

Reprint  
as at 16 September 2019



**Housing Accords and Special Housing Areas (Hamilton)  
Amendment Order 2019**

(LI 2019/203)

Housing Accords and Special Housing Areas (Hamilton) Amendment Order 2019: revoked, on 16 September 2019, pursuant to clause 3 of the Housing Accords and Special Housing Areas (Hamilton) Order 2018 (LI 2018/52).

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.**

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	<b>New Schedules 2 and 3 inserted</b>	

## Order

### 1 Title

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

### 2 Commencement

This order comes into force on 30 August 2019.

### 3 Principal order

This order amends the Housing Accords and Special Housing Areas (Hamilton) Order 2018 (the **principal order**).

### 4 Clause 5 amended (Outline)

- (1) In clause 5(1)(a), replace “1 area” with “3 areas”.
- (2) In clause 5(1)(a), replace “a special housing area” with “special housing areas”.
- (3) In clause 5(1)(b), replace “that special housing area” with “those special housing areas”.

### 5 Clause 6 amended (Declaration of special housing area)

- (1) In the heading to clause 6, replace “area” with “areas”.
- (2) In clause 6, replace “the Schedule is” with “each schedule of this order is severally”.

### 6 Clause 7 replaced (Criteria for qualifying developments in special housing area)

Replace clause 7 with:

### 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.

**7 New Schedules 2 and 3 inserted**

After the Schedule, insert the Schedules 2 and 3 set out in the Schedule of this order.

**Schedule  
New Schedules 2 and 3 inserted**

cl 7

**Schedule 2  
Hamilton (Quentin Drive) special housing area**

cls 6, 7

**Part 1  
Description of area**

<b>Land identification</b>	<b>Record of title</b>	<b>Area (ha)</b>
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**

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

#### Part 1

##### Description of area

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**

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

	<b>Area A</b>	<b>Area B</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
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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 (Hamilton) Order 2018 to declare 2 additional areas in the district of Hamilton City Council to be special housing areas for the purposes of the Housing Accords and Special Housing Areas Act 2013 (the **Act**).

This order also specifies, for each new special housing area, the criteria that a development in the special housing area must meet to be a qualifying development for the purposes of the Act. Those criteria 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.

Those criteria are additional to the requirement, under section 14(1)(a) of the Act, that the development will be predominantly residential.

This order does not prescribe affordability criteria for the new special housing areas.

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

## Reprints notes

### **1** *General*

This is a reprint of the Housing Accords and Special Housing Areas (Hamilton) 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 (Hamilton) Order 2018 (LI 2018/52): clause 3