



11 PLANNING REPORTS

11.1 DRAFT AMENDMENT 20-2026 TO APPLY ARCHAEOLOGICAL POTENTIAL OVERLAY ON NORTHERN MIDLANDS LOCAL PROVISION SCHEDULE MAPS AT 6B SAUNDRIDGE RD, 110 MAIN STREET AND 3960 MACQUARIE ROAD, AND REMOVE LOCAL HERITAGE PLACE LISTING FROM 6A SAUNDRIDGE ROAD, CRESSY

File: 13/026/007/184

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 20-2026 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 20-2026 to the Northern Midlands Local Provisions Schedule as meeting the LPS criteria.

Draft Amendment 20-2026 to the Northern Midlands Local Provisions Schedule

Apply the place or precinct of archaeological potential overlay on Northern Midlands Local Provision Schedule maps at 6B Saundridge Road, Cressy (folio of the Register 92702/10), 110 Main Street, Cressy (folio of the Register 125263/1), and 3960 Macquarie Road, Cressy (folio of the Register 125321/1);

Delete the Local Historic Heritage Code Overlay from 6A Saundridge Road (folio of the Register 249681/2); and

Delete "and 249681/2" (6A Saundridge Road) from NOR-C6.1.102.

1 INTRODUCTION

This report assesses Draft Amendment 20-2026 to apply the place or precinct of archaeological potential overlay on Northern Midlands Local Provision Schedule maps at 6B Saundridge Rd, 110 Main Street and 3960 Macquarie Road, Cressy, and remove a local heritage listing on 6A Saundridge Road, Cressy.

The sites were included in Table E13.3: Archaeologically Significant Sites of the *Northern Midlands Interim Planning Scheme 2013* as a result of amendment 07-2018 (Effective 12th March 2019). The amendment was undertaken alongside two other properties that received a local heritage listing. An overlay for archaeological significant sites was not available under the Interim Scheme, and the layer was not added as part of the transition to the Tasmanian Planning Scheme - Northern Midlands. This amendment seeks to apply the appropriate mapping overlay, to match the listing within Table C6.4 of the Local Provisions Schedule for Places or Precincts of Archaeological Potential.

2 BACKGROUND

Applicant:

Northern Midlands Council

Owner:

Lethborg Investments Pty Ltd (6B Saundridge Road); Centacare Evolve Housing Limited (6A Saundridge Road); The Trustees of the Diocese of Tasmania (110 Main Street); Pisa Church Community Ptd Ltd (3960 Macquarie Road)



Zone:

General Residential, Community Purpose & Agriculture

Codes/Specific Areas Plans:

NOR-Table C6.4 Places or Precincts of Archaeological Potential

Classification under the Scheme:

Planning Scheme Amendment

Existing Use:

Churches and cemeteries

Decision Date:

Not applicable

Recommendation:

That Council as planning authority agree to, and certify, the draft amendment 20-2026

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

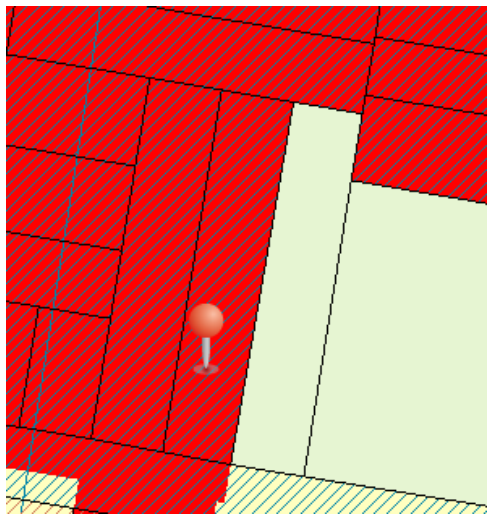
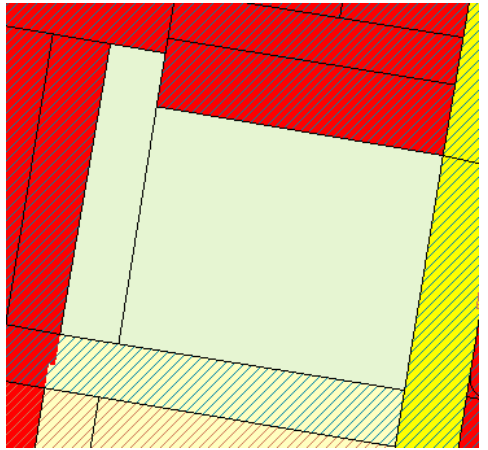
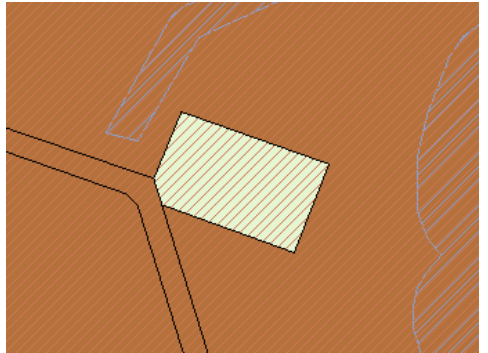
4.1 Proposal

