

PLAN 2

PLANNING APPLICATION PLN-20-0001

41-43 WELLINGTON STREET, LONGFORD

ATTACHMENTS

- A. Draft amendment and permit
- B. Representations and applicant's response
- C. Tasmanian Heritage Council – Notice of Heritage Decision
- D. Tasmanian Planning Commission – Approval process for a combined permit and amendment of planning schemes flowchart


NORTHERN MIDLANDS INTERIM
PLANNING SCHEME 2013

AMENDMENT 01/2020

to allow the land at 41-43 Wellington Street, Longford to be rezoned from Community Purpose to General Residential in conjunction with an s43A application for a 3-lot subdivision & partial demolition



Legend:

 General Residential

The **COMMON SEAL** of the)
 Northern Midlands Council is)
 hereunto affixed, pursuant to the)
 Council's resolution of)
 27th April 2020 in the presence of:)



M. Howles

.....
Mayor

.....
General Manager

**NORTHERN MIDLANDS INTERIM
PLANNING SCHEME 2013**

INSTRUMENT OF CERTIFICATION

The Northern Midlands Council resolved at its meeting of **27th April 2020** to certify that draft Amendment 01/2020 of *Northern Midlands Interim Planning Scheme 2013* to allow the land at 41-43 Wellington Street, Longford to be rezoned from Community Purpose to General Residential in conjunction with an s43A application for 3-lot subdivision & partial demolition, meets the requirements specified in section 32 of the *Land Use Planning and Approvals Act 1993*.

The **COMMON SEAL** of the)
Northern Midlands Council is)
affixed hereto, pursuant to the)
Council's resolution of)
27th April 2020 in the presence of:)



M Knowles

.....
Mayor

A handwritten signature in black ink, appearing to be "J. J. ...".

.....
General Manager

Northern Midlands Interim Planning Scheme 2013



**NORTHERN
MIDLANDS
COUNCIL**

Planning Permit PLN-20-0001

Draft

In accordance with Division 2 of the *Land Use and Planning Approvals Act 1993*, the Northern Midlands Council (Planning Authority) hereby grants a permit for –

ADDRESS OF LAND:

41-43 WELLINGTON STREET LONGFORD

Property No: 3034513
Subdivision No: 27/003/869
CT 159522/1

THIS PERMIT ALLOWS FOR:

The land at 41-43 WELLINGTON STREET, Longford to be developed and used for a 3-lot subdivision & partial demolition, in accordance with application PLN-20-0001, and subject to the following conditions:

1 LAYOUT NOT ALTERED

The use and development must be in accordance with the endorsed plans numbered P1 (Job No: 1490-1975, Sheet No's: 7519-01DA_R1, Dated: 29.03.2020) & D1 (Section 43A Application - Supporting Submission, prepared by Rebecca Green and Associates, dated: March 2020).

2 COUNCIL'S WORKS DEPARTMENT CONDITIONS

2.1 Stormwater

Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.

2.2 Access (Urban)

a) A concrete driveway crossover and hotmix sealed apron must be constructed from the edge of the road to the property boundary of all lots in accordance with Council standards.

b) Access works must not commence until an application for vehicular crossing has been approved by Council.

2.3 As constructed information

As Constructed Plans and Asset Management Information must be provided in accordance with Council's standard requirements.

2.4 Municipal standards & certification of works

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's subdivision design guidelines to the satisfaction of the Works & Infrastructure Department. Any construction, including maintenance periods, must also be completed to the approval of the Works & Infrastructure Department.

2.5 Works in Council road reserve

a) Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.

b) Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

2.6 Works in State road reserve (for installation of stormwater connection in Wellington St)

a) The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.

b) Application requirements and forms can be found at transport.tas.gov.au/road/permits, applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.

2.7 Separation of stormwater services

a) All existing stormwater pipes and connections must be located.

b) Where required, pipes are to be rerouted to provide an independent system for each lot.

c) Certification must be provided that all hydraulic services have been separated between the lots.

2.8 Easements to be created

Easements must be created over all Council owned services in favour of the Northern Midlands Council. Such easements must be created on the final plan to the satisfaction of the General Manager.

2.9 Pollutants

a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.

b) Prior to the commencement of the development authorised by this permit the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

2.10 Nature strips

Any new nature strips, or areas of nature strip that are disturbed during construction, must be topped with 100mm of good quality topsoil and sown with grass. Grass must be established and free of weeds prior to Council accepting the development.



3 TASWATER CONDITIONS

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2020/00034-NMC).

4 HERITAGE

(a) Prior to the commencement of works, a schedule of demolition and repair works must be prepared and submitted for endorsement by the Tasmanian Heritage Council. (b) Perimeter fencing of the lot must not occur without further planning approval.

5 PUBLIC OPEN SPACE CONTRIBUTIONS

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

\$1,400 per additional lot created; or

The applicant may, at his or her discretion, obtain a current (not less than one month old) valuation, by a registered land valuer, of the subject land, less one of the proposed lots (or strata units). The Public Open Space Rate shall total 5% of that value.

6 SEALING OF PLANS

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.



