

Brighton Interim Planning Scheme 2015

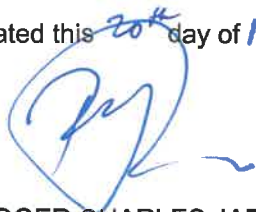
Land Use Planning and Approvals Act 1993

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 20th day of March, 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
32.0 Particular Purpose Zone – Urban Growth Zone	The provision is provided for by the State Planning Provisions Future Urban Zone.
E3.0 Landslide Code	The provision is provided for by the State Planning Provisions Landslip Hazard Code.
E8.0 Electricity Transmission Infrastructure Protection Code	The provision is provided for by the State Planning Provisions Electricity Transmission Infrastructure Protection Code.
E9.0 Attenuation Code	<p>The provision is provided for by the State Planning Provisions Attenuation Code.</p> <p>Brighton Council has advised that they wish to apply the provisions of clause 9.2.3 through a new Specific Area Plan for the Bridgewater Quarry, Old Beach Quarry and the Baskerville Raceway.</p> <p>For Residential use or development within other attenuation areas, Council has advised that these cases will be assessed against the requirements of the State Planning Provisions Attenuation Code.</p>
E10.0 Biodiversity Code	The provision is provided for by the State Planning

Provision	Reason
	Provisions Natural Assets Code.
E11.0 Waterway and Coastal Protection Code	The provision is provided for by the State Planning Provisions Natural Assets Code.
E13.0 Historic Heritage Code	The provision is provided for by the State Planning Provisions Local Historic Heritage Code.
E15.0 Inundation Prone Areas Code	The provision is provided for by the State Planning Provisions Coastal Inundation Hazard Code and the Flood-prone Areas Hazard Code.
E16.0 Coastal Erosion Hazard Code	The provision is provided for by the State Planning Provisions Coastal Erosion Hazard Code.
E20.0 Acid Sulfate Soils Code	The management of acid sulfate soils can be achieved through appropriate zoning and the operation of the waterway and coastal protection area component of the State Planning Provisions Natural Assets Code. Clause 6.11.2 in the State Planning Provisions also provides for conditions or restrictions to be imposed on a permit for construction management, which may include the management of acid sulphate soils.
E21.0 Dispersive Soils Code	The management of dispersive soils can be achieved by appropriate zoning and Clause 6.11.2 in the State Planning Provisions which provides for conditions or restrictions to be imposed on a permit for the management of soil erosion.
Utilities Zone – 28.2 Use Table General Retail and Hire discretionary – ‘only if at Brighton Council Waste Transfer Station’	<p>The provision is provided for by the State Planning Provisions which includes the:</p> <ul style="list-style-type: none"> • selling of used or scrap material in the description for the Recycling and Waste Disposal use class in Table 6.2; and • Recycling and Waste Disposal use class as a permitted use in the Utilities Zone.