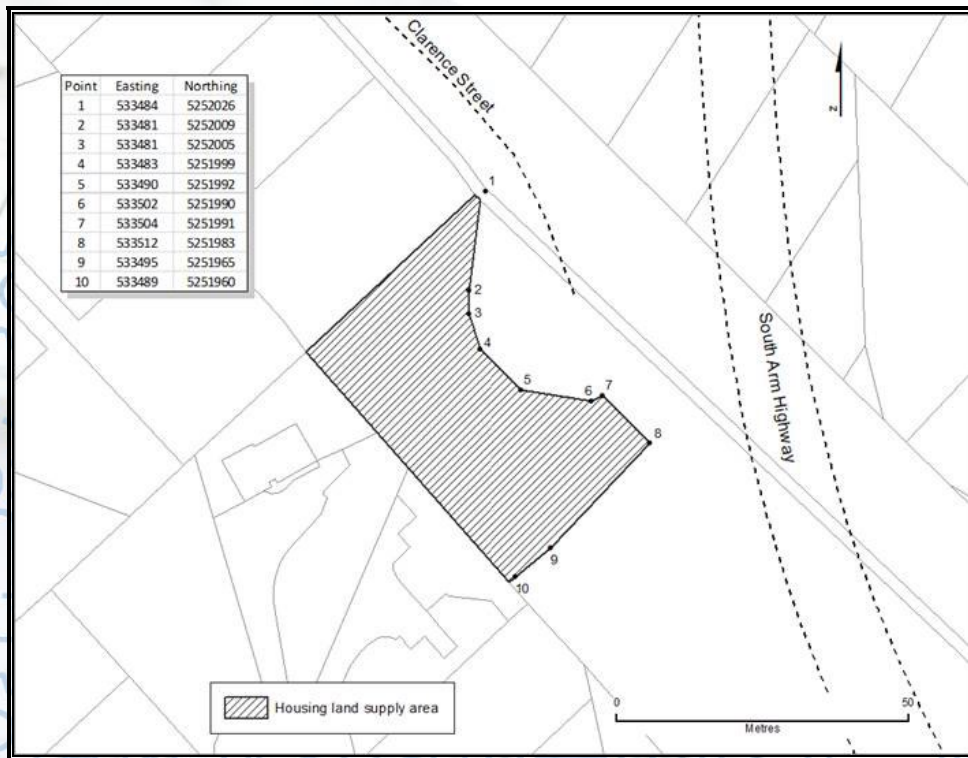


Proposed Housing Land Supply (Howrah No.2) Order 2022

Clarence Street, Howrah

Consultation Package



Author:
State Planning Office

Publisher:
Department of Premier and Cabinet

Date:
June 2022

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Summary of the proposed Order

The intent of the proposed Housing Land Supply (Howrah No.2) Order 2022 (the proposed Order) is to dedicate the land shown in the plan at Schedule 2 of the proposed Order as Housing Land Supply Land and rezone the land to the General Residential Zone under the Tasmanian Planning Scheme. The land is located at Clarence Street (title reference FR 6109/1) adjacent to 313 Clarence Street, Howrah.

This will ensure that the land becomes part of the housing portfolio for the Director of Housing, enabling the land to be used for additional housing.

The area of land is 1300m².

Future development of the land is still to be planned by the Director of Housing.

How to find out further information

Further information about the proposed Order and the *Housing Land Supply Act 2018* (the HLS Act) can be found at www.planningreform.tas.gov.au.

Enquiries about the HLS Act and the proposed Order can be made to the State Planning Office on 1300 703 977.

Enquiries regarding any development that may be proposed on the land can be made to the Department of Communities Tasmania on 1800 995 653.

How to make a submission

The public are invited to make submissions in relation to the proposed Order within the exhibition period.

Submissions may be made

by email to –

yoursay.planning@dpac.tas.gov.au or

by post to –

State Planning Office
Department of Premier and Cabinet
GPO BOX 123
HOBART TAS 7001

Submissions may be made with respect to the relevant matters specified in section 13(2) of the *Housing Land Supply Act 2018* as follows:

- the suitability for residential use of the area of land;
- the suitability of the intended zone; or
- whether the Minister would, or would not, contravene section 5(2) or section 6(1) or (2) of the *Housing Land Supply Act 2018* by making a housing land supply order.