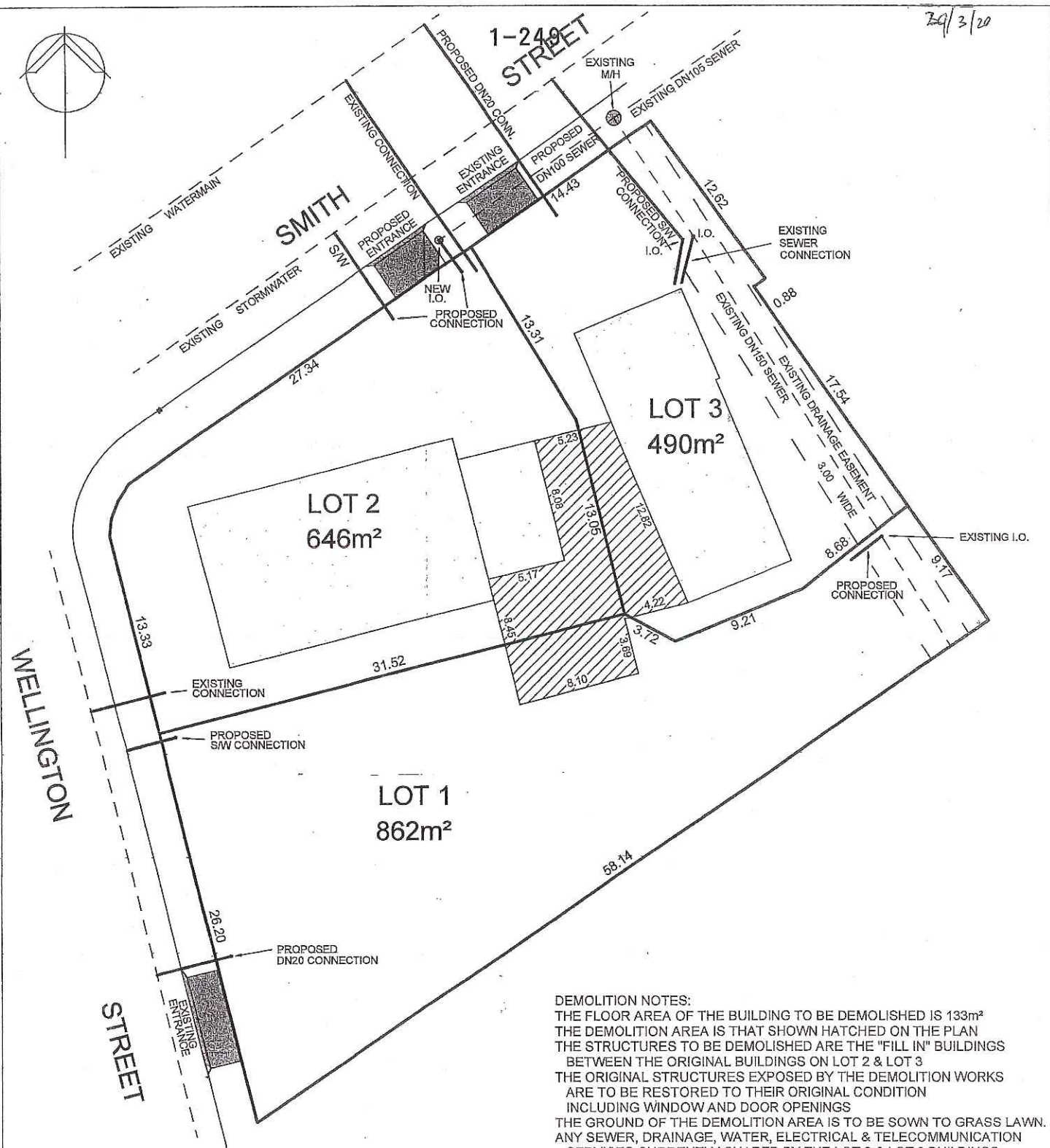
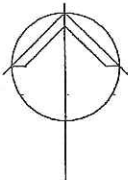
DES JENNINGS
GENERAL MANAGER

27 April 2020

Notes:

- A This permit has no force or effect until such time as the associated Planning Scheme Amendment is approved by the Tasmanian Planning Commission.
- B Attention is directed to Section 39 of the Land Use Planning and Approvals Act 1993: "... representations in relation to that draft amendment may be submitted to the authority by any person before the expiration of the exhibition period referred to in section 38(1)(a) ... 28 days (or a longer period agreed to by the planning authority and the Commission) from the date, specified in the notice, on which the public exhibition of those documents is to begin." (The authority is the Northern Midlands Council.)
- C This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.
- D The issue of this planning permit does not certify compliance with the Building Code of Australia, the Disability Discrimination Act 1992 or any other applicable legislation.
- E All new road reservation and/or drainage reserve areas shall be transferred to Council prior to takeover of the subdivision works as council assets at no cost to Council.

29/3/20



DEMOLITION NOTES:
 THE FLOOR AREA OF THE BUILDING TO BE DEMOLISHED IS 133m²
 THE DEMOLITION AREA IS THAT SHOWN HATCHED ON THE PLAN
 THE STRUCTURES TO BE DEMOLISHED ARE THE "FILL IN" BUILDINGS
 BETWEEN THE ORIGINAL BUILDINGS ON LOT 2 & LOT 3
 THE ORIGINAL STRUCTURES EXPOSED BY THE DEMOLITION WORKS
 ARE TO BE RESTORED TO THEIR ORIGINAL CONDITION
 INCLUDING WINDOW AND DOOR OPENINGS
 THE GROUND OF THE DEMOLITION AREA IS TO BE SOWN TO GRASS LAWN.
 ANY SEWER, DRAINAGE, WATER, ELECTRICAL & TELECOMMUNICATION
 SERVICES CURRENTLY SHARED BY THE LOT 2 & LOT 3 BUILDINGS
 ARE TO BE SEPARATED
 ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH THE
 RELEVANT BUILDING CODES AND STATUTORY REQUIREMENTS

