



# Cabinet

## Minute of Decision

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### Establishing Special Housing Areas in Nelson City

**Portfolio**                      **Housing**

On 26 August 2019, following reference from the Cabinet Legislation Committee, Cabinet:

- 1        **noted** that the Housing Accords and Special Housing Areas Act 2013 (the Act) enables the establishment of special housing areas by Order in Council to facilitate an increase in land and housing supply in regions and districts identified as having housing affordability and supply issues;
- 2        **noted** that on 2 March 2018, the Cabinet Economic Development Committee (DEV) confirmed that the delegated authority would remain for the Minister responsible for Special Housing Areas (SHAs) to instruct the Parliamentary Counsel Office to draft Orders in Council declaring SHAs without first seeking Cabinet's agreement [DEV-18-MIN-0011];
- 3        **noted** that the Nelson City Council has recommended to the Minister of Housing, the responsible Minister, the establishment of the 3A Hill Street, 3D Hill Street, Suffolk Road and Haven Road special housing areas;
- 4        **noted** that the Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019 was drafted in accordance with Cabinet's authorisation in paragraph 2, and will give effect to paragraphs 3 and 4;
- 5        **noted** that the Minister of Housing has assessed the proposed special housing areas against the criteria specified in the Act and is satisfied all requirements have been met;
- 6        **noted** that section 15(7) of the Act requires the Minister of Housing to recommend the criteria for qualifying developments recommended by the relevant accord territorial authority under section 17(2) of the Act;
- 7        **noted** that:
  - 7.1        the Order also makes minor amendments to website links in the Housing Accords and Special Housing Areas orders for Hamilton, Tasman, Tauranga and Wellington;
  - 7.2        these minor amendments are necessary to update website links in existing orders due to the administration of the Act transferring from the Ministry of Business, Innovation, and Employment to the Ministry of Housing and Urban Development;

- 8 **noted** that a waiver of the 28-day rule is sought:
- 8.1 so that the special housing areas can be declared as soon as possible;
  - 8.2 on the grounds that the declaration affects only a particular local district and early commencement is necessary due to sections 16 and 17 of the Act repealing on 16 September 2019;
- 9 **agreed** to a waiver of the 28-day rule so that the Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019 can come into force on 30 August 2019;
- 10 **noted** that:
- 10.1 sections 16 and 17 of the Act will repeal on 16 September 2019, meaning no new SHAs will be able to be established from that date;
  - 10.2 under section 18 of the Act, all existing SHAs will be disestablished on that date;
- 11 **authorised** the submission to the Executive Council of the Housing Accords and Special Housing Areas (Nelson and Other Areas) Amendment Order 2019 [PCO 22230/9.0].

Michael Webster  
Secretary of the Cabinet

*Secretary's Note: This minute replaces LEG-19-MIN-0122. Cabinet amended paragraph 9.*

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**Hard-copy distribution:**

Prime Minister  
Deputy Prime Minister  
Minister of Housing