

From: NMC Planning
To: TPC Enquiry
Subject: 40K report - draft amendment 21/2026
Date: Monday, 24 August 2026 11:43:49 AM
Attachments: 40K report 21-2026.pdf
Taswater SPAN –Draft amendment 21-2026 PLN-26-0017.pdf Pages
from 2026-08-17-Open-Council-AttachmentsTHC_response.pdf

Good morning,

Please see attached 40K report, completed TasWater SPAN and THC response to the draft amendment for your consideration.

Kind regards,

Rosemary Jones



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11.5 REPORT (SECTION 40K) ON REPRESENTATION TO DRAFT AMENDMENT 21-2026 - MODIFY NOR-TABLE C6.1 LOCAL HERITAGE PLACES AND AMEND THE SPATIAL APPLICATION OF THE LOCAL HISTORIC HERITAGE PLACE OVERLAY

Responsible Officer: Maree Bricknell, Acting General Manager

Report prepared by: Erin Miles, Project Officer

MINUTE NO. 26/0228

DECISION

Cr Andrews/Cr Terrett

That Council acting as a Planning Authority

- a) In accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of the representation received during public exhibition of Draft Amendment 21-2026; and
- b) Considers Draft Amendment 21-2026, is consistent with the LPS Criteria without further amendment.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Andrews, Cr Archer, Cr Goss and Cr Terrett

Voting Against the Motion:

Nil

RECOMMENDATION

That Council acting as a Planning Authority

- a) In accordance with sections 40K and 42 of the *Land Use Planning and Approvals Act 1993*, considers the merit of the representation received during public exhibition of Draft Amendment 21-2026; and
- b) Considers Draft Amendment 21-2026, is consistent with the LPS Criteria without further amendment.

1 PURPOSE OF REPORT

This report advises the Northern Midlands Council planning authority of a representation received to draft amendment 21-2026 to the Northern Midlands Local Provisions Schedule (LPS) and recommends a response to the Tasmanian Planning Commission (TPC).

Section 40K (1) of the Land Use Planning and Approvals Act 1993 requires the planning authority to provide the Commission with a report in relation to the draft amendment within 35 days after the end of the exhibition period.

2 INTRODUCTION/BACKGROUND

At the regular meeting of Council on the 20th April 2026, Council agreed to initiate and certify Draft Amendment 21-2026 under sections 40D(b) and 40F(2)(a) of the *Land Use Planning and Approvals Act 1993* to Modify NOR-Table C6.1 Local Heritage Places and amend the spatial application of the Local Heritage Place overlay.

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

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

People: Culture and society - a vibrant future that respects the past

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.1 Sympathetic design respects historical architecture

Place: Nurture our heritage environment

Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow

Strategic outcomes:

- 4.4 Our heritage villages and towns are high value assets

3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.



4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 Section 40K of the Land Use Planning and Approvals Act 1993 (the Act)

The report to the Tasmanian Planning Commission is to contain –

(a) a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and

No representations have been received within the exhibition period.

(b) a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and

A single representation from Heritage Tasmania was received after the end of the exhibition period and is attached to this report.

(c) a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –

(i) whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and

Statement: The representation is supportive of the changes proposed and notes that future changes to the Heritage Listings of two properties may take place. Having taken the representation into account, the planning authority is of the opinion that the draft amendment should not be modified. An analysis of the representation is provided later in this report.

(ii) the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and

Statement: The issues raised in the representation do not impact on the draft amendment, or compliance with the LPS criteria.

(d) a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and

Statement: The Planning Authority is satisfied that the draft amendment meets the Local Provisions Schedule criteria in accordance with section 34(2) of the Land Use Planning and Approvals Act 1993, as per the original assessment and certification at its meeting of the 20th April 2026 (minute reference 26/0104).

(e) any recommendations in relation to the draft amendment that the planning authority thinks fit.

The Planning Authority recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment.

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

7 RISK ISSUES

No risk issues to Council are identified.



8 CONSULTATION WITH STATE GOVERNMENT

The application was referred to Taswater, Heritage Tasmania and the State Planning Office (Planning Policy Unit).

9 COMMUNITY CONSULTATION/REPRESENTATIONS

Council published an exhibition notice in relation to the draft amendment in accordance with section 40G of the Act on Saturday 04 July 2026 and Saturday 11 July 2026. The exhibition period ended 04 August 2026.

Statement of the planning authority's opinion as to the merit of each representation

Representation 1

A summary of the issues raised within the representation and officer response is provided below:

Representation issue	Response
it is noted that the proposed amendments: do not include major changes to the extent of coverage of local heritage protections, except where subdivision and/or development has previously been approved; and	No changes to draft amendment required
appear to appropriately reflect current THR records, including relevant THR numbers, CPR documents and changes to title areas and references following subdivision.	No changes to draft amendment required
We do note one proposed change, to St Andrew's Cemetery (C6.1.331). On discussion with the Anglican Diocese, we expect a further subdivision and reduction in boundary for this property, but we are awaiting the new titles to be issued before we progress an amendment. I have noted on LIST that the sealed plans have been lodged, so it may not be long before this can be progressed. I thought I should flag this with you, depending on the timing of your proposed amendment, this may impact whether you wish to proceed with this update as it is, or wait for the next update.	The proposed draft amendment considers the change to title boundary approved under Planning Permit PLN-22-0077. The draft amendment proposes to: 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. The proposed local listing therefore takes these matters into account already and no changes to the draft amendment are required.
In the coming year, the boundary may increase for THR#4906 (Rokeby Homestead) in response to an application from the owners	Council can consider whether a future amendment is required to consider changes to this listing, if and when it occurs. No changes to the draft amendment are required.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can report to the Tasmanian Planning Commission that:

- The representation does not have merit and the draft amendment should be approved; or
- The representation has merit, and the draft amendment should be modified or rejected.

11 OFFICER'S COMMENTS/CONCLUSION

The representation does not raise any issues that require modification to the draft amendment. The issues raised in the representation also do not impact on the draft amendment, or compliance with the LPS criteria.



The Planning Authority recommends that the Tasmanian Planning Commission give its final approval to the Draft Amendment and does not request modification to the draft amendment.

12 ATTACHMENTS

1. Heritage Tasmania Referral Response 06 August 2026 [**11.5.1** - 2 pages]
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12 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

MINUTE NO. 26/0229

DECISION

Cr Terrett/Cr Goss

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.

Carried Unanimously

RECOMMENDATION

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.