Minister's reasons to make the Housing Land Supply Order

My reasons for wanting to make a housing land supply order in the form of the proposed Order are as follows –

1. The HLS Act was a key action identified at the Housing Summit hosted by the then Premier on 15 March 2018 as a means of providing more social and affordable housing.
2. There is a clear need to make more land available under the *Homes Act 1935* to enable the provision of additional social and affordable housing in Tasmania, with over 4500 applications on the Department of Communities Tasmania Housing Register as at October 2021.
3. The site is suitable for future development for social and affordable housing, but needs to be rezoned before the approval and construction of new homes on the land; and
4. The proposed Order will provide more land zoned for residential purposes and then through the construction of homes on this land, contribute toward achieving the targets for the supply of more social and affordable homes in the Greater Hobart area, as set out in Tasmania's Affordable Housing Strategy 2015-2025.

Ministers opinion on compliance with the Housing Land Supply Act 2018

The reasons why I am of the opinion that the proposed Order may be made under the HLS Act and why I am satisfied that I would not contravene section 5(2), or section 6(1) or (2) of the HLS Act by making the proposed order as follows –

1. The land is eligible Government land, and not more than 5 years has elapsed since the making of the HLS Act, as required by section 5(1) of the HLS Act.
2. I am satisfied that there is a need to make more land available under the *Homes Act 1935* to enable the provision of additional social and affordable housing in Greater Hobart, as required by section 5(2)(a) of the HLS Act. Currently there are over 1700 applications on the Communities Tasmania Housing Register as at October 2021 for the Greater Hobart area, which are 'eligible persons' looking to find social or affordable homes.
3. I am satisfied, for the reasons detailed in the planning submission from the Department of Communities Tasmania, that:
 - a) the land is suitable for residential use and development by virtue of its location in the Greater Hobart metropolitan area and with close proximity to public and commercial services, public transport and places that may provide opportunities for employment, as required by section 5(2)(b) of the HLS Act;



- b) applying the General Residential Zone to the area of land would be consistent with the State Policies and the Southern Tasmania Regional Land Use Strategy 2010 – 2035 (STRLUS), as required by section 6(1)(a) of the *Housing Land Supply Act 2018*, as detailed in the planning submission from Communities Tasmania.
 - c) if the General Residential Zone were to apply to the land, the use or development of the land for residential purposes would not be significantly restricted by any code that would apply to the land under the Tasmanian Planning Scheme, as required by section 6(1)(b) of the HLS Act.
 - d) assigning the General Residential Zone to the land would further the objectives set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993*, as required by section 6(1)(c) of the HLS Act.
 - e) after consideration of the guidelines under section 8A of the *Land Use Planning and Approvals Act 1993*, assigning the General Residential Zone would be consistent with the zone purpose in the State Planning Provisions as required by section 6(1)(d) of the HLS.
 - f) Use or development of the land would not be likely to create significant land use conflict with an existing use on the land or with use or development on adjacent land or with any other land near to the land, as required by section 6 (1)(f) of the HLS Act.
4. I have undertaken a preliminary consideration of the environmental, economic and social effects, and the effects on Aboriginal and cultural heritage, that assigning the General Residential Zone to the land may have, as required by section 6(1)(e) of the HLS Act. I will seek further expert advice on these matters during the public exhibition period.
5. The General Residential Zone will apply to all of the land subject to the proposed Order and section 6(2)(b) of the HLS Act does not apply to this proposed Order.

Frequently Asked Questions

The Process in General

Why was the Housing Land Supply Act 2018 created?

The HLS Act was created in 2018 to help address housing supply issues in Hobart and around the State with respect to social and affordable housing.

The HLS Act created a process that can run more quickly than the normal planning processes to help accelerate the supply of land for social and affordable housing. Only government land is eligible for consideration under this Act.

Further information on the HLS Act and previous Orders can be found here - <https://planningreform.tas.gov.au/updates/housing-land-supply-orders> or by contacting the Department of Premier and Cabinet's State Planning Office on 1300 703 977 or stateplanning@dpac.tas.gov.au



How does the process work under the Housing Land Supply Act 2018?

