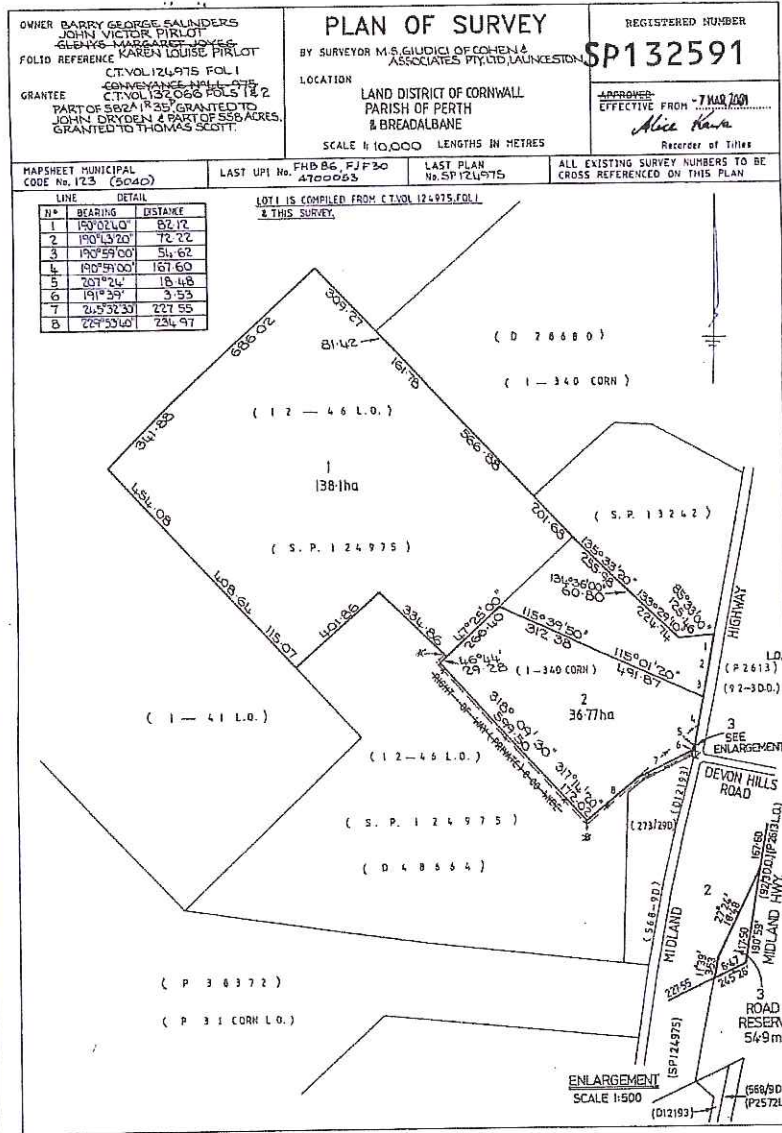


Perth to Breadalbane Midland Highway Duplication Project: Historic Heritage Assessment
CHMA 2014

LIST.

FOLIO PLAN
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



Search Date: 20 Dec 2013 Search Time: 02:55 PM Volume Number: 132591 Revision Number: 01 Page 1 of 1
Department of Primary Industries, Parks, Water and Environment www.thelist.tas.gov.au

Figure 18: Land Titles Survey showing the division of Scott’s original block and redefinition of the current boundaries of Haggerston – dated 2001 (Note also, no mention of a structure in the enlargement of the area upon which Hist 2 is located).

Discussions with David Scott of Heritage Tasmania have indicated that the process of altering the boundaries of the Haggerston property, for the purposes of heritage listing, comprises a lengthy process. Therefore, as it currently stands, those portions of the original property to be impacted by the current assessment do not retain any

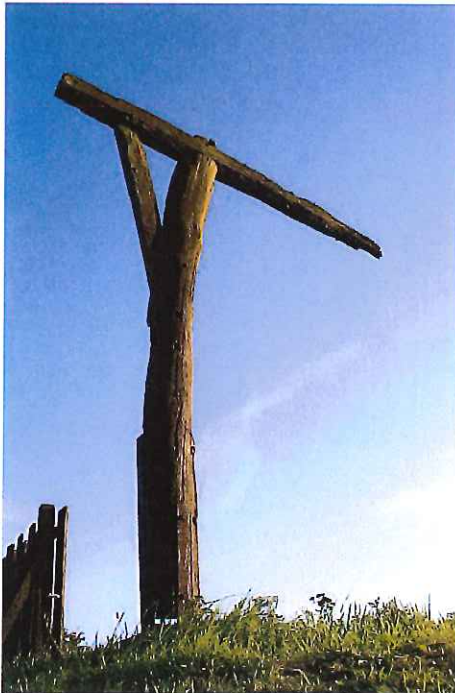
protection under the THR, while that portion of James Scott's land currently incorporated into the Haggerston property will require necessary approvals as outlined in Section 7.0.

These historic features may, therefore, be contemporary/associated with the building of Haggerston. However, as yet, the nature of this relationship and details pertaining to the structures are unknown.

4.5 Gibbet Hill – Gibbeting Site

Also within the study area is Gibbet Hill, the site of the gibbeting of a criminal named John McKay in 1837 who had been executed on a charge of highway robbery and the murder of a Mr Joseph Wilson.

By definition, a 'gibbet' is any instrument of public execution (such as a guillotine, executioners block, impalement stake, hanging gallows or related scaffold). However the act of 'gibbeting' or 'hanging in chains' refers to the use of a gallows-type structure from which the dead or dying bodies of those executed were hung on public display with the purpose of deterring other existing or potential criminals (see Plates 22 and 23). In some cases, individual body parts were gibbeted, with the body dissected and different parts hung in chains (<http://en.wikipedia.org/wiki/Gibbeting>). The practice of gibbeting was abandoned in the United Kingdom in 1832.



Plates 22 and 23: An example of a gibbet and the iron framework within which bodies were secured for public exhibition (Images from <http://en.wikipedia.org/wiki/Gibbeting> and <http://thebard.hubpages.com/hub/William-Jobling> respectively).

John McKay's body was hung in gibbets, as close as possible to the location where he committed the offence, in front of a number of spectators, including the members

of the chain gangs and road parties stationed along the Perth Road. According to the historical documents of the period, a purpose built gibbet was erected at the site, and the body remained there until it became so offensive that the inhabitants of the area petitioned to have it removed (von Stieglitz 1947:44).

The unsavoury practice of gibbetting had been abolished in England 5 years earlier but was resurrected in Tasmania to act as a deterrent to other would-be criminals. According to the newspapers of the time and a number of first hand observations, a number of spectators were present at the gibbetting, in addition to the Sheriff's Bailiff and the Commandant. The Cornwall Chronicle (6 May 1837) recorded that

'The Commandant....did not permit the awful ceremony to pass over without rendering it serviceable, by way of example, to the unhappy members of the chain-gangs and road parties stationed along the Perth road. They were present and after the termination of it, were addressed by the Revd. J. Manton, in a very appropriate and feeling manner.'

The surveyor James Scott also wrote of the gibbetting to his family in Scotland; the following is dated 11 May 1837:

'Wilson's murderer is now gibbeted, a little past Pitt's old Public house set up as he was executed – I passed the place Saturday evening last; but it was too dark for him to be seen from the road, - there were about 8 Methodist preachers there, lecturing the mob when he was put up & Henry Reed, at the head of them.' (Scott 1837 in Archer 2009)

Henry Reed (1873:19-20) himself recorded that:

'Hundreds came to see him [John McKay] gibbeted and Christ was preached to them. Oh, what a subject was that corrupting mas – the consequence of sin!'

However, the community response to the gibbetting was horror and distain, with multiple newspapers calling not only the morality of such an act, but its effectiveness into question:

'Our remarks on public executions last week, pointing out their utter inutility as a prevention to crime in the lower orders, for whose moral benefit they are specially intended, had scarcely issued from the Press, when we received the Launceston Advertiser, containing sentiments his own and those of a correspondent exactly coinciding with what we had expressed nay more than a full corroboration of their truth is afforded in the scenes which have already occurred under the very gibbet itself, as set forth in the following paragraph, which we copy from the paper of our contemporary:

'On Sunday the road from Launceston to the place where McKay was hung in chains for the murder of Mr Wilson, was occupied by numerous travellers of every grade. Amongst the many, two men – one free, the other ticket-of-leave solaced themselves with a quantity of rum under the gibbet, until, as they state, they were intoxicated and senseless. On their return they committed offences for which they have been brought to the police, and their lives are in jeopardy. So much for this revival of a disgusting relic we hoped

had ceased with the barbarous age in which it originated. (Hobart Town Courier 19 May 1837 p2 see also Launceston Advertiser 11 May 1837)

First hand observations by Backhouse (1843:476) also illustrate this point:

'Near Perth we passed a gibbet, lately erected; on which they body of a prisoner who committed a murder near the spot, was suspended, with a view of deterring from crime. But so unsuccessful was this first experiment of the kind in Tasmania, that pocket-picking and drunkenness occurred among the crowd, who resorted thither to view the hideous spectacle. Popular feeling was so strong, against the transfer of this political barbarism to the Australian regions, that it was officially resolved, that this first experiment should be the last.

Accordingly, the gibbeting of John McKay was the last in Tasmania's history as well as being the last case of gibbeting in the British colony (Reed 1873:19-20). While Aborigines are reported to have been gibbeted on the mainland, with primary sources commenting on viewing murdered Aborigines hanging from trees, McKay appears to have been the only white person gibbeted in Australia. The gibbeting of Aborigines was a much more informal process and occurred outside any judicial system, with early settlers killing Aborigines and leaving them hanging from trees as a warning to others. By comparison, McKay's gibbeting was a lawful sentence, with a purpose built structure constructed and iron casing made specifically for him. It appears to be the only incident of its kind in Australian history.

Given its state and national rarity, its impact upon the community at the time and its effect on the criminal justice system, the gibbet site outside Perth has considerable significance. Investigations into the location of the site and whereabouts of the gibbeted man's body should therefore be undertaken prior to the development of the area.

Locating the Gibbet

At present, the exact location of the gibbet is unclear but a number of sources from the period provide strong indications of where it might be.

The bushranger Martin Cash (1810-1877:18-19) recorded a party of constables coming from Hobart Town escorting a cart with a coffin on it and later viewed the body at a location 'about one mile from Perth, at the bend of the road leading to Launceston'. A second eyewitness account by James Scott (1837), a surveyor by trade, was more precise in his provision of details, describing the location of the gibbet as 'a little past Pitt's old Public house at the foot of the rise of the land at the road about 30 chains [approx. 600m] beyond Pitts – on the east side of the road and 40 yards off the road opposite the corner of the fence at the Glebe land there'.

The current alignment of the Midland Hwy cuts straight over the top of Gibbet Hill, however the old alignment skirted around the base of the Hill, creating the bend in the road towards Launceston (see Figure 19). The original alignment is still visible and named Gibbet Rd, which forms a crescent extending off to the west before turning to rejoin the current Midland Hwy further north (see Figure 19 and Plate 24).

Sources of the time place the gibbet site to the east of the old alignment and approximately 40 yards from the road. Scott allows us to pinpoint the location further as being at the base of the hill, 600m from Pitt's public house and 40 yards from the Glebe. The boundary of the old Glebe is still visible in the current landscape and is outlined in Figure 20.

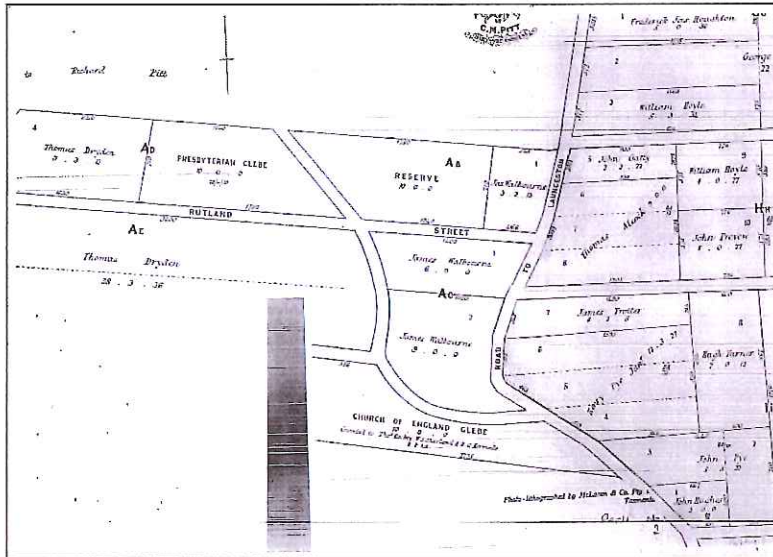


Figure 19: Historic Map showing original bend in the road to Launceston. Map compiled by Marion Sargent of LINC, including Land Grant Map Perth No. 1, Lands & Survey Department, Hobart, Tasmania, February 1952 and Land Grant Map Perth No. 2, Lands & Survey Department, Hobart, Tasmania, May 1950.



Plate 24: The old alignment of the Midland Highway around Gibbet Hill

Allowing for reasonable degrees of human error/approximations, subtle variations in the current vs. the original road alignment and so on, the location of the gibbet site

can be broadly placed within the triangle of land encompassed by Gibbet Rd and the Midlands Hwy, and more precisely located within a 60m zone extending east from Gibbet Rd (i.e. the old road alignment).

A more precise location can be established from the Glebe but the exact corner Scott was referring too is unclear as is the direction of the 40 yards from the corner. However, the most likely locations within this is illustrated in Figure 20. A final line of evidence is its proximity to Pitt's public house, which does not appear on any of the historic maps of the area. However, if the foundations discovered during the present survey are those of Pitt's public house, then 600m from the Inn (marked in purple on Figure 20) places the gibbet closest to the southeast corner of the Glebe. Intellectually, the most likely place for the gibbet site would be on the bend in the road, where it would be clearly visible as a deterrent for some distance by all those travelling to and from Perth. The gibbet is therefore most likely to sit within a 50m wide band extending to the east of the old alignment from the southeast corner of the Glebe northwest to the bend in the road towards Launceston.

The newspapers of the times record that the gibbet was purpose built for McKay, providing details of the size of the structure. The following was reported in the Cornwall Chronicle on 6 May 1837:

'The Under Sheriff of this town had previously received instructions to case the body of the malefactor to be gibbeted, as near to the spot at which he committed the murder as possible, and had prepared ready for its arrival, a gibbet, 20 feet high, at about 40 yards from the main road, to which the body was attached.'

The body was 'arranged in the usual iron casing and ready for exhibition on the gibbet'. After four months exposed to the elements, the body became putrid and the Perth townspeople petitioned to have it removed on the grounds that it was not only an eye-sore but also a health risk. The petition was granted and newspaper reports for the time state that the body was interred beneath the gibbet. The Launceston Advertiser (21 September 1837) stated:

'The body of McKay, the murderer of Mr Wilson, has been removed from the gibbet on the Perth road, by the direction of the Lieutenant-Governor. A hole was dug under the gibbet, into which the remains were lowered and interred. The gibbet will be left in its present position.'

The Cornwall Chronicle (23 September 1837) confirmed that:

'Orders were received on Saturday last by Mr Sheriff Sams and Captain Tew, Commandant of Launceston pro. Tem., to remove the body of the murderer, Mackay, for internment, gibbeted on the Perth road. On Monday last, towards evening, Captain Tew, with Sheriff Sams, proceeded to Perth, and had the body taken down, which was interred on the spot, after the head had been taken off by Dr. de Dannel (?) and Dr. Grant, to prepare it for phrenological examination.'

From these reports it is therefore clear that the body of McKay is buried somewhere within the location identified above, that it is headless and that it is wrapped in chains and/or the iron casing used for gibbetting.

Together, these reports provide a great deal of information for the location of the gibbet as well as a means of discovering the body, using a metal detector which is likely to detect the chains/iron casing. This is an extraordinary site as well as being an important part of Tasmania's (and Australia's) history, both socially and within the judicial system. The events surrounding the hanging and gibbetting of John McKay provide an important social commentary on this period of Tasmanian history as well as the nation more broadly. Every attempt should be made to locate this site prior to any development works taking place.

Historical Research

In addition to the physical location of the site of the gibbet, much research remains to be undertaken surrounding the events of the murder, the trial and the gibbetting. At present, very little is known of John McKay himself or his co-accused John Lamb. Interestingly, while both men were found guilty of the murder and sentenced to death, only McKay was executed. As the noose was tied around McKay's neck, he is said to have acknowledged that he deserved his punishment but that it was Lamb who shot Mr Wilson. However, for reasons unknown, Lamb's execution did not take place, with the Colonial Times (2 May 1837) reporting:

'The whole of the inhabitants were yesterday astonished to find that Lamb was not executed with the other murderer, McKay. We are at a loss to conceive why mercy was shown to the villain; and the general impression is that the wrong man was executed. No mercy ought to be shown to such wretches; - and it is the general opinion that justice has not been satisfied. However as a reprieve was granted, we trust that the punishment of Lamb will be of that extreme severity that it may be really worse than death, and a real example to others.'

The Sydney Gazette and New South Wales Advertiser subsequently reported (18 May 1837) that after Lamb's reprieve:

'it is said he confessed he was the most guilty of the two, and expressed a wish to suffer also'

However, as yet it is unclear what Lamb's fate was -whether or not he was executed and if/where he was imprisoned. The reason for his reprieve is also unknown.

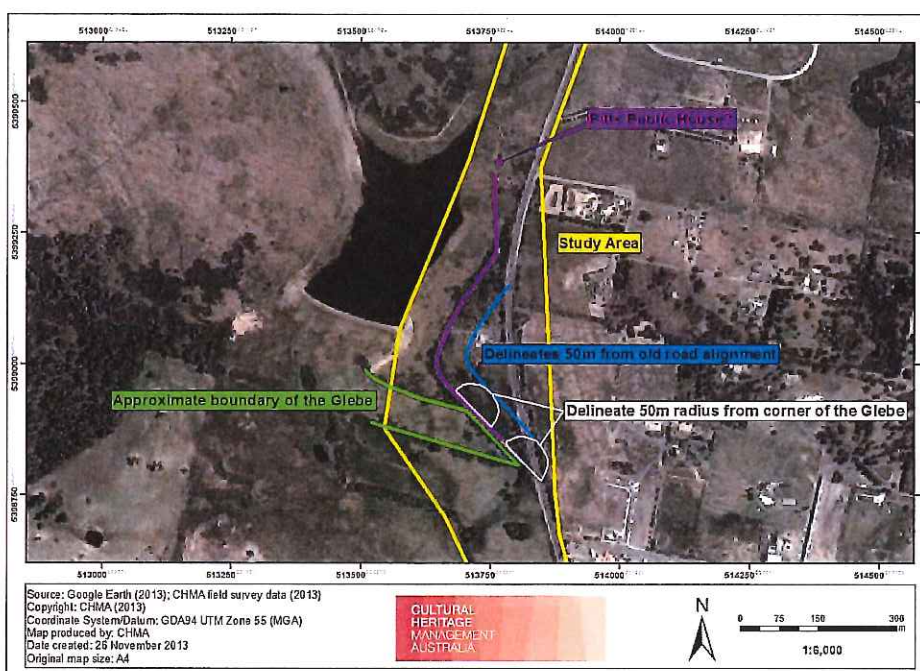


Figure 20: Potential locations of the Gibbet. Location of the original Glebe (green), a 50m radius from each corner of the Glebe as suggested by Scott (1837) (white), 50m buffer extending along eastern side of the old alignment (blue), 30 chains distance from proposed location of Pitts old Public House (purple).

5.0 Statutory Controls and Legislative Requirements

The following provides a summary overview of the various legislative instruments and statutory requirements relating to historic heritage in Tasmania. The review is presented in order to provide the proponent with a basic understanding of the statutory frameworks and procedures relating to heritage in Tasmania.

