

TASMANIAN PLANNING COMMISSION



Our ref: DOC/23/34151
Officer: Louise Blyth
Phone: 6165 6818
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24 March 2023

Mr Matthew Atkins
General Manager
Devonport City Council
PO Box 604
DEVONPORT TAS 7310

By email: council@devonport.tas.gov.au

Dear Mr Atkins

Devonport Local Provisions Schedule

Draft amendment AM2022-02 and permit PA2022-0092 1, 5 Friend Street and 88-90, 102 Stony Rise Road, Stony Rise.

I am writing to confirm that a hearing into draft amendment will soon be scheduled. Information on the hearing will be provided by separate letter.

The draft amendment proposes to remove the Devonport Homemaker Service Industrial Centre Specific Area Plan from the Devonport Local Provisions Schedule, insert Devonport Regional Homemaker Centre Specific Area Plan over the land at 1 Friend Street, Stony Rise and amend the Devonport Regional Homemaker Centre Specific Area Plan. The associated draft Permit PA2022-0092 for General Retail and Hire (Supermarket and other Retail) Food Services, Business and Professional Services, Bulky Goods Sales and Service Industry.

A preliminary consideration of the draft amendment by the Commission has identified issues that require clarification as follows:

1. Section 34(2)(e) of the *Land Use Planning and Approvals Act 1993* (the Act) requires that a planning instrument *as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates*. The planning authority is requested to provide a written submission that considers the proposed amendment addressing land use policies i, j, k within section 3.3.9 *Business and Commercial Activity*, in the *Cradle Coast Regional Land Use Strategy 2010-2030*.
2. The planning authority is requested to provide a written submission that clarifies which part of Section 32(4) the proposal is considered to comply with, (a), (b) or both and provide evidence in support of the Planning Authorities position.
3. The planning authority is requested to provide a written submission addressing how the proposal relates to the existing activity centre hierarchy with reference to:
 - The underlying Commercial Zone purpose; and
 - Clause 17.3.2 of the Commercial Zone Discretionary Uses noting that in the construction of the proposed SAP this clause in the zone will still apply.
4. It is noted that *Neighbourhood Centre* is defined within the SPPs therefore in accordance with Clause 5.3.3 a new different definition cannot be included in a

proposed SAP. The Planning Authority is requested to make a submission on how this impacts the drafting and content of the proposed SAP.

5. The planning authority is requested to clarify the purpose of the Addendum submitted on 10 February 2023 as it relates to the requirements of the Act.

The Commission requests that this information be provided by on **24 April 2023**.

Additionally, the Planning Authority is requested to note the following item which will be considered at the hearing:

- The Act requires S40K report to address each individual representation and the merit of each. Further consideration of each representation will be undertaken at the hearing to address this requirement.

Any party wishing to make written submissions on these matters must do so no less than seven days before the hearing.

Submissions must be made by email to tpc@planning.tas.gov.au. Once received, the submissions referred to above will be made available under the [relevant assessment](#)¹ on the Commission's website.

Please note that submissions will be published in full, without redaction.

This website will be the primary portal for exchanging information.

If you require further information or are unable to access the website please contact Paola Barlund, Planning Adviser, on 6165 6835.

Yours sincerely



Roger Howlett
Delegate (Chair)

cc: applicant
representors

¹ www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/AP-DEV-AM2022.01