

Reprint  
as at 1 October 2017



## Housing Accords and Special Housing Areas (Tauranga— New May 2016 Areas) Order 2016

(LI 2016/93)

Housing Accords and Special Housing Areas (Tauranga—New May 2016 Areas) Order 2016: revoked, on 1 October 2017, by clause 4 of the Housing Accords and Special Housing Areas Orders Revocation Order 2017 (LI 2017/240).

Rt Hon Dame Sian Elias, Administrator of the Government

### Order in Council

At Wellington this 16th day of May 2016

Present:

Her Excellency the Administrator of the Government 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 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 Business, Innovation, and Employment.**

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## Order

### 1 Title

This order is the Housing Accords and Special Housing Areas (Tauranga—New May 2016 Areas) Order 2016.

### 2 Commencement

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

### 3 Interpretation

In this order,—

**Act** means the Housing Accords and Special Housing Areas Act 2013

**nett developable area** has the meaning given in Chapter 3 of the operative Tauranga City Plan

**operative Tauranga City Plan**—

(a) means the Tauranga City Plan made operative on 5 July 2014; and

(b) includes all amendments to that plan notified before 1 January 2015.

### 4 Declaration of special housing areas

- (1) The area comprising all the land identified in Schedules 1 and 2 of this order is severally declared to be a special housing area for the purposes of the Act.
- (2) If there is any inconsistency between the description of the land comprising a special housing area and the map of that land, the description prevails.

**5 Criteria for qualifying developments in special housing areas and parts of special housing areas**

- (1) The criteria set out in subclauses (2) to (4) apply for qualifying developments in each special housing area declared by clause 4.
- (2) The maximum number of storeys that buildings may have is 6 (as provided in section 14(1)(b)(i) of the Act).
- (3) The maximum calculated height that buildings must not exceed—
  - (a) in Golden Sands Extension special housing area (*see* Schedule 1) is,—
    - (i) for area 5, 9.5 metres:
    - (ii) for area 5B, 17.5 metres:
  - (b) in Palm Springs Extension special housing area (*see* Schedule 2) is,—
    - (i) for land in the Wairakei Residential Zone (as defined in the operative Tauranga City Plan), 9.5 metres:
    - (ii) for land in the proposed Neighbourhood Centre Zone (as defined in the operative Tauranga City Plan), 17.5 metres.
- (4) The minimum number of dwellings that must be built—
  - (a) in Golden Sands Extension special housing area (*see* Schedule 1) is the product of 15 and the number of hectares of nett developable area in that special housing area:
  - (b) in Palm Springs Extension special housing area (*see* Schedule 2) is 1.
- (5) For the purposes of subclause (4)(a), if the calculation of the number of dwellings results in a fractional dwelling of one-half or more, that dwelling is counted as 1 dwelling, and any lesser fraction may be disregarded.

**6 Amendments to Housing Accords and Special Housing Areas (Tauranga City) Order 2015 relating to Golden Sands special housing area**

- (1) This clause amends the Housing Accords and Special Housing Areas (Tauranga City) Order 2015.
- (2) In clause 5(3)(a)(ii), replace “Area 4” with “Areas 1A and 4”.
- (3) In Schedule 1, replace the map of the Golden Sands special housing area with the map of the special housing area set out in Schedule 3 of this order.
- (4) In Schedule 1, item relating to Area 1, paragraph (w), after “corner of Lot 524 DP 479762”, insert “; but”.
- (5) In Schedule 1, after paragraph (w) of the item relating to Area 1, insert:
  - (x) excluding Area 1A.
- (6) In Schedule 1, after the item relating to Area 1, insert:

*Area 1A*

That part of Lot 524 DP 479762 limited to the land parcel bounded by lines described below, starting from the point that is 234 metres in a southerly direction along the north-eastern