5.1 National Conventions

Council of Australian Governments Agreement 1997

In 1997, COAG reached an agreement on Commonwealth, State and local government roles and responsibilities for heritage management. Local government, through the Australian Local Government Association, and the Tasmanian Government were both signatories to this Agreement. The Agreement resulted in the following outcomes:

- Acceptance of a tiered model of heritage management, with the definition of places as being of either, world, national, state or of local heritage significance;
- Nominations of Australian places for the World Heritage List and management of Australia's obligations under the World Heritage Convention would be carried out by the Commonwealth Government;
- A new National Heritage System on one was created in January 2004, comprising the Australian Heritage Council (AHC), National Heritage List (NHL) and Commonwealth Heritage List (CHL);
- The Commonwealth Government, through the Australian Heritage Council would be responsible for listing, protecting and managing heritage places of national significance;
- State and Territory Governments would be responsible for listing, protecting and managing heritage places of state significance; and
- Local government would be responsible for listing, protecting and managing heritage places of local significance.

Environment Protection and Heritage Council of the Australian and State/Territory Governments 1998

In 1998, the National Heritage Convention proposed a set of common criteria to be used in order to better assess, understand and manage the heritage values of places.

The Environment Protection and Heritage Council of the Australian and State/Territory Governments adopted this as a national set of desirable common criteria (known as the HERCON criteria). The adoption of these criteria by Heritage Tasmania has not yet been formalised. These criteria are also based upon the Burra Charter values. The Common Criteria (HERCON Criteria) adopted in April 2008 are summarised below:

- a) *Importance to the course or pattern of our cultural or natural history.*
- b) *Possession of uncommon, rare or endangered aspects of our cultural or natural history.*

- c) *Potential to yield information that will contribute to an understanding of our cultural or natural history.*
- d) *Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments.*
- e) *Importance in exhibiting particular aesthetic characteristics*
- f) *Importance in demonstrating a high degree of creative or technical achievement at a particular period.*
- g) *Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.*
- h) *Special association with the life or works of a person, or group of persons, of importance in our history.*

These criteria have been endorsed by the Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) in the Supporting Local Government Project document, "Protecting Local Heritage Places: A National Guide for Local Government and Communities" (March 2009).

Burra Charter 1999

Australia ICOMOS (International Council on Monuments and Sites) is the peak body of professionals working in heritage conservation in Australia. The Burra Charter was adopted by Australia ICOMOS in 1979 in Burra, South Australia based on other international conventions. Further revisions were adopted in 1981, 1988 and 1999 to ensure the Charter continues to reflect best practice in heritage and conservation management. The current version of the Australia ICOMOS Burra Charter 1999 is the only version that should be used.

The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places), and is based on the knowledge and experience of Australian ICOMOS members. The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

The Charter recognises the need to involve people in the decision-making process, particularly those that have strong associations with a place. It also advocates a cautious approach to changing heritage places: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

5.2 Commonwealth Legislation

Environment Protection and Biodiversity Conservation Act 1999

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) provides for the listing of natural, historic or indigenous places that are of outstanding national heritage value to the Australian nation as well as heritage places on Commonwealth lands and waters under Australian Government control.

Once a heritage place is listed under the EPBC Act, special requirements come into force to ensure that the values of the place will be protected and conserved for future generations. The following heritage lists are established through the EPBC Act:

- *National Heritage List* - a list of places of natural, historic and indigenous places that are of outstanding national heritage value to the Australian nation
- *Commonwealth Heritage List* - a list of natural, historic and indigenous places of significance owned or controlled by the Australian Government.
- *List of Overseas Places of Historic Significance to Australia* – this list recognises symbolically sites of outstanding historic significance to Australia but not under Australian jurisdiction.

Australian Heritage Council Act 2003

The Australian Heritage Council is a body of heritage experts that has replaced the Australian Heritage Commission as the Australian Government's independent expert advisory body on heritage matters when the new Commonwealth Heritage System was introduced in 2004 under amendments to the Environment Protection and Biodiversity and Conservation Act 1999.

The Council plays a key role in assessment, advice and policy formulation and support of major heritage programs. Its main responsibilities are to assess and nominate places for the National Heritage List and the Commonwealth Heritage List, promote the identification, assessment, conservation and monitoring of heritage; and advise the Minister on various heritage matters.

Protection of Movable Cultural Heritage Act 1986

The PMCH Act regulates the export of cultural heritage objects from Australia. The purpose of the Act is to protect, for the benefit of the nation, objects which if exported would significantly diminish Australia's cultural heritage. Some Australian protected objects of Aboriginal, military heritage and historical significance cannot be granted a permit for export. Other Australian protected objects may be exported provided a permit or certificate has been obtained.

5.3 State Legislation

Land Use Planning and Approvals Act 1993

This Act (LUPA) is the cornerstone of the State Resource Management and Planning System (RMPS). It establishes the legitimacy of local planning schemes and regulates land use planning and development across Tasmania. With regard to historic heritage, LUPAA requires that planning authorities will work to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value" [Schedule 1 Part 2(g)].

Historic Cultural Heritage Act 1995

The stated purpose of the HCH Act is to promote the identification, assessment, protection and conservation of places having historic cultural heritage significance and to establish the Tasmanian Heritage Council". The HCH Act also includes the requirements to:

- establish and maintain the Tasmanian Heritage Register (THR);

- provide for a system for a system of approvals for work on places on the Register;
- provide for Heritage Agreements and assistance to property owners;
- provide for protection of shipwrecks;
- provide for control mechanisms and penalties for breaches of the Act.

Under the HCH Act, "conservation" in relation to a place is defined as

- the retention of the historic cultural heritage significance of the place; and
- any maintenance, preservation, restoration, reconstruction and adaptation of the place.

The definition of "place" under the HCH Act includes:

- a site, precinct or parcel of land;
- any building or part of a building;
- any shipwreck;
- any item in or on, or historically or physically associated or connected with, a site precinct or parcel of land where the primary importance of the item derives in part from its association with that site, precinct or parcel of land; and
- any equipment, furniture, fittings, and articles in or on, or historically or physically associated or connected with any building or item.

The Act created is the Tasmanian Heritage Council (THC), which came into existence in 1997 and operates within the State RMPS. The THC is a statutory body, separate from government, which is responsible for the administration of the HCH Act and the establishment of the Tasmanian Heritage Register (THR), which lists all places assessed as having heritage values of state significance. The THC also assesses works that may affect the heritage significance of places and provides advice to state and local government on heritage matters. The primary task of the THC is as a resource management and planning body, which is focused on heritage conservation issues. Any development on heritage-listed places requires the approval of the THC before works can commence.

Heritage Tasmania (HT), which is part of the Department of Primary Industry, Parks, Water and the Environment, also plays a key role in fulfilling statutory responsibilities under the HCH Act.

HT has three core roles:

- co-ordinating historic heritage strategy and activity for the State Government;
- supporting the Tasmanian Heritage Council to implement the HCH Act; and
- facilitating the development of the historic heritage register.

In 2005, Richard Mackay undertook a review of heritage legislation in Tasmania and made a number of recommendations on amending the HCH Act and modifying heritage management at both the state and local government level. In September 2007 a Position Paper, "Managing Our Heritage", was released by Heritage Tasmania outlining the outcomes of consultation arising from Professor Mackay's review.

New legislation has now been tabled in State Parliament and addresses many of the issues raised during the review process and subsequent consultation.

Historic Cultural Heritage Amendment Bill 2012

The *Historic Cultural Heritage Amendment Bill 2012* was passed in Parliament on the 21st November 2013. This Bill is specifically designed to streamline the approvals process and better align the Heritage Act with the Planning Act.

The Bill, which takes effect from 1 March 2014, primarily affects the works approval process. At present, impacts to places listed on the THR require the lodgement of both a Development Application and a Works Application, which are accompanied by two separate advertising periods and assessments and may result in two different decisions (http://www.heritage.tas.gov.au/help_leg_reform.html). Under the Amendment Bill applicants need only lodge a single Development Application (DA), which will be referred to the Heritage Council by the local planning authority. Heritage Council then has the opportunity to advise the planning authority whether or not it has an interest in the DA and may request further information under s57 of the LUPAA. If the Heritage Council does not have an interest in the DA, it reverts to the status it has under the Scheme or Planning Act. Where Heritage Council does have an interest in the DA, the Council decision must be incorporated into the final permit (or refusal) issued by the local planning authority.

Additional information on these amendments, including a flowchart and summary of the changes to the DA process are available at:
http://www.heritage.tas.gov.au/help_leg_reform.html

Tasmanian Planning Commission Act 1997

The Tasmanian Planning Commission Act is responsible for overseeing Tasmania's planning system, approving planning schemes and amendments to schemes and assessing Projects of State Significance. In terms of heritage management, the TPC will consider the establishment of heritage overlays, precincts or areas as part of the creation of planning schemes.

The TPC outlines the 'Planning Scheme Template for Tasmania' (most recently revised 8th January 2014), which provides a common format and structure in the preparation of new planning schemes.

Resource Management and Planning Appeal Tribunal Act 1993

The Resource Management and Planning Appeal Tribunal determine planning appeals and enforce the Acts within the RMPS. The Tribunal plays an important role in the management of heritage places through its determinations on proposed development on, or near to, places of heritage significance.

5.4 Local Planning Schemes

In accordance with the requirements of the *Land Use Planning and Approvals ACT 1993* (LUPAA), Local Planning Schemes have been established throughout Tasmania in accordance with regional divisions of the state.

The current study area falls within the Northern Region, which consists of eight municipal areas including Launceston, Northern Midlands, Meander Valley, West Tamar, George Town, Dorset, Break O'Day and Flinders councils. The Northern Regional Land Use Framework provides the strategic context for planning schemes within the region and contains strategies for the future use and development of land within the region.

Perth and surrounds fall within the Northern Midlands zoning, with the requirements of use or development of land within the area governed by the *Northern Midlands Interim Planning Scheme 2013* (NMIPS) (replacing the Northern Midlands Planning Scheme 2006). The provisions within the NMIPS are designed to be read together with the LUPAA and are based on the Regional Model Planning Scheme.

The specific implications of the NMIPS on heritage within the current study area have been discussed in detail in Section 3.0.

6.0 Site Significance Assessments

The following provides an outline of the processes used to assess the significance of sites identified during the field survey.

6.1 Assessment Guidelines

The heritage assessment criteria utilised in Tasmania, encompass the five values identified in the Australian ICOMOS Burra Charter 1999 (*Burra Charter*). In the definition of historic cultural heritage significance, outlined in the *Historic Cultural Heritage Act 1995*, reference is also made to archaeological, architectural, cultural and technical values.

6.2 The Burra Charter

Under the guidelines of the Burra Charter 'cultural significance' refers to the 'aesthetic, historic, scientific, social or spiritual value for past, present or future generations' of a 'place' (ICOMOS 1999:2). The guidelines to the Burra Charter comment:

"Although there are a variety of adjectives used in definitions of cultural significance in Australia, the adjectives 'aesthetic', 'historic', 'scientific' and 'social' ... can encompass all other values".

The following provides the descriptions given for each of these terms.

Historic Value

A place may have historic value because it has influenced, or has been influenced by, an historic Figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment (Marquis-Kyle & Walker 1992).

Aesthetic Value

Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and materials of the fabric; the smells and sounds associated with the place and its use (Marquis-Kyle & Walker 1992).

Scientific Value

The scientific or research value of a place will depend upon the importance of the data involved or its rarity, quality or representativeness and on the degree to which the place may contribute further substantial information.

A site or a resource is said to be scientifically significant when its further study may be expected to help current research questions. That is, scientific significance is defined as research potential (Marquis-Kyle & Walker 1992).

Social Value

The social value of a place is perhaps the most difficult value for heritage professionals to substantiate (Johnston 1994). However, social value is broadly defined as 'the qualities for which a place has become a focus of spiritual, political, natural or other cultural sentimental to a majority or minority group' (ICOMOS 1988:30). In *What is Social Value*, Johnston (1994) has provided a clear definition of social value:

"Social value is about collective attachment to places that embody meaning important to a community, these places are usually community owned or publicly accessible or in some other way 'appropriated' into people's daily lives. Such meanings are in addition to other values, such as the evidence of valued aspects of history or beauty, and these meanings may not be apparent in the fabric of the place, and may not be apparent to the disinterested observer". (Johnston 1994:10)

Although encompassed within the criterion of social value, the spiritual value of a place is a new addition to the Burra Charter (ICOMOS 1999:1). Spiritual value is predominantly used to assess places of cultural significance to Indigenous Australians.

The degree to which a place is significant can vary. As Johnston (1994:3) has stated when trying to understand significance a 'variety of concepts [are] used from a geographical comparison ('national', 'state', 'local') to terms such as 'early', 'rare', or 'seminal'. Indeed the Burra Charter clearly states that when assessing historic significance, one should note that for:

'any given place the significance will be greater where evidence of the association or event survives in situ, or where the setting is substantially intact, than where it has been changed or evidence does not survive'. (ICOMOS 1988:29)

6.3 Tasmanian Heritage Assessment Criteria

Section 16 of the *Historic Cultural Heritage Act 1995* expresses heritage values through the following seven assessment criteria:

- Criterion (a): It is important in demonstrating the evolution or pattern of Tasmania's history
- Criterion (b): It demonstrates rare, uncommon or endangered aspects of Tasmania's heritage
- Criterion (c): It has potential to yield information that will contribute to an understanding of Tasmania's history
- Criterion (d): It is important as a representative in demonstrating the characteristics of a broader class of cultural places
- Criterion (e): It is important in demonstrating a high degree of creative or technical achievement
- Criterion (f): It has strong or special meaning for any group or community because of social, cultural or spiritual associations
- Criterion (g): It has a special association with the life or work of a person, a group or organisation that was important in Tasmania's history.

At the national level, agreement exists to standardise heritage criteria in line with the national heritage convention of chairs and directors of heritage (HERCON) adopted by all governments within Australia in 1998.

Under the HERCON model, an eighth criterion exists, focusing on the aesthetic values of a place:

- *It is important in exhibiting particular aesthetic characteristics.*

This criterion does not currently form part of the Tasmanian heritage assessment criteria, however this may be revised under the soon to be introduced '*Historic Cultural Heritage Act 2014*' (see discussion in Section 5.3).

In Tasmania, heritage may be afforded protection as either a place of state heritage significance (entered on the THR) or of local significance (listed in a heritage schedule of a local planning authority).

State heritage significance as defined by the *Historic Cultural Heritage Act 1995* means:

'aesthetic, archaeological, architectural, scientific, social, spiritual or technical value to the whole STATE for past, present and future generations.'

This compares with the definition for Local heritage significance:

'aesthetic, archaeological, architectural, scientific, social, spiritual or technical value to a LOCAL OR REGIONAL AREA for past, present and future generations.'

6.4 Significance Assessment for Sites Identified during the Present Investigation

Table 3 provides an assessment of significance for each of the sites identified in the present survey. These assessments are based on each site's ability to meet threshold values of significance in accordance with the criteria detailed in the previous section. Due to the lack of information currently available on many of the sites, these assessments must be regarded as preliminary only and should be subject to revision when more information is available to hand.

Table 3. Assessments of significance for sites identified in the current survey.

Site	Type	Grid Reference	Description	Significance Assessment (STATE)	Significance Assessment (NATIONAL)
Foundation 1	Building Foundations	E513762 N5399387	This site may be the remains of one of the earliest public houses in the area	Unknown – though potentially moderate to high, as assessed against criteria (a) and (b).	Unknown
Foundation 2	Building Foundations	E513790 N5399350	This site may be the remains of one of the earliest public houses in the area	Unknown – though potentially moderate to high as assessed against criteria (a) and (b).	Unknown
Foundation 3	Building Foundations	E513825 N5399460	This site may be the remains of one of the earliest public houses in the area	Unknown – though potentially moderate to high as assessed against criteria (a) and (b).	Unknown
Track	Possible old track alignment	E513747 N5399507 to E513757 N5399225	Track does not appear on any historic maps of the area; likely to have been an access track to buildings adjacent.	None – common historical site type and does not meet any threshold values	None
Hist 2	Row of Macrocarpa Trees and associated buildings	E514190 N5400430	Modern shed dated to between 1999-2003 Historic planting of macrocarpa trees dating to post WWII period	None None/Low – plantings are a common occurrence in Tasmania during the post-war period.	None None

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Site	Type	Grid Reference	Description	Significance Assessment (STATE)	Significance Assessment (NATIONAL)
Gibbet Hill	Location of historic gibbetting	Unknown	This is the site of the last gibbetting in the British colonies and the only case of its kind in Australia (i.e. part of a criminal sentencing).	High as assessed against criteria (a), (b) and (c). It is a rare site type with a well-recorded and significant impact on Australian history, resulting in changes to the criminal justice system of the time and providing an important social commentary on a range of aspects of life in early convict Van Diemen's Land. The conservation status of this site, however, is subject to identifying its exact location and an assessment of its condition.	High as assessed against criteria (a), (b) and (c). However, development of a citation and nomination will be dependent upon locating the site and an assessment of its condition.
Haggerston House	Registered Property on the THR	Defined by Block at 16457 Midland Hwy, Perth	Historic House – dates to c.1834	High Identified by the THR as meeting threshold values for criterion (d). Additional research of the property is likely to identify threshold values for further criteria. The THR covers the entire block, however it is the house itself that is identified as being significant.	Not included on National Heritage List

7.0 Heritage Management Plan

The heritage management options and recommendations provided in this report are made on the basis of the following criteria:

- The legal and procedural requirements as summarised in section 7 of this report;
- The results of the investigation as documented in this report; and
- Background research into the extant archaeological and historic record for the study area and its surrounding regions.

The recommendations are aimed at minimising the impact of the proposed developments on any potential historic resources present within the study area. A summary of these recommendations is included in table 1 in the Executive Summary of this report. Below is a more detailed discussion of management recommendations.

Insufficient information is currently available for several of the historic sites identified during the present investigations, to enable significance to be confidently assessed and the need exists for further research to be undertaken at these sites. As such, the following recommendations are made:

Foundations 1, 2 and 3 and Track

This site complex has the potential to be a very early representative of convict life in Van Diemen's Land. However, additional research is required to confirm its identity and significance. As such, the following recommendations are made:

- Efforts should be made to better define the physical boundaries of these structures, through detailed mapping. This may require the removal of some of the weeds and grasses presently obscuring visibility.
- Approximate dates for these features may be available by dating visible historic debris along the track, such as broken glass and ceramics.
- The material record can then be used to inform/guide further detailed research into the likely identity and age of the site (or confirm it as Pitt's Public House). Research should be directed towards historical documentation including maps, written records and newspapers of the relevant period to provide as complete an understanding of the site as possible.
- The results of this research may then be used to establish significance and to inform the design process for the Highway. Further management recommendations for the site will be necessary pending the outcome of the highway design process.

Hist 2 – Row of Macrocarpa Trees and Associated Buildings

- This site is identified as being a modern shed (i.e. less than 20 years old) associated with a post WWII planting of Macrocarpa trees. Neither site reaches threshold values for historic significance.
- There are no further management recommendations for this site.

Gibbet Hill – Gibbeting Site

The site of the last gibbeting in the British colonies and only known criminal sentencing of a gibbeting in Australia, has both state and national significance and must be subject to further investigation. The following recommendations are therefore forwarded:

- Ground truthing of the possible location of the gibbet site should be undertaken, in those areas identified in Figure 20 as possible site locations. This will require the clearing of the densely thick vegetation currently obscuring visibility throughout these areas. In addition, given the metal chains/iron casing likely to be attached to the body, the use of a metal detector is advised.
- Background research into the two convicted murderers John McKay and John Lamb should be undertaken as well as research into understanding the effects of the gibbeting on the Perth/Tasmanian community, is required to provide a full and complete assessment of the historical significance of the site.
- The results of this research may then be used to establish significance and to inform the design process for the Highway. Further management recommendations for the site will be necessary pending the outcome of the highway design process.

Importantly, the significance of the site itself must be differentiated from its conservation status in this case. The significance of the site is not diminished by the present inability to find the exact location of the site. However, the need to and/or ability to conserve the site or otherwise is directly dependent upon accurately locating the site and its current condition. While significance and conservation more often than not, go hand in hand, one does not preclude the other. Irrespective of whether or not the site can be located and actively conserved, it remains a significant place within Australia's history.

