
From: NMC Planning <planning@nmc.tas.gov.au>
Sent: Thursday, 2 July 2026 3:16 PM
To: TPC Enquiry
Subject: Draft Amendment 21-2026 to modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay

Our Ref: 21/2026; PLN-26-0017

Dear Sir/Madam

NORTHERN MIDLANDS Local Provisions Schedule

Draft Amendment 21-2026 to modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay

At its meeting of **20 April 2026**, Council decided to approve a draft amendment to the *Northern Midlands Draft Provisions Schedule*, to modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay.

The Local Provisions Schedule Draft Amendment is initiated in accordance with Section 34 of the *Land Use Planning and Approvals Act 1993*.

The application will be placed on public exhibition on 06 July 2026 until 04 August 2026 and available for viewing both at the Council office 13 Smith St Longford and on Council's website at: (link removed)

The owner of the subject land and the owners and occupiers of all adjoining land have been notified in accordance with s7(5) of *Land Use Planning and Approvals Regulations 2024*.

The application has been referred to TasWater, SPO and THC, but responses have not yet been received. In accordance with sections 35 of the Act, relevant exhibition documents may be accessed here: (link removed)

Please note that in the process of preparing documentation for assessment by TPC, an administrative error was identified within Attachment A. This has been crossed out but left for your information.

Kind regards,

Rosemary Jones

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Tasmania 7301

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11.2 DRAFT AMENDMENT 21-2026 TO MODIFY NOR-TABLE C6.1 LOCAL HERITAGE PLACES AND AMEND THE SPATIAL APPLICATION OF THE LOCAL HERITAGE PLACE OVERLAY

File: 13/026/007/185; PLN-26-0017
Responsible Officer: Maree Bricknell, Acting General Manager
Report prepared by: Erin Miles, Project Officer

RECOMMENDATION

1. That, under section 40D(b) of the Land Use Planning and Approvals Act 1993, Council as planning authority agrees to prepare Draft Amendment 21-2026 to the Northern Midlands Local Provisions Schedule (as set out below); and
2. That, under section 40F(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, certify draft amendment 21-2026 to the Northern Midlands Local Provisions Schedule as meeting the LPS criteria.

Draft Amendment 21-2026 to the Northern Midlands Local Provisions Schedule

Modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay in accordance with Attachment 1.

1 INTRODUCTION

This report assesses Draft Amendment 21-2026 to modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay, as set out in attachment 1.

Since the Tasmanian Planning Scheme – Northern Midlands came into effect, several properties within the NOR-Table C6.1 Local Heritage Places have been subject to development such as subdivision, that has resulted in the current table having inaccurate addressing or retaining listings over land that does not contain any items of significance. A review against the State's Tasmanian Heritage Register has also identified a number of anomalies regarding listing numbers, that are also proposed to be corrected by this amendment.

This amendment also seeks to amend the spatial application of the Local Heritage Place overlay to ensure it is reflective of the listings within the amended NOR-Table C6.1 Local Heritage Places.

2 BACKGROUND

Applicant:

Northern Midlands Council

Owner:

Various

Zone:

Various

Codes/Specific Areas Plans:

Local Heritage Place

Classification under the Scheme:

Planning Scheme Amendment

Existing Use:

N/a

Decision Date:

Not applicable

Recommendation:

That Council as planning authority agree to, and certify, the draft amendment 21-2026.

Planning Instrument:

Tasmanian Planning Scheme - Northern Midlands, version 17, 19th March 2026.



3 STATUTORY REQUIREMENTS

Land Use Planning and Approvals Act 1993

40D. Preparation of draft amendments

A planning authority –

(a) must prepare a draft amendment of an LPS, and certify it under section 40F , within 42 days after receiving the request under section 37(1) to which the amendment relates, if –

(i) it decides under section 38(2) to prepare a draft amendment of an LPS; or

(ii) after reconsidering, in accordance with a direction under section 40B(4)(a), a request under section 37(1) whether to prepare a draft amendment of an LPS, it decides to prepare such an amendment; or

(b) may, of its own motion, prepare a draft amendment of an LPS; or

(c) must, if it receives under section 40C(1) a direction to do so, prepare a draft amendment of an LPS and submit it to the Commission within the period specified in the direction or a longer period allowed by the Commission.

40F. Certification of draft amendments

(1) A planning authority that has prepared a draft amendment of an LPS must consider whether it is satisfied that the draft amendment of an LPS meets the LPS criteria.

(2) If a planning authority determines that –

(a) it is satisfied as to the matters referred to in subsection (1) , the planning authority must certify the draft as meeting the requirements of this Act; or

(b) it is not satisfied as to the matters referred to in subsection (1) , the planning authority must modify the draft so that it meets the requirements and then certify the draft as meeting those requirements.

(3) The certification of a draft amendment of an LPS under subsection (2) is to be by instrument in writing affixed with the common seal of the planning authority.