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

- Apply archaeological potential overlay on Northern Midlands Local Provision Schedule maps at 6B Saundridge Rd, 110 Main Street and 3960 Macquarie Road, Cressy (Folios of the Register 92702/10, 12563/1, and 125321/1).
- Delete the Local Historic Heritage Code Overlay from 6A Saundridge Road (folio of the Register 249681/2).
- Delete 249681/2 (6A Saundridge Road) from NOR-C6.1.102



4.2 Zone and Land Use

Site	Zone	Codes	Zone/Overlay map
6B Saundridge Road, Cressy	General Residential	Safeguarding of Airports Code	
110 Main Street & 6A Saundridge Road, Cressy	Community Purpose	Safeguarding of Airports Code Local Historical Heritage Code	
3960 Macquarie Road, Cressy	Agriculture	Safeguarding of Airports Code Local Historical Heritage Code Bushfire-prone Areas Code	

4.3 Subject Site and Locality

6B Saundridge Road and 110 Main Street, Cressy are separated by 6A Saundridge Road (previously also addressed as 110 Main Street), centrally within the township of Cressy. 3960 Macquarie Road, Cressy is a rural parcel, surrounded by farmland.

The rear of 6B Saundridge Road contains a cemetery, with the remainder of the lot recently being approved for the development of 3 multiple dwellings. 110 Main Street, Cressy contains a church and cemetery. 3690 Macquarie Road, Cressy also contains a church and cemetery.



Folio of the Register 249681/2 (6A Saundridge Road, previously also addressed as 110 Main Street) contains seven multiple dwellings. A statement of historical archaeological potential lodged for the multiple dwelling application found that there was a very low likelihood, if any, of burials on that title as the title appears never to have been part of the adjacent churchyard (at 110 Main Street), and was probably retained for possible future cemetery expansion that does not appear to have occurred; it is likely circumstantial that the title is between two known cemeteries, noting that these are not related, one being Anglican, the other being Uniting (former Methodist). Now that Folio of the Register 249681/2 has been fully developed with multiple dwellings, it should be deleted from NOR-C6.1.102



^6A Saundridge Road, highlighted, fully developed – to be deleted from Local Historic Heritage Code NOR-C6.1.102

6B Saundridge Road, Cressy	110 Main Street, Cressy	3960 Macquarie Road, Cressy



4.4 Permit/Site History

Includes:

3960 Macquarie Rd, Cressy

PLN18-0248 - NMC – Planning Scheme Amendment (05-2018) to add church to Heritage Code

110 Main St, Cressy

14/74 - Church of England - Toilet Block

P09-037 – Garden Shed

PLN18-0249 - Planning Scheme Amendment 06/2018 to list church in heritage code

PLN19-0120 - Tree removal

PLN22-0211 – Retirement Village (7 units) (Was 110 Main St, now 6A Saundridge Rd)

PLN22-0261 - Tree removal

6B Saundridge Road, Cressy

PLN18-0253 - Planning Scheme Amendment 07/2018 to add cemetery to list of Archaeologically Significant Site

PLN24-0031 - Multiple Dwellings (3)

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 a mapping update to align with the written text of the Local Provision Schedule, it may be eligible for an exemption from public exhibition under section 40I 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

This draft amendment seeks to rectify an anomaly, whereby the Local Provision Schedule lists the sites in in NOR-Table C6.4 Places or Precincts of Archaeological Potential, but the LPS does not contain the appropriate overlay.

(b) is in accordance with section 32

(2) An LPS –

(a) must specify the municipal area to which its provisions apply; and

(b) must contain a provision that the SPPs require to be included in an LPS; and

(c) must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs; and

(d) may, subject to this Act, contain any provision in relation to the municipal area that may, under [section 11](#) or [12](#), be included in the Tasmanian Planning Scheme; and

(e) may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land; and

(f) must not contain a provision that is inconsistent with a provision of [section 11](#) or [12](#); and

(g) may designate land as being reserved for public purposes; and

(h) may, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter; and

(i) may, if permitted to do so by the SPPs, override a provision of the SPPs; and

(j) may, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs; and

(k) may, subject to this Act, include any other provision that –



- (i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and*
- (ii) is permitted by the SPPs to be included in an LPS; and*
- (l) must not contain a provision that the SPPs specify must not be contained in an LPS.*

The draft amendment is in accordance with section 32, by providing for an overlay that allows for the spatial application of the SPP's. No Particular Purpose Zone, Specific Area Plan or Site-Specific Qualification is required.

(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 amendment does not seek to change how the provisions of the SPP or LPS apply to the sites (this has been previously assessed when the properties were listed as Archaeologically Significant Sites in the Heritage Code. The proposal 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 assist in accurate interpretation of the Planning Scheme provisions to ensure future development is in accordance with the 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 does not propose to change how the Planning Scheme provisions are currently applied.

- 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 draft 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.

- 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 of the sites – and all contain existing infrastructure that would prevent this in any case.

(d) is consistent with each State policy

State Policy on the Protection of Agricultural Land 2009

The draft amendment is consistent with this policy – the sites are either within a township area or constrained by existing infrastructure.

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 applying the Place or Precinct of Archaeological Potential overlay.

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 draft amendment.

- (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 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.

6 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.

7 ATTACHMENTS

Nil