NOTES
 LOT 1, LOT 2 & LOT 3 COMPRISE THE WHOLE OF THE LAND IN F/R 159522/1
 WATER & SEWER CONNECTIONS ARE BY TASWATER AT THE DEVELOPERS EXPENSE
 NEW KERB CROSSOVER AND NEW DRIVEWAY APRON ARE BY THE DEVELOPER TO
 NORTHERN MIDLANDS COUNCIL STANDARD AT THE DEVELOPERS EXPENSE
 HEIGHTS ARE TO AUSTRALIAN HEIGHT DATUM
 HEIGHTS ARE DERIVED FROM FIELD SURVEY NOVEMBER 2019

D.J. McCULLOCH Surveying
 AUTHORISED LAND, ENGINEERING & MINING SURVEYORS
 PO BOX 725 RIVERSIDE TAS 7250
 PHONE 03 63271394 EMAIL- mccullidj@bigpond.net.au
 MOBILE 0417526589

CONCEPT SERVICING PLAN
 41-43 Wellington Street, Longford
 Philip & Elizabeth Lethborg Owners
 Title Reference - F/R 159522/1
 Development Application for Planning Permit
 Northern Midlands Council



SCALE 1:250 (A3)
 Job No. 1490-1975

D.J. McCulloch
 Registered Land Surveyor
 29/03/2020
 Date

Plan Number
7519-01DA_R1

This plan has been prepared as a proposed subdivision plan to accompany an application to Council for Planning Approval and it should not be used for any other purpose. The dimensions, area, boundary positions and number of lots are subject to final survey and also to the requirements of Council and any other authority acting under any relevant legislation. In particular no reliance should be placed on the information shown on this plan for any legal or financial dealings involving the subject or adjoining lands. This note is an integral part of this plan.

Section 43A Application

41-43 WELLINGTON STREET, LONGFORD
D.J. McCULLOCH SURVEYING
ON BEHALF OF PHILIP & ELIZABETH LETHBORG
SUPPORTING SUBMISSION
MARCH 2020



Prepared by:
Rebecca Green & Associates

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1. Executive Summary

Rebecca Green & Associates has been engaged by D.J. McCulloch Surveying to prepare a written submission on behalf of Phillip and Elizabeth Lethborg to request a rezoning amendment to the *Northern Midlands Interim Planning Scheme 2013 – Version 29* ('the scheme') and subsequent development application for a Subdivision in accordance with Section 43A of the *Land Use Planning and Approvals Act 1993* (the Act) relating to land at 41-43 Wellington Street, Longford.

The proposed rezoning seeks to extend the General Residential Zone to all of the land at 41-43 Wellington Street, Longford, located on the south-eastern corner of the intersection of Wellington Street and Smith Street. This is effectively an extension of the General Residential Zone which applies to all the land surrounding the site. The land is to be subdivided into 3 lots for future residential use. The rezoning needs to occur to allow the subdivision which is otherwise prohibited in the Community Purpose Zone.

A secondary aspect of the application is for the subdivision of the site into 3 residential lots ranging in size from 490m² to 862m². The amendment is required to enable the subdivision and future use and development of the site for residential purposes. The current zoning of the Community Purpose is no longer a relevant zoning as the Funeral Chapel has ceased operating from the site and is land is surplus to Lethborg Family Funeral needs.

This submission forms the basis of the application and has been prepared having regard to the relevant requirement and objectives of the Act together with relevant strategic planning documents, including:

- Northern Tasmania Regional Land Use Strategy;
- The Scheme;
- State Policies; and
- Strategic Plan 2017-2027.

References to the relevant requirements of the Act in this submission are references to the requirements in Parts 2A and 3 of the former provisions of the Act, in accordance with Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*.

This submission demonstrates compliance with the requirements of Section 32 and Section 43A of the Act. As such, the proposal is suitable for Council certification and subsequent approval.

2. The Proposal

The purpose of this application is to amend the *Northern Midlands Interim Planning Scheme 2013* ("the Scheme") as follows:

- An amendment to the Scheme to change the zoning of CT 159522/1 comprised within the 17.0 Community Purpose Zone to 10.0 General Residential Zone;
- To consider a development application for a 3-lot subdivision and demolition works.

This submission will be presented in three parts. The first part of the submission will provide details of the site. The second part will address the requirements of Section 33 of the *Land Use Planning and Approvals Act 1993* (LUPAA) with reference to the proposed change of zoning. The third part will address the requirements of Section 43A of LUPAA with respect to the development proposal itself.

3. Site Analysis

3.1 Location

The subject land is located at 41-43 Wellington Street, Longford (CT 159522/1) and is comprised of one parcel of land. The subject site comprises a total area of 1998m² and accommodates two main structures, a place of assembly (former church and funeral chapel) and an associated hall with modern structures connecting the two heritage buildings.

The subject site is a rectangular shaped lot with an area of approximately 1998m², accessed via two crossovers, one from each of Smith Street and Wellington Street with frontage to Wellington Street of approximately 39.5 metres and frontage to Smith Street of approximately 41.7 metres. The site is relatively flat and is developed with two main heritage buildings: a place of assembly (former church) and an associated hall with modern structures connecting the two heritage buildings.

The site is located centrally within Longford and within the town centre. It is situated on the south-eastern corner of the intersection of Wellington Street and Smith Street. The site is completely surrounded by land contained within the General Residential Zone developed with a mix of single and multiple dwellings.