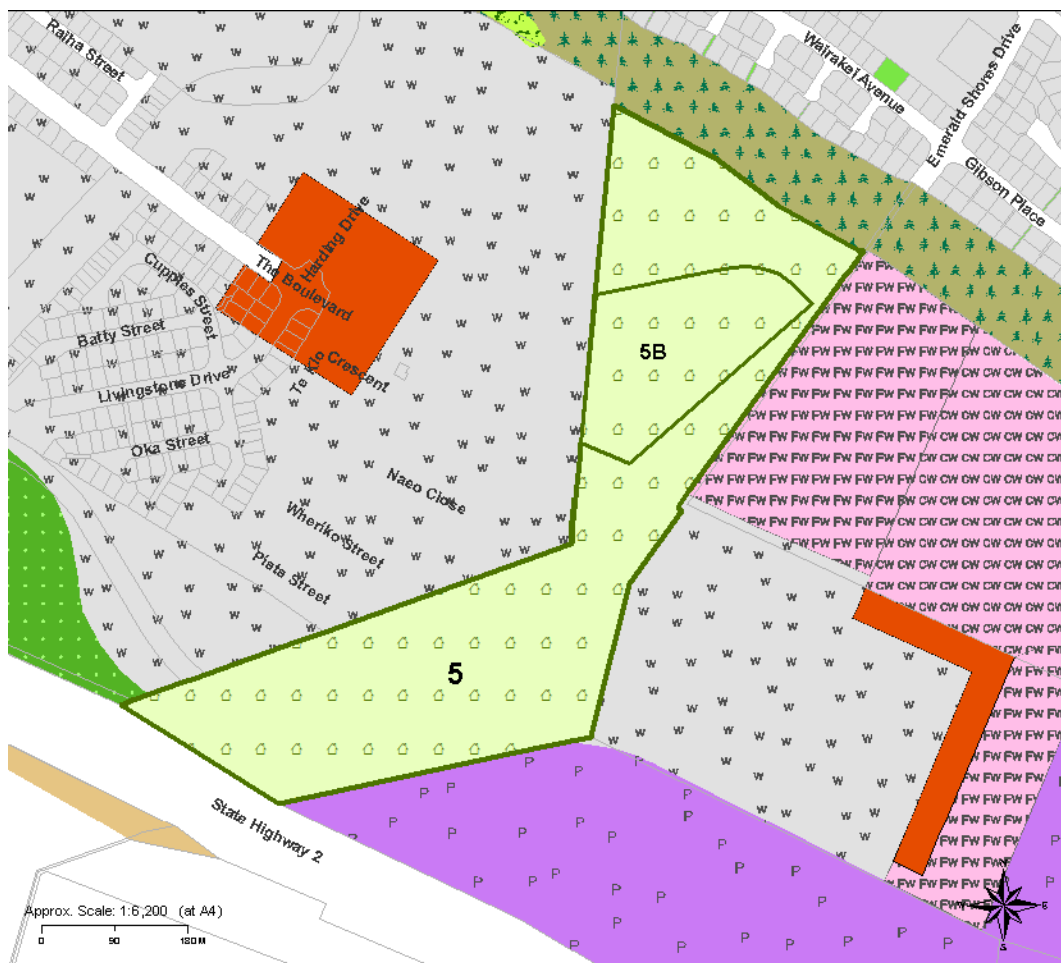
boundary of Lot 524 DP 479762 from the north-easternmost corner of Lot 524 DP 479762 (the commencement point); then—

- (a) on a bearing of 257°32' for a distance of 205.95 metres; then
- (b) on a bearing of 219°14' for a distance of 40.24 metres; then
- (c) on a bearing of 200°22' for a distance of 4.15 metres; then
- (d) on a bearing of 116°23' for a distance of 140.58 metres; then
- (e) on a bearing of 114°36' for a distance of 100.30 metres; then
- (f) on a bearing of 3°22'40" for a distance of 184.06 metres reaching the commencement point.

### Schedule 1 Golden Sands Extension special housing area

cl 4

Map of special housing area



*Description of Golden Sands Extension special housing area*

**Area 5**

All the land described in the following table:

<b>Land identification</b>	<b>CT number</b>	<b>Area (ha)</b>
Lot 1 DP 488402	712159	21.4660
	712160	

But excluding Area 5B.

**Area 5B**

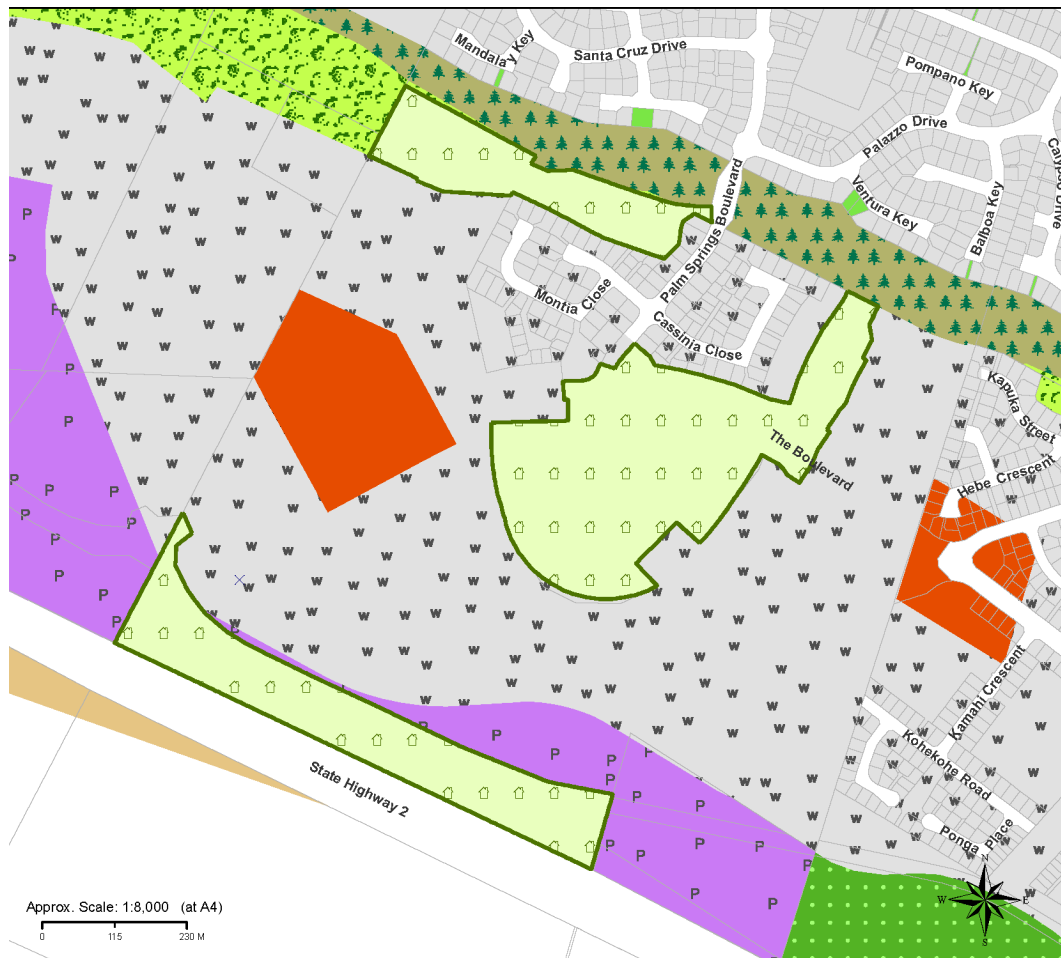
Part of Lot 1 DP 488402 limited to the land parcel bounded by lines described below, starting from the point that is 234 metres in a southerly direction along the north-western boundary of Lot 1 DP 488402 from the north-westernmost corner of Lot 1 DP 488402 (the **commencement point**); then——