(4) A planning authority, within 7 days of certifying a draft amendment of an LPS under subsection (2) , must provide to the Commission a copy of the draft and the certificate.

4 ASSESSMENT

4.1 Proposal

The application requests an amendment to the Northern Midlands Local Provisions Schedule as follows:

- Modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay, as set out in attachment 1.

4.2 Zone and Land Use

The proposed draft amendment relates to 18 properties of various zonings and land use. The proposed draft amendment does not impact on the zoning or land use of any impacted properties; but in some cases, will reduce the regulatory burden on properties that no longer form part of a site with heritage significance.

4.3 Subject Site and Locality

The amendment relates to several properties that all contain or are adjacent to a site with heritage significance. The Local Heritage Place overlay is proposed to be removed from the following properties:

Address	Photograph of site	Aerial view with current overlay
1/19 & 2/19 Murray Street, Evandale	 Image showing heritage cottage on 1/19 Murray Street and driveway to internal lot at 2/19 Murray Street (containing recent dwelling and therefore to be removed from local listing).	 Aerial view showing 1/19 Murray Street at front (containing heritage cottage) and 2/19 Murray Street (internal lot). Local Heritage Place overlay proposed to be removed from 2/19 Murray Street as it contains a recent dwelling.
21-43 Clarence Street, Perth - St Andrews Cemetery	 Imaging showing new housing development to the rear of St Andrews Cemetery.	 Aerial view showing new lots and new dwellings to the west and north of St Andrews Cemetery.
56A & 56B Clarence Street, Perth	 New dwellings on 56A & 56B Clarence Street, to the south of former St Andrews Church.	 Aerial view showing lots approved by Planning Permit P14-126 and constructed dwellings.

24 Main Road, Perth	 New units constructed on previously vacant lot to the north of The Railway Tavern.	 Aerial view of 5 x units constructed under planning permit P21-0085
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4.4 Permit/Site History

Relevant permit history is set out below for the following properties:

19 Murray Street, Evandale -P08-262 – Dwelling and Strata (completed)

56 Clarence St, Perth – P14-129 – 3-lot subdivision & P13-280 – Rezone to General Residential

21-43 Clarence Street (Cnr Elizabeth St), Perth - (Cemetery and vacant land) – 2-Lot subdivision

24 Main Road, Perth – P21-0085 – 5 x Multiple Dwellings

4.5 Notice to agencies and State authorities

If Council as planning authority certifies the draft amendment, before exhibiting the draft amendment of an LPS, Section 40FA of the Land Use Planning and Approvals Act requires the planning authority to notify:

- (a) the relevant agencies; and
- (b) those State Service Agencies, or State authorities, that the planning authority considers may have an interest in the draft amendment of the LPS.

4.6 Notice of exhibition in relation to the draft amendment

Section 40G of the Land Use Planning and Approvals Act requires:

- (1) A planning authority, as soon as practicable after providing to the Commission a copy of a draft amendment of an LPS, must ensure an exhibition notice in relation to the draft amendment of an LPS is published in accordance with this section.
- (2) The exhibition notice is to be published once before, and once within 14 days after, the first day of the exhibition period, in a newspaper that is published in Tasmania and circulates generally in the area to which the draft amendment of an LPS relates.
- (3) The exhibition notice is to –
 - (a) specify the period that is to be the exhibition period in relation to the draft amendment of the LPS; and
 - (b) specify that the draft amendment of the LPS is or will be –
 - (i) available for viewing by the public, during the exhibition period, at premises, that are offices of the planning authority, specified in the notice; and
 - (ii) available for viewing and downloading by the public, during the exhibition period, at an electronic address specified in the exhibition notice; and
 - (c) contain an invitation to all persons and bodies to, within the exhibition period, make to the planning authority a representation in relation to the draft amendment of the LPS by submitting the representation to –
 - (i) the premises specified in the notice in accordance with paragraph (b)(i) ; or
 - (ii) an electronic address specified in the notice.
- (4) The exhibition period, in relation to a draft amendment of an LPS, is to be a period of 28 days –
 - (a) beginning on the day on which the draft amendment of the LPS begins to be available for viewing by the public at exhibition premises in accordance with section 40H ; and
 - (b) excluding any days on which the exhibition premises are closed during normal business hours.

Any representations received during the exhibition period will be considered by the Council as planning authority for reporting on to the Tasmanian Planning Commission.

As this draft amendment is for text and mapping corrections/updates to align with the Tasmanian Heritage Register, it may be eligible for an exemption from public exhibition under section 40I of the Land Use Planning and Approvals Act.

