

Reprint
as at 16 September 2019



Housing Accords and Special Housing Areas (Hamilton) Order 2018

(LI 2018/52)

Housing Accords and Special Housing Areas (Hamilton) Order 2018: revoked, on 16 September 2019, by clause 3.

Rt Hon Dame Sian Elias, Her Excellency the Administrator of the Government

Order in Council

At Wellington this 3rd day of April 2018

Present:

The Right Hon Jacinda Ardern presiding 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 Associate Minister of Housing and Urban Development 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 Housing and Urban Development.

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Order

1 Title

This order is the Housing Accords and Special Housing Areas (Hamilton) Order 2018.

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 3 areas in the district of Hamilton 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.hud.govt.nz/residential-housing/housing-affordability/housing-accord/hamilton-housing-accord> for an associated map.

Clause 5(1)(a): amended, on 30 August 2019, by clause 4(1) of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Clause 5(1)(a): amended, on 30 August 2019, by clause 4(2) of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Clause 5(1)(b): amended, on 30 August 2019, by clause 4(3) of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Clause 5(3): amended, on 30 August 2019, by clause 6 of the Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019 (LI 2019/202).

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.

Clause 6 heading: amended, on 30 August 2019, by clause 5(1) of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Clause 6: amended, on 30 August 2019, by clause 5(2) of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

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 set out beneath an identified part of the special housing area (for example, Area A), are criteria that apply for a qualifying development to the extent the qualifying development is in that part.

Clause 7: replaced, on 30 August 2019, by clause 6 of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Schedule 1

Hamilton East (Jebson Place) special housing area

cls 6, 7

Part 1

Description of area

Land identification	Computer register	Area (ha)
Lot 1 DPS 6553	SA9A/388	0.1659
Lot 2 DPS 6553	SA9A/389	0.0958
Lot 8 DPS 6553	SA9A/390	0.0617
Lot 9 DPS 6553	SA9A/391	0.0665
Lot 10 DPS 6553	SA9A/392	0.0698
Lot 11 DPS 6553	SA9A/393	0.0895
Lot 12 DPS 6553	SA9A/394	0.0771
Lot 13 DPS 6553	SA9A/395	0.1295
Lot 14 DPS 6553	SA9A/396	0.1408
Lot 15 DPS 6553	SA9A/397	0.0850
Lot 16 DPS 6553	SA9A/398	0.0963
Lot 17 DPS 6553	SA9A/399	0.1558
Lot 18 DPS 6553	SA9A/400	0.1252
Lot 19 DPS 6553	SA9A/401	0.0938
Lot 20 DPS 6553	SA9A/402	0.1436
Lot 25 DPS 6553	SA68C/678	0.0708
Lot 26 DPS 6553	SA68C/679	0.0624
Lot 27 DPS 6553	SA69A/944	0.0114
Lot 3 DPS 6768	SA9A/407	0.1360
Lot 5 DPS 6768	SA9A/408	0.1363
Lot 6 DPS 6768	SA9A/409	0.1021
Lot 7 DPS 6768	SA9A/410	0.0667
Section 1 SO 506081	801777	0.0349
Section 2 SO 506081	801778	0.1887
Section 3 SO 506081	801779	0.0175

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	10 metres
Minimum number of dwellings to be built:	80

Schedule 2

Hamilton (Quentin Drive) special housing area

cls 6, 7

Schedule 2: inserted, on 30 August 2019, by clause 7 of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Part 1

Description of area

Schedule 2 Part 1: inserted, on 30 August 2019, by clause 7 of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Land identification	Record of title	Area (ha)
Lot 2 DP 482992	680382	2.1388
Part Lot 3 DP 20152	SA19B/1282	1.9644
Allotment 468 Parish of Te Rapa	SA13A/132	0.061

Part 2

Criteria for qualifying developments

Schedule 2 Part 2: inserted, on 30 August 2019, by clause 7 of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	10 metres
Minimum number of dwellings to be built:	25

Schedule 3

Hamilton (Rotokauri North) special housing area

cls 6, 7

Schedule 3: inserted, on 30 August 2019, by clause 7 of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Part 1

Description of area

Schedule 3 Part 1: inserted, on 30 August 2019, by clause 7 of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Approximately 133 hectares located at Burbush Road, Te Kowhai Road, and Exelby Road, Te Kowhai, comprising the whole of the land set out in the table below, and where—

- **Area A** means that part of the land that is not within Area B; and
- **Area B** means that part of the land shown hatched orange on the drawing named Hamilton (Rotokauri North) and dated 27 June 2019 (as available on <https://www.hud.govt.nz/residential-housing/housing-affordability/housing-accord/hamilton-housing-accord> on the commencement of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019), comprising approximately 47.9292 hectares.

Land identification	Record of title	Area (ha)	Area (ha) within	
			Area A	Area B
Section 23 SO 495676	755895	4.2547	4.2547	0.0000
Section 53 SO 495676	744793	19.7807	12.7107	7.0700
Lot 3 DPS 15123	SA13B/742	4.2113	4.2113	0.0000
Lot 5 DPS 15123	SA13B/744	4.0620	4.0620	0.0000
Lot 6 DPS 15123	SA13B/745	13.7188	13.7188	0.0000
Lot 1 DPS 15254	SA14B/109	4.2543	3.4429	0.8114
Lot 2 DPS 15254	SA14B/110	4.1221	1.5334	2.5887
Lot 3 DPS 15254	SA14B/111	5.7870	0.0000	5.7870
Lot 4 DPS 15254	SA14B/112	5.0712	0.0000	5.0712
Lot 7 DPS 15255	SA14B/115	3.9416	0.4268	3.5148
Lot 9 DPS 15255	SA14B/117	4.0469	0.0000	4.0469
Lot 10 DPS 15255	SA14B/118	4.0469	0.4358	3.6111
Lot 11 DPS 15255	SA14B/119	4.0469	3.3865	0.6604
Lot 2 DP 359488	242203	3.9298	0.8070	3.1228
Lot 4 DP 359488	242205	3.9480	0.0000	3.9480
Lot 5 DP 359488	242206	0.2625	0.0000	0.2625
Lot 6 DP 359488	242207	16.4800	9.0456	7.4344
Lot 2 DP 334215	140355	2.0000	2.0000	0.0000
Lot 3 DP 334215	140356	5.1426	5.1426	0.0000
Lot 1 DP 485743	690913	0.4502	0.4502	0.0000
Lot 2 DP 485743	690914	19.5514	19.5514	0.0000

Part 2
Criteria for qualifying developments

Schedule 3 Part 2: inserted, on 30 August 2019, by clause 7 of the Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019 (LI 2019/203).

Criteria for qualifying developments in parts of Hamilton (Rotokauri North) special housing area

	Area A	Area B
Maximum number of storeys that buildings may have:	3	3
Maximum calculated height that buildings must not exceed:	11 metres	14 metres

Criteria for qualifying developments in Hamilton (Rotokauri North) special housing area

Minimum number of dwellings to be built: 100

Michael Webster,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 4 April 2018.

Reprints notes

1 *General*

This is a reprint of the Housing Accords and Special Housing Areas (Hamilton) Order 2018 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 (Hamilton) Amendment Order 2019 (LI 2019/203)

Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019 (LI 2019/202): clause 6

Housing Accords and Special Housing Areas (Hamilton) Order 2018 (LI 2018/52): clause 3