

TASMANIA

**HOUSING LAND SUPPLY (DEVONPORT) ORDER
2018**

STATUTORY RULES 2018, No.

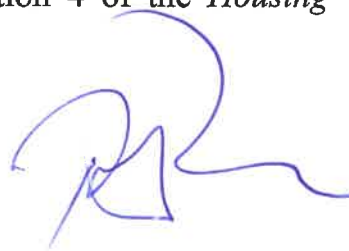
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HOUSING LAND SUPPLY (DEVONPORT) ORDER 2018

I make the following order under section 4 of the *Housing Land Supply Act 2018*.

Dated 2/7 20 . 19



Minister for Planning

1. Short title

This order may be cited as the *Housing Land Supply (Devonport) Order 2018*.

2. Commencement

This order takes effect on the day on which its making is notified in the *Gazette*.

3. Interpretation

In this order –

Act means the *Housing Land Supply Act 2018*;

applicable area means the area of land declared by clause 4 to be housing supply land.

4. Declaration of housing supply land

For the purposes of section 4(1) of the Act, the area of land –

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- (a) situated at 39A North Fenton Street, Devonport; and
- (b) comprised in the certificate of title 126484/1; and
- (c) shown bounded by heavy black lines in the plan set out, by way of illustration only, in Schedule 1 to this order –

is declared to be housing supply land.

5. Declaration of intended zone

For the purposes of section 4(2) of the Act, the intended zone in relation to the applicable area is declared to be the Inner Residential Zone referred to in the applicable planning scheme.

6. Applicable planning provisions

For the purposes of section 4(3) of the Act –

- (a) the provisions of clause 11 of the *Devonport Interim Planning Scheme 2013* do not apply in relation to the applicable area; and
- (b) the provisions of clause 9.0 (Inner Residential Zone) of the SPPs apply in relation to the applicable area, with the following modifications:
 - (i) clauses 9.1.4 and 9.3.2 are to be omitted;

- (ii) the following clause is to be inserted immediately before clause 9.2:

9.1A Interpretation

9.1A.1 Despite any other provision of this planning scheme, a word that is used in the provisions of the *Devonport Interim Planning Scheme 2013*, or of clause 9.0 (Inner Residential Zone) of the SPPs, as those provisions are applied by the *Housing Land Supply (Devonport) Order 2018*, has, unless the contrary intention appears, the meaning that it has in Table 9.1A.

- (iii) at the end of clause 9.1A, there is to be inserted Table 3.1 of the SPPs, modified so that the Table is labelled “Table 9.1A” and so that the Table only contains those definitions used in clause 9.0 of the SPPs;
- (iv) in the Acceptable Solutions labelled “A1” and “A4” in clause 9.4.7 and clause 9.5.1, respectively, the following words are to be substituted for the words “No Acceptable Solution”:

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A fence (including a free-standing wall) within 4.5m of a frontage for a dwelling must have a height above existing ground level of not more than –

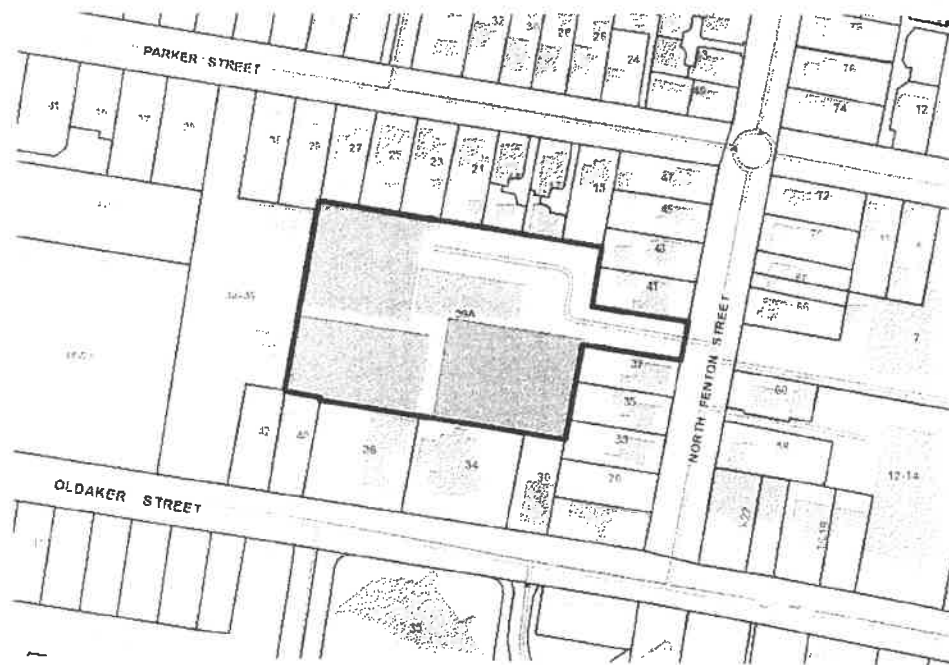
- (a) 1.2m if the fence is solid; or
- (b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).

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SCHEDULE 1 – PLAN

Clause 4



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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 20 .

This order is administered in the Department of Justice.

EXPLANATORY NOTE
(This note is not part of the order)

This order, for the purposes of the *Housing Land Supply Act 2018* –

- (a) declares an area of land at 39A North Fenton Street, Devonport, to be housing supply land; and
- (b) declares the intended zone in relation to that area of land to be the Inner Residential Zone referred to in the applicable planning scheme; and
- (c) includes, with modifications, certain provisions of the State Planning Provisions that are to apply in relation to that land.