Heritage Requirements for Haggerston House under the *Historic Cultural Heritage Act 1995* (given its status on the Tasmanian Heritage Register) and NMIPS 2013

Under the *Historic Cultural Heritage Act 1995*

'a person must not carry out any works in relation to a registered place...which may affect the historic cultural heritage significance of the place unless the works are approved by the Tasmanian Heritage Council.'

As such, the requirements for Haggerston House and associated property under the *Historic Cultural Heritage Act 1995*:

- Discuss the proposed development works with Heritage Tasmania
- Lodge a works application with the Northern Midlands Council (local planning authority), who will forward the application and any representations received following public consultation, to the Heritage Council.

Requirements for Haggerston House and associated property under the NMIPS 2013 are as follows:

- Any works to be undertaken within the title boundary of listed properties will need to be applied for under the Use and Development Standards of the Local Historic Heritage Code (refer to Section 3.0).
- Haggerston House, which is listed as the primary item of heritage significance within the property, is located just under 2km to the west of the current study area. As such, the current development of road infrastructure may not trigger the Performance Criteria of the Interim Planning Scheme.
- Where any trees or vegetation require to be removed on listed properties, this will trigger a discretionary Permit Application under clause E13.6.12 of the Interim Planning Scheme 2013.

General Recommendations

- Copies of this report should be submitted to Heritage Tasmania (HT) for review and comment.
- The process for the revision of the THR listing of Haggerston House should be initiated, with the current boundaries of the property replaced by the historic boundaries of the property.

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Data Sheets: Tasmanian Heritage Register

- 4888: Wool Pack Inn, 854 Hobart St Breadalbane
- 4889: Rathmolyn, 16662 Midland Highway, Breadalbane
- 5241: Haggerston, 16457 Midland Highway, Perth
- 5217: House, 28 Main Rd, Perth
- 5240: Railway Tavern, 26 Main Rd, Perth
- 8201: Pioneer Avenue Elm Trees, Main Rd, Perth

Legislation

- *Australian Heritage Council Act 2003*
- *Council of Australian Governments Agreement 1997*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Environment Protection and Heritage Council of the Australian and State/Territory Governments 1998*
- *Historic Cultural Heritage Act 1995*
- *Historic Shipwrecks Act 1976*
- *Land Use Planning and Approvals Act 1993*
- *National Trust Act 2006*
- *Protection of Movable Cultural Heritage Act 1986*
- *Resource Management and Planning Appeal Tribunal Act 1993*
- *Resource Planning and Development Commission Act 1997*
- *The Australian Heritage Commission Act 1975*

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1837 *Launceston Advertiser* (Tas.: 1829 - 1846), 11 May, p. 2, viewed 18 November 2013, <http://nla.gov.au/nla.news-article84752368>

1837 *The Hobart Town Courier* (Tas.: 1827 - 1839), 19 May, p. 2, viewed 18 November 2013, <http://nla.gov.au/nla.news-article4171790>

1837 *Launceston Advertiser* (Tas.: 1829 - 1846), 21 September, p. 2, viewed 18 November 2013, <http://nla.gov.au/nla.news-article84754031>

1837 *The Sydney Gazette and New South Wales Advertiser* (NSW: 1803 - 1842), 18 May, p. 2, viewed 18 November 2013, <http://nla.gov.au/nla.news-article2210952>

1837 *Colonial Times* (Hobart, Tas.: 1828 - 1857), 2 May, p. 8, viewed 18 November 2013, <http://nla.gov.au/nla.news-article8650011>

1829 'Classified Advertising.' *The Hobart Town Courier* (Tas.: 1827 - 1839), 10 October, p. 3, viewed 27 November 2013, <http://nla.gov.au/nla.news-article4212833>

1940 'TREE PLANTING.', *Advocate* (Burnie, Tas. : 1890 - 1954), 16 March, p. 5, viewed 23 December, 2013, <http://nla.gov.au/nla.news-article68290884>

APPENDIX A

Site Descriptions

Foundation 1**Grid Reference (GDA 94) E513762 N5399387**

These building foundations measure approximately 12m in length (east-west) by 4m in width (north-south), and range in height from between 0.3m and 0.7m in height. The foundations are constructed almost entirely from dolerite nodules. Dolerite is the parent bedrock in this area, and the dolerite nodules are freely available in the general surrounds of the site. The foundations form a relatively level platform on the gentle basal slopes of the hill. This platform is overgrown with grass, and the foundations are collapsing in parts.

Around 5m to the south of these foundations is a small depression (gr E513762 N5399380). This depression measures roughly 3m x 3m and is 0.5m in depth. Bedrock dolerite is exposed at the base of the depression. This feature may be natural. However, the initial impression is that it does look artificial, and is likely to be man-made.



Plate 1: View east at Foundations 1



Plate 2: View north at the depression located adjacent to foundations 1.

Foundation 2

Grid Reference (GDA 94) E513790 N5399350

The second set of building foundations are located around 35m southeast of Foundations 1, further up the hill slope, away from the dam. The foundations measure 8m (east-west) x 7m (north-south), and range in height from between 0.2m to 0.6m. The foundations form a level platform on the hill slope. This platform has a concave depression in the centre. This could be a product of soil subsidence.

Once again, the foundations are primarily constructed dolerite nodules. However, there is also a large amount of hand-made clay bricks that are scattered across and adjacent to the foundations. The foundations are overgrown with grass and are showing signs of collapse.



Plate 3: View west from foundations 2, towards farm dam



Plate 4: Clay brick material present at foundations 2

Foundation 3**Grid Reference (GDA 94) E513825 N5399460**

The third set of foundations are located approximately 100m to the northeast of Foundations 2. The foundations measure approximately 8m x 8m. However the exact extent of the foundations is difficult to determine at present due to grass cover and the presence of gorse across the area. The foundations range in height from between 0.3m to 0.8m. The foundations form a level platform on the hill slope. Again, the foundations are primarily constructed dolerite nodules. There is also a large amount of hand-made clay bricks that are scattered across and adjacent to the foundations. The foundations are overgrown with grass and are showing signs of collapse.



Plate 5: Sample range of bricks scattered in the vicinity of Foundations 3



Plate 6: View north at Foundations 3.

Old Track Alignment

Grid Reference (GDA 94) E513747 N5399507 to E513757 N5399225

A track runs in a south-north direction, parallel to and on the east side of a large farm dam. The track is immediately to the west of the three sets of building foundations previously described. The visible section of track runs off the old sealed alignment of the Midlands Highway (at gr E513757 N5399225) and extends north for a distance of approximately 300m to the point where it crosses a small creek, at the head of the pre-mentioned dam (gr E513747 N5399507).

The track is around 4m in width, and shows evidence of having been graded with machinery at some point, with soil mounds present along the edges of the track. However, it is likely that the track was one of the original access roads through this area, and is probably associated temporarily with the set of building foundations

A scatter of glass and ceramic material was observed along this section of the track. The main material present is dark green bottle glass, as well as a sparse scatter of blue and white and green and white ceramic pieces. The higher densities of materials were encountered along the section of track immediately to the west of Foundations 1.



Plate 7: View south along the track alignment

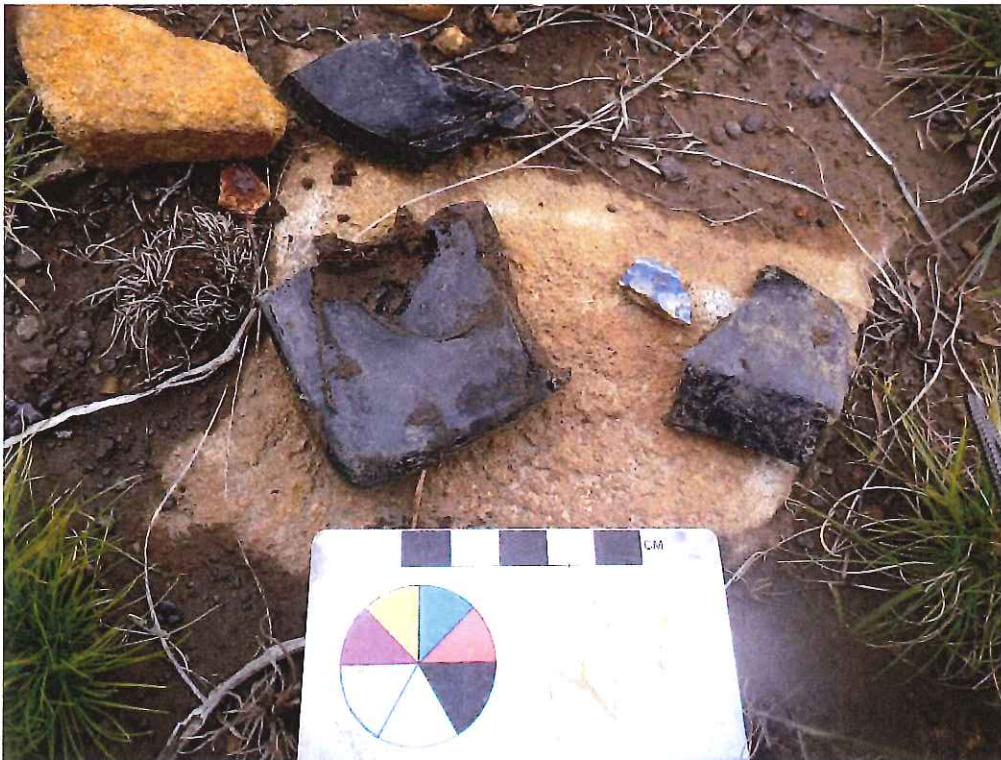


Plate 8: Sample of glass and ceramic material identified on the track



Plate 9: Sample of glass and ceramic material identified on the track

Site Name: Hist 2**Site Type: Row of Macrocarpa Trees and associated sheds/buildings****Grid Reference: E514160 N5400360 to E514190 N5400430****Description**

A mature cluster of mature Macrocarpa trees are located on the west side of the Midlands Highway, approximately 2.5km to the north of the town of Perth.

Two distinct rows of trees are evident, with the two rows meeting to the west to form a V shaped alignment. The first row is orientated in an east-west direction and comprises eight mature trees. The second row is orientated in a southwest to northeast direction and comprises twelve mature trees.

There is a scatter of various pieces of old farm machinery, and building materials that are situated within the area encompassed by the tree rows, as well as a partially collapsed small corrugated iron shed.

A shed is located around 30m south of the row of Macrocarpa's - again on the west side of the Midlands Highway (approximately 30m west of the highway).

The main shed measures around 10m in length (north-south) x 7m wide and is constructed from horizontal timber boards, with a pitched corrugated iron roof. There is a series of small windows on the east side of the building, some of which have metal bars. There is also a vertical slabbed split door on the east side. A sign saying "Haggerstone Vale" is erected on the east side of the building.

On the southern side of the building there is a skillion roofed structure measuring approximately 5m (north-south) x 7m. Again this structure is made from horizontal timber boards with a corrugated iron roof. There is a metal set of stockyards annexed to the south of the building.



Plate 10: View west at the row of Macrocarpa



Plate 11: View northwest at the shed to the south of the Macrocarpa's

APPENDIX B

**Historic Places of Local Significance within the Study Area
Listed in Table F2.1
of the Northern Midlands Interim Planning Scheme 2013**

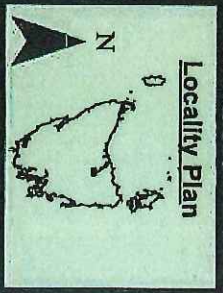
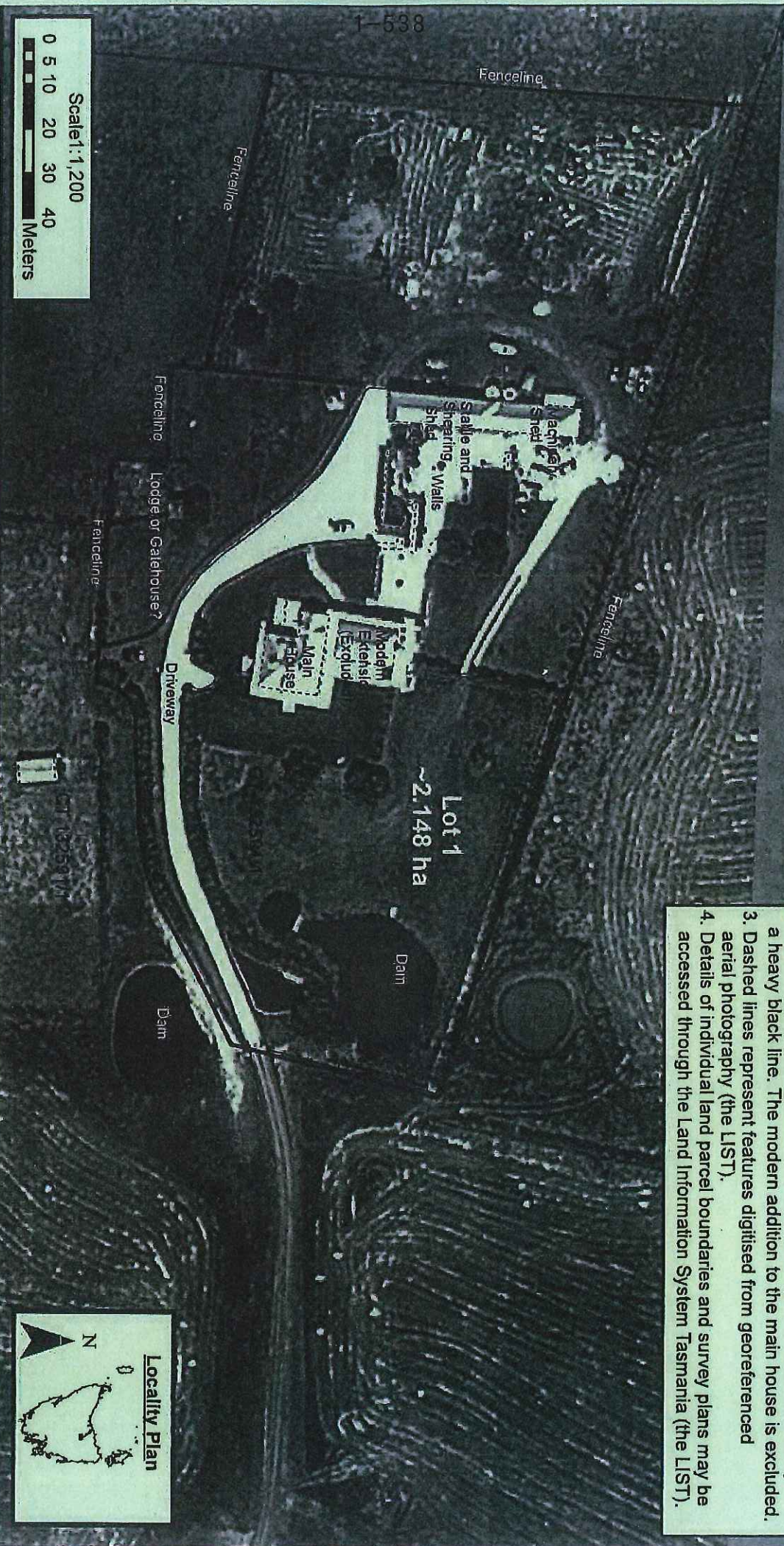
39	Wool Pack Inn	NMC NT THR	854	Hobart	Road	Breadalbane
40	Rathmolyn	NMC NT RNE THR	16662	Midland	Highway	Breadalbane
181	Strathroy	NMC NT RNE THR	17115	Midland	Highway	Breadalbane

338	Cottage	NMC NT THR	50	Main	Road	Perth
340	Cottages	NMC NT THR	62	Main	Road	Perth
356	Mill Race Park	NMC NT THR	37	Old Bridge Road	Road	Perth
444	Memorial Elm Trees	THR	In front of #'s 19 & 23	Main	Road	Perth
360	House	NMC NT THR	3	Mary	Street	Perth
136	Symmons Plains Homestead, Outbuildings and Garden	NMC NT RNE THR	15046	Midland	Highway	Perth
361	Woodhall	NMC NT RNE THR	RA15587	Midland	Highway	Perth
454	Perth Convict Station (Doesn't Exist)	THR	RA15692	Midland	Highway	Perth
137	Native Point Residence and Garden	NMC NT RNE THR	RA15906	Midland	Highway	Perth
139	Chatsworth Convict Station	NMC NT RNE THR	RA15960	Midland	Highway	Perth
359	Eskleigh & Outbuildings	NMC NT RNE THR	RA16087	Midland	Highway	Perth
358	Haggerston House	NMC NT THR	RA16457	Midland	Highway	Perth
141	Flinty Creek Railway Viaduct	NT RNE THR		Mill	Road	Perth
364	Coaching Inn (Jolly Farmer Inn Former)	NMC NT RNE THR	21	Norfolk	Street	Perth
369	House	NMC NT THR	5	Talisker	Street	Perth
375	Cottage	NMC NT THR	61	Youl	Road	Perth

Perth to Breadalbane Midland Highway Duplication Project: Historic Heritage Assessment
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316	Perth Cemetery	NMC NT	5	Cemetery	Road	Perth
325	Revelstoke	NMC NT THR	76	Drummond	Street	Perth
326	St. Andrew's Cemetery	NMC NT THR		Elizabeth	Street	Perth
328	House	NMC NT THR	15	Fairtlough	Street	Perth
327	Cottage and Shed	NMC NT THR	180	Fairtlough	Street	Perth
329	Green Hythe	NMC NT THR	65-81	Fairtlough	Street	Perth
333	Cottage	NMC NT THR	52	Frederick	Street	Perth
363	Cottage	NMC NT THR	1	Little Mulgrave	Street	Perth
362	Cottage	NMC NT THR	3	Little Mulgrave	Street	Perth
357	The Railway Tavern	NMC NT THR	26	Main	Road	Perth
335	House	NMC NT THR	28	Main	Road	Perth
336	Cottage	NMC NT THR	37	Main	Road	Perth
337	Cottage	NMC NT THR	48	Main	Road	Perth

- Note**
1. Lot 1 represents the registered area for 'Haggerstone House' (#5241 on the Tasmanian Heritage Register).
 2. Lot 1 is part of Title 132591/1, the boundary of which is defined by a heavy black line. The modern addition to the main house is excluded.
 3. Dashed lines represent features digitised from georeferenced aerial photography (the LIST).
 4. Details of individual land parcel boundaries and survey plans may be accessed through the Land Information System Tasmania (the LIST).



TASMAP:	PROSPECT (5040)	GRID:	MGAG94 / ZONE 55	REFERENCE:	5241	DATUM:	AHD	APPROVED:	CONTOUR INTERVAL:	N/A
No.	PRODUCTION / AMENDMENT	AUTHORITY:	THC			DRAWN:	RA		DATE:	
1	Production									

HAGGERSTONE HOUSE
16457 MIDLAND HIGHWAY, PERTH TAS 7300

PREPARED BY
 HERITAGE TASMANIA
 Department of Environment



CENTRAL PLAN REGISTER
 Surveyor General:
 Date Registered:



Department of State Growth

STATE ROADS DIVISION

Enquiries Kathryn Fry
Ph 6166 3382

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Your Ref P15-230 Our Ref D15/20290



Paul Godier
Senior Planner
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301

Dear Paul

MIDLAND HIGHWAY – PERTH TO BREADALBANE DUPLICATION

PLANNING APPLICATION P15-230

I refer to your letter dated 2 September containing a request for information regarding the abovementioned Planning Application.

It is noted that no reference has been made in your letter to the specific standards or performance criteria within the Northern Midlands Interim Planning Scheme 2013 that the requested information is expected to address.

Traffic Impact Assessment

As standard process, State Growth's Traffic Engineering Branch reviews and assesses all State Growth road projects as part of the Project Design Process to ensure compliance with relevant traffic safety requirements. The Traffic Engineering Branch has confirmed it is satisfied that all aspects of the project comply with contemporary safety standards, as per the attached letter.

Additionally, State Growth designs its road upgrades (including structures) to comply with the Department's Technical Standards and Specifications, along with relevant Austroads Guidelines. These Technical Standards and Specifications aim to ensure the upgrades are designed to improve road safety and move traffic efficiently.