The site was a former church and associated Sunday school hall. Used in more recent times as a funeral chapel and funeral mortuary services. The hall and church are no longer used, and the more modern additions store a car and are used for limited mortuary services. The land is surplus to the business needs of Lethborg Family Funerals. The site has been for sale for some time, with no interest for the entirety of the site for place of assembly or similar land uses.

A copy of the title documentation is provided under separate cover. Figure 1, below, illustrates the location of the subject land.

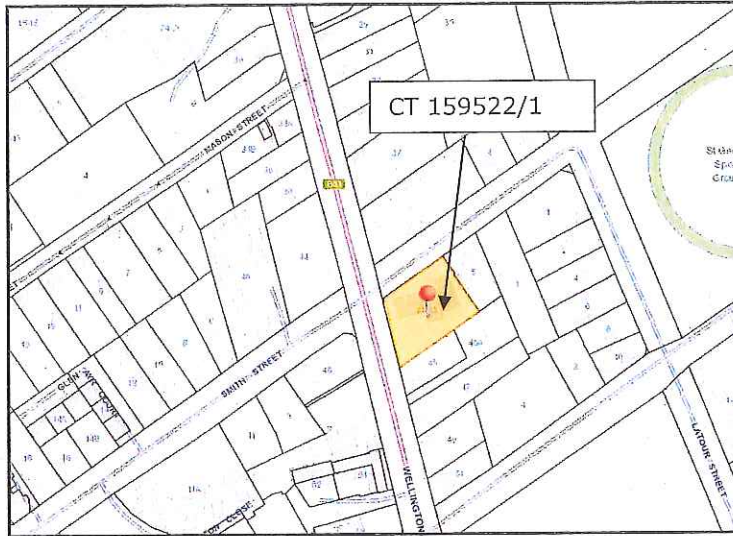


Figure 1 – Location of subject land. (Image courtesy of www.thelist.tas.gov.au)

The site is contained within the Community Purpose Zone (refer Figure 2) and is also within the Heritage Precinct and Urban Growth Boundary overlays. The site is surrounded by land on all side contained within the General Residential Zone.

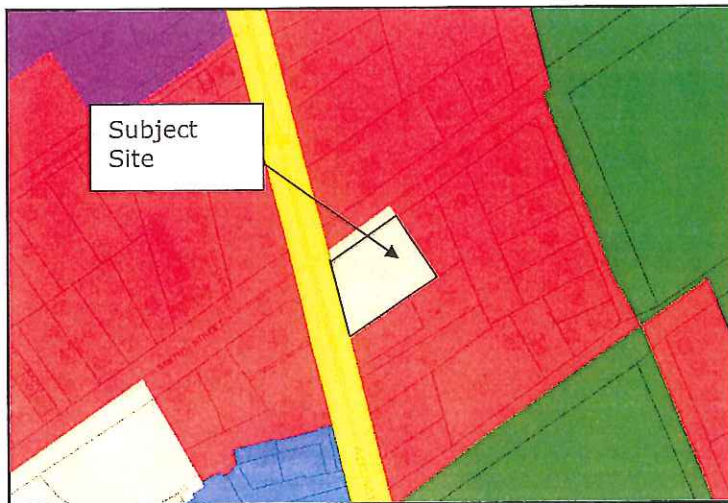


Figure 2 – Site zoning and surrounding zoning. (Image courtesy of www.thelist.tas.gov.au)
 Cream = Community Purpose, Red = General Residential

3.2 Title description

The subject property is described in the following title, CT 159522/1. The registered owners of the lot are Philip Grant Lethborg and Elizabeth Anne Lethborg. Written permission has been provided to D.J. McCulloch Surveying to provide for submission of the application.

3.3 Hazards and Special Values

3.3.1 Heritage and Scenic

The site is heritage listed on the Tasmanian Heritage Register and at Council level. The site is located within a Heritage Precinct under the Scheme. Preliminary comment from Heritage Tasmania in respect to the proposal is that they will consider the matter further after the development application has been submitted to Council and referred for assessment.

The subject site is within an urban area and is already developed for urban purposes. For this reason, it is considered that any Aboriginal Heritage Values that the site may have has would already be degraded. The subject site is not listed in Table E13.3 Places of Archaeological Significance.

3.3.2 Flooding

The site is not known to be subject to flooding.

3.3.3 Bushfire

The subject site is not located within a bushfire prone area as mapped and defined by the Scheme.

3.3.4 Land capability

Published Land Capability at 1:100,000 maps the subject site as Class 4, however due to the urban setting and location it is unlikely that there is any potential for agricultural purposes of the site.

3.3.5 General environmental quality and hazard risk

The subject site is not known to have been used for a relevant activity listed in the Potentially Contaminated Land Code of the Scheme.

The site is not identified as being of risk of landslip. The subject site is surrounded by an area that has already been developed and has been developed upon.

3.3.6 Special or significant features of the subject land

There are no species of rare, vulnerable or endangered flora or fauna species located on the subject land.

There is no native vegetation on the subject site that will require clearing as part of the development of the site.

3.3.7 Infrastructure

The site is located within an area where there is a reticulated water, sewer and storm water system and the site has access to a Council maintained road.

A new crossover is proposed from Smith Street to serve Lot 2, and proposed water, sewer and stormwater connections are proposed as demonstrated on the Proposed Subdivision Plan. It is unlikely that there will be any issues in terms of hydraulic capacity with the property being rezoned to General Residential.