- (a) on a bearing of 76°36' for a distance of 172.03 metres; then
- (b) on a bearing of 77°56' for a distance of 3.81 metres; then
- (c) on a bearing of 82°24' for a distance of 9.99 metres; then
- (d) on a bearing of 88°52' for a distance of 9.99 metres; then
- (e) on a bearing of 95°21' for a distance of 9.99 metres; then
- (f) on a bearing of 101°49' for a distance of 9.99 metres; then
- (g) on a bearing of 108°18' for a distance of 9.99 metres; then
- (h) on a bearing of 114°46' for a distance of 9.99 metres; then
- (i) on a bearing of 121°15' for a distance of 9.99 metres; then
- (j) on a bearing of 127°43' for a distance of 9.99 metres; then
- (k) on a bearing of 133°59' for a distance of 9.32 metres; then
- (l) on a bearing of 137°00' for a distance of 17.25 metres; then
- (m) on a bearing of 143°29' for a distance of 3.87 metres; then
- (n) on a bearing of 226°25' for a distance of 298.14 metres; then
- (o) on a bearing of 290°53' for a distance of 65.67 metres; then
- (p) on a bearing of 3°22'40" for a distance of 184.07 metres reaching the commencement point.

**Schedule 2**  
**Palm Springs Extension special housing area**

cl 4

*Map of special housing area*



*Description of Palm Springs Extension special housing area*

All the land described in the following table:

Land identification	CT number	Area (ha)
Part Lot 501 DP 484164; shown as Section 17 on SO 481628	Part 685457	5.6874
Formerly Lot 4 DP 484164	Formerly 685454	81.6097 (in total)
Lot 5 DP 489916	720423	
Lot 6 DP 484164	685456	
Part Lot 501 DP 484164; shown as Section 15 on SO 481628	Part 685457	

But excluding the Palm Springs special housing area as set out in Schedule 3 of the Housing Accords and Special Housing Areas (Tauranga City) Order 2015.

### Schedule 3

## Map of Golden Sands special housing area replaced

cl 6(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*, declares 2 areas in Tauranga to be special housing areas for the purposes of the Housing Accords and Special Housing Areas Act 2013 (the Act). The land comprising each special housing area is described and shown on a map in a schedule of the order.

The order also specifies the criteria that a development in each of the special housing areas must meet in order 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—

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

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

The overall effect of the order is that if a proposed development in a special housing area will be predominantly residential and meets the criteria specified for qualifying developments, applications for resource consents can (but do not have to) be made under the Act instead of under the Resource Management Act 1991. Also, because Tauranga City Council is a party to a housing accord under the Act, an applicant for a resource consent can request a variation to the Tauranga City Plan in certain circumstances where that is associated with the resource consent application.

This order also amends the Housing Accords and Special Housing Areas (Tauranga City) Order 2015 to allow for a taller maximum height that buildings may not exceed in part of the Golden Sands special housing area declared in that order.

This order is the sixth to create special housing areas in Tauranga. The previous orders are—

- the Housing Accords and Special Housing Areas (Tauranga City) Order 2015;
- the Housing Accords and Special Housing Areas (Tauranga—New June 2015 Areas) Order 2015;
- the Housing Accords and Special Housing Areas (Tauranga—New October 2015 Area) Order 2015;
- the Housing Accords and Special Housing Areas (Tauranga—New February 2016 Area) Order 2016;
- the Housing Accords and Special Housing Areas (Tauranga—New March 2016 Area) Order 2016.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 19 May 2016.



## **Reprints notes**

### **1    *General***

This is a reprint of the Housing Accords and Special Housing Areas (Tauranga—New May 2016 Areas) Order 2016 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 Orders Revocation Order 2017 (LI 2017/240): clause 4