State Growth has provided information on the traffic impact of the proposed upgrades in its Development Application submission, including traffic volumes, crash statistics, a Safe Intersection Sight Distance assessment and compliance statements against applicable standards in the Road and Railway Assets Code. The upgrades are designed to improve road safety and provide for efficient traffic movement through improvements to the road alignment and geometry, including upgrade and rationalisation of junctions (including provision of a local service road). State Growth contends that this upgrade is not a traffic generating development, it is designed to cater for the forecast future growth in traffic on this section, that will be generated by additional north-south passenger and freight movement and traffic generated by development within the Northern Midlands municipality.

Attached is advice that confirms that State Growth, as the relevant road authority, is satisfied that information provided in the Development Application Assessment Report that formed part the Development Application is adequate for the purposes of demonstrating compliance with the Road and Railway Assets Code performance criteria and a separate Traffic Impact Assessment is not required.

Traffic and Cost Benefit Analysis

Project Benefits

The Midland Highway between Perth and Breadalbane is a critical freight connection facilitating access from the southern region of Tasmania to Launceston and the north-east and is the major passenger transport link between the northern and southern regions. It also fulfils an important role as the major access route to the industrial precinct adjacent to Launceston Airport, and provides a commuter link for Perth and Longford residents to and from Launceston. The highway currently carries approximately 13,500 vehicles per day and these traffic movements are expected to increase over time as Launceston and its surrounds continue to grow.

Similarly, the Perth-Breadalbane section of the Midland Highway carries high freight volumes and high traffic volumes relative to other sections of the Midland Highway. The section of the highway between Perth and Breadalbane carried 1.3 million tonnes in 2013 and is forecast to grow to 2.3 million tonnes by 2030, and will remain a key link in the north-south freight supply chain. This will see increased numbers of freight vehicles on an already constrained section of road.

With continued growth in traffic, the current alignment of this section will be unable to provide for efficient traffic movement, and will become a key future capacity constraint on the Midland Highway corridor. The existing highway does not meet contemporary safety and design standards and has sections that significantly impact the safe and efficient transport of freight and passengers across Tasmania. The duplication of the Midland Highway from Perth to Breadalbane will provide unimpeded overtaking opportunity and improve safety and reliability for traffic movement along this section.

Project Outcomes

The key benefits of the proposed upgrades are:

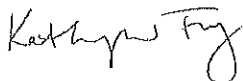
- Address capacity constraints and provide for additional capacity for projected traffic volumes;
- Provide a National Transport Network standard 110 km/h speed environment;
- Provide a 4 star AusRAP rating for this section of the Midland Highway (the existing highway is considered to have a 1 star AusRAP rating);
- Improve freight transport efficiency;
- Improve intersection safety and efficiency; and
- Improve access to neighbouring properties from local roads and service roads

The new highway alignment was chosen to meet the above outcomes and address concerns around the safety of existing property accesses. The design has emerged from a comprehensive planning and review process, which considered a range of different options. It is considered the best arrangement in terms of project cost and constructability; future traffic demand; best-practice safety standards; access to local properties; and environmental and heritage constraints.

In addition, State Growth has worked closely with the Australian Government (as the funding body) and with Northern Midland Council to ensure that the project meets the broader outcomes desired by the community, and that the project is designed to be an effective use of Government expenditure. In terms of cost versus benefit, State Growth considers that the costs of the project are justified by its broader public benefits outlined above, and that it is an appropriate investment of public funding.

I trust that the information provided adequately addresses your request for further information.

Yours sincerely



Kathryn Fry
PLANNING OFFICER

4 September 2015

Department of State Growth

STATE ROADS DIVISION

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Ph (03) 6777 1942 Fax

Email Richard.Burk@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au

Your Ref R20320; P15-230 Our Ref 045458/022, D15/19756/1



Paul Godier
Senior Planner
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301

Dear Paul

RE: Planning Application P15-230 - Midland Highway, Perth to Breadalbane Duplication

I refer to your letter dated 2 September 2015 regarding your request for following information regarding the abovementioned Planning Application, specifically the request for a Traffic Impact Assessment.

It is noted that the proposal does not generate any increase to annual average daily traffic (AADT) movements and all access to the Category 1 road will be via reconfigured existing proclaimed access points.

Taking the above into account I can advise that the Department of State Growth, as the relevant road authority, are satisfied that a Traffic Impact Assessment is not required for this proposal.

I trust this information is of assistance.

Yours sincerely

Richard Burk
MANGER TRAFFIC ENGINEERING

3 September 2015

Department of State Growth

STATE ROADS DIVISION

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Your Ref P15-230 Our Ref D15/22425

Paul Godier
Senior Planner
Northern Midlands Council
PO Box 156
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Dear Paul

PLANNING APPLICATION P15-230

MIDLAND HIGHWAY - PERTH TO BREADALBANE DUPLICATION

I refer to your letter dated 2 September 2015 regarding your request for a Traffic Impact Assessment (TIA).

The Department responded to your letter on 4 September 2015 advising that State Growth as the relevant road authority was satisfied that a TIA was not required for the proposal. In a subsequent email on 4 September 2015, you advised that a TIA was required along with written advice from the road authority as to the adequacy of the TIA for the proposal.

Please find attached a TIA for the proposal.

Acting as the relevant road authority, I have reviewed the TIA in light of the *Traffic Impact Assessment Guidelines* (September 2007) issued by the Department. I am satisfied as to the adequacy of the TIA for the proposal and that the proposed development complies with the relevant provisions of the Road and Railway Assets Code contained within the Northern Midlands Interim Planning Scheme 2013 as it will improve the safety and efficiency of the Midland Highway.

I trust this information is of assistance.

Yours sincerely



Richard Burk
MANAGER TRAFFIC ENGINEERING

10 September 2015



Department of State Growth

Midland Highway - Perth to Breadalbane Duplication Traffic Impact Assessment

9 September 2015

This report has been prepared by GHD for Department of State Growth and may only be used and relied on by Department of State Growth for the purpose agreed between GHD and the Department of State Growth as set out in section 1.2 of this report.

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The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

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References

1. Road Safety Engineering Assessment - Midland Highway Duplication, *Robert Morgan*, Jan 2015
2. Midland Highway Duplication Traffic Study, *DIER*, Dec 2013

1. Introduction

1.1 Background

The Midland Highway between Perth and Breadalbane is a critical freight connection facilitating access from the southern region to the State's northern ports and is the major passenger transport link between the northern and southern region. It also fulfills an important role as the major access route to the industrial precinct adjacent to Launceston Airport, and provides a commuter link for Perth and Longford residents to and from Launceston. The highway currently carries approximately 13,500 vehicles per day and these traffic movements are expected to increase over time as Launceston and its surrounds continue to grow.

The existing highway does not meet contemporary safety and design standards and has sections that significantly impact on the suitability of the National Land Transport Network for safe and efficient transport of freight and passengers across Tasmania.

The duplication of the Midland Highway from Perth to Breadalbane forms part of a broader strategy to improve the safety and efficiency of the National Transport corridor. Completion of the project will provide unimpeded overtaking opportunity and improve safety and reliability, while addressing the current and likely future capacity constraints.

This project will link with the proposed Perth Link Roads project, which will re-align the Midland Highway to the west and south of the existing Perth township, with interchanges linking to the major access routes into Perth and through to Devonport.

Completion of these projects will improve road safety by installing central median barriers on the Midland Highway and removing through traffic from the main thoroughfare of Perth; improve transport efficiency (including freight movement between the northern ports and Hobart); and ease traffic congestion within Perth.

1.2 Purpose of this report

The purpose of this report is to describe the proposed changes to the existing road network and outline the predicted impacts on traffic using this section of the network.

The report is prepared by GHD Pty Ltd, acting as a consultant to the Department of State Growth, who are the applicant and landowner (subject to some compulsory acquisition).

2. Existing Conditions

2.1 Study Area

The proposed highway duplication and relevant surrounding area are shown in Figure 1.

2.2 Description of Road Network

The development site comprises a 5.4 kilometre section of the Midland Highway between Youl Road in Perth to just north of the Breadalbane roundabout (Trips reference Link 90 Chainage 5.55 – 10.06 and Link 96 Ch 0.0-1.12) as illustrated in Figure 1.

2.2.1 Midland Highway

The existing Highway section comprises a two lane single carriageway with a speed limit of 100 km/h. The existing road surface has a nominal 9m wide seal, which includes sealed shoulders. Traffic lanes are generally 3.5m wide with variable width sealed shoulders. Within the development site are the following intersections:

- Breadalbane roundabout;
- Two local road junctions (Devon Hills Road and Gibbet Hill Rise)
- Twelve private accesses

2.2.2 Southern Outlet / Breadalbane Roundabout

The Breadalbane roundabout consists of two lanes in the segment connecting the Midland Highway south-bound leg (from Launceston) with Evandale Road, and a single lane for the remainder. The Midland Highway north bound leg has a dedicated slip lane that bypasses the roundabout for traffic travelling to Launceston.

2.2.3 Evandale Road

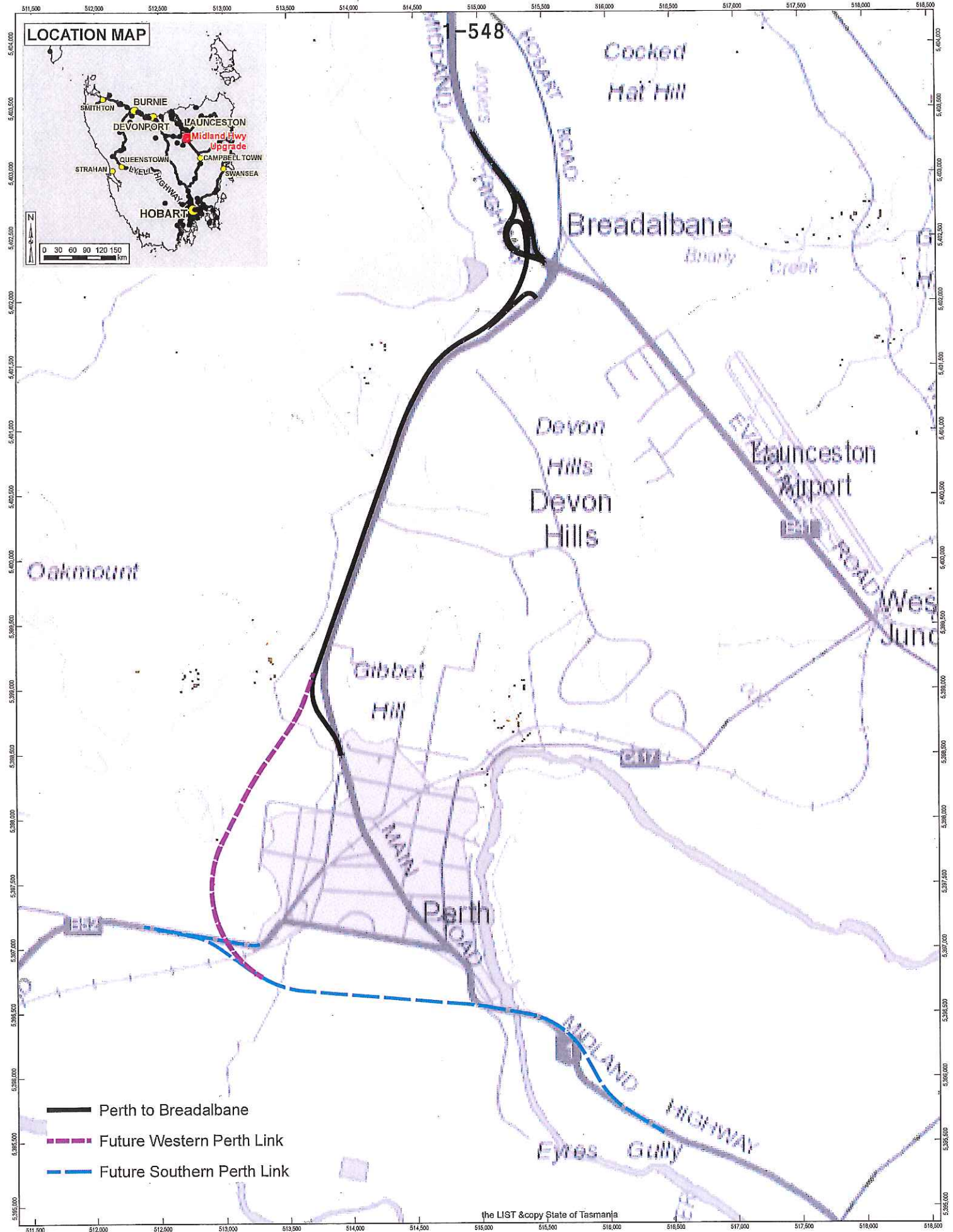
Evandale Road consists of two lanes extending from the Breadalbane Roundabout toward Evandale and is also used by traffic heading toward the Launceston Airport. Due to the restrictions existing at the roundabout intersection, traffic from the Airport is sometimes delayed during peak periods.

2.2.4 Devon Hills Road

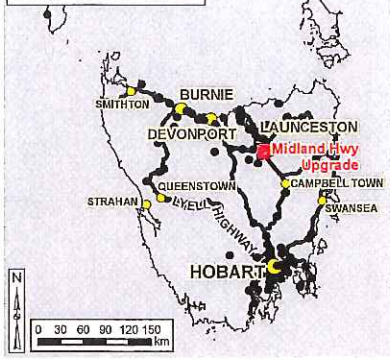
Devon Hills Road is a local collector road servicing the Devon Hills rural residential estate, which intersects the existing Midland Highway at an unsignalised tee junction. Most traffic from Devon Hills Road turns right across the highway traffic heading north in the direction of Breadalbane and Launceston.

2.2.5 Youl Road

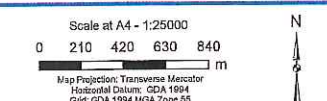
This road provides a cross-connection between the Midland Highway just north of Perth and Illawarra Road, which in turn provides access across to the Bass Highway near Carrick. This intersection also provides access for southbound traffic to travel through to Longford.



LOCATION MAP



- Perth to Breadalbane
- Future Western Perth Link
- Future Southern Perth Link



the LIST & copy State of Tasmania



GHD
Tasmanian Government

Deptment of State Growth
 Midland Hwy - Perth to Breadalbane
Locality Plan

Job Number 132-17526
 Revision B
 Date 07 Aug 2015

Figure 1

G:\3217526\GIS\Map\17526_Midland_Hwy_All_Roads_A3_RevA.mxd
 © 2015. Whilst every care has been taken to prepare this map, GHD and MRT make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unavailable in any way and for any reason.
 Data sources: Mineral Resources Tasmania, geology 1:25k, 2010; GHD, test pts, road centrelines, 2015. Created by: dnockif

2.1 Surrounding Land Use

To the eastern side of the existing highway, land use is generally Residential or Rural Residential. To the western side of the existing highway, land use is generally Rural or Industrial.

2.2 Pedestrians and Cyclists

The existing highway is not a preferred cycling route, however it may be used by cyclists travelling on the road shoulder. No specific provisions currently exist for pedestrians, and in many places it would not be safe for pedestrians to walk beside the highway.

2.3 Public Transport

The existing highway is not close to any existing or operational rail lines.

The existing highway does not have any existing bus stops. Consultation with bus operators has been completed and no issues were raised.

2.4 Road Safety

Review of recent crash data along the Midland Highway relating to the study area of Perth to Breadalbane (between Youl Road and the Breadalbane Roundabout) over the 10 year period from 2005 – 2014 (inclusive) is summarised in Table 1 below. Additional information relating to this crash data is provided in Appendix A.

As a conservative approach, some crash data for the Breadalbane Roundabout has been excluded; these movements are unchanged except for reduced traffic volume.

Table 1 Perth to Breadalbane - Midland Highway Crashes (2005-2014)

Location	Number of crashes		Dominant crash type(s)
	Total	Casualty	
Midblock Locations			
Midland Highway, between Youl Road and Breadalbane roundabout	39	13	Loss of control (18), Rear end (6), On path (5)
Midland Highway Intersections			
Gibbet Hill Rise	2	1	Rear end (2)
Devon Hills Road	3	1	Right turning (2), head on (1)
Breadalbane Roundabout southern approach	6	2	Loss of control (3), Rear end (2)
Total	50	17	Loss of control (21), Rear end (10),

3. Proposed Works

3.1 Description of Existing Issues

The performance of the existing highway is currently constrained as there is only one lane in each direction, and the topography of the highway provides few passing opportunities.

The junction of the Midland Highway with Devon Hills Road requires northbound vehicles wishing to turn right to give way to southbound highway traffic, which can create delays to northbound traffic and a high risk of vehicle crashes.

All southbound highway traffic must pass through the Breadalbane roundabout, creating further delays and higher risk of vehicle collisions.

The existing accesses to neighbouring properties provide further potential conflict points between vehicles entering or exiting these accesses and the main traffic on the existing highway.

3.2 Proposed Highway Upgrade

The existing highway will be converted to an eastern service road and a new service road will be constructed to the west of the new highway. These service roads will allow for existing private accesses to either be maintained or reconnected such that there is easy access on to the highway, without the safety issues associated with direct access on to the limited access, high-speed road. An underpass connects the two sections of service road to facilitate local traffic movements and connection to the relevant on/off ramps.

The new highway will be a two-way, four-lane road, with Wire Rope Safety Barrier located centrally to minimise head-on collisions and at the top of some embankments where the batter slope is steeper than 4H:1V. A speed limit of 110km/hr would apply to the highway, with 80km/hr on the adjacent service roads.

3.2.1 Intersection Configuration

The Breadalbane Roundabout will be bypassed so that main highway traffic will not pass through the roundabout, thus preventing delays and potential vehicle conflicts. Connection to the existing roundabout, including Evandale Road and Hobart Road, will be via a 'trumpet' interchange located to the west of the new highway, including an underpass linking traffic back to the roundabout.

The connection between Devon Hills Road and the existing highway will remain unchanged, however, with the removal of through traffic the intersection will operate more effectively and safely.

The connection between the new highway and the existing highway near Perth will be located just north of the connection to Youl Road. There will be a new junction between the new highway and the existing highway, once it is converted to a service road. There will be no change to the existing configuration at Youl Road, other than some linemarking at the tie-in point.

A new access track for 390 Illawarra Road will be provided just north of Youl Road to replace the existing accesses that will be severed. All other existing accesses will be redirected to the nearest service road as appropriate.

4. Impact Assessment

4.1 Traffic Growth

In September 2014, the average daily volume on the Midland Highway, south of the Breadalbane roundabout, was measured at 13,500 vehicles per day, with 9% heavy vehicles. The expected traffic growth on the Midland Highway is currently 1.5% per year.

4.2 Assessment against Planning Scheme

The proposed roadworks and associated earthworks will be within 50 metres of the existing Highway (a Category 1 road) and must therefore be assessed against applicable performance criteria of the Rail and Road Assets Code. Clause E4.7.1 of the Interim Planning Scheme, 'Development on and adjacent to Existing and Future Arterial Roads and Railways', relevantly states:

"Objective: To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

- a. *ensure the safe and efficient operation of roads and railways; and*
- b. *allow for future road and rail widening, realignment and upgrading; and*
- c. *avoid undesirable interaction between roads and railways and other use or development*

P1: Development including buildings, roadworks, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:

- a. *maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and*
- b. *mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and*
- c. *ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and*
- d. *ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority."*

This Traffic Impact Assessment, prepared in accordance with the *Traffic Impact Assessment Guidelines* and accompanied by the written advice as to its adequacy by the road authority, is submitted pursuant to Clause E4.5 of the Interim Planning Scheme to demonstrate compliance with the above performance criteria. This TIA should be read in conjunction with the planning assessment report provided with the Development Application.

4.3 Highway Travel Times

Peak direction travel through the study area along the Midland Highway (between Youl Road and the Breadalbane Roundabout, a distance of 4.5 kilometres) is currently at an average speed of 85 km/hour in the AM peak, and 84 km/hour in the PM peak. The speed limit is 100 km/hr, however the single traffic lane, rolling terrain and high heavy vehicle volumes means that this speed can be difficult to achieve for much of the day.