4. The Amendment

4.1 Existing Zone

The subject site is currently zoned Community Purpose under the *Northern Midlands Interim Planning Scheme 2013*, which supports the previous use as a place of assembly – funeral services.

4.2 Proposed Zone

The amendment proposes to rezone the that land at 41-43 Wellington Street, Longford from Community Purpose to General Residential. The Heritage Precinct Overlay is proposed to remain. This provides for a logical continuation of the existing General Residential Zone that directly adjoins the subject site in all directions.

The site has ceased being used as a public place of assembly and is for sale and suited for future residential use and development. The application of the surrounding General Residential Zone would be appropriate.

4.3 Section 33 of LUPAA

An amendment to a Planning Scheme:

- Must seek to further the objectives of Schedule 1; and
- Must be prepared in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993; and
- May make any provision which relates to the use, development, protection or conservation of any land; and
- Must have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*; and
- Must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and
- Must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.
- The provisions of section 20 (2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.

Each of these parts will be addressed in the following sections.

4.4 Objectives of Schedule 1, Part 1 of LUPAA

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

The site is within an existing urban area and is considered that the proposed rezoning amendment promotes the sustainable development of Longford by allowing existing land located within a residential, urban environment to be developed for such purposes in the future. No rare or threatened species of flora or fauna have been identified on the subject site. As such, the proposed amendment will not threaten genetic diversity. The proposal would therefore also not adversely impact on ecological processes. The rezoning is seen as a potential to enable a wider range of uses on the land to enable appropriate reuse.

- (b) *To provide for the fair, orderly and sustainable use and development of air, land and water*

The proposed rezoning amendment represents an orderly and sustainable use of land within a township that has limitations on its ability to expand outside the town boundaries without impact to agricultural productivity. The proposed rezoning allows for the future change of use and development for residential purposes within the urban growth boundary. The subject site is surrounded by the General Residential Zone and the proposed rezoning represents a logical expansion of the zone.

The site is connected and can be further connected where necessary to full reticulated services.

(c) To encourage public involvement in resource management and planning

This process encourages public participation and comment through the notification process prescribed by Section 38 of the Act, following Council initiation. The community and government departments and agencies will be able to formally comment on the draft amendment as part of this process.

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

The proposed amendment seeks to further this objective of the Act by rezoning the subject land to facilitate opportunity for increased investment in the housing stock in the Longford township and will therefore stimulate economic growth not only through construction activity but also an increase in residential population.

The amendment is therefore in accordance with objectives (a), (b) and (c) as discussed above.

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

The amendment seeks to further this objective by allowing for development of the subject land, in conjunction with Council and the community.

Community involvement will be encouraged through public notification, local government involvement will be encouraged through this planning process and industry involvement will be promoted during the future development and construction phase of the site development. State Government involvement will be facilitated through the Tasmanian Planning Commission assessment process.

4.5 Objectives of Schedule 1, Part 2 of LUPAA

(a) To require sound strategic planning and coordinated action by State and local government; and

The amendment seeks to further this objective of the Act by furthering Council's objectives as expressed through the Northern Regional Land Use Strategy. The proposed rezoning amendment represents a logical expansion of the General Residential Zone as the present use and zone of the site no longer suits the needs of a place of assembly. It is not appropriate to retain the Community Purpose Zone for a parcel of land that is privately held and to be sold to further private holdings. It therefore represents sound strategic planning.

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

The proposed amendment seeks to change the zoning of the subject site to a zone existing within the *Northern Midlands Interim Planning Scheme 2013*. It is proposed to change the zoning of the subject site, to allow subdivision and later residential use and development.

The land will be developed in accordance with the relevant provisions of the *Northern Midlands Interim Planning Scheme 2013*, the relevant code provisions will continue to apply.

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

The amendment is not likely to have an adverse impact on the surrounding environment. No rare, vulnerable or threatened species of flora or fauna have been identified on the subject property. Similarly, no areas of land exist on the site that require conservation.

The social and economic effects of development of the site should be given sufficient weight as the change of zone will allow for expansion of residential use and development within an existing urban area and on services land thereby avoiding development pressures in less appropriate areas.

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

The proposed amendment seeks to further this objective through alignment with Council's objectives for the development of the area and furthers the objectives of the Regional Land Use Strategy of Northern Tasmania.

All relevant regional and state policies have been considered for this proposal.

- (e) *To provide for the consolidation of approvals for land use or development and related matters, and to coordinate planning approvals with related approvals; and*

This amendment seeks to further this objective by allowing simultaneous consideration of both the amendment and the proposed development in accordance with Section 43A of the *Land Use Planning and Approvals Act 1993*.

The proposed amendment will allow for subdivision of the subject site.

- (f) *To secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and*

The proposed amendment will not impact the residential amenity of neighbouring residential properties. This is protected by the standards relating to amenity in the General Residential Zone. The amendment will in fact have the potential to reduce future amenity impacts from potentially incompatible uses allowed under the Community Purposes Zone.

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

The subject land has known historical value. The proposed amendment seeks to further this objective by allowing for use and development of the site in a way that has no impact on the historic value of any heritage sites. The proposal provides for demolition of some of the more modern structures connecting the heritage buildings on the site.

- (h) *To protect public infrastructure and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community; and*

This amendment will further this objective by allowing for the rezoning of the site to facilitate further use opportunities of the subject site other than the limited and potentially incompatible uses provided for within the present zone. By allowing for the subdivision as proposed the site may in the future provide for additional residential use and development.

The future use(s) of the subject site will be required to continue to manage the potential environmental impact of stormwater discharges and wastewater disposal.