40I. Exemption from public exhibition



- (1) *The Commission, by notice in writing to a planning authority, may dispense with the requirements of sections 40G, 40H, 40J, 40K, 40L, 40M, 40N, 40O and 40P in relation to a draft amendment of an LPS that has been provided to the Commission under section 40F(4).*
- (2) *The Commission may only issue a notice under subsection (1) in relation to a draft amendment of an LPS if the Commission is satisfied that –*
- (a) *an amendment of the LPS in the form of the draft amendment of the LPS is urgently required and the Minister has approved the issuing of the notice on this ground; or*
- (b) *the draft amendment is for one or more of the following purposes:*
- (i) correcting an error in the LPS;*
 - (ii) removing an anomaly in the LPS;*
 - (iii) clarifying or simplifying the LPS;*
 - (iv) removing an inconsistency in the LPS;*
 - (v) removing an inconsistency between the LPS and this Act or any other Act;*
 - (vi) removing an inconsistency between the LPS and the SPPs;*
 - (vii) making a change to a procedure set out in the LPS;*
 - (viii) bringing the LPS into conformity with a State Policy;*
 - (ix) changing the structure of the provisions of the LPS, or the form of a provision of an LPS, so that the LPS conforms with the structure to which an LPS is required by the SPPs to conform or the form that a provision of an LPS is to take;*
 - (x) a prescribed purpose –*
and if it is satisfied that the public interest will not be prejudiced by the draft amendment not being publicly exhibited.
- (3) *If the Commission issues a notice under subsection (1) in relation to a draft amendment of an LPS that has been provided to the Commission under section 40F(4), sections 40G, 40H, 40J, 40K, 40L, 40M, 40N, 40O and 40P do not apply in relation to the draft amendment of an LPS.*

4.7 Assessment Against LPS Criteria

34(2) *The LPS criteria to be met by a relevant planning instrument are that the instrument–*

(a) contains all the provisions that the SPPs specify must be contained in an LPS

The proposed draft amendment has no impact on provisions required to be contained in an LPS.

(b) is in accordance with section 32

Under section 32:

- (3) *An LPS may, if permitted to do so by the SPPs, include*
- (a) *a particular purpose zone...*
- (b) *a specific area plan, being a plan consisting of –*
- (i) a map or overlay that delineates a particular area of land; and*
 - (ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs.*
- (c) *a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*
- (4) *An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
- (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
 - (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

The draft amendment is in accordance with section 32, by containing an overlay and list for the spatial application of the SPPs; but does not involve a particular purpose zone, specific area plan or site-specific qualification.

(c) furthers the objectives set out in Schedule 1

Schedule 1, Part 1 – Objectives of the Resource Management and Planning System of Tasmania

- a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity*



The proposed draft amendment will not impact the attainment of this objective.

b) to provide for the fair, orderly and sustainable use and development of air, land and water

The draft amendment seeks to ensure that the application of provisions that regulate the historic cultural heritage significance of various sites is maintained to reflect the current significance and development status of the land. The draft amendment is consistent with this objective.

c) to encourage public involvement in resource management and planning

If the draft amendment is certified by the planning authority it will be placed on public notification in accordance with the Land Use Planning and Approvals Act allowing for representations to the draft amendment to be submitted, unless exempted by the commission under Section 40I of the Land Use Planning and Approvals Act.

d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c)

Once amended, the revised provisions will ensure land is not unnecessarily burdened by provisions that are no longer relevant and ensure future development is objectives set out in paragraphs (a), (b) and (c).

e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Notice of the draft amendment will be given to relevant agencies and State authorities.

Schedule 1, Part 2 – Objectives of the Planning Process Established by this Act

a) to require sound strategic planning and co-ordinated action by State and local government

The draft amendment is consistent with the Northern Tasmania Regional Land Use Strategy that recognises the importance of historic cultural heritage and seeks to preserve and protect the same. These principles are carried through to the provisions of the Planning Scheme.

b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land

Consistent with that system, the planning authority determines whether to prepare the draft amendment.

c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land

The draft amendment is consistent with this objective and will not result in any environmental impacts due to the nature of the provisions that apply. The social and economic effects of revising listings of Local Heritage Places has been carefully considered, and relates only to properties/listings that:

- a) no longer form part of a title with heritage significance, due to subdivision/strata or other approved development and therefore create an unnecessary regulatory burden for these properties, or
- b) are no longer consistent with the Tasmanian Heritage Register listings, due to administration changes relating to revised THR numbers or addition of new Central Plan Registers.

d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels

The proposed amendment is consistent with local, regional and state policies.

e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals

The Act allows for a development application to be assessed in conjunction with a scheme amendment which is not relevant to this draft amendment.

f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation



The proposed amendment will not impact the attainment of this objective.

- g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*

The proposed draft amendment seeks to further this objective by retaining the heritage listing over the properties with heritage values.

- h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*

The draft amendment will not have a negative impact on public infrastructure.

- i) to provide a planning framework which fully considers land capability.*

The draft amendment does not impact on the potential productive capacity of any land.

(d) is consistent with each State policy

State Policy on the Protection of Agricultural Land 2009

The revisions proposed by this draft amendment are not impacted by the State Policy on the Protection of Agricultural Land, or the way in which the policy is applied through the planning scheme provisions.