The proposed highway duplication will have a design speed of 110 km/hr, and with two lanes in each direction it is expected that delays to highway traffic will be limited. The estimated saving in travel time as a result of the new works is just under 1 minute (when travelling between Launceston and Perth).

4.4 Intersection Operation

Traffic movements between the new highway and connecting roads, such as Evandale Road, will be via free-flowing traffic around the proposed interchanges, except for the connection between the end of the new highway and the new service road formed by the existing highway, which will have dedicated lanes for turning movements from the new highway.

Currently on this section, high traffic volumes combined with high percentage (80%) of right turns from Devon Hills towards Launceston mean there is limited gap opportunity to enter the Midland Highway. This situation is a major safety risk for local residents exiting from Devon Hills Road. The removal of through traffic from the existing highway will create ample gap opportunity and low risk to local residents.

4.4.1 Safe Intersection Sight Distance (SISD) Assessment

The proposed new access and junctions comply with the Safe Intersection Sight Distance shown in Table E4.7.4 Clause E4.7.4 'Sight Distance at Accesses, Junctions and Level Crossings'.

Junctions	Design Speed (km/h)	Required S.I.S.D. (m)	Min. S.I.S.D. Achieved (m)
New Highway and existing Midland Highway at Perth	80	175	175
Devon Hills northbound off-ramp and western service road northbound lane	35*	62	73
Devon Hills northbound off-ramp and western service road southbound lane	80	175	280
Devon Hills southbound off-ramp and Eastern service road northbound lane	80	175	300
Devon Hills southbound off-ramp and Eastern service road southbound lane	35*	62	62
Breadalbane northbound off-ramp and Breadalbane southbound off-ramp	80	175	300
Accesses			
FR 203489/1 (ch.5900)	80	175	175
FR 124975/2 & FR 132591/1 (ch.8240)	80	175	175
FR 13242/1 (ch.8560)	80	175	175
FR 141442/1 (ch.8680)	80	175	175
FR 50827/1 (ch.9820)	80	175	175
FR 141443/1 (ch.10280)	60	105	105

* Design speed through underpass is restricted by road geometry

4.5 Pedestrians and Cyclists

Pedestrian and cyclist movements will be encouraged to remain on the existing highway / service road so that separation from the high-speed section is maintained. Where the new highway will encroach over the existing highway alignment, a new shared pathway will be constructed to maintain this separation throughout the whole length of the project.

4.6 Public Transport

Bus services from Perth and Devon Hills that use the existing highway will be able to continue to use the existing highway, new service road, and/or new highway, as appropriate to their existing bus route.

4.7 Road Safety

The proposal will assist traffic safety in a number of ways, by:

- Providing two traffic lanes each way, allowing safe opportunities to pass slower vehicles;
- Providing Wire Rope Safety Barrier to limit the potential for head-on collisions;
- Removing northbound traffic from the Breadalbane roundabout reducing the potential collisions, and removing the existing left turn slip lane which has been the location for a number of accidents;
- Removing the need for north-bound traffic exiting from Devon Hills Road to cross the main traffic movements on the existing highway, with all traffic to enter and exit the highway via entry and exit ramps;
- Removing all existing property accesses from the highway and providing alternative access via local service roads.

4.8 Construction Traffic Management

A separate Construction Traffic Management Plan will be developed to guide the construction contractor and to minimise the impacts of construction activity on the operation of the road network. A construction period of up to 27 months is anticipated, commencing January 2016 and concluding in March 2018 (subject to contractor's construction program).

Works will be largely off-line, with traffic management around the tie-in locations.

5. Conclusion

This report has assessed the potential traffic and transport impacts of the proposed duplication of the existing Midland Highway between Perth and Breadalbane.

The new highway will improve the standard of road safety and transport efficiency dramatically, with an expected improvement in the AusRAP rating from 1-star to 4-star.

The construction of the highway will also improve the safety of existing intersections with the existing highway as local traffic movements at these intersections will now be on to the new service road created by conversion of the existing highway.

The new highway will be constructed largely off-line, so the impacts on traffic flow during construction will be limited to the tie-in locations.

It is therefore considered that the proposed development complies with the performance criteria P1 of Clause 4.7.1 of the Interim Planning Scheme and the other relevant provisions of the Rail and Road Assets Code.

Appendices

Appendix A – Crash Data

Midland Highway - Perth to Breadalbane Duplication

Crash ID	Date	Location	DIER Link	Chainage	DCA Description	Severity	Estimated % crash reduction
30082825	22/05/2012	Midland Highway, Perth, Northern Midlands	90	5.7	170 - Off carriageway to left	Property Damage Only	46%
319106	15/02/2014	Midland Highway, Perth, Northern Midlands	90	5.83	171 - Left off carriageway into object or parked vehicle	Property Damage Only	63%
30067103	20/5/2008	Midland Highway, Perth, Northern Midlands	90	5.96	140 - U turn	Property Damage Only	40%
30055033	4/11/2008	Midland Highway, Perth, Northern Midlands	90	6.04	120 - Wrong side/other head on (not overtaking)	Serious	100%
30018864	22/12/2006	Midland Highway, Perth, Northern Midlands	90	6.13	181 - Off right bend into object/parked vehicle	Property Damage Only	63%
30055115	16/10/2009	Midland Highway, Perth, Northern Midlands	90	6.17	180 - Off carriageway right bend	Property Damage Only	63%
30082488	13/10/2011	Midland Highway, Perth, Northern Midlands	90	6.55	139 - Other same direction (including vehicle rolling backwards)	Property Damage Only	0%
30082492	14/10/2011	Intersection of Gibbet Hill Rise and Midland Highway, Perth, Northern Midlands	90	6.55	130 - Vehicles in same lane/ rear end	Property Damage Only	40%
30084810	31/2/2009	Intersection of Gibbet Hill Rise and Midland Highway, Perth, Northern Midlands	90	6.55	132 - Vehicles in same lane/ right rear	Minor	40%
30031343	16/12/2006	Midland Highway, Perth, Northern Midlands	90	6.62	167 - Animal (not ridden)	Property Damage Only	0%
20051075	4/03/2005	Midland Highway, Perth, Northern Midlands	90	6.67	173 - Right off carriageway into object or parked vehicle	First Aid	63%
30084805	13/11/2009	Midland Highway, Perth, Northern Midlands	90	6.72	191 - Load or missile struck vehicle	Property Damage Only	0%
30018916	28/08/2005	Midland Highway, Devon Hills, Northern Midlands	90	7.08	170 - Off carriageway to left	Property Damage Only	63%
30078419	17/09/2011	Midland Highway, Perth, Northern Midlands	90	7.4	171 - Left off carriageway into object or parked vehicle	Property Damage Only	63%
20328	13/05/2013	Midland Highway, Perth, Northern Midlands	90	7.55	162 - Accident or broken down	Property Damage Only	0%
30080934	25/02/2006	Intersection of Devon Hills Road and Midland Highway, Devon Hills, Northern Midlands	90	7.69	120 - Wrong side/other head on (not overtaking)	Property Damage Only	100%
30085259	12/12/2008	Intersection of Devon Hills Road and Midland Highway, Devon Hills, Northern Midlands	90	7.93	113 - Right rear	Minor	30%
30098064	14/03/2013	Intersection of Devon Hills Road and Midland Highway, Perth, Northern Midlands	90	7.99	114 - Two right turning	Property Damage Only	16%
30018854	19/09/2005	Midland Highway, Devon Hills, Northern Midlands	90	7.79	170 - Off carriageway to left	Minor	46%
30009016	18/08/2005	Midland Highway, Devon Hills, Northern Midlands	90	7.88	172 - Off carriageway to right	Property Damage Only	46%
409641	4/10/2014	Midland Highway, Perth, Northern Midlands	90	7.88	166 - Struck object on carriageway	Property Damage Only	0%
132590	4/10/2013	Midland Highway, Perth, Northern Midlands	90	7.91	132 - Vehicles in same lane/ right rear	Property Damage Only	40%
105136	2/08/2013	Midland Highway, Perth, Northern Midlands	90	8.03	130 - Vehicles in same lane/ rear end	Property Damage Only	40%
30085148	15/01/2009	Midland Highway, Devon Hills, Northern Midlands	90	8.1	191 - Load or missile struck vehicle	Property Damage Only	0%
415958	14/10/2014	Midland Highway, Perth, Northern Midlands	90	8.43	130 - Vehicles in same lane/ rear end	Minor	40%
30085268	28/12/2008	Midland Highway, Devon Hills, Northern Midlands	90	8.55	120 - Wrong side/other head on (not overtaking)	Property Damage Only	100%
30018973	18/10/2008	Midland Highway, Devon Hills, Northern Midlands	90	8.58	140 - U turn	Property Damage Only	40%
30067256	7/03/2009	Midland Highway, Devon Hills, Northern Midlands	90	8.92	181 - Off right bend into object/parked vehicle	Property Damage Only	63%
30009976	17/07/2005	Midland Highway, Devon Hills, Northern Midlands	90	8.99	120 - Wrong side/other head on (not overtaking)	Minor	100%
30018965	13/07/2006	Midland Highway, Devon Hills, Northern Midlands	90	9.06	180 - Off carriageway right bend	Property Damage Only	63%
30071483	18/08/2010	Midland Highway, Devon Hills, Northern Midlands	90	9.08	140 - U turn	Property Damage Only	40%
30018876	20/07/2005	Midland Highway, Devon Hills, Northern Midlands	90	9.21	183 - Off left bend into object/parked vehicle	First Aid	63%
30002583	8/07/2006	Midland Highway, Breadalbane, Northern Midlands	90	9.35	120 - Wrong side/other head on (not overtaking)	Fatal	100%
30011948	3/01/2006	Midland Highway, Breadalbane, Northern Midlands	90	9.44	174 - Out of control on carriageway	Property Damage Only	46%
30088989	22/03/2008	Midland Highway, Breadalbane, Northern Midlands	90	9.45	184 - Out of control on carriageway	Property Damage Only	46%
30004176	23/04/2006	Midland Highway, Breadalbane, Northern Midlands	90	9.57	167 - Animal (not ridden)	Property Damage Only	0%
30083004	12/01/2011	Midland Highway, Breadalbane, Northern Midlands	90	9.67	170 - Off carriageway to left	Minor	63%
184175	30/12/2013	Midland Highway, Breadalbane, Northern Midlands	90	9.74	167 - Animal (not ridden)	Property Damage Only	0
30082764	19/06/2011	Midland Highway, Breadalbane, Northern Midlands	90	9.76	171 - Left off carriageway into object or parked vehicle	Serious	63%
30082500	24/10/2011	Midland Highway, Breadalbane, Northern Midlands	90	9.87	130 - Vehicles in same lane/ rear end	Property Damage Only	40%
30084542	30/07/2010	Midland Highway, Breadalbane, Northern Midlands	90	9.88	130 - Vehicles in same lane/ rear end	Minor	40%
20051650	30/03/2005	Midland Highway, Breadalbane, Northern Midlands	90	9.89	140 - U turn	Minor	40%
30082034	15/09/2012	Midland Highway, Breadalbane, Northern Midlands	90	9.95	172 - Off carriageway to right	Minor	46%
30039105	28/10/2012	Midland Highway, Breadalbane, Northern Midlands	90	9.98	173 - Right off carriageway into object or parked vehicle	First Aid	63%
321788	17/08/2014	Intersection of Evandale Road and Midland Highway, Breadalbane, Northern Midlands	90	10.07	130 - Vehicles in same lane/ rear end	Property Damage Only	10%
506393	25/01/2015	Intersection of Evandale Road and Midland Highway, Breadalbane, Northern Midlands	90	10.08	184 - Out of control on carriageway	Minor	0%
20052087	24/04/2005	Intersection of Evandale Road and Hobart Road and Midland Highway, Breadalbane, Northern Midlands	90	N/A	130 - Vehicles in same lane/ rear end	First Aid	10%
20052629	14/05/2005	Intersection of Evandale Road and Hobart Road and Midland Highway, Breadalbane, Northern Midlands	90	N/A	184 - Out of control on carriageway	Minor	0%
30006178	9/10/2005	Intersection of Evandale Road and Hobart Road and Midland Highway, Breadalbane, Northern Midlands	90	N/A	184 - Out of control on carriageway	Property Damage Only	0%
30080433	19/12/2012	Intersection of Evandale Road and Hobart Road and Midland Highway, Breadalbane, Northern Midlands	95	N/A	181 - Off right bend into object/parked vehicle	Property Damage Only	0%
252379	31/03/2014	Intersection of Evandale Road and Hobart Road and Midland Highway, Breadalbane, Northern Midlands	95	N/A	110 - Cross traffic	Property Damage Only	10%

20 February 2005 to 14 February 2015

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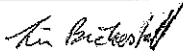
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Document Status

Rev No.	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
0	K. Bourne M. Petrusma	T. Bickerstaff	*T. Bickerstaff	R. Lowther		7.9.2015
1	K. Bourne M. Petrusma	T. Bickerstaff		R. Lowther		9.9.2015

1-559

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Paul Godier

From: Terry Eaton [terry.eaton@bigpond.com]
Sent: Tuesday, 15 September 2015 11:21 AM
To: Wayne Chellis
Cc: Des Jennings; Paul Godier
Subject: Perth to Breadalbane Highway Duplication -Planning Approval Agenda Item

Hallo Wayne, Paul requested a report from me on the above proposal, undertaking such a report does require input information from the applicant on the transport planning objectives of the proposal, consideration of the road planning principles, a traffic analysis with regard to the efficiency and safety of the various element that make up the proposal – NO SUCH INFORMATION HAS BEEN MADE AVAILABLE TO ME.

Indeed NMC appears to be asked to accept the proposal purely as an administrative formality without being part of the alignment determination process. I attended a meeting with the project manager in the company of Duncan and Paul to discuss the alignment and recall advising that the preferred alignment included the continuity of the present highway between Devon Hills and Breadalbane, I am not aware of the option evaluation process and why this option was rejected ?

In terms of highway planning what we receive in the highway facility will be in place for many many years so that if deficiencies are installed the road users will be compromised without costly and probably unlikely remedial work ? Generally ,for major highway design an independent design audit is undertaken for elements of the layout, such information has not been seen to date.

The TIA provided was undertaken by the design consultants and is considered deficient, indeed less than DSG requires for minor developments, ie it provides no review of elements of the proposal and makes general statements with regard to transport efficiency and safety. The TIA has been accepted by the road authority who is the applicant and as such lacks transparency ?

I imagine the concerns I have raised above have been addressed by DSG ,why they have not been provided to NMC is seen as a matter to raise with that Department ?

My view is that Council is not in a position to determine the merits of the proposal presented relative to alternative options and on the basis of the information provided, particularly the likely impact on corridor land uses and the deficiencies in the TIA provided and lack of an independent design audit report ?

In my view there are elements of the design that don't comply with major highway design considerations that require support documentation as to their acceptance

?

kind regards Terry

Paul Godier

From: Terry Eaton [terry.eaton@bigpond.com]
Sent: Wednesday, 26 August 2015 11:33 PM
To: Paul Godier
Cc: Wayne Chellis; Jonathan Galbraith
Subject: RE: Midland Highway drawings

Hi Paul, it is impossible to provide a technical audit of this proposal without the attendant traffic and cost benefit analysis reports. Perusal indicates issues likely due to:

- 1 lack of continuity of Hobart Road
- 2 the need for traffic to exit Hobart Rd to the highway from Devon Hills and exit the Highway to return to the local road network a short distance later ie likely insufficient length between the merge / diverge
- 3 the deficiency for speed control and capacity variance at the entry to Perth, upgrading by say a roundabout and separate exit to Youl Road may be worthy of consideration
- 4 the lack of consideration of ODP planning for a road link to East Perth at Gibbet Hill ie Seccombe Street junction

My suggestion is to "stop clock" until the traffic analysis and supporting benefit / cost analysis is provided

? kind regards

Terry

From: Paul Godier [mailto:paul.godier@nmc.tas.gov.au]
Sent: Wednesday, 26 August 2015 4:53 PM
To: Terry Eaton <terry.eaton@bigpond.com>
Subject: Midland Highway drawings

Northern Midlands Council Confidentiality Notice and Disclaimer: The information in this transmission, including attachments, may be confidential (and/or protected by legal professional privilege), and is intended only for the person or persons to whom it is addressed. If you are not such a person, you are warned that any disclosure, copying or dissemination of the information is unauthorized. If you have received the transmission in error, please advise this office by return and delete all copies of the transmission, and any attachments, from your records. No liability is accepted for unauthorized use of the information contained in this transmission. Any content of this message and its attachments that does not relate to the official business of the Northern Midlands Council must be taken not to have been sent or endorsed by it or its officers unless expressly stated to the contrary. No warranty is made that the email or attachment(s) are free from computer viruses or other defect.

NORTHERN MIDLANDS COUNCIL

REPORT FROM: HERITAGE ADVISER, DAVID DENMAN
DATE: 21-Aug-2015
REF NO: P15-230; R20320
SITE: Midland Highway: 16156; 16267; 16457; 16496;
16523; 16525; 16619; 16662 and CT124975/2;
132591/2; 23719/1; 30143/1; 23213/1; 23152/1;
and 390 Illawarra Road
PROPOSAL: Midland Highway, Perth to Breadalbane
Duplication, including demolition of house at
#16267 and sheds at #16156 & CT132591/2;
(Road & Railway Assets Code, Scenic
Management Code, Biodiversity Code, Water
Quality Code, Local Historic Heritage Code)
APPLICANT: Department of State Growth
**REASON FOR
REFERRAL:** HERITAGE-LISTED PLACE
Local Historic Heritage Code

Do you have any objections to the proposal: No

Do you have any other comments on this application?

The subject site is not visible from Haggerston House.



David Denman (Heritage Adviser)
Date: 2015

Assessment against E13.0 (Local Historic Heritage Code)
--

E13.1 Purpose

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and
- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and
- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

E13.2 Application of the Code

E13.2.1 This code applies to use or development of land that is:

- a) within a Heritage Precinct;
- b) a local heritage place;
- c) a place of identified archaeological significance.

E13.3 Use or Development Exempt from this Code

E13.3.1 The following use or development is exempt from this code:

- a) works required to comply with an Emergency Order issued under Section 162 of the Building Act 2000;
- b) electricity, optic fibre and telecommunication cables and gas lines to individual buildings which connect above ground or utilise existing service trenches;
- c) internal alterations to buildings if the interior is not included in the historic heritage significance of the place or precinct;

Comment:

'Haggerston ' is heritage listed.

E13.5 Use Standards**E13.5.1 Alternative Use of heritage buildings**

Comment: N/a

E13.6 Development Standards**E13.6.1 Demolition**

Comment: N/a

E13.6.2 Subdivision and development density

Comment: N/a

E13.6.3 Site Cover

Comment: N/a

E13.6.4 Height and Bulk of Buildings

Comment: N/a

E13.6.5 Fences

Objective: To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New fences must: <ol style="list-style-type: none"> a) be designed to be complementary to the architectural style of the dominant buildings on the site or b) be consistent with the dominant fencing style in the heritage precinct; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

E13.6.6 Roof Form and Materials

Comment: N/a

E13.6.7 Wall materials

Comment: N/a

E13.6.8 Siting of Buildings and Structures

Comment: N/a

E13.6.9 Outbuildings and Structures

Comment: N/a

E13.6.10 Access Strips and Parking

Objective: To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 Car parking areas for non-residential purposes must be: <ol style="list-style-type: none"> a) located behind the primary buildings on the site; or b) in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table 1: Heritage Precincts, if any. 	P1 Car parking areas for non-residential purposes must not: <ol style="list-style-type: none"> a) result in the loss of building fabric or the removal of gardens or vegetated areas where this would be detrimental to the setting of a building or its historic heritage significance; and b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

E13.6.11 Places of Archaeological Significance

Comment: N/a

E13.6.12 Tree and Vegetation Removal

Objective: To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 The removal of vegetation must not: a) unreasonably impact on the historic cultural significance of the place; and b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

E13.6.13 Signage

Comment: N/a

Table E13.1: Local Heritage Precincts

For the purpose of this table, Heritage Precincts refers to those areas listed, and shown on the Planning Scheme maps as Heritage Precincts.