The future use(s) of the subject site are otherwise capable of continuing to be connected to or proposed to be connected to electricity, reticulated water and telecommunications infrastructure, in accordance with the requirements of the relevant authorities.

- (i) *To provide a planning framework that fully considers land capability.*

The subject site is within an existing urban area and has no agricultural value.

4.6 State Policies

State Policy on Water Quality Management 1997

The *State Policy on Water Quality Management 1997* came into operation on 27 September 1997. This policy applies to all surface water, including coastal waters, and groundwater's, other than privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public, or, water in any tank, pipe or cistern.

Clause 31.5 of the Policy requires that a use or development be consistent with the physical capacity of the land so that the potential for erosion and subsequent water quality degradation is minimised.

The nature of future use and development combined with the capacity of the Planning Authority to impose appropriate conditions in any subsequent planning approvals provides the opportunity for the relevant requirements of the Policy to be met.

On the above basis, it is considered that the proposed amendment complies with the provisions of the *State Policy on Water Quality Management 1997*.

State Policy on the Protection of Agricultural Land 2009

The *State Policy on the Protection of Agricultural Land 2009* came into operation on 3 September 2009. The Policy applies to all agricultural land in Tasmania.

The Agricultural Land Policy defines 'Agricultural land' as:

Means all land that is in agricultural use or has the potential for agricultural use, that has not need zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

The site has been zoned for urban use (Community Purpose Zone) and is therefore not classed as agricultural land and the Agricultural Land Policy does not apply to the land.

State Coastal Policy 1996

The *State Coastal Policy 1996* came into operation on 10 October 1996. This policy applies to the coastal zone, which includes all State waters and land within 1km from the High-Water Mark.

The site is not located within 1km of the coast and the State Coastal Policy does not apply to the land.

National Environment Protection Measures

In accordance with Section 12A of the *State Policies and Projects Act 1993*, a national environment protection measure is taken to be a State Policy. The following therefore require consideration:

- Ambient air quality 2002
- Diesel vehicle emissions 2001
- Assessment of site contamination 1999
- Used packaging materials 1999
- Movement of controlled waste between States and Territories 1998
- National pollutant inventory 2000

The site has no land use history that indicates contamination. It is considered that the NEPMs will have no impact on the proposed amendment.

4.7 Use, development, protection or conservation of any land

All required provisions relating to the sustainable development of the land are provided for through the normal planning scheme requirements. In particular, the range of codes dealing with land hazards and values will continue to apply to future applications for a permit.

4.8 Requirements under the Gas Pipelines Act 2000

This section of LUPAA requires that regard be had with respect of the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*. The gas pipeline is not located near to the subject property. As such, the requirements of the *Gas Pipelines Act 2000* are not relevant to the proposed amendment.

4.9 Risk of land use conflict

As noted throughout this submission, the proposed amendment will not cause conflict with adjoining uses. The adjacent uses on adjacent and nearby lots will continue and will not be affected by the subdivision or any future residential use and development.

The table below outlines the differences in the allowable land uses in both the existing (Community Purpose) and proposed (General Residential) Zones.

| Community Purpose Zone (existing) | General Residential Zone (proposed) |
|---|---|
| <i>No permit required</i> | |
| Passive recreation Natural and cultural values management | Residential (single dwelling) Natural and cultural values management Passive recreation |
| <i>Permitted</i> | |
| Emergency services Community meeting and entertainment Crematoria and cemeteries Educational and occasional care Hospital services Recycling and waste disposal (if for municipal waste transfer station or refuse disposal site) Sports and recreation Utilities (if for minor utilities) | Residential (caretakers dwelling or home based business or multiple dwellings) Utilities |
| <i>Discretionary</i> | |
| Business and professional services Food services | Business and professional services (medical centre) |

| | |
|---|--|
| General Retail and Hire (only on one identified title) Residential (if for residential aged car facility, respite centre or retirement village) Tourist Operation (if for a visitor centre) Utilities (if not for minor utilities) | Educational and occasional care Food services (if a café or takeaway food premises) General retail and hire (if a local shop) Community meeting and entertainment (if not a cinema or function centre) Residential (if a boarding house, communal residence, hostel, residential aged car facility, retirement village) Visitor accommodation |
|---|--|

It is evident from the above table that the range of uses permissible on the site, will significantly reduce as a result of the proposed rezoning. It is submitted that given the location of the site which is entirely surrounded by residential development, that the reduced range of uses that are more compatible with residential development is appropriate for the site and will not impact negatively on the amenity of the surrounds. In fact, the present zoning allows for a range of uses that do have the potential to have a negative impact on the amenity of the surrounds and potentially create land use conflict. The General Residential Zone has use standards which will apply to future uses on the site which seek to protect the amenity of surrounding properties. Further, the development standards contained within the General Residential Zone provide for greater protection of amenity including overshadowing and loss of privacy to the neighbouring properties than is afforded by the development standards under the Community Purpose Zone.

For these reasons, it is submitted that the proposed rezoning will not result in land use conflict or loss of amenity.

Any future application for use and development would be subject to the same number of codes as currently applies including the Heritage Code.

4.10 Northern Tasmania Regional Land Use Strategy (RLUS)

The Regional Land Use Strategy of Northern Tasmania was originally declared by the Minister for Planning in accordance with the relevant provisions of the Act on 27 October 2011. The current version was declared by the Minister for Planning on 18 June 2018 and came into operation on 27 June 2018.