The Department of Communities Tasmania identify surplus Government land that is suitable for affordable housing and prepare a report demonstrating that the site meets with the requirements of the HLS Act. The HLS Act requires that the site must be suitable for residential development and located in close proximity to public transport, business and social services.

The Department of Communities Tasmania makes a request to the Minister for Planning for a proposed Housing Land Supply Order for suitable Government land.

The Minister for Planning considers the request in accordance with the HLS Act and under consultation on proposed Order. This direct consultation with people who live or own property surrounding the site of the proposed Order and any identified interest groups or persons who may have an interest in the proposed Order.

The Minister for Planning considers any submissions received during the consultation and prepares a report to table in Parliament. Parliament gets to see all submissions that are made during the consultation.

For the Order to be considered by Parliament, it must meet the requirements set out in the HLS Act including that: a site must be eligible and suitable for residential development; is consistent with the relevant regional land use strategy; is consistent with relevant State policies; and also furthers the objectives of the *Land Use Planning and Approvals Act 1993* (which is the same level of assessment applied to rezoning applications under the normal planning processes).

Both houses of Parliament consider the Minister's report and the proposed Order and may disallow the proposed Order or allow the proposed Order to proceed.

If the proposed Order proceeds, the Minister for Planning then directs the Tasmanian Planning Commission to amend the relevant planning scheme to align with the made Order.

How can I present my views on the proposed Order?

You can lodge a written submission with the Minister for Planning during the public consultation period for the proposed Order.

The process requires the Minister for Planning to consider the written submissions with reference to the requirements set out in the HLS Act before tabling a report to Parliament.

Who will assess development proposals on the land?

The Minister for Planning does not assess future development proposals on the land once the land is rezoned.

The Department of Communities Tasmania, or someone acting on their behalf, will lodge a development application with the local Council as the planning authority. The planning authority will determine the application in accordance with the planning scheme that applies at the time.



Specific to the Housing Land Supply (Howrah 2) Order 2022

What development will occur on the site?

At the time of proposing the Order, the Department of Communities Tasmania did not have a set plan for development of the land. Further information on their plans can be obtained by contacting the Department of Communities Tasmania on 1800 995 653 or email:

HousingProjects@communities.tas.gov.au.

Some examples of residential development that may occur under the General Residential Zone are single dwellings, multiple dwellings, subdivision of the land or shared accommodation facilities. These are similar in nature to the development that already surrounds this land.

After the land is rezoned, the proposal for the land will be submitted to Clarence City Council for assessment against the provisions of the Tasmanian Planning Scheme, which consists of the State Planning Provisions and the Clarence Local Provisions Schedule. This follows the normal planning development application processes. The Tasmania Planning Scheme as it applies to the Clarence City Council can be viewed at www.ipplan.tas.gov.au.

How will the site be protected in relation to traffic noise?

Future development on the land for residential use will be subject to consideration under C3.6 of the Road and Railway Assets Code of the Tasmania Planning Scheme` and in particular Clause C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area. This will ensure the effects of noise, vibrations, and light and air emissions on sensitive uses are mitigated.

Will the proposal hinder efficient use and future expansion of the existing road infrastructure?

The land is surplus to the needs of the Department of State Growth for the South Arm Highway corridor and will further the affordable housing outcomes for the benefit of the community.

Only the portion of the land suitable for residential development will be included in the housing land supply order. The proposed Order does not apply to the portion of the title containing the road asset, this portion will remain in the Utilities Zone and in the ownership of the Department of State Growth.



Copy of Proposed Order

Drafted in the Office of
Parliamentary Counsel

TASMANIA

HOUSING LAND SUPPLY (HOWRAH NO. 2) ORDER 2022

STATUTORY RULES 2022, No.

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Consultation Draft

HOUSING LAND SUPPLY (HOWRAH NO. 2) ORDER 2022

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

Dated 20 .

Minister for Planning

1. Short title

This order may be cited as the *Housing Land Supply (Howrah No. 2) Order 2022*.

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 under clause 4 to be housing supply land;

grid reference means the grid reference taken from the Universal Grid Reference System used in Tasmania and based on the Geocentric Datum of Australia (also known as the “the GDA” or “GDA94”)

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c. 4

as defined in the Commonwealth Gazette
No. GN 35, 6 September 1995.

4. Declaration of housing supply land

For the purposes of section 4(1) of the Act, the
area of land specified 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 General Residential Zone
referred to in the applicable planning scheme.

