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Special Housing Areas

SPECIAL HOUSING AREAS

What are Special Housing Areas?

Special Housing Areas (SHAs) are areas of land that have been approved by Order in Council as satisfying the criteria to be approved as SHAs which in turn allows the land to be developed for residential housing at a faster and more permissive way than they would otherwise.

How did SHAs come about?

SHAs came about via the Housing Accords and Special Housing Areas Act 2013 ("the Act"). The Act was passed on 13 September 2013 and enacted for the general purpose of enhancing housing affordability and supply in certain regions identified as having significant housing supply and affordability issues. These regions are listed in Schedule 1 of the Act and include the Nelson City Council and the Tasman City Council.

How do you get an area of land classified as a SHA?

The land has to be recognised as a SHA by the Government.

The Act provides that the Government can work together with an affected territorial authority to address housing supply and affordability issues in its district – known as a "housing accord". The Nelson City Council entered into a housing accord with the Government in June 2015 and set a target of consenting 720 new dwellings over the next three years. Under the accord, the Council has the ability to recommend the creation of SHAs to the Minister for Building and Housing. If agreed, the SHAs are established by Order in Council, enabling the Council to access the powers available to it under the Act for the subsequent consent process. So, if you are a landowner in the Nelson City Council area, you are best to approach the council.

The Tasman City Council entered into a housing accord with the Government on 15 May 2015 which was ratified by the council in June 2015. While Councillors were sceptical over whether the accord would deliver affordable housing, it set a target of consenting 620 new dwellings in the 2015 and 2016 years.

What SHAs are there in Nelson and Tasman?

So far, there are 12 SHAs in Nelson. The first nine being approved by Order in Council on 15 February 2016 with the second being approved on 25 July 2016. It is probably no co-incidence

that the local MP, Nick Smith, is also the Minister of Building and Housing however it must be recognised that it is now nearly 3 years since the Act was passed.

The 12 SHAs are as follows:

Name	Address	Maximum Storeys	Maximum Height (metres)	Minimum No. of Dwellings to be Built
Barcelona Lofts	Haven Road (opp Collins Street)	4	20	9
Betts Carpark	Cnr Nile Street and Trafalgar Sq	4	15	12
Bishopdale Pottery	Waimea Road	3	12	45
Ocean Lodge	Cnr Beach Road and Waikare Streets, Tahunanui	4	20	30
Orchard Street	16-20 Orchard Street, Stoke	2	7.5	2
Paru Paru Road	Paru Paru Road, Inner City, Nelson	4	20	30
Tahuna Housing	Tahunanui Drive, Tahunanui	4	12	12
Three Ridges	The Ridgeway, Stoke	2	10	10
Toi Toi	Cnr Toi Toi St and Montreal Road and Princes Drive, Toi Toi	3	12	100
Farleigh	Farleigh Street, Atawhai	2	8	14
Haven Road	81-83 Haven Road, Inner City, Nelson	6	20	15
Wakefield Quay	371 Wakefield Quay, Nelson	4	12	3

Presently there are no SHAs in Tasman.

What can we expect next for the Nelson SHAs?

You can expect applications for resource consent allowing the residential development anticipated by the zoning to be lodged and processed. Under the Act, once a site has become an SHA, any subsequent development proposal must demonstrate they are "qualifying developments" under section 14 of the Act. These must be predominantly residential; not higher than 6 storeys and 27 metres and must not contain fewer than the number of dwellings for which they were approved as a SHA (for example, in respect to Farleigh above, contain not fewer than 14 residential dwellings).

What rights do the public have in relation to the consent process?

The public have less rights of participation when it comes to the consent process for SHAs. This is deliberate as the very purpose of the Act was for councils to respond more quickly to housing proposals. Provided a proposal is a qualifying development, any notification is limited to adjacent property owners and infrastructure providers only. Consents that are processed with limited

notification must be processed within shorter timeframes than those that usually apply:

• 20 working days for non-notified applications

• 70 working days for limited notification applications

When assessing the resource consent application, the agency must first have regard to the purpose of the Act before next considering (i) the purpose and principles of the Resource Management Act 1991; (ii) any relevant proposed plan; and (iii) other matters that would arise for consideration; and (iv) key urban design qualities (as expressed in the Ministry for the Environment's New Zealand Urban Design Protocol (2005)).

Once a decision is made, there are no appeal rights unless a development is four or more storeys in height.

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