

CLAUSE NOTES

Land Use Planning and Approvals (Stony Rise Development Approval) Bill 2024

Key acronyms:

- Amending Act – *Land Use Planning and Approvals (Stony Rise Development Approval) Bill 2024*
- Commission – Tasmanian Planning Commission
- LUPA Act – *Land Use Planning and Approvals Act 1993*
- Minister – Minister for Housing, Planning and Consumer Affairs
- LPS – Local Provisions Schedule

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| Clause 1 | Short Title Cites the short title of the Act – the <i>Land Use Planning and Approvals (Stony Rise Development Approval) Act 2024</i> |
| Clause 2 | Commencement Provides for the provisions of this Act to commence upon receiving Royal Assent. |
| Clause 3 | Interpretation Specifies definitions that relate to the planning scheme amendment certified by the planning authority, the land applicable to the LPS amendment area, the planning permit area and the relevant planning authority, which is Devonport City Council. The definition of “certified draft amendment” includes reference numbers that relate to the documents originally created by Devonport City Council to provide certainty as to what the planning scheme amendment is referring to and which is subject to this Act. The definition of “LPS amendment area” refers to land title numbers to provide certainty as to the land area which is subject to the certified draft amendment and this Act. The definition of “permit area” refers to property addresses in line with the original permit prepared by Devonport City Council, for certainty as to which land area the permit is subject to, and which is subject to this Act. |
| Clause 4 | Application of LUPA to Stony Rise Development Subsections (1) & (2) refer to the LPS amendment made by Devonport City Council and specifies that the LPS amendment is approved and takes effect 21 days after this Act receives Royal Assent. Subsection (3) requires the Commission to amend the Devonport LPS to include the amendment approved under this Act. |

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| | <p>Subsection (4) refers to the planning permit prepared by Devonport City Council and specifies that the planning permit is approved and can be subject to additional conditions imposed by the planning authority.</p> <p>Subsection (5) specifies the commencement date of the permit is set at 21 days after receiving Royal Assent of this Act or a date specified in the permit, or subject to a later date determined by needing to seek other approvals or enter into a Part V agreement under LUPA.</p> <p>Subsection (6) provides for Devonport City Council to give notification of approval of the LPS amendment and the permit to relevant parties, including the Commission, the applicant and those persons who made representations regarding the proposed amendment and permit.</p> <p>Subsection (7) enables future amendments to the LPS and the permit to occur if needed and for the avoidance of doubt this Act specifies that LUPA applies to the amendment and the permit as if they were approved through the normal LUPA processes.</p> |
| <p>Clause 5</p> | <p>Administration of Act</p> <p>Specifies that administration of this Act is assigned to the Minister and the department responsible to the Minister is the Department of State Growth.</p> |