

Reprint
as at 16 September 2019



Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019

(LI 2019/202)

Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019: revoked, on 16 September 2019, pursuant to clause 3 of the Housing Accords and Special Housing Areas (Nelson) Order 2017 (LI 2017/237).

Patsy Reddy, Governor-General

Order in Council

At Wellington this 26th day of August 2019

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 of Housing 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.

Part 1**Amendments to Housing Accords and Special Housing Areas
(Nelson) Order 2017**

3	Amendments to Housing Accords and Special Housing Areas (Nelson) Order 2017	2
4	Clause 5 amended (Outline)	3
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Part 2**Amendments to other housing accords and special housing
areas orders**

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Schedule 1**New Schedule 1A inserted**

3

Schedule 2**New Schedule 7AAA inserted**

4

Schedule 3**New Schedule 7AAB inserted**

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Schedule 4**New Schedule 8AA inserted**

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Schedule 5**Amendments to other enactments**

7

Order**1 Title**

This order is the Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019.

2 Commencement

This order comes into force on 30 August 2019.

Part 1**Amendments to Housing Accords and Special Housing Areas
(Nelson) Order 2017****3 Amendments to Housing Accords and Special Housing Areas (Nelson)
Order 2017**

This Part amends the Housing Accords and Special Housing Areas (Nelson) Order 2017.

4 Clause 5 amended (Outline)

In clause 5(1)(a), replace “17” with “21”.

5 New schedules inserted

- (1) After Schedule 1, insert the Schedule 1A set out in Schedule 1 of this order.
- (2) After Schedule 7, insert the Schedule 7AAA set out in Schedule 2 of this order.
- (3) After Schedule 7AAA (as inserted by subclause (2)), insert the Schedule 7AAB set out in Schedule 3 of this order.
- (4) After Schedule 8, insert the Schedule 8AA set out in Schedule 4 of this order.

Part 2

Amendments to other housing accords and special housing areas orders

6 Amendments to other housing accords and special housing areas orders

The enactments listed in Schedule 5 are amended in the manner set out in that schedule.

Schedule 1

New Schedule 1A inserted

cl 5(1)

**Schedule 1A
Beachville (Haven Road) special housing area**

cls 6, 7

Part 1

Description of area

Land identification	Record of title	Area (ha)
Part Lot 3 DP 3483	NL11B/896	0.2721
Lot 1 DP 5679	NL147/94	0.0932

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	6
Maximum calculated height that buildings must not exceed:	20 metres
Minimum number of dwellings to be built:	25
Percentage of dwellings that must be sold for a price that does not exceed \$595,000 (including goods and services tax, if any):	40%

Schedule 2

New Schedule 7AAA inserted

cl 5(2)

Schedule 7AAA

Richmond (3A Hill Street) special housing area

cls 6, 7

Part 1

Description of area

All the land within the boundaries (shown by red dashed lines) shown on the drawing named Richmond (3A Hill Street) and dated 10 June 2019 (as available on <https://www.hud.govt.nz/residential-housing/housing-affordability/housing-accord/nelson-housing-accord>) on the date of commencement of the Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019) (more generally being an area of approximately 1.64 hectares located at 3A Hill Street, comprising part of Lot 4 DP 8212 (record of title NL3C/1249)).

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:	20

**Schedule 3
New Schedule 7AAB inserted**

cl 5(3)

**Schedule 7AAB
Richmond (3D Hill Street) special housing area**

cls 6, 7

**Part 1
Description of area**

Land identification	Record of title	Area (ha)
Part Lot 1 DP 8212	NL8C/678	1.7141

**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:	15

Schedule 4
New Schedule 8AA inserted

cl 5(4)

Schedule 8AA
Stoke (Suffolk Street) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Record of title	Area (ha)
Lot 1 DP 6283	NL1A/282	0.1335
Part Lot 1 DP 6810 and Lot 1 DP 13380	NL8B/748	0.1756
Lot 18 DP 499751	742320	0.1132

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:	11

Schedule 5

Amendments to other enactments

cl 6

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

In clause 5(3), replace “<http://www.mbie.govt.nz/info-services/housing-property/housing-affordability/hamilton-housing-accord>” with “<https://www.hud.govt.nz/residential-housing/housing-affordability/housing-accord/hamilton-housing-accord>”.

Housing Accords and Special Housing Areas (Tasman) Order 2017 (LI 2017/238)

In clause 5(3), replace “<https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/tasman-housing-accord>” with “<https://www.hud.govt.nz/residential-housing/housing-affordability/housing-accord/tasman-housing-accord>”.

Housing Accords and Special Housing Areas (Tauranga) Order 2017 (LI 2017/235)

In clause 5(3), replace “<https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/tauranga-housing-accord>” with “<https://www.hud.govt.nz/residential-housing/housing-affordability/housing-accord/tauranga-housing-accord>”.

Housing Accords and Special Housing Areas (Wellington) Order 2017 (LI 2017/236)

In clause 5(3), replace “<https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/wellington-housing-accord>” with “<https://www.hud.govt.nz/residential-housing/housing-affordability/housing-accord/wellington-housing-accord>”.

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 30 August 2019, amends the Housing Accords and Special Housing Areas (Nelson) Order 2017 to declare 4 additional areas in the district of Nelson 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 the 4 special housing areas is described in Part 1 of each of the new schedules inserted by *clause 5 (Schedules 1A, 7AAA, 7AAB, and 8AA)*.

This order also specifies the criteria that a development in the relevant special housing areas must meet 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 set out in Part 2 of each of the new schedules and relate to—

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

In addition, this order prescribes affordability criteria for the new special housing area at Haven Road. *Schedule 1AA* provides that 40% of the dwellings in that development must be sold for a price not exceeding \$595,000 (inclusive of goods and services tax, if any). This figure has been calculated with reference to the median sales price for the Nelson region in February 2019, which was \$560,000 according to information supplied by the Real Estate Institute of New Zealand.

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

In addition, *Part 2* of this order updates URLs contained in the housing accords and special housing areas orders for Hamilton, Tasman, Tauranga, and Wellington, for webpages at which relevant associated maps and drawings can be found. The URLs have been updated following a transfer of the administration of those orders from the Ministry of Business, Innovation, and Employment to the Ministry of Housing and Urban Development.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 29 August 2019.

Reprints notes

1 *General*

This is a reprint of the Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019 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) Order 2017 (LI 2017/237): clause 3