The relevant regional policies and actions in the RLUS are reproduced and addressed:

4.3.2 C – Goals and Strategic Directions

| | |
|--|---|
| <p><i>C.4.2 Goal 2: Liveability</i> <i>To promote liveability measures for social and community development and the betterment of healthy strong and vibrant urban and rural settlements.</i></p> | |
| <p>Strategic Direction</p> | <p>Comment:</p> |
| <p>G2.1 Identify Urban Growth Areas to advance a sustainable urban settlement pattern,</p> | <p>The subject site is within an existing urban settlement and already zoned for development. Longford is identified as a District Service Centre on the Regional Settlement Hierarchy. The proposed amendment will allow for infill population growth, where there are limited vacant lots available in Longford presently (2 available on www.realestate.com.au at the time of writing this report within the General Residential Zone in Longford).</p> |

| | |
|--|---|
| G2.2 Plan for social-demographic changes | The proposed amendment will allow for future development for residential purposes. The lot sizes proposed are in character with the surrounds and sympathetic to the Heritage Precinct. |
| G2.3 Promote local character values | The subject site is within a Heritage Precinct and therefore future use and development must be assessed against the Heritage Code unless exempt. The proposed amendment does not propose to remove the property from the Precinct. |
| G2.4 Enhance social inclusion | The subject site is accessible to a range of services within the retail precinct of Longford. |

C.4.3 Goal 3: Sustainability

To promote greater sustainability in new development and develop stronger community resilience to social and environmental change.

| Strategic Direction | Comment: |
|--|---|
| G3.1 Promote the Region's unique environmental assets and values | The subject site is within an existing urban area and already partially developed. Further development for residential purposes will not impact on any environmental assets or values. The proposed amendment is considered to be sustainable in that it promotes infill residential development. |
| G3.2 Establish planning policies to support sustainable development, address the impacts of climate change, improve energy efficiency and reduce environmental emissions and pollutants. | The proposed amendment will allow for infill development opportunities in an area within an area of walkability to a range of services. |

4.3.4 E – Regional Planning Policies

| Policy | Actions |
|---|---|
| Regional Settlement Networks | |
| RSN-P1 Urban settlements are contained within identified Urban Growth Areas. No new discrete settlements are allowed and opportunities for expansion will be restricted to locations where there is a demonstrated housing need, particularly where space infrastructure capacity exists (particularly water supply and sewerage). | <p>RSN-A1 Provide an adequate supply of well located and serviced residential land to meet projected demand. Land owners/developers are provided with the details about how development should occur through local settlement strategies, structure plans and planning schemes. Plans are to be prepared in accordance with land use principles outlined in the RLUS, land capability, infrastructure capacity and demand.</p> <p>RSN-A2 Land supply will be provided in Urban Growth Areas identified as:</p> <ul style="list-style-type: none"> • Priority Consolidation Areas; • Supporting Consolidation Areas; or • Growth Corridor. <p>RSN-A3 Apply zoning that provide for the flexibility of settlements or precincts within a settlement and the ability to restructure under-</p> |

| | |
|---|--|
| | utilised land. |
| <p>Comment: The proposed rezoning will not result in either a new settlement or an out of centre residential area. The rezoning creates the opportunity for infill housing on a site that is fully connected to reticulated services and there is adequate capacity. The site is located within a Supporting Consolidation Area. The site is presently under-utilised and is no longer required for any community purpose based uses.</p> | |
| <p>RSN-P2 Provide for existing settlements to support local and regional economies, concentrate investment in the improvement of services and infrastructure, and enhance quality of life.</p> <p>RSN-P3 Recognise the isolated relationship of the Furneaux Group of islands to the settlement system of the region, the that settlement and activity centre planning will be dependent on local strategies to support sustainable outcomes.</p> | <p>RSN-A4 Provide for the long term future supply of urban residential land that matches existing and planned infrastructure capacity being delivered by TasWater, specifically in parallel with existing water and sewerage capacity and required augmentation to meet urban development growth and capacity – both residential and industrial.</p> <p>RSN-A5 Provide a diverse housing choice that is affordable, accessible and reflects changes in population, including population composition. Ageing populations and single persons should be supported to remain in existing communities as housing needs change; ‘ageing in home’ options should be provided.</p> <p>RSN-A6 Encourage urban residential expansion in-and-around the region’s activity centre network to maximise proximity to employment, services and the use of existing infrastructure, including supporting greater public transport use and services.</p> <p>RSN-A7 Ensure all rural and environmental living occurs outside Urban Growth Areas.</p> <p>RSN-A8 Identify areas with existing mixed land use patters, and/or ‘Brownfield’ areas adjacent to activity centres, for mixed use redevelopment, and apply zones that provide for flexibility of use to support the activity centre and the role of the settlement.</p> |
| <p>Comment: The proposed rezoning adheres to RSN-A2 as it provided for additional residential land within an existing settlement. It is intended that the lot sizes are in keeping with the surrounds and is considered appropriate given the site is located within a Heritage Precinct.</p> | |
| <p>RSN-P5 Encourage a higher proportion of development at high and medium density to maximise infrastructure capacity. This will include an increased proportion of multiple dwellings at infill and redevelopment locations across the region’s Urban Growth Areas to meet residential demand.</p> | <p>RSN-A10 Apply zoning provisions which provide for a higher proportion of the region’s growth to occur in suitably zoned and services areas. The application of Urban Mixed Use, Inner Residential and General Residential Zones should specifically support diversity in dwelling types and sizes in appropriate locations.</p> |
| <p>Comment: The application of the General Residential Zone to the site will enable potential subdivision lot sizes of 450m² as a permissible lot size and multiple dwelling development at a permissible density of one dwelling per 325m² site area. The zone provisions allow for higher density development than the prevailing patter of the surrounds. The Heritage Code, however, requires subdivision to be consistent with the historic pattern of subdivision.</p> | |

E.3 Regional Activity Centre Network Policy

The NRLUS identifies Longford as a District Service Centre (4). The following strategies are outlines for the two land uses relevant to this rezoning within a District Service Centre:

- **Residential:** *Some 'in-centre' residential development, complemented by infill and consolidation of surrounding residential area at medium to high densities (up to 25 dwellings per ha).*

Comment: The proposed rezoning allows the opportunity for infill residential development, potentially at higher densities than the surrounds taking into account heritage constraints.