Tasmanian State Coastal Policy 1996

The subject site is not in a coastal zone and the Coastal Policy does not apply.

State Policy on Water Quality Management 1997

The draft amendment is consistent with this State policy - water quality will not be impacted by the spatial application of the Local Heritage Places overlay or listings.

National Environmental Protection Measures (NEPMs)

In accordance with the State Policies and Projects Act 1993, a NEMP is taken to be a State Policy. The following NEMPs are therefore State policies:

- Air Toxics*
- Ambient Air Quality*
- Assessment of Site Contamination*
- Diesel Vehicle Emissions*
- Movement of Controlled Waste between States and Territories*
- National Pollutant Inventory*
- Used Packaging Materials*

None of the NEPMs apply to the subject sites and proposed amendment.

(da) satisfies the relevant criteria in relation to the TPPs

Such criteria have been addressed in the provision and approval of the LPS and are not impacted on by the proposed rezoning.

(e) 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 draft amendment is consistent with the Northern Tasmania Regional Land Use Strategy that recognises the importance of historic cultural heritage and seeks to preserve and protect the same.

(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates

The current strategic plan for the Northern Midlands is the Northern Midlands Council Strategic Plan 2021-2027. The plan focusses on the unique elements of the Northern Midlands, an enviable place to live, work and play. The Plan is based upon four key priorities:

Lead: Serve with honesty, integrity, innovation and pride

Progress: Economic health and wealth – grow and prosper

People: Cultural and society – a vibrant future that respects the past

Place: Nurture our heritage environment

Each priority is supported by four strategic outcomes that describe what the Council aims to achieve, and that are consistent with its vision.



Actions and projects to achieve these outcomes will be included in the Council's Annual Plan. Performance measures will be included in the Annual Plan to enable the Council to track its progress against each of the strategic outcomes.

(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates

While the sites are not in close proximity to another municipal area, the draft amendment's consistency with the RLUS ensures a similar consistency and co-ordination with the LPSs of adjacent municipal areas.

(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019

The sites are not in the vicinity of the Tasmanian Gas Pipeline.

5 OPTIONS

Decision in relation to request

The planning authority can:

- decide to agree to the amendment and prepare a draft amendment of the LPS; or
- decide to refuse to prepare the draft amendment of the LPS.

Preparation of draft amendment

If the planning authority decides to agree to the amendment, it must prepare a draft amendment. A draft amendment has been prepared as shown in the recommendation of this report.

Certification of draft amendment

- The planning authority must consider whether it is satisfied that the draft amendment meets the LPS criteria, see section 4.7.
- If the planning authority is satisfied that the draft amendment meets the LPS criteria, it must certify the draft as meeting the requirements of the Land Use Planning and Approvals Act; or
- If the planning authority is not satisfied that the draft amendment meets the LPS criteria it must modify the draft so that it meets the requirements and then certify the draft as meeting those requirements.

8 DISCUSSION

As discussed in this report, the draft amendment is in accordance with the LPS criteria. It is recommended that the planning authority certify the draft amendment. The draft amendment will then be placed on public exhibition (unless exempted by the Tasmanian Planning Commission) and any representations received considered by the planning authority before providing a report on the representations to the Tasmanian Planning Commission.

9 ATTACHMENTS

1. List of changes to Heritage Code ATTACHMENT 1 [11.2.1 - 5 pages]



11.2 DRAFT AMENDMENT 21-2026 TO MODIFY NOR-TABLE C6.1 LOCAL HERITAGE PLACES AND AMEND THE SPATIAL APPLICATION OF THE LOCAL HERITAGE PLACE OVERLAY

File: 13/026/007/185; PLN-26-0017
Responsible Officer: Maree Bricknell, Acting General Manager
Report prepared by: Erin Miles, Project Officer

MINUTE NO. 26/0104

DECISION

Cr Terrett/Cr Adams

1. That, under section 40D(b) of the Land Use Planning and Approvals Act 1993, Council as planning authority agrees to prepare Draft Amendment 21-2026 to the Northern Midlands Local Provisions Schedule (as set out below); and
2. That, under section 40F(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, certify draft amendment 21-2026 to the Northern Midlands Local Provisions Schedule as meeting the LPS criteria.

Draft Amendment 21-2026 to the Northern Midlands Local Provisions Schedule

Modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay in accordance with Attachment 1.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Lambert, Cr Adams, Cr Andrews, Cr Archer, Cr Brooks, Cr Goss and Cr Terrett

Voting Against the Motion:

Nil

RECOMMENDATION

1. That, under section 40D(b) of the Land Use Planning and Approvals Act 1993, Council as planning authority agrees to prepare Draft Amendment 21-2026 to the Northern Midlands Local Provisions Schedule (as set out below); and
2. That, under section 40F(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council as planning authority, certify draft amendment 21-2026 to the Northern Midlands Local Provisions Schedule as meeting the LPS criteria.

