473	8.0017

Part 2
Criteria for qualifying developments

Criteria for qualifying developments in parts of Saxton (Summerset Village) special housing area

	Lot 1 DP 14458	Lot 2 DP 507574
Maximum number of storeys that buildings may have:	3	3
Maximum calculated height that buildings must not exceed:	10 metres	14 metres
Minimum number of dwellings to be built:	2	250

Schedule 8
Stoke (Nayland Road) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 15135	NL9C/498	0.2345

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	8 metres
Minimum number of dwellings to be built:	8

Schedule 8A
Stoke (Summerfield) special housing area

cls 6, 7

Schedule 8A: inserted, on 27 April 2018, by clause 10 of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 13356	NL8B/164	0.1528

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	4

Schedule 9

The Wood (Cádiz Court) special housing area

cls 6, 7

Part 1

Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 12674	NL7C/1324	0.1002
Part Lot 4 DP 93	NL7C/1325	0.0607

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	3
Maximum calculated height that buildings must not exceed:	11.9 metres
Minimum number of dwellings to be built:	12

Schedule 9A
The Wood (The Terraces) special housing area

cls 6, 7

Schedule 9A: inserted, on 27 April 2018, by clause 11 of the Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018 (LI 2018/62).

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 3915	NL104/147	0.0690

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	3
Maximum calculated height that buildings must not exceed:	10 metres
Minimum number of dwellings to be built:	3

Schedule 10
Toi Toi (Parklands) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 19 DP 428416	515052	1.1979

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	8

Schedule 11
Wakapuaka (Taylor Estate) special housing area

cls 6, 7

Part 1
Description of area

All the land shown shaded on the drawing named SHA-Part of Lot 1 DP 351115-12 Wakapuaka Road Dimensioned Boundaries and dated 30 June 2017 (as available on <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> on the date of commencement of this order) (more generally being an area of approximately 12 hectares located at 12, 12A, and 12B Wakapuaka Road, comprising part of Lot 1 DP 351115 (part computer register 209520)).

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	70

Schedule 12

Wakatu (Highview Drive) special housing area

cls 6, 7

Part 1

Description of area

All the land shown shaded on the drawing named Highview SHA Site and dated 11 July 2017 (as available on <http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/nelson-housing-accord> on the date of commencement of this order) (more generally being an area located near Beatson Road, Highview Drive, and Whakatu Drive, comprising Lot 58 DP 464769 (computer register 619449) and part of Lot 67 DP 464769 (part computer register 619453)).

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	8 metres
Minimum number of dwellings to be built:	40

Michael Webster,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 17 August 2017.

Reprints notes

1 *General*

This is a reprint of the Housing Accords and Special Housing Areas (Nelson) Order 2017 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 (Nelson) Amendment Order 2018 (LI 2018/62)