

# Devonport Interim Planning Scheme 2013

## Land Use Planning and Approvals Act 1993

### Section 87C & Schedule 6, Clause 8(4)

#### DECLARATION

I, ROGER CHARLES JAENSCH, Minister for Planning, acting in accordance with Schedule 6, Clause 8(4) of the *Land Use Planning and Approvals Act 1993* ("the Act") after having consulted with the Tasmanian Planning Commission, declare the specific area plans, particular purpose zones and site specific qualifications identified in the Schedule to this declaration to be plans zones and qualifications to which Schedule 6, Clause 8 of the Act does not apply.

Dated this 19 day of December, 2019



ROGER CHARLES JAENSCH

Minister for Planning

#### The Schedule

### Specific Area Plans, Particular Purpose Zones and Site-specific Qualifications declared not subject to Schedule 6, Clause 8 of the Act

Provision	Reason
Central Business Zone – 22.2 Use Table Permitted – If not in Area "A": <ul style="list-style-type: none"><li>• Bulky Goods Sales</li><li>• Community Meeting and Entertainment</li><li>• Educational and Occasional Care</li><li>• Emergency Services</li><li>• Food Services</li><li>• General Retail and Hire</li><li>• Hospital Services</li><li>• Hotel Industry</li><li>• Pleasure Boat Facility</li><li>• Research and Development</li><li>• Service Industry</li><li>• Sports and Recreation</li><li>• Storage</li></ul>	Some of the provisions are provided for by the State Planning Provision Central Business Zone Use Table 16.2 which includes: <ul style="list-style-type: none"><li>• Hospital Services as a discretionary use;</li><li>• Service Industry as a discretionary use if for alterations or extensions to an existing use;</li><li>• Storage as a discretionary use if not for a liquid, solid or gas fuel depot; and</li><li>• Pleasure Boat Facility as a prohibited use.</li></ul> The remaining provisions are inconsistent with the: <ul style="list-style-type: none"><li>• purpose of the State Planning Provision Central Business Zone which aims to provide for the concentration of the higher order business, retail, administrative, professional, community, and entertainment functions within Tasmania's primary centres; and</li><li>• State Planning Provision Central Business Zone use table as it downgrades the status of various uses listed.</li></ul>

Provision	Reason
<ul style="list-style-type: none"> <li>• Tourist Operation</li> </ul> Discretionary – If not in Area "A": <ul style="list-style-type: none"> <li>• Bulky Goods Sales</li> <li>• Passive Recreation</li> <li>• Natural and Cultural Values Management</li> <li>• Service Industry</li> <li>• Sports and Recreation</li> <li>• Storage</li> <li>• Transport Depot and Distribution</li> <li>• Vehicle Fuel Sales and Service</li> </ul>	
Central Business Zone – 22.4.2 A1 Location and configuration of development Building height must – <ul style="list-style-type: none"> <li>• not be more than 25m; or</li> <li>• not be more than 10m on land within Area "A"</li> </ul>	Devonport City Council have advised that the provision is no longer required.
F3.0 Stony Rise Road Network Plan	Devonport City Council have advised that the provision is no longer required.
E2.0 Airport Impact Management Code	The provision is provided for by the State Planning Provisions Safeguarding of Airports Code
E5.0 Local Heritage Code	The provisions is provided for by the State Planning Provisions Local Historic Heritage Code
E6.0 Hazard Management Code	The provision is provided for by the State Planning Provisions Landslip Code
E9.0 Traffic Generating Use and Parking Code	The provision is provided for by the State Planning Provisions Parking and Sustainable Transport Code
Environmental Living Zone – 14.4.1 A1(a)(ii) Suitability of a site or lot for use or development No further subdivision permitted at CT 101522/1 (183 Beach Rd, Leith) and CT 108856/5 (185 Beach Rd, Leith).	Devonport City Council have advised that the provision is no longer required.
Environmental Living Zone - 14.4.2 Dwelling density Only single dwelling permitted per lot at CT 101522/1 (183 Beach Rd, Leith) and CT 108856/5 (185 Beach Rd, Leith).	Devonport City Council have advised that the provision is no longer required.