Draft Amendment 21-2026 to the Northern Midlands Local Provisions Schedule

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1 INTRODUCTION

This report assesses Draft Amendment 21-2026 to modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay, as set out in attachment 1.

Since the Tasmanian Planning Scheme – Northern Midlands came into effect, several properties within the NOR-Table C6.1 Local Heritage Places have been subject to development such as subdivision, that has resulted in the current table having inaccurate addressing or retaining listings over land that does not contain any items of significance. A review against the State's Tasmanian Heritage Register has also identified a number of anomalies regarding listing numbers, that are also proposed to be corrected by this amendment.

This amendment also seeks to amend the spatial application of the Local Heritage Place overlay to ensure it is reflective of the listings within the amended NOR-Table C6.1 Local Heritage Places.



2 BACKGROUND

Applicant:

Northern Midlands Council

Owner:

Various

Zone:

Various

Codes/Specific Areas Plans:

Local Heritage Place

Classification under the Scheme:

Planning Scheme Amendment

Existing Use:

N/a

Decision Date:

Not applicable

Recommendation:

That Council as planning authority agree to, and certify, the draft amendment 21-2026.

Planning Instrument:

Tasmanian Planning Scheme - Northern Midlands, version 17, 19th March 2026.

3 STATUTORY REQUIREMENTS

Land Use Planning and Approvals Act 1993

40D. Preparation of draft amendments

A planning authority –

(a) must prepare a draft amendment of an LPS, and certify it under section 40F, within 42 days after receiving the request under section 37(1) to which the amendment relates, if –

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(4) A planning authority, within 7 days of certifying a draft amendment of an LPS under subsection (2), must provide to the Commission a copy of the draft and the certificate.

4 ASSESSMENT

4.1 Proposal

The application requests an amendment to the Northern Midlands Local Provisions Schedule as follows:

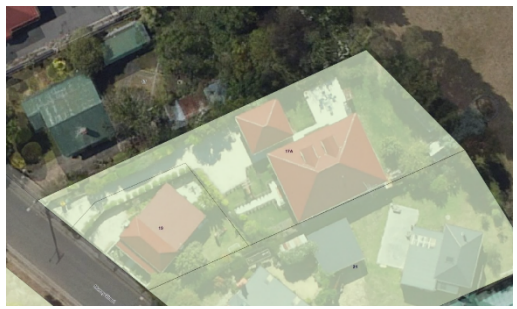
- Modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay, as set out in attachment 1.

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21-43 Clarence Street, Perth - St Andrews Cemetery	 Imaging showing new housing development to the rear of St Andrews Cemetery.	 Aerial view showing new lots and new dwellings to the west and north of St Andrews Cemetery.

56A & 56B Clarence Street, Perth	 New dwellings on 56A & 56B Clarence Street, to the south of former St Andrews Church.	 Aerial view showing lots approved by Planning Permit P14-126 and constructed dwellings.
24 Main Road, Perth	 New units constructed on previously vacant lot to the north of The Railway Tavern.	 Aerial view of 5 x units constructed under planning permit P21-0085

4.4 Permit/Site History

Relevant permit history is set out below for the following properties:

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24 Main Road, Perth – P21-0085 – 5 x Multiple Dwellings

4.5 Notice to agencies and State authorities

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(b) those State Service Agencies, or State authorities, that the planning authority considers may have an interest in the draft amendment of the LPS.

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(3) The exhibition notice is to –

(a) specify the period that is to be the exhibition period in relation to the draft amendment of the LPS; and

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(i) available for viewing by the public, during the exhibition period, at premises, that are offices of the planning authority, specified in the notice; and

(ii) available for viewing and downloading by the public, during the exhibition period, at an electronic address specified in the exhibition notice; and



(c) contain an invitation to all persons and bodies to, within the exhibition period, make to the planning authority a representation in relation to the draft amendment of the LPS by submitting the representation to –

(i) the premises specified in the notice in accordance with paragraph (b)(i) ; or

(ii) an electronic address specified in the notice.

(4) The exhibition period, in relation to a draft amendment of an LPS, is to be a period of 28 days –

(a) beginning on the day on which the draft amendment of the LPS begins to be available for viewing by the public at exhibition premises in accordance with section 40H ; and

(b) excluding any days on which the exhibition premises are closed during normal business hours.

Any representations received during the exhibition period will be considered by the Council as planning authority for reporting on to the Tasmanian Planning Commission.

As this draft amendment is for text and mapping corrections/updates to align with the Tasmanian Heritage Register, it may be eligible for an exemption from public exhibition under section 40I of the Land Use Planning and Approvals Act.

40I. Exemption from public exhibition

(1) The Commission, by notice in writing to a planning authority, may dispense with the requirements of sections 40G, 40H, 40J, 40K, 40L, 40M, 40N, 40O and 40P in relation to a draft amendment of an LPS that has been provided to the Commission under section 40F(4).