Comment: N/a

Assessment against F2.0 (Heritage Precincts Specific Area Plan)
--

Comment: The subject site is not within the Heritage Precincts Specific Area Plan.

NORTHERN MIDLANDS COUNCIL

REFERRAL TO:	TASWATER
Reference no:	R20320
Site:	Midland Highway: 16156; 16267; 16457; 16496; 16523; 16525; 16619; 16662 and CT124975/2; 132591/2; 23719/1; 30143/1; 23213/1; 23152/1; and 390 Illawarra Road
Proposed development:	Midland Highway, Perth to Breadalbane Duplication, including demolition of house at #16267 and sheds at #16156 & CT132591/2; (Road & Railway Assets Code, Scenic Management Code, Biodiversity Code, Water Quality Code, Local Historic Heritage Code)
Applicant:	Department of State Growth 10 Murray Street HOBART 7000
Owner:	Department of State Growth
Referral date:	24-Aug-2015
NMC contact:	Planning@nmc.tas.gov.au
Attachments	Application & plans

1-567
PERMIT APPLICATION - REFERRAL TO REGULATED ENTITY
For Certificate of Consent "Regulated Entity"

Please assess the attached application and provide your response to Planning@nmc.tas.gov.au. Thank you.

Applicants Name:	Department of State Growth
Applicants Address:	10 Murray Street, Hobart 7000
Development Address:	Midland Highway: 16156; 16267; 16457; 16496; 16523; 16525; 16619; 16662 and CT124975/2; 132591/2; 23719/1; 30143/1; 23213/1; 23152/1; and 390 Illawarra Road
Proposal:	Midland Highway, Perth to Breadalbane Duplication, including demolition of house at #16267 and sheds at #16156 & CT132591/2; (Road & Railway Assets Code, Scenic Management Code, Biodiversity Code, Water Quality Code, Local Historic Heritage Code)
Council DA No:	P15-230
PID:	-

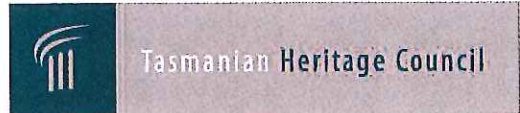
- If the answer is **YES** to any of the following questions:
 - A referral must be made to development@taswater.com.au (scan all plans and CC yourself for filing purposes); and
 - A Certificate of Consent from TasWater will be required.
- If **NO** to all then no referral is required.
- If **UNSURE** then the application should be referred.

No.		Yes	No
1.	Does the development shown on plan, involve new structures 2m or less from the Regulated Entities underground services? (If unsure then refer client to Regulated Entity for on site confirmation of location, detail to be provided to Council)		✓
2.	Does the development involve non-residential, commercial, industrial, or other processes that generate trade waste for discharge to sewer?		✓
3.	Does the development involve non-residential, commercial, industrial, or other processes that has or will require a connection to the reticulated potable water supply? (ie back flow prevention issues)		✓
4.	Does the development increase the demand for water or sewerage service or require an increase in the connection size?		✓
5.	Does the development involve work in a water supply catchment which may have an effect on water quantity or quality? (ie dams, quarries, subdivisions with onsite wastewater system, dairies, plantations etc)		✓
6.	Does the development involve work in an area of land the Regulated Entity has declared by notice to be a buffer zone of a facility or infrastructure of a Regulated Entity?		✓
7.	Does the development involve any infrastructure that intersects (crosses) infrastructure owned by the Regulated Entity?	?	?
8.	Does the application involve a subdivision or application of Strata title for more than 2 lots / tenements or consolidates 2 or more lots or strata titles into 1?		✓
9.	Does the development involve rezoning or other planning scheme amendments?		✓
10.	Does the development involve demolition of a structure or works currently connected to the Regulated Entities water or sewerage services?		✓

If a referral required notice must be given "without delay, "notice" means written notification including a copy of the application, and of all plans and other documents submitted with the application;

Checklist completed by: Jan Cunningham, Planning Administration Officer

Date: 24-Aug-2015



Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
103 Macquarie St, Hobart Tasmania 7000
Tel: 1300 850 332
Fax: [03] 6233 3186
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

PLANNING REF: P15-230
THC WORKS REF: #4834
REGISTERED PLACE NO: #5241
FILE NO: 10-48-09THC
APPLICANT: Department of State Growth
DATE THC RECEIVED: 21 August 2015
DATE OF THIS NOTICE: 21 August 2015

NOTICE OF INTEREST

(Historic Cultural Heritage Act 1995)

The Place: Haggerston House, 16457 Midland Highway, Perth.

Under s36(3)(a) of the *Historic Cultural Heritage Act 1995*, the Tasmanian Heritage Council provides notice that it has **no interest** in determining the discretionary permit application because:

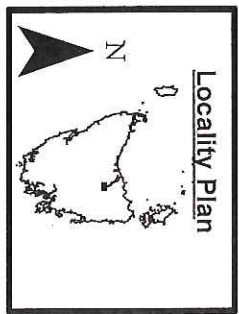
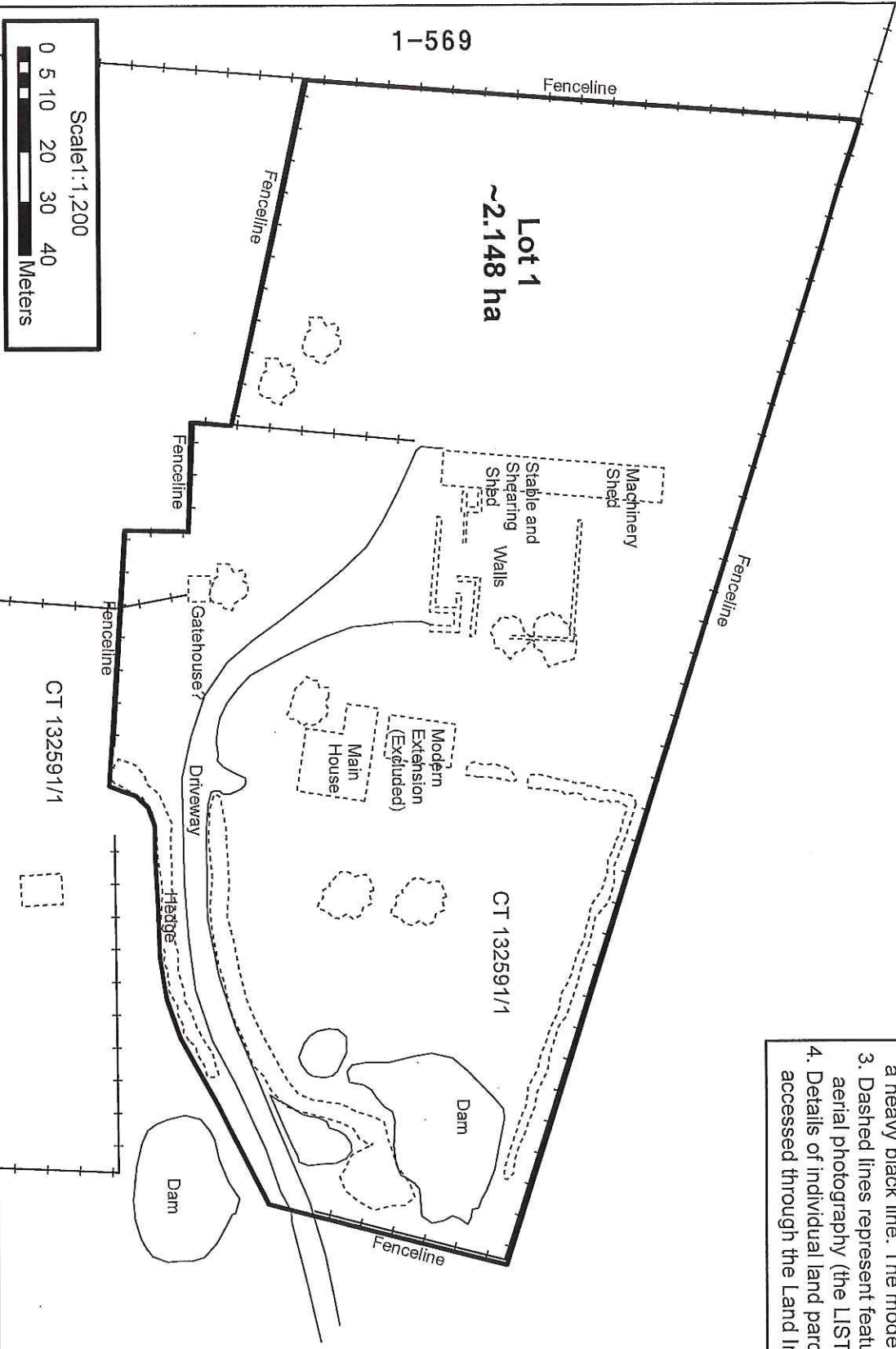
The works are within a part of the place that is not entered on the Tasmanian Heritage Register. A copy of the central Plan Register (CPR), being the area of land for which Haggerston House is entered in the Tasmanian Heritage Register is attached.

Please contact Chris Bonner on 1300 850 332 if you require further information.

A handwritten signature in black ink, appearing to be "Chris Bonner", written over a set of faint, overlapping lines.

Chris Bonner
Regional Heritage Advisor – Heritage Tasmania
Under delegation of the Tasmanian Heritage Council

- Note**
1. Lot 1 represents the registered area for 'Haggerstone House' (#5241 on the Tasmanian Heritage Register).
 2. Lot 1 is part of Title 132591/1, the boundary of which is defined by a heavy black line. The modern addition to the main house is excluded.
 3. Dashed lines represent features digitised from georeferenced aerial photography (the LIST).
 4. Details of individual land parcel boundaries and survey plans may be accessed through the Land Information System Tasmania (the LIST).



TASMAP:	PROSPECT (5040)	GRID:	MG94 / ZONE 55	DATUM:	AHD	CONTOUR INTERVAL:	N/A
No.:	PRODUCTION / AMENDMENT	AUTHORITY:	THC	REFERENCE:	DRAWN	APPROVED:	DATE
1	Production			5241	RA		

HAGGERSTONE HOUSE
16457 MIDLAND HIGHWAY, PERTH TAS 7300

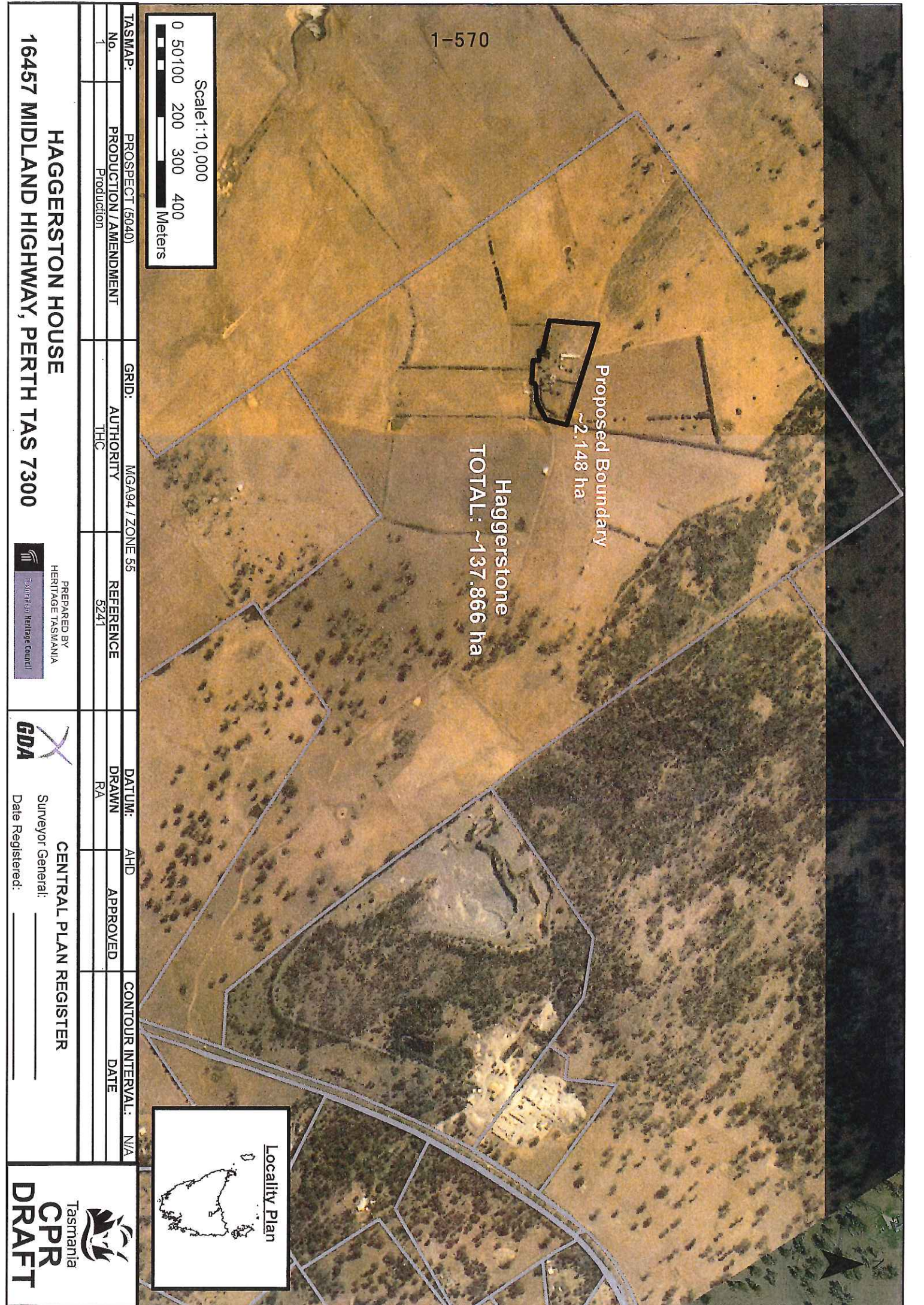
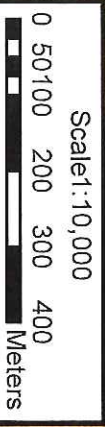
PREPARED BY
 HERITAGE TASMANIA
 Department of Heritage Council

GDA
 Surveyor General:
 Date Registered:

CENTRAL PLAN REGISTER



1-570



Proposed Boundary
~2.148 ha

Haggerstone
TOTAL: ~137.866 ha

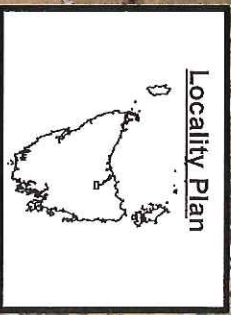
TASMAP:	PROSPECT (5040)	GRID:	MGA94 / ZONE 55	REFERENCE	DATUM:	AHD	APPROVED	CONTOUR INTERVAL:	N/A
No.	PRODUCTION / AMENDMENT	AUTHORITY	THC	5241	DRAWN	RA		DATE	
1	Production								

HAGGERSTON HOUSE
16457 MIDLAND HIGHWAY, PERTH TAS 7300

PREPARED BY
HERITAGE TASMANIA
Tasmanian Heritage Council

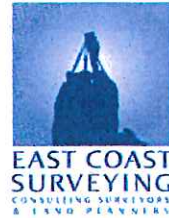


CENTRAL PLAN REGISTER
Surveyor General:
Date Registered:





WOOLCOTT SURVEYS



Our Ref: 2014-20

September 7, 2015

The Planning Department
Northern Midlands Council
P.O. Box 156
Longford TAS 7301

Dear Sir/Madam,

**REPRESENTATION TO P15-230 – PERTH TO BREADALBANE HIGHWAY DUPLICATION –
WOOLCOTT SURVEYS ON BEHALF OF JORJS PTY LTD**

Extensive consultation has been carried out between GHD, State Growth and Jorjs Pty Ltd, in regards to the highway duplication proposal and in particular, the design and its impacts on 16523 Midland Highway, Perth.

Whilst not objecting to the idea of road improvements to the Midland Highway it must be pointed out that the layout advertised by Council is substantially different to the one discussed and agreed between the parties. As such the displayed layout takes much more land from the industrial site than expected. The attached GHD plan SK077 dated 26-Aug-15 is as agreed by the parties. The difference between this and that advertised is graphically illustrated on the attached overlay plan. The red lines indicate the extent of the proposal on 16523 Midland Highway as advertised by Council. The black design lines represent the layout as agreed.

The take of excessive land from adjoining landowners is a waste of resources – when this land can be used for other – more strategic – purposes.

If the design were to revert to the SK077 dated 26-Aug-15 layout discussed and agreed with Jorjs Pty Ltd, it is more than likely this representation would be withdrawn. Otherwise, under the current proposal our clients have no option but to object.

Yours Faithfully
Woolcott Surveys

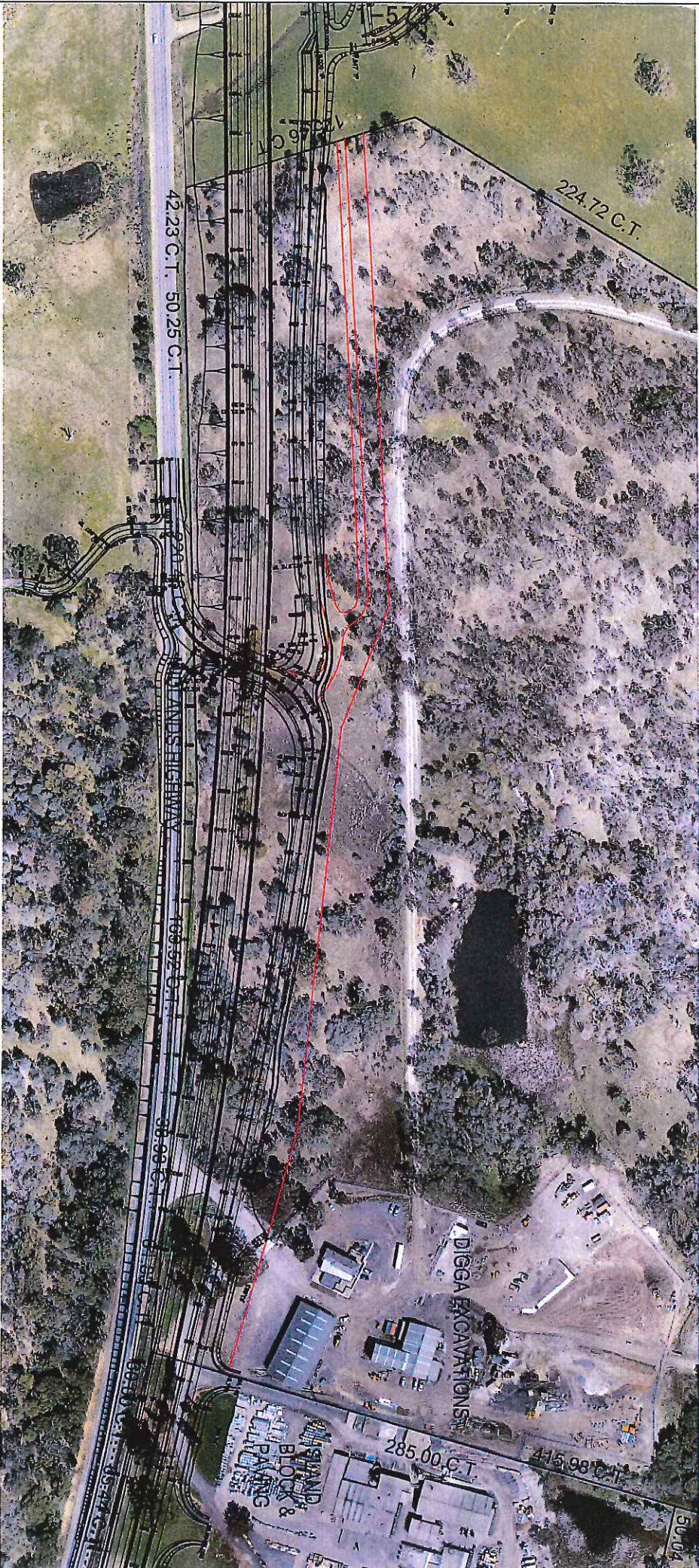
Brett Woolcott
Director

WOOLCOTT SURVEYS


Ph: (03) 6332 3760 F: (03) 6332 3764
10 Goodman Court, Invermay, TAS, 7248
PO Box 593, Mowbray Heights, TAS, 7248
Email: admin@woolcottsurveys.com.au

