

Reprint  
as at 16 September 2019



## Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018

(LI 2018/62)

Housing Accords and Special Housing Areas (Nelson) Amendment Order 2018: revoked, on 16 September 2019, pursuant to clause 3 of the Housing Accords and Special Housing Areas (Nelson) Order 2017 (LI 2017/237).

Hon Sir William Young, Administrator of the Government

### Order in Council

At Wellington this 24th 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 (Nelson) Amendment Order 2018.
- 2 Commencement**

This order comes into force on the day after the date of its notification in the *Gazette*.
- 3 Principal order**

This order amends the Housing Accords and Special Housing Areas (Nelson) Order 2017 (the **principal order**).

**4 Clause 5 amended (Outline)**

- (1) In clause 5(1)(a), replace “12” with “16”.
- (2) In clause 5(1)(b), after “areas”, insert “or parts of those special housing areas”.

**5 Clause 7 replaced (Criteria for qualifying developments in special housing areas)**

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 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.

**6 Schedule 1 replaced**

Replace Schedule 1 with the Schedule 1 set out in Schedule 1 of this order.

**7 New Schedule 2A inserted**

After Schedule 2, insert the Schedule 2A set out in Schedule 2 of this order.

**8 Schedule 4 replaced**

Replace Schedule 4 with the Schedule 4 set out in Schedule 3 of this order.

**9 New Schedule 7A inserted**

After Schedule 7, insert the Schedule 7A set out in Schedule 4 of this order.

**10 New Schedule 8A inserted**

After Schedule 8, insert the Schedule 8A set out in Schedule 5 of this order.

**11 New Schedule 9A inserted**

After Schedule 9, insert the Schedule 9A set out in Schedule 6 of this order.

**Schedule 1****Schedule 1 replaced (Atawhai (Bay View Road) special housing area)**

cl 6

**Schedule 1****Atawhai (Bay View Road) special housing area**

cls 6, 7

**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  
New Schedule 2A inserted**

cl 7

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

cls 6, 7

**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**  
**Schedule 4 replaced (Marybank (Wastney Terrace) special housing area)**

cl 8

**Schedule 4**  
**Marybank (Wastney Terrace) special housing area**

cls 6, 7

**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 4**  
**New Schedule 7A inserted**

cl 9

**Schedule 7A**  
**Saxton (Summerset Village) special housing area**

cls 6, 7

**Part 1**  
**Description of area**

<b>Land identification</b>	<b>Computer register</b>	<b>Area (ha)</b>
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**

	<b>Lot 1</b> <b>DP 14458</b>	<b>Lot 2</b> <b>DP 507574</b>
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 5**  
**New Schedule 8A inserted**

cl 10

**Schedule 8A**  
**Stoke (Summerfield) special housing area**

cls 6, 7

**Part 1**  
**Description of area**

<b>Land identification</b>	<b>Computer register</b>	<b>Area (ha)</b>
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 6  
New Schedule 9A inserted**

cl 11

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

cls 6, 7

**Part 1  
Description of area**

<b>Land identification</b>	<b>Computer register</b>	<b>Area (ha)</b>
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

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*, 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).

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, which are additional to the requirement under the Act that the developments will be predominantly residential, 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.

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

This order also adds land to 2 existing special housing areas, as set out on a new additional plan available on the MBIE website, and makes the following changes:

- increases from 2 to 3 the maximum number of storeys that buildings may have (height remains the same) and adds 6 dwellings to the minimum number to be built for a qualifying development in the Atawhai (Bay View Road) special housing area;
- increases from 2 to 3 the maximum number of storeys that buildings may have (height remains the same) and adds 5 dwellings to the minimum number to be built for a qualifying development in the Marybank (Wastney Terrace) special housing area.

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

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 26 April 2018.

## **Reprints notes**

### **1    *General***

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