(2) The Commission may only issue a notice under subsection (1) in relation to a draft amendment of an LPS if the Commission is satisfied that –

(a) an amendment of the LPS in the form of the draft amendment of the LPS is urgently required and the Minister has approved the issuing of the notice on this ground; or

(b) the draft amendment is for one or more of the following purposes:

(i) correcting an error in the LPS;

(ii) removing an anomaly in the LPS;

(iii) clarifying or simplifying the LPS;

(iv) removing an inconsistency in the LPS;

(v) removing an inconsistency between the LPS and this Act or any other Act;

(vi) removing an inconsistency between the LPS and the SPPs;

(vii) making a change to a procedure set out in the LPS;

(viii) bringing the LPS into conformity with a State Policy;

(ix) changing the structure of the provisions of the LPS, or the form of a provision of an LPS, so that the LPS conforms with the structure to which an LPS is required by the SPPs to conform or the form that a provision of an LPS is to take;

(x) a prescribed purpose –

and if it is satisfied that the public interest will not be prejudiced by the draft amendment not being publicly exhibited.

(3) If the Commission issues a notice under subsection (1) in relation to a draft amendment of an LPS that has been provided to the Commission under section 40F(4), sections 40G, 40H, 40J, 40K, 40L, 40M, 40N, 40O and 40P do not apply in relation to the draft amendment of an LPS.

4.7 Assessment Against LPS Criteria

34(2) The LPS criteria to be met by a relevant planning instrument are that the instrument–

(a) contains all the provisions that the SPPs specify must be contained in an LPS

The proposed draft amendment has no impact on provisions required to be contained in an LPS.

(b) is in accordance with section 32

Under section 32:

(3) An LPS may, if permitted to do so by the SPPs, include

(a) a particular purpose zone...

(b) a specific area plan, being a plan consisting of–

(i) a map or overlay that delineates a particular area of land; and

(ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs.



(c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.

(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –

(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or

(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

The draft amendment is in accordance with section 32, by containing an overlay and list for the spatial application of the SPPs; but does not involve a particular purpose zone, specific area plan or site-specific qualification.

(c) furthers the objectives set out in Schedule 1

Schedule 1, Part 1 – Objectives of the Resource Management and Planning System of Tasmania

a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity

The proposed draft amendment will not impact the attainment of this objective.

b) to provide for the fair, orderly and sustainable use and development of air, land and water

The draft amendment seeks to ensure that the application of provisions that regulate the historic cultural heritage significance of various sites is maintained to reflect the current significance and development status of the land. The draft amendment is consistent with this objective.

c) to encourage public involvement in resource management and planning

If the draft amendment is certified by the planning authority it will be placed on public notification in accordance with the Land Use Planning and Approvals Act allowing for representations to the draft amendment to be submitted, unless exempted by the commission under Section 40I of the Land Use Planning and Approvals Act.

d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)

Once amended, the revised provisions will ensure land is not unnecessarily burdened by provisions that are no longer relevant and ensure future development is objectives set out in paragraphs (a), (b) and (c).

e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Notice of the draft amendment will be given to relevant agencies and State authorities.

Schedule 1, Part 2 – Objectives of the Planning Process Established by this Act

a) to require sound strategic planning and co-ordinated action by State and local government

The draft amendment is consistent with the Northern Tasmania Regional Land Use Strategy that recognises the importance of historic cultural heritage and seeks to preserve and protect the same. These principles are carried through to the provisions of the Planning Scheme.

b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land

Consistent with that system, the planning authority determines whether to prepare the draft amendment.

c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land

The draft amendment is consistent with this objective and will not result in any environmental impacts due to the nature of the provisions that apply. The social and economic effects of revising listings of Local Heritage Places has been carefully considered, and relates only to properties/listings that:

- a) no longer form part of a title with heritage significance, due to subdivision/strata or other approved development and therefore create an unnecessary regulatory burden for these properties, or



- b) are no longer consistent with the Tasmanian Heritage Register listings, due to administration changes relating to revised THR numbers or addition of new Central Plan Registers.

- d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels*

The proposed amendment is consistent with local, regional and state policies.

- e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals*

The Act allows for a development application to be assessed in conjunction with a scheme amendment which is not relevant to this draft amendment.

- f) *to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation*

The proposed amendment will not impact the attainment of this objective.

- g) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*

The proposed draft amendment seeks to further this objective by retaining the heritage listing over the properties with heritage values.

- h) *to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*

The draft amendment will not have a negative impact on public infrastructure.

- i) *to provide a planning framework which fully considers land capability.*

The draft amendment does not impact on the potential productive capacity of any land.

(d) is consistent with each State policy

State Policy on the Protection of Agricultural Land 2009

The revisions proposed by this draft amendment are not impacted by the State Policy on the Protection of Agricultural Land, or the way in which the policy is applied through the planning scheme provisions.

Tasmanian State Coastal Policy 1996

The subject site is not in a coastal zone and the Coastal Policy does not apply.