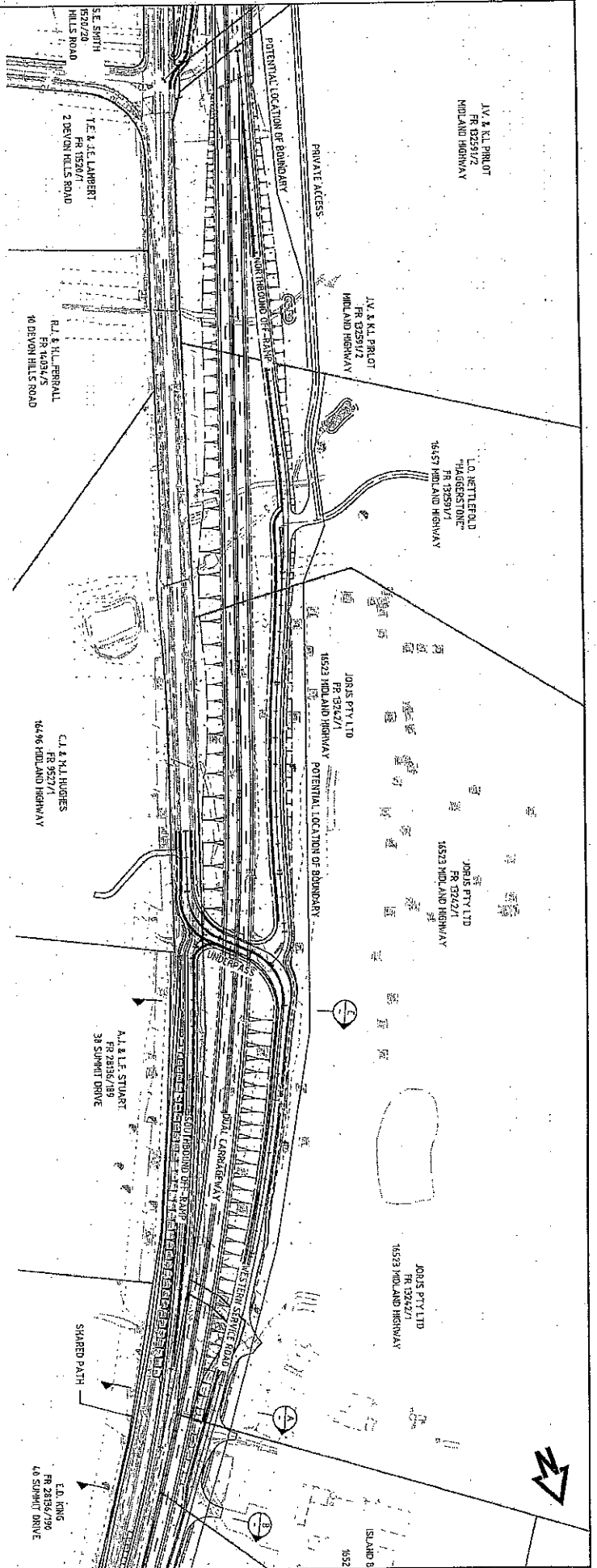
EAST COAST SURVEYING

Ph: (03) 6376 1972
Avery House Level 1
48 Cecilia Street, St Helens, TAS, 7216
PO Box 430, St Helens, TAS, 7216
Email: admin@ecosurv.com.au



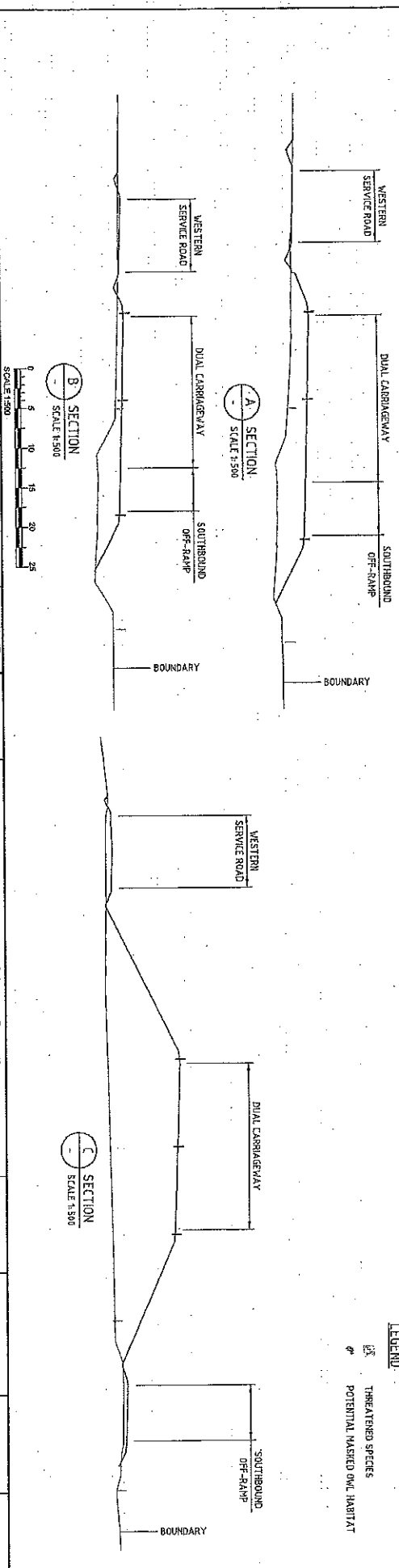
PROPOSED HIGHWAY OVERLAY
16523 MIDLAND HIGHWAY, PERTH
CT. 13242-1

	18 Doolittle Court, Perth WA 6150 PO Box 233, Midland, Western Australia 6170 Email: perth@perthcivil.com.au Website: www.perthcivil.com.au	10/1/2014 2014-20
	Drawn: ANDREW JENNIFER Checked: ANDREW JENNIFER Date: 20/09/13 Scale: 1:10000 Sheet: 1 of 1	10/1/2014 2014-20

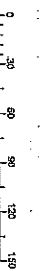


LEGEND

- ☒ THREATENED SPECIES
- ☐ POTENTIAL NESTED OWL HABITAT



SCALES



No.	Amendment Description	Date	Co-ordinate System	Map Zone 55	Height Datum	A.P.I.D.	DESIGNED	REVIEWED
<p>Department of State Growth MIDLAND HIGHWAY (A0087) PERTH TO BREDALE BANE DUPLICATION</p> <p>OPTION 1 UNDERPASS CLOSER TO ISLAND BLOCK & PAVING (CH.8280)</p>								
CONTRACT No.	DRAWING	PRINTED DATE	SHEET No.					
	32-17265-SK077-A/4/9	29-Aug-18, 6:18 PM	SK077					
REGISTRATION NUMBER	A0087.026			REVISION				

*As original. This sheet may be prepared using colour and may be incompatible copied.



P.O. Box 15 Perth, Tasmania 7300. Tel:(03) 6398 2088 Fax: (03) 6398 2099

A.B.N. 36 061 943 057 A.C.N. 061 943-057

8/9/2015

Attention: General Manager
Northern Midlands Council

Dear Sir

P15-230 - Midland Highway, Perth to Breadalbane Duplication, including demolition of house at #16267 and sheds at #16156 & CT132591/2 (Road & Railway Assets Code, Scenic Management Code, Biodiversity Code, Water Quality Code, Local Historic Heritage Code)

I am the owner and operator of the Island Block and Paving which operates from 16525 Midland Highway, Perth.

My land is directly affected by the present proposal and separately subject to a proposed land acquisition process.

The present proposal incorporates alterations to the access to my property and the removal of signage and fencing. It will directly affect my business including security of products and present advertising arrangements.

While I understand that the Council's obligation is to assess that which is proposed, I ask that consideration is given to the impact that this will have on our current operations, in so far as is reasonably practical under the terms of the current planning scheme. This includes, the ability for signage to be replaced in alternate locations and installation of new fencing and security gates. I ask that these matters are taken into consideration as part of Council's assessment of the present proposal.

Yours faithfully

Phil Thurlow
Managing Director

Head Office:-
Midland Highway, Breadalbane Tas. 7258
Tel:(03) 6398 2088 Fax: (03) 6398 2099
Email: info@islandblock.com.au
Website: www.islandblock.com.au

"No one knows Blocks and Pavers"

Hobart Office:-
K&D, 10 Derwent Park Road,
Glenorchy, Tas. 7010
Tel:(03) 6228 7828
Fax: (03) 6228 2659

Department of State Growth

STATE ROAD DIVISION

Enquiries Kathryn Fry

Ph (03) 6166 3382 Fax

Email Kathryn.Fry@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au

Your Ref P15-230 Our Ref 045458/022

Paul Godier
Senior Planner
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301

Dear Paul,

PLANNING APPLICATION P15-230

MIDLAND HIGHWAY – PERTH TO BREADALBANE DUPLICATION

I refer to your letter dated 7 September 2015 advising of the representations received during public exhibition of the above application. You invited comments in response to representations prior to mediation and/or completion of the assessment of the application.

Representation 1: Andrew Stuart

- Highway elevation plans provided to the Stuarts were based on a plan prepared for another stakeholder and showed a cross-section at another location that does not represent the true height of the new highway at the Stuart's property. Following lodgement of representation a drawing has been provided to the Stuarts that demonstrates the true height of the highway embankment adjacent to their property which is lower than the typical cross section. To further enhance this, photography was arranged at 50m intervals along the new highway alignment (corrected to driver eye height). These showed the Stuart residence would remain concealed by trees. The photographs are attached for information.
- The noise assessment provided demonstrates that the Stuart's property does not trigger consideration for mitigation in accordance with State Growth's State Road Traffic Noise Guidelines. Extension of the noise model currently being undertaken will inform any requirements to revise the number of properties eligible for consideration of noise mitigation under the Guidelines. It is not envisaged that this will show any change to noise levels on the Stuart property
- Effects on the boundary: there is no intention of State Growth to acquire any of the Stuart's property, however due to the inclusion of the cycleway it is necessary to relocate the current boundary fence to the true title boundary location. This fence is also to be constructed to be cycle and pedestrian friendly while still providing for suitability to contain livestock. Fencing agreements are currently being obtained by State Growth Officers for inclusion in the tender documentation.
- Noise during construction; The Contractor will be required to comply with normal operating hours as determined by Council and EPA requirements. The Contractor may request permission from time to time to operate outside of these hours. There should be no reason for the contractor to undertake night works unless requested to do so and this would require prior notification to adjacent residents. In terms of dust, it is intended to keep the traffic on sealed pavements for virtually the whole project and water carts will be required to suppress dust as part of standard environmental conditions.

- Power supply; the current highway power supply will be relocated to the western side of the new highway and a new underground connection will link the western side to the existing overhead supply at the Stuart's boundary. This is intended to be suitable for 3 phase supply, at the Stuart's request.
- Large trees on boundary; trees located between the true boundary and the road are the responsibility of State Growth to manage. Considerable effort is being made in the design to maintain as many trees as possible through this section as well as providing for the cycleway. If the tree is on the actual title boundary, State Growth in consultation with the landowner will determine whether the tree is to be removed or, if possible, the tree will be retained and the fence relocated to miss the tree. Consideration has to be given for construction equipment to install the fence.
- Sound Wall Mitigation; State Growth does not intend to install attenuation fencing or earth mounds in this location as they will have limited effect due to topography, be cost prohibitive, create an ongoing maintenance issue including potential anti-social behaviour, disrupt drainage and require acquisition of a wide expanse of land (a 3m high mound would be up to 20 m wide) and thereby compromise the environmental preservation constraints that exist on this project. Glazing and other building treatments are considered the only option if noise mitigation is deemed required. There is no requirement for noise mitigation adjacent to the Stuarts.

Representation 2: Woolcott Surveys on behalf of Digga Excavations

State Growth has undertaken active engagement with affected landowners during development of the project, and has continued to have ongoing discussions during assessment of the Development Application. Impacts on the property at 16523 Midland Highway were carefully considered during the comprehensive planning and design phases for the project. The design lodged as part of the Development Application was determined to achieve optimal outcomes for both operational efficiency of the Highway and safety of access for local properties.

Any further discussions undertaken with individual landowners are being considered by State Growth separately to the current Development Application process. If any suggested alterations to the design emerge as part of this ongoing process, they will be carefully considered in terms of project cost and constructability, safety standards, access arrangements and impacts for other properties, and environmental and heritage constraints. Any significant proposed changes will be communicated to the Northern Midlands Council and confirmed to be substantially in accordance with any approval before they are implemented.

On this basis, it is most appropriate that Council consider the design plans lodged with the Development Application that have been publicly exhibited as part of the statutory planning process.

Representation 3: Island Block & Paving

State Growth has undertaken active engagement with affected landowners during development of the project, and has continued to have ongoing discussions during Council's consideration of the Development Application. Impacts on the property at 16525 Midland Highway were carefully considered during the comprehensive planning and design phases for the project. The design lodged as part of the Development Application was determined to achieve optimal outcomes for both operational efficiency of the Highway and safety of access for local properties.

Alterations to access to the property will be a significant improvement to current arrangements that present potential conflict points between vehicles entering or exiting these accesses and the main traffic on the existing highway. Direct connection with the duplicated high-speed highway will not be provided. The proposal provides access to this property via a new service road to ensure safe and

convenient access. Extensive consultation with this representor culminated in their acceptance of the submitted proposal. The business will be compensated under the provisions of the Land Acquisition Act 1993.

Any accommodation works for the properties will not detrimentally impact on any existing security or advertising arrangements, a separate application for relocation of approved signage will be submitted in due course.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Damion Beety', with a long horizontal flourish extending to the right.

Damion Beety
PROJECT MANAGER

11 September 2015

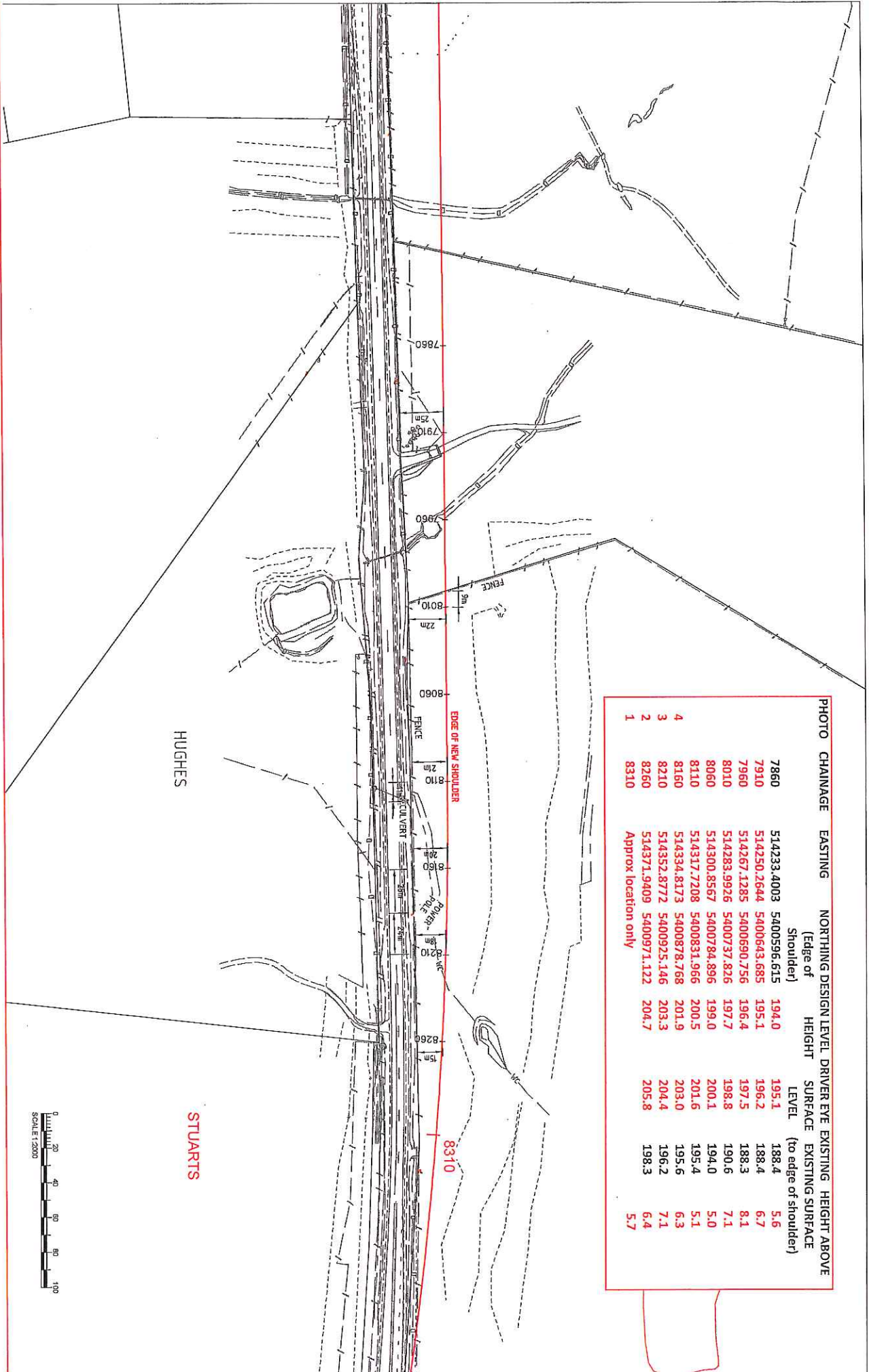
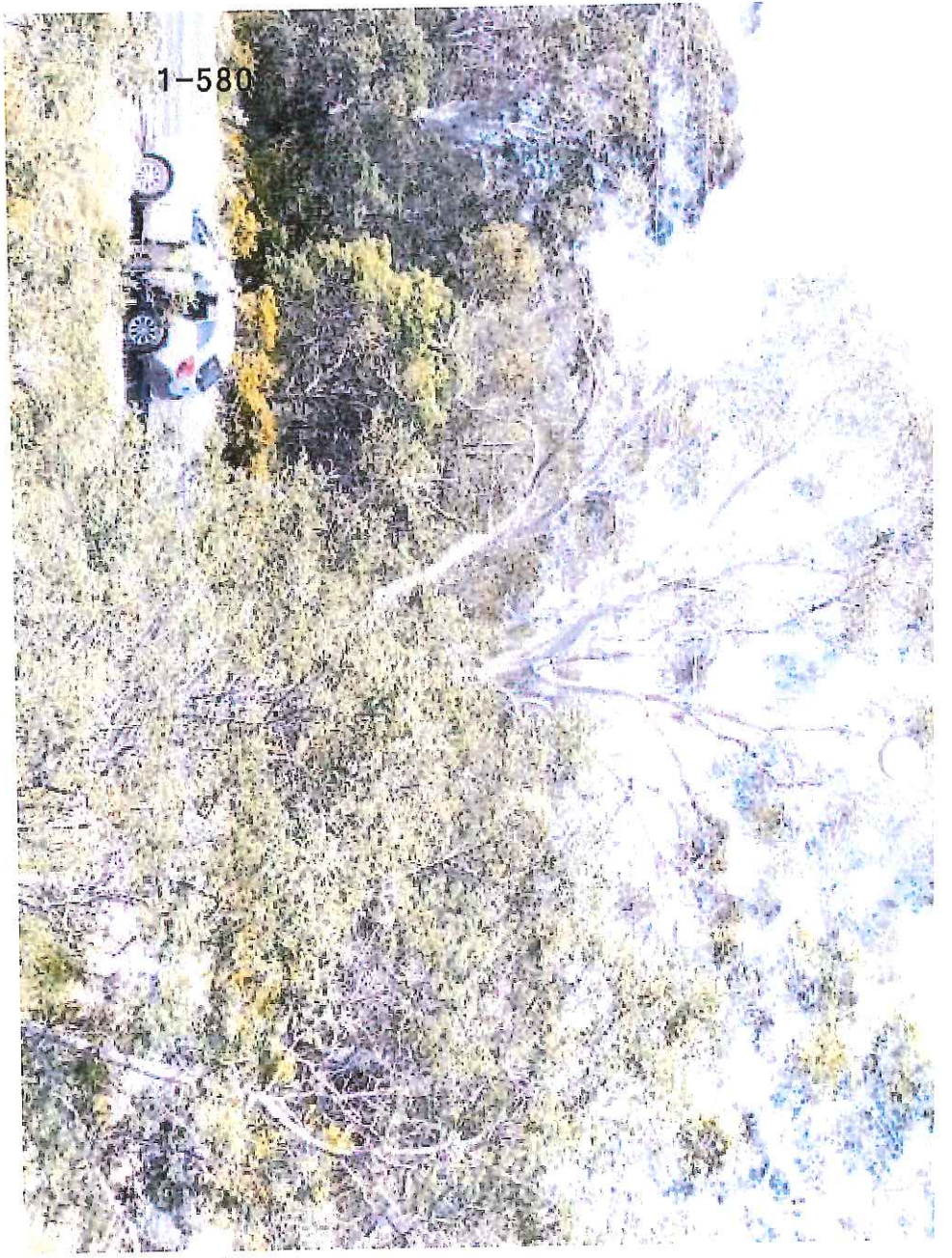


PHOTO	CHAINAGE	EASTING	NORTHING	DESIGN LEVEL	DRIVER EYE HEIGHT	EXISTING SURFACE LEVEL	EXISTING SURFACE HEIGHT ABOVE
			(Edge of Shoulder)			(to edge of shoulder)	
	7860	514233.4003	5400596.615	194.0	195.1	188.4	5.6
	7910	514250.2644	5400643.685	195.1	196.2	188.4	6.7
	7960	514267.1285	5400690.756	196.4	197.5	188.3	8.1
	8010	514283.9926	5400737.826	197.7	198.8	190.6	7.1
	8060	514300.8567	5400784.896	199.0	200.1	194.0	5.0
	8110	514317.7208	5400831.966	200.5	201.6	195.4	5.1
	8160	514334.8173	5400878.768	201.9	203.0	195.6	6.3
	8210	514352.8772	5400925.146	203.3	204.4	196.2	7.1
	8260	514371.9409	5400971.122	204.7	205.8	198.3	6.4
	8310	Approx location only					5.7



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(W)



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ATTACHMENT D

UTILITIES ZONE	
ZONE PURPOSE	
28.1.1.1	<i>To provide land for major utilities installations and corridors.</i>
	Assessment – the proposal complies with this purpose.
28.1.1.2	<i>To provide for other compatible uses where they do not adversely impact on the utility.</i>
	Assessment – not applicable to this application.