SCHEDULE 1 – AREA OF LAND

Clause 4

The area of land that –

- (a) is situated at Clarence Street, Howrah in Tasmania; and
- (b) forms part of the land as described in the certificate of title Volume 6109, Folio 1 of the Register kept under section 33 of the *Land Titles Act 1980*; and
- (c) comprises such part of that land that is endorsed in the boundary made by the following imaginary lines:
 - (i) a line between grid reference 533484E 5252026N and grid reference 533481E 5252009N;
 - (ii) a line between grid reference 533481E 5252009N and grid reference 533481E 5252005N;
 - (iii) a line between grid reference 533481E 5252005N and grid reference 533483E 5251999N;
 - (iv) a line between grid reference 533483E 5251999N and grid reference 533490E 5251992N;
 - (v) a line between grid reference 533490E 5251992N and grid reference 533502E 5251990N;

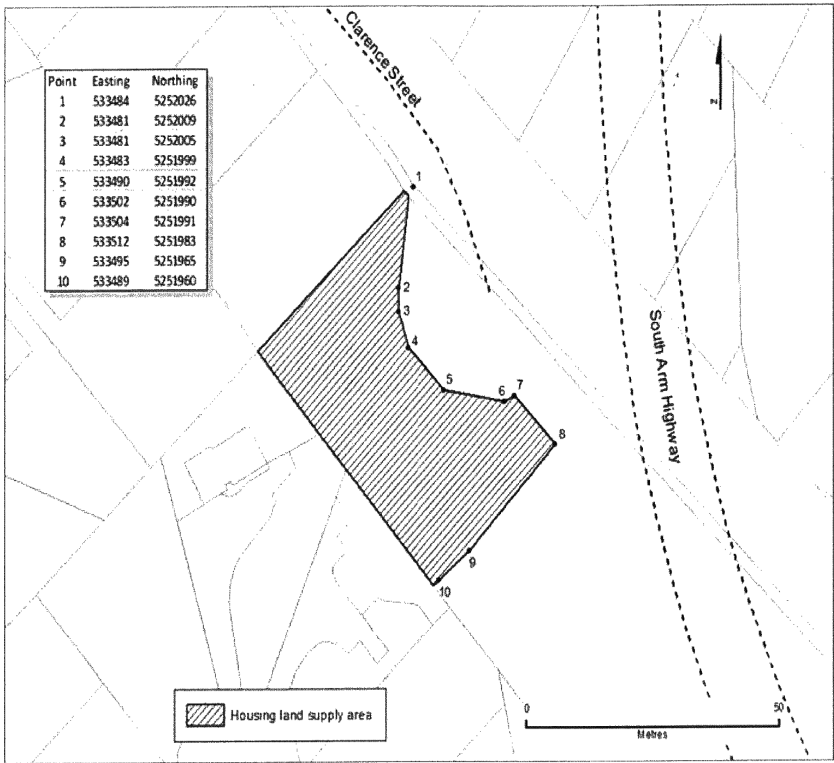
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- (vi) a line between grid reference 533502E 5251990N and grid reference 533504E 5251991N;
 - (vii) a line between grid reference 533504E 5251991N and grid reference 533512E 5251983N;
 - (viii) a line between grid reference 533512E 5251983N and grid reference 533495E 5251965N;
 - (ix) a line between grid reference 533495E 5251965N and grid reference 533489E 5251960N;
 - (x) a line from grid reference 533489E 5251960N to the north-westernmost corner of the land specified in that certificate of title;
 - (xi) a line from that north-westernmost corner referred to in subparagraph (x) to grid reference 533484E 5252026N; and
- (d) is shown as the shaded area, bounded by heavy black lines, on the plan set out, by way of illustration only, in Schedule 2 to this order.

SCHEDULE 2 – PLAN

Schedule 1



Housing Land Supply (Howrah No. 2) Order 2022
Statutory Rules 2022, No.

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 Premier and Cabinet.

EXPLANATORY NOTE

(This note is not part of the order)

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

- (a) a certain area of land situated at Clarence Street, Howrah in Tasmania to be housing supply land; and
- (b) the intended zone in relation to that land to be the General Residential Zone referred to in the applicable planning scheme.



Tasmanian
Government

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