

Brighton Interim Planning Scheme 2015

Land Use Planning and Approvals Act 1993

Section 87C & Schedule 6, clause 8D(3)

DECLARATION

I, ROGER CHARLES JAENSCH, Minister for Planning, acting in accordance with Schedule 6, Clause 8D(3) of the *Land Use Planning and Approvals Act 1993* ("the Act") after having consulted with the Tasmanian Planning Commission, declare that Schedule 6, clause 8D(2) of the Act does not apply in relation to the code-applying provisions identified in the Schedule to this declaration in relation to the municipal area of Brighton.

Dated this 20th day of March, 2019



ROGER CHARLES JAENSCH

Minister for Planning

The Schedule

Code-applying Provisions declared not subject to Schedule 6, Clause 8D(2) of the Act

Code	Reason
E1.0 Bushfire-Prone Areas Code	The code contains no relevant Code-applying Provisions.
E2.0 Potentially Contaminated Land Code	The code contains no relevant Code-applying Provisions.
E3.0 Landslip Code	The Local Provisions Schedule requirements at clause LP1.7.12 of the State Planning Provisions specify the mapping to be used for the Landslip Hazard Area overlay for the State Planning Provisions Landslip Hazard Code.
E5.0 Road and Railway Assets Code	The code contains no relevant Code-applying Provisions.
E6.0 Parking and Access Code	The code contains no relevant Code-applying Provisions.
E7.0 Stormwater Management Code	The code does not relate to an equivalent State Planning Provisions code.
E8.0 Electricity Transmission Infrastructure Protection Code	The Local Provisions Schedule requirements at clause LP1.7.3 of the State Planning Provisions specify the mapping to be used to create the various overlays for the State Planning Provisions Electricity Transmission Infrastructure Protection Code.

Code	Reason
E9.0 Attenuation Code excluding: <ul style="list-style-type: none"> The Attenuation Areas overlay. 	The only relevant Code-applying Provision is: <ul style="list-style-type: none"> The Attenuation Areas overlay.
E10.0 Biodiversity Code	The Local Provisions Schedule requirements at clause LP1.7.5 of the State Planning Provisions, and guidelines NAC 7 to NAC 12 of Guideline No.1, specify how the Priority Vegetation Area overlay is to be created for the State Planning Provisions Natural Assets Code.
E11.0 Waterway and Coastal Protection Code	Guidelines NAC 1 to NAC 3 of Guideline No.1 specify how the Waterway and Coastal Protection Area is to be created for the State Planning Provisions Natural Assets Code.
E13.0 Historic Heritage Code, excluding: <ul style="list-style-type: none"> Table E13.1 Heritage Places, the Cultural Landscape Precincts Overlay; Table E13.3 Cultural Landscape Precincts, except for clause (f) of the Design Criteria/Conservation Policy; and Figure E13.1 Pontville Heritage Protection Areas (HPAs), unless the place, precinct, figure or overlay has been inserted or removed by amendment after the commencement day.	<p>The only relevant Code-applying Provisions are:</p> <ul style="list-style-type: none"> Table E13.1 Heritage Places; Table E13.3 Cultural Landscape Precincts, except for clause (f) of the Design Criteria/Conservation Policy; the Cultural Landscape Precincts overlay; and Figure E13.1 Pontville Heritage Protection Areas (HPAs). <p>The State Planning Provisions Local Historic Heritage Code does not apply to Aboriginal Heritage matters, as those matters are managed by the <i>Aboriginal Heritage Act 1975</i>.</p>
E15.0 Inundation Prone Areas Code, excluding: <ul style="list-style-type: none"> The Riverine Inundation Hazard Area overlay 	<p>The only relevant Code-applying Provision is:</p> <ul style="list-style-type: none"> The Riverine Inundation Hazard Area overlay. <p>The Local Provisions Schedule requirements at clause LP1.7.9 of the State Planning Provisions specify the mapping to be used to create the Coastal Inundation Hazard Area overlay for the State Planning Provisions Coastal Inundation Hazard Code. Guideline CIHC 2 of Guideline No. 1 specifies how the Coastal Inundation Hazard Bands AHD Level table is to be populated for the State Planning Provisions Coastal Inundation Hazard Code.</p>
E16.0 Coastal Erosion hazard Code	The Local Provisions Schedule requirements at clause LP1.7.8 of the State Planning Provisions specify the mapping to be used to create the Coastal Erosion Hazard Area overlay for the State Planning Provisions Coastal Erosion Hazard Code.
E17.0 Signs Code	The code contains no relevant Code-applying Provisions.
E18.0 Wind and Solar Energy Code	The code does not relate to an equivalent State Planning Provisions code.
E19.0 Telecommunications Code	The code contains no relevant Code-applying Provisions.
E20.0 Acid Sulfate Soils Code	The code does not relate to an equivalent State Planning Provisions code.
E21.0 Dispersive Soils Code	The code does not relate to an equivalent State Planning

Code	Reason
	Provisions code.