State Policy on Water Quality Management 1997

The draft amendment is consistent with this State policy - water quality will not be impacted by the spatial application of the Local Heritage Places overlay or listings.

National Environmental Protection Measures (NEPMs)

In accordance with the State Policies and Projects Act 1993, a NEMP is taken to be a State Policy. The following NEMPs are therefore State policies:

Air Toxics

Ambient Air Quality

Assessment of Site Contamination

Diesel Vehicle Emissions

Movement of Controlled Waste between States and Territories

National Pollutant Inventory

Used Packaging Materials

None of the NEPMs apply to the subject sites and proposed amendment.

(da) satisfies the relevant criteria in relation to the TPPs

Such criteria have been addressed in the provision and approval of the LPS and are not impacted on by the proposed rezoning.



(e) 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 draft amendment is consistent with the Northern Tasmania Regional Land Use Strategy that recognises the importance of historic cultural heritage and seeks to preserve and protect the same.

(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates

The current strategic plan for the Northern Midlands is the Northern Midlands Council Strategic Plan 2021-2027. The plan focusses on the unique elements of the Northern Midlands, an enviable place to live, work and play. The Plan is based upon four key priorities:

Lead: Serve with honesty, integrity, innovation and pride

Progress: Economic health and wealth – grow and prosper

People: Cultural and society – a vibrant future that respects the past

Place: Nurture our heritage environment

Each priority is supported by four strategic outcomes that describe what the Council aims to achieve, and that are consistent with its vision.

Actions and projects to achieve these outcomes will be included in the Council's Annual Plan. Performance measures will be included in the Annual Plan to enable the Council to track its progress against each of the strategic outcomes.

(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates

While the sites are not in close proximity to another municipal area, the draft amendment's consistency with the RLUS ensures a similar consistency and co-ordination with the LPSs of adjacent municipal areas.

(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019

The sites are not in the vicinity of the Tasmanian Gas Pipeline.

5 OPTIONS

Decision in relation to request

The planning authority can:

- decide to agree to the amendment and prepare a draft amendment of the LPS; or
- decide to refuse to prepare the draft amendment of the LPS.

Preparation of draft amendment

If the planning authority decides to agree to the amendment, it must prepare a draft amendment. A draft amendment has been prepared as shown in the recommendation of this report.

Certification of draft amendment

- The planning authority must consider whether it is satisfied that the draft amendment meets the LPS criteria, see section 4.7.
- If the planning authority is satisfied that the draft amendment meets the LPS criteria, it must certify the draft as meeting the requirements of the Land Use Planning and Approvals Act; or
- If the planning authority is not satisfied that the draft amendment meets the LPS criteria it must modify the draft so that it meets the requirements and then certify the draft as meeting those requirements.

8 DISCUSSION

As discussed in this report, the draft amendment is in accordance with the LPS criteria. It is recommended that the planning authority certify the draft amendment. The draft amendment will then be placed on public exhibition (unless exempted by the Tasmanian Planning Commission) and any representations received considered by the planning authority before providing a report on the representations to the Tasmanian Planning Commission.

9 ATTACHMENTS

1. List of changes to Heritage Code ATTACHMENT 1 [11.2.1 - 5 pages]

ATTACHMENT 1Draft Amendment 21-2026 of the Northern Midlands Local Provisions Schedule

Key: Grey highlight = mapping change

Modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place, as follows:

Reference No	THR Number	Street Address	Property Name	Folio of the Register	Description/Specific Extent	Correction required
NOR-C6.1.110	4894	3064 Macquarie Road, Cressy	Darlington Park	169250/1	Description: include outbuildings and chapel Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available	THR Number incorrectly listed as 4984 in current LPS – should be 4894 to match heritage register. NO CHANGE TO OVERLAY MAPPING
NOR-C6.1.113	Previously 4987 – now 4988	1191 Deddington Road, Deddington	Nile Farm	32370/1	Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	THR Number incorrectly listed as 4987 in current LPS – should be 4988 to match heritage register (entire site is now listed under 4988). NO CHANGE TO OVERLAY MAPPING
NOR-6.1.175	Not applicable – Local Listing only – removed from THR.	19 Murray Street, Evandale	Not applicable	Previously 233415/1 – now 181458/1	Description: Cottage Specific Extent: Entire Title	Update title reference to CT181458/1 – property has been strata titled, with new build to the rear. Remove spatial application of the Local Heritage Place layer on 181458/2.