28.3 Use Standards

28.3.1 Capacity of existing utilities

<p><i>Objective</i></p> <p><i>To ensure that uses do not compromise the capacity of utility services.</i></p>	
Acceptable Solutions	Performance Criteria
<p>A1 <i>If for permitted or no permit required uses.</i></p>	<p>P1 <i>The proposal must not unreasonably compromise or reduce the operational efficiency of the utility having regard to:</i></p> <ul style="list-style-type: none"> a) <i>existing land use practices; and</i> b) <i>the location of the use in relation to the utility; and</i> c) <i>any required buffers or setbacks; and</i> d) <i>the management of access.</i>
<p>Complies – the proposal is a permitted use</p>	<p>Not applicable.</p>

28.4 Development Standards

28.4.1 Building Design and Siting

<p><i>Objective</i></p> <p><i>To ensure that the siting and design of development:</i></p>
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<p>a) <i>considers the impacts to adjoining lots; and</i></p> <p>b) <i>further the local area objectives and desired future character statements for the area, if any.</i></p>	
Acceptable Solutions	Performance Criteria
<p>A1 <i>Height must not exceed:</i></p> <p>a) <i>6m;or</i></p> <p>b) <i>15 m for ancillary antenna and masts for communication devices.</i></p>	<p>P1 <i>Height must:</i></p> <p>a) <i>minimise the visual impact having regard to:</i></p> <p>i) <i>prevailing character of the landscape or urban pattern of the surrounding area; and</i></p> <p>ii) <i>form and materials; and</i></p> <p>iii) <i>the contours or slope of the land; and</i></p> <p>iv) <i>existing screening or the ability to implement/establish screening through works or landscaping; and</i></p> <p>b) <i>protect the amenity of residential uses in the area from unreasonable impacts having regard to:</i></p> <p>i) <i>the surrounding pattern of development; and</i></p> <p>ii) <i>the existing degree of overlooking and overshadowing; and</i></p> <p>iii) <i>methods to reduce visual impact.</i></p>
Complies	NA
<p>A2 <i>Buildings must be set back from all boundaries a minimum distance of 3m.</i></p>	<p>P2 <i>Building setbacks must:</i></p> <p>a) <i>complement existing building setbacks in the immediate area; and</i></p> <p>b) <i>minimise adverse impacts on adjoining land uses having regard to:</i></p> <p>i) <i>the form of the building; and</i></p> <p>ii) <i>the contours or slope of the land; and</i></p> <p>iii) <i>methods to reduce visual impact; and</i></p> <p>c) <i>protect the amenity of adjoining residential uses from unreasonable</i></p>

	<p><i>impacts of overshadowing and overlooking having regard to:</i></p> <p><i>i) the surrounding pattern of development; and</i></p> <p><i>ii) the existing degree of overlooking and overshadowing; and</i></p> <p><i>iii) methods to reduce overlooking and overshadowing.</i></p>
Complies	NA

RURAL RESOURCE ZONE

ZONE PURPOSE

26.1.1	<p><i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i></p> <p>Assessment – Not applicable to this application for Utilities.</p>
26.1.2	<p><i>To provide for other use or development that does not constrain or conflict with resource development uses.</i></p> <p>Assessment – The proposal complies with this purpose.</p>
26.1.3	<p><i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i></p> <p>Assessment – The proposal complies with this purpose.</p>
26.1.4	<p><i>To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i></p> <p>Assessment – Not applicable to this application for Utilities.</p>
26.1.5	Local Area Objectives
a)	<p><i>Primary Industries:</i></p> <p><i>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</i></p> <p><i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i></p> <p><i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i></p> <p>Assessment – complies with this objective.</p>
b)	<p><i>Tourism</i></p> <p><i>Tourism is an important contributor to the rural economy and can make a</i></p>

	<p><i>significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.</i></p> <p><i>The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.</i></p>
	<p>Assessment – The proposal complies with the objective of providing for important regional tourist routes.</p>
c)	<p><i>Rural Communities</i></p> <p><i>Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.</i></p>
	<p>Assessment – not applicable to this application.</p>
26.1.6	Desired Future Character Statements
26.1.4	<p><i>The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.</i></p>
	<p>Assessment – the proposal for a new section of highway adjacent to the existing highway is considered to be consistent with this character statement.</p>

USE STANDARDS	
26.3.1	DISCRETIONARY USES IF NOT A SINGLE DWELLING
a)	<i>To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</i>
b)	<i>To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.</i>
c)	<i>To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</i>
d)	<i>Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</i>
e)	<i>Uses are suitable within the context of the locality and do not create</i>

	<p><i>an unreasonable adverse impact on existing sensitive uses or local infrastructure.</i></p> <p>f) <i>The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</i></p>
A1	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply.</p>
P1.1	<p><i>It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</i></p> <p>Assessment – The proposal complies with the tourism objective of providing for important regional tourist routes.</p>
P1.2	<p><i>Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.</i></p> <p>Assessment – not applicable to this application.</p>
A2	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply.</p>
P2.1	<p><i>Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</i></p> <p>i) <i>amount of land alienated/converted is minimised; and</i> ii) <i>location is reasonably required for operational efficiency; and</i></p> <p>Assessment – complies – not located on prime agricultural land.</p>
P2.2	<p><i>Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</i></p> <p>Assessment – not applicable.</p>
A3	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply.</p>
P3	<p><i>The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</i></p> <p>a) <i>the amount of land converted is minimised having regard to:</i> i) <i>existing use and development on the land; and</i> ii) <i>surrounding use and development; and</i> iii) <i>topographical constraints; or</i></p> <p>b) <i>the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</i> i) <i>limitations created by any existing use and/or development surrounding the site; and</i> ii) <i>topographical features; and</i> iii) <i>poor capability of the land for primary industry; or</i></p> <p>c) <i>the location of the use on the site is reasonably required for operational efficiency.</i></p>

	<p>Assessment – Agree with the applicant’s view that the amount of acquisition required is minimized to that necessary to accommodate the required road design; and the road is required to provide for operational efficiency and safety of the highway network consistent with subclause a) and c).</p>
A4	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply.</p>
P4	<p><i>It must demonstrated that:</i></p> <p>a) <i>emissions are not likely to cause an environmental nuisance; and</i> b) <i>primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</i> c) <i>the capacity of the local road network can accommodate the traffic generated by the use.</i></p> <p>Assessment – Agree with the applicant’s view that:</p> <p>The proposal will be constructed in accordance with a Construction Environmental Management Plan (CEMP) to minimise any environmental impacts associated with the construction of the road such as dust and noise in accordance with subclause a). The proposed design is not likely to cause environmental nuisance and also accords with the recommendation of the noise impact assessment to ensure that any noise impacts are mitigated in accordance with State Growth Tasmanian State Road Traffic Noise Management Guidelines.</p>
A5	<p><i>The use must:</i></p> <p>a) <i>be permitted or no permit required; or</i> b) <i>be located in an existing building.</i></p> <p>Does not comply.</p>
P5	<p><i>It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</i></p> <p>a) <i>the impacts on skylines and ridgelines; and</i> b) <i>visibility from public roads; and</i> c) <i>the visual impacts of storage of materials or equipment; and</i> d) <i>the visual impacts of vegetation clearance or retention; and</i> e) <i>the desired future character statements.</i></p> <p>Assessment – the proposal for a new section of highway adjacent to the existing highway is considered to be consistent with the visual appearance of the local area.</p>
26.3.2	<p>DWELLINGS</p> <p><i>To ensure that dwellings are:</i></p> <p>a) <i>incidental to resource development; or</i> b) <i>located on land with limited rural potential where they do not constrain surrounding agricultural operations.</i></p>
A1.1	<p><i>Development must be for the alteration, extension or replacement of existing dwellings; or.</i></p> <p>NA</p>
A1.2	<p><i>Ancillary dwellings must be located within the curtilage of the existing dwelling on the property; or</i></p> <p>NA</p>

A1.3	<i>New dwellings must be within the resource development use class and on land that has a minimum current capital value of \$1 million as demonstrated by a valuation report or sale price less than two years old.</i>
	NA
P1.1	<p><i>A dwelling may be constructed where it is demonstrated that:</i></p> <ul style="list-style-type: none"> <i>a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to: <ul style="list-style-type: none"> <i>i) scale; and</i> <i>ii) complexity of operation; and</i> <i>iii) requirement for personal attendance by the occupier; and</i> <i>iv) proximity to the activity; and</i> <i>v) any other matters as relevant to the particular activity; or</i> </i> <i>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to: <ul style="list-style-type: none"> <i>i) limitations created by any existing use and/or development surrounding the site; and</i> <i>ii) topographical features; and</i> <i>iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and</i> </i>
	NA
P1.2	<p><i>A dwelling may be constructed where it is demonstrated that wastewater treatment for the proposed dwelling can be achieved within the lot boundaries, having regard to the rural operation of the property and provision of reasonable curtilage to the proposed dwelling; and</i></p>
	NA
P1.3	<p><i>A dwelling may be constructed where it is demonstrated that the lot has frontage to a road or a Right of Carriageway registered over all relevant titles.</i></p>
	NA
26.3.3	<p>IRRIGATION DISTRICTS</p> <p><i>To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.</i></p>
A1	<p><i>Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.</i></p>
	NA
P1	<p><i>Non-agricultural uses within an irrigation district proclaimed under Part 9 of the Water Management Act 1999 must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to:</i></p> <ul style="list-style-type: none"> <i>a) the location and amount of land to be used; and</i> <i>b) the operational practicalities of irrigation systems as they relate to the land; and</i> <i>c) any management or conservation plans for the land.</i>
	NA

DEVELOPMENT STANDARDS	
26.4.1	<p>BUILDING LOCATION AND APPEARANCE</p> <p>To ensure that the:</p> <ul style="list-style-type: none"> a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and b) development of buildings is unobtrusive and complements the character of the landscape.
A1	<p>Building height must not exceed:</p> <ul style="list-style-type: none"> a) 8m for dwellings; or b) 12m for other purposes. <p>NA</p>
P1	<p>Building height must:</p> <ul style="list-style-type: none"> a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal. <p>NA</p>
A2	<p>Buildings must be set back a minimum of:</p> <ul style="list-style-type: none"> a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling. <p>NA</p>
P2	<p>Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:</p> <ul style="list-style-type: none"> a) the topography of the land; and b) buffers created by natural or other features; and c) the location of development on adjoining lots; and d) the nature of existing and potential adjoining uses; and e) the ability to accommodate a lesser setback to the road having regard to: <ul style="list-style-type: none"> i) the design of the development and landscaping; and ii) the potential for future upgrading of the road; and iii) potential traffic safety hazards; and iv) appropriate noise attenuation. <p>NA</p>
26.4.2	<p>SUBDIVISION</p> <p>To ensure that subdivision is only to:</p> <ul style="list-style-type: none"> a) improve the productive capacity of land for resource development and extractive industries; and b) enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; and c) facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development.
A1	<p>Lots must be:</p> <ul style="list-style-type: none"> a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or b) for the consolidation of a lot with another lot with no additional titles created; or

	c) <i>to align existing titles with zone boundaries and no additional lots are created.</i>
	NA
P1	<i>The subdivision</i> a) <i>must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or</i> b) <i>is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished.</i>
	NA

26.4.3	STRATA DIVISION
26.4.3.1	<i>In this scheme, division of land by stratum title is prohibited in the Rural Resource Zone.</i>

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/A
E2.0 POTENTIALLY CONTAMINATED LAND	N/A
E3.0 LANDSLIP CODE	N/A
E4.0 ROAD AND RAILWAY ASSETS CODE	See code assessment below.
E.5.0 FLOOD PRONE AREAS CODE	N/A
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	See code assessment below
E7.0 SCENIC MANAGEMENT CODE	See code assessment below
E8.0 BIODIVERSITY CODE	See code assessment below
E9.0 WATER QUALITY CODE	See code assessment below
E10.0 RECREATION AND OPEN SPACE CODE	N/A
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/A
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/A
E13.0 LOCAL HISTORIC HERITAGE CODE	See Heritage Adviser's review
E14.0 COASTAL CODE	N/A
E15.0 SIGNS CODE	N/A

E4 Road and Railway Assets Code

E4.1 Purpose of Code

E4.1.1 The purpose of this provision is to:

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and
- b) maintain opportunities for future development of road and rail infrastructure; and
- c) reduce amenity conflicts between roads and railways and other use or development.

E4.2 Application of Code

E4.2.1 This code applies to use or development of land that:

- a) requires a new access, junction or level crossing; or
- b) intensifies the use of an existing access, junction or level crossing; or
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 - i) a future road or railway; or
 - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

E4.3. Definition of Terms

E4.3.1 In this code, unless the contrary intention appears:

Category 1 – Trunk Road	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Category 2 – Regional Freight Route	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Category 3 – Regional Access Road	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Category 4 – Feeder Road	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Category 5 – Other Road	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Future road or railway	means a future road or railway shown on the plans of this planning scheme.
Junction	means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.
Limited access road	means a road proclaimed as limited access under Section 52A of the <i>Roads and Jetties Act 1935</i> .

E4.4 Use or development exempt from this Code

E4.4.1 There are no exemptions from this Code.

E4.5 Requirements for a Traffic Impact Assessment (TIA)

E4.5.1 A TIA is required to demonstrate compliance with performance criteria.

E4.5.2 A TIA for roads must be undertaken in accordance with *Traffic Impact Assessment Guidelines*, Department of Infrastructure, Energy and Resources September 2007. Australian Guidelines and Australian Standards are to be used as the basis for any required road or junction design.

E4.5.3 A TIA must be accompanied by written advice as to the adequacy of the TIA from the:
 a) road authority in respect of a road; and
 b) rail authority in respect of a railway.

E4.5.4 The Council must consider the written advice of the relevant authority when assessing an application which relies on performance criteria to meet an applicable standard

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

<p>Objective</p> <p>To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</p>	<p>P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.</p>
NA	NA
<p>A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day</p>	<p>P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
NA	NA

<p>A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</p>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
<p>Complies.</p>	<p>NA</p>

E4.7 Development Standards

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

<p>Objective</p> <p>To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <ul style="list-style-type: none"> a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and</p>

<p>more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building envelopes on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
<p>Does not comply.</p>	<p>The applicant submitted a Traffic Impact Assessment which was referred to Council's consultant engineer.</p>

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
<p>NA</p>	<p>NA</p>
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an</p>

	<p>existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
Complies.	NA

E6 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

<p>Objective</p> <p>To ensure that an appropriate level of car parking is provided to service use.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public</p>

	<p>transport within reasonable walking distance of the site; and</p> <ul style="list-style-type: none"> e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and i) the recommendations of a traffic impact assessment prepared for the proposal; and j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: <ul style="list-style-type: none"> i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.
<p>Complies. There is no requirement set for Utilities. Given the proposal is for a Highway, no car parking spaces are proposed or required.</p>	<p>NA</p>

E6.6.2 Bicycle Parking Numbers

<p>Objective</p> <p>To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1.1 Permanently accessible bicycle</p>	<p>P1 Permanently accessible bicycle</p>

<p>parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>parking or storage spaces must be provided having regard to the:</p> <p>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</p> <p>b) location of the site and the distance a cyclist would need to travel to reach the site; and</p> <p>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>
<p>Complies. There is no requirement set for Utilities. Given the proposal is for a Highway, no bicycle parking spaces are proposed or required.</p>	<p>NA</p>

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	<i>Vehicle</i>	<i>Bicycle</i>
Utilities	No requirement set	No requirement set

E7 Scenic Management Code

E7.1 Purpose of the Code

E7.6.1 Scenic Management – Tourist Road Corridor

<p>Objective</p> <p>(a) To enhance the visual amenity of the identified tourist road corridors through appropriate:</p> <ul style="list-style-type: none"> i) setbacks of development to the road to provide for views that are significant to the traveller experience and to mitigate the bulk of development; and ii) location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and iii) design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and iv) retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and v) retention of vegetation (native or exotic) that provides amenity value to the road corridor due to being in a natural condition, such as native forest, or of cultural
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<p>landscape interest such as hedgerows and significant, exotic feature trees; and</p> <p>(b) To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from the road within the tourist road corridor.</p>	<p>P1 Development (not including subdivision) must be screened when viewed from the road within the tourist road corridor having regard to:</p> <ul style="list-style-type: none"> a) the impact on skylines, ridgelines and prominent locations; and b) the proximity to the road and the impact on views from the road; and c) the need for the development to be prominent to the road; and d) the specific requirements of a resource development use; and e) the retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and f) whether existing native or significant exotic vegetation within the tourist road corridor is managed to retain the visual values of a touring route; and g) whether development for forestry or plantation forestry is in accordance with the 'Conservation of Natural and Cultural Values – Landscape' section of the <i>Forest Practices Code</i>; and h) the design and/or treatment of development including: <ul style="list-style-type: none"> i) the bulk and form of buildings including materials and finishes; ii) earthworks for cut or fill; iii) complementing the physical (built or natural) characteristics of the site.
<p>Does not comply</p>	<p>Photomontages of the proposed highway give an indication of its impact on the landscape. Given that it is to be adjacent to the existing road, it is considered to be suitable for the landscape.</p>