

SELWYN HOUSING ACCORD AND SPECIAL HOUSING AREAS AND QUALIFYING DEVELOPMENTS POLICY

INTRODUCTION

The Selwyn District Council (Council) and the New Zealand Government have entered into a Selwyn Housing Accord (the Accord) under the Housing Accords and Special Housing Areas Act (HASHA). The purpose of the Accord is to enable subdivision and development of housing within Selwyn District, particularly within Rolleston in suitable locations outside those growth areas identified in the Land Use Recovery Plan (LURP) but inside the Rolleston Projected Infrastructure Boundary identified within the LURP.

The Accord is focused on enabling development of large parcels of land under single ownership or control and is intended to ensure that a suitable proportion of housing delivered is affordable at first sale by comparison with median sale prices in Rolleston Township.

Under the Accord and HASHA the Council will have the ability to recommend the creation of special housing areas to the Minister of Building and Housing. If the government agrees the recommended special housing areas could be established by order in Council enabling the Council to access the powers available under HASHA to streamline resource consent approvals. The Resource Management Act 1991 (RMA) remains relevant to that resource consenting process and also needs to be applied.

To assist the Council in recommending the creation of a Special Housing Areas (SHA), and the consenting of a qualifying development, the Council has established this policy which has been prepared in consultation with Developers.

Establishment of a SHA will not be recommended by the Council to the Minister unless the Council determines in its discretion this policy is satisfied.

A qualifying development will not be advanced for consideration for resource consent unless the Council determines, in its discretion, that this policy is satisfied.

This policy will be drawn to the attention of Council officers processing applications and decision makers who are making decisions under the HASHA relating to the establishment of the SHA and the issue of resource consent for a qualifying development, requiring them to take this policy into account as a RMA section 104(1) (c) matter during their decision making processes so as to ensure this policy is complied with.

PURPOSE

A key purpose of this policy is to increase supply of land in the Selwyn with a particular focus on Rolleston Township. A further purpose is to ensure that a proportion of the new dwellings supply created is affordable housing.

QUALIFYING CRITERIA FOR A SPECIAL HOUSING AREA

Taking into account the purpose of the HASHA and this policy the Council will make a decision as to whether or not the proposal should be recommended to the Minister to become a special housing area. If the Minister accepts the recommendation the special housing area will be established by way of order in Council.

To qualify for consideration by Council to become a special housing area the land must meet all of the following criteria;

- it is located on land zoned Rural Inner Plains under the operative Selwyn District Plan within the area bounded by Dunns Crossing Road, Selwyn Road, Weedons Road and State Highway 1;
- it is not subject in any part to the Christchurch International Airport Noise Contour under the operative Selwyn District Plan;
- it comprises a contiguous land area of not less than 30 ha adjacent or opposite an existing ODP area;
- it is owned or controlled by a single party, or there is a contract for this party to purchase all of the land;
- there is evidence of demand to create qualifying developments in this area and there will be demand for residential housing in the proposed special housing area;
- the owner/developer can provide evidence demonstrating it is an experienced land developer and/or alternatively is partnered with an experienced land developer and has a genuine intention to develop the land;
- it is in a location where adequate infrastructure to service qualifying developments within the proposed special housing area either exist, or is likely to exist, having regard to relevant local planning documents, strategies and policies, and any other relevant information;
- the qualifying development is required to demonstrate to the satisfaction of the Council consideration the provision of affordable housing. It is anticipated affordable housing will be provided by way of smaller dwellings for which land use consent is required under the rules of the Living Z zone;
- 10% of the total potential yield of the qualifying development or each stage of the qualifying development shall be affordable housing. Affordable housing is defined as the sale price at the first sale being not more than 75% of the REINZ value for the preceding July August and September combined ;

The qualifying development shall be able to be developed to provide a minimum net density (as defined under the Selwyn District Plan) of 12 dwellings per hectare.

APPLICATION PROCESS FOR RESOURCE CONSENT FOR A QUALIFYING DEVELOPMENT

A person who wishes to undertake an activity in relation to a qualifying development for which a resource consent is required under the RMA may apply for a resource consent under section 25 of the HASHA following the process and procedures provided for obtaining a resource consent as set out within the RMA.

However before applying for resource consent the Council and the owner/developer through a pre-application meeting process shall agree an Outline Development Plan for the whole of the special housing areas (SHA), following the agreed format of the Selwyn District Plan and that will achieve an outcome that is consistent with all of the provisions including objectives,

policies and rules of the Living Z zone of that Plan and achieve the appropriate level of urban design and affordable housing.

Among other things, the developers ODP will consider land that adjoins the proposed qualifying development and will provide for connections and linkages for transport and infrastructure to that adjoining land.

The ODP for the qualifying development will also consider and provide for all necessary infrastructure and services, including transportation connections required to support the qualifying development.

The applicant developer will lodge an application with the Council containing sufficient information to determine if the proposed development satisfies this policy and the requirements of HASHA and the RMA including sufficient information to determine the appropriate notification of the resource consent application.

The Council and the developer, if required, will utilize developer agreements and/or the Councils development contribution policies to provide for, and enable the development to proceed.

The Council's Costs recovery and or Charging Policy will apply to both the processing of all Resource Consent applications and related hearing costs.

In processing and determining an application to undertake an activity in relation to a qualifying development the Council and or appointed Independent Commissioners will utilise Part 2 subpart 1 to 6 inclusive of the HASHAA and the RMA by undertaking five weighted considerations being:

- The Purpose of HASHAA;
- Part 2 RMA 1991
- Proposed District Plan;
- Section 104 RMA 1991;
- Urban design principles

Accepting section 34 of HASHA provides a cascading list of priorities this does not result in the outcome that a consideration placed at a higher priority will always prevail over a lesser priority issue. This is because within the given context of an application a lower priority order matter may have weight or significance so as to displace or outweigh a higher order matter within the decision

In addition section 34(2) provides an explicit pass/fail test in relation to infrastructure availability meaning that decision makers have to be satisfied that sufficient and appropriate infrastructure will be provided.

In determining a resource consent application the Council will issue a decision in writing stating and providing for all of the matters set out in section 113 of the RMA.