NOR-C6.1.300	5174	2a William Street, Longford	Christ Church	125412/1	Description: Church, old Sunday school and churchyard Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	Add '2b' William Street (old Sunday School) to address to aid clarity of where listing applies (two PIDs/addresses for one title reference). NO CHANGE TO OVERLAY MAPPING
NOR-C6.1.331	5207	Previously 21-43 Clarence Street (and frontage onto Elizabeth Street), now 'Perth (St Andrews) Cemetery' - Elizabeth St, Perth	St Andrew's Cemetery	176329/1	Description: St Andrew's Cemetery Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	1. Replace address with 'Perth (St Andrews) Cemetery' - Elizabeth St, Perth 2. Revise Specific Extent to apply to the area containing the cemetery only – noting subdivision and unit application for 5 Affleck Court and northern section of cemetery site under Planning Application PLN-22-0077 is to be excluded.
NOR-C6.1.332	5207	21-43 Clarence Street (and frontage onto Elizabeth Street), Perth	Residential land	176329/2 (now further subdivided)	Description: St Andrew's Cemetery Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	Remove listing and overlay mapping for this site (no longer forms part of THC listing)
NOR-C6.1.335	Previously 5216	56A Clarence Street, Perth	St Andrew's Church	169062/2	Specific Extent: Specific extent is limited to the part of the title defined in the THC central	Remove listing and overlay mapping for this site (no longer forms part of THC listing)

					plan register, where available.	
NOR-C6.1.336	Previously 5216	56B Clarence Street, Perth	St Andrew's Church	169062/3	Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	Remove listing and overlay mapping for this site (no longer forms part of THC listing)
NOR-C6.1.347	5211	65-81 Fairtlough Street, Perth	Green Hythe	117649/2	Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	1. Revise addressing/titles to read: Lot 2 Fairtlough Street, Perth - 178951/2 81 Fairtlough Street, Perth - 180515/2 83 Fairtlough Street, Perth - 180515/1 NO CHANGE TO OVERLAY MAPPING
NOR-C6.1.358	Previously 5240	U1-5, 24 Main Road, Perth	Formally part of The Railway Tavern	185536/0	Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	Remove listing and overlay mapping for this site (no longer forms part of THC listing). New units constructed.
NOR-C6.1.381	5001	15906 Midland Hwy, Perth	Native Point	Previously 172363/1 –now 180865/1	Description: Native Point Residence and Garden Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	Correction to title reference (TheLIST, Planning Scheme and THC all have difference title reference for same property). Should be CT180865/1 NO CHANGE TO OVERLAY MAPPING

NOR-C6.1.413	Previously 5289 – now 12,099	Bridge Street, Ross	Ross Bridge	Previously Not Applicable. Amend to 173855/1, 174096/1, 120873/2, 11172/1, 149299/1, 21682/1 & PID 6830945	Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	8 entries on Heritage Register under THR no. 12,099. Revise THR no and title details to align with CPR11500.
NOR-C6.1.419	Previously 5284 – now 12,013	21 Church Street, Ross	St John's Anglican Church	226029/1	Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	THR Number incorrectly listed as 4987 in current LPS – should be 12,013 to match heritage register NO CHANGE TO OVERLAY MAPPING
NOR-C6.1.452	Previously not applicable, now 10,013	Chiswick Road (intersection with Midland Highway)	Tacky Bridge (Ross Bridge North)	Previously not applicable, now 146502/1 & road reserve	Specific Extent: Specific extent is the bridge 23m north-east of the intersection of Chiswick Road and Midland Highway.	Add new THR number 10,013 and align Local Heritage Place overlay to CPR11501 and include title reference 146502/1, to match specific extent listed.
NOR-C6.1.468	Previously 10,643 – now 11,063	397 Evandale Road, Western Junction	Not applicable	51239/1	Description: Evandale Water Scheme (Part 397 Evandale Road 22 of 28) Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	THR Number incorrectly listed as 10,643 in current LPS – should be 11,063 to match heritage register. Incorrectly addressed on Tasmanian Heritage Register as White Hills Road, Evandale and title ref is missing from listing (however correctly mapped on TheLIST). NO CHANGE TO OVERLAY MAPPING

C6.1.112	Previously 4986 – now 12,127	958 Deddington Road, Deddington	Nile Chapel – Now 'Deddington Chapel and cemetery' on THR register	Land held under General Law deed 3/5550	Description: Chapel and Cemetery Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	Double listing in THR – CPR for the site indicates for the purpose of S15(4)(b) of the Historic Cultural Act 1995, the CPR replaces the previous registration THR 4986 'Nile Chapel and Cemetery'. Update THR number and property name. NO CHANGE TO OVERLAY MAPPING
NOR-C6.1.6	Previously 4880 – now 12,016	9 Falmouth Street (Cnr Blenheim Street), Avoca	St. Thomas' Anglican Church	204075/1	Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	THR Number incorrectly listed as 4880 in current LPS – should be 12,016 to match heritage register. NO CHANGE TO OVERLAY MAPPING
NOR-C6.1.419	Previously 5284 – now 12,013	11 Church Street, Ross	St John's Anglican Church	226029/1 & the partial parcel of PID 6830814 – now CT182133/1	Specific Extent: Specific extent is limited to the part of the title defined in the THC central plan register, where available.	THR Number incorrectly listed as 5284 in current LPS – should be 12,013 to match heritage register. Apply Local Heritage Place overlay to entire title of CT 182133/1.