- **Arts, Cultural and Entertainment:** *Hotels, restaurant and dining facilities with other entertainment for rural community.
Local sporting facilities/clubs.*

Comment: Whilst the proposed rezoning will remove land zoned for Community Purposes from the township, it is appropriate that the rezoning occurs. The site is surplus to the present business needs. The proposed rezoning does not preclude the future and ongoing use of the site for Community Meeting and Entertainment as the current use falls within this use class which is discretionary in the General Residential Zone.

4.11 Northern Midlands Interim Planning Scheme 2013 – Planning Scheme Objectives

The following sections outlines the relevant parts of the Objectives of the Planning Scheme and how the proposed rezoning furthers them.

2.2.2.8 Heritage

- Recognise the importance of the area's Aboriginal and European heritage to the community and protect it for the benefit of the community and visitors.*

Comment: -

The proposed rezoning will not impact on the inclusion of the site within the Tasmanian Heritage Register or within a Heritage Precinct and therefore future use and development will be required to accord with the provisions of the Heritage Code

3.2.3 Housing

Longford is the town with the largest resident population. The growth limits for the town area circumscribed in all directions except to the south of the town in terms of urban land supply for housing and, depending on density and agricultural land use constraints, there are foreseeable limits to the urban area and population of the town.

Comment: -

The proposed rezoning will allow additional residential growth within the designated urban growth boundary area and within an established residential setting of Longford. The proposed rezoning has the added benefit of providing additional residential land without any impact to agricultural production.

3.6 Settlement Strategy

3.6.1.1. Longford

Longford has the largest residential population. There are identifiable growth constraints in terms of land supply for housing, and approximate dwelling numbers and consequent population growth limits can be inferred from these. In time, Longford can be expected to be overtaken by Perth, and planning should proceed accordingly. The available area for commercial, industrial and residential development in Longford should be carefully considered within a structure plan for the town, to assist in planning, timing and financing of services.

Comment: -

The proposed rezoning of Community Purpose Zoned land to General Residential will not have any real impact on the supply/demand of residential land within the township. The rezoning will allow for a small parcel of land to be developed for infill housing in an area which is within walking distances to retail and service facilities. At this stage a structure plan has not been prepared for Longford, however, given the small size of the parcel, and the fact that it is infill means that its rezoning will have no real impact on any larger strategic planning project that may occur for the township in the future. Further, it is noted that Longford has limited potential for growth in greenfield areas due to the quality of surrounding agricultural land.

3.7 Land Supply Strategy

3.7.3 Urban Growth Boundaries

Comment: -

The subject site is contained within the Longford Urban Growth Boundary.

4.12 Summary of Amendment

The proposed amendment satisfies the requirements of Section 32 of LUPAA by:

- Seeking to further the objectives set out in Schedule 1 of the Act; and
- Being prepared in accordance with State Policies; and
- By making provision for the use, development, protection or conservation of land; and
- By having regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*; and
- By avoiding the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent areas; and
- By having regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

The amendment does not affect any matters identified by Section 20(2), (3), (4), (5), (6), (7), (8) and (9) of the Act.

5. The Development

5.1 Section 43A of LUPAA

Section 43C of LUPAA dictates the Council assessment process in determining a combined application for a scheme amendment and development.

Northern Midlands Interim Planning Scheme 2013

9.4 Demolition

Demolition of the more modern additions between the two heritage buildings is proposed. This is proposed as part of another development – subdivision.

10 General Residential Zone

10.4 Development Standards

10.4.15 Subdivision

10.4.15.1 Lot Area, Building Envelopes and Frontage

Objective

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.

| Acceptable Solutions | Performance Criteria | Proposal Response |
|---|--|---|
| <p>A1 Lots must:</p> <ul style="list-style-type: none"> a) Have a minimum area of at least 450m² which: <ul style="list-style-type: none"> i) Is capable of containing a rectangle measuring 10m by 15m; and ii) Has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or b) Required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) For the provision of utilities; or d) For the consolidation of a lot with another lot with no additional titles created; or | <p>P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <ul style="list-style-type: none"> a) A dwelling to be erected in a convenient and hazard-free location; and b) On-site parking and manoeuvrability; and c) Adequate private open space. | <p><i>The proposal complies with the acceptable solution a) i). Lot 1 is proposed to be +/- 862m² and Lot 2 is proposed to be 646m² and Lot 3 is proposed to be 490m². Each lot is capable of containing a rectangle measuring 10m by 15m. Lot 2 (corner lot) and Lot 1 meet A1 a) ii).</i></p> <p><i>Lot 3 will see the existing hall building be located within 4m of the proposed rear boundary and relies upon the performance criteria.</i></p> <p><i>It is unlikely that a new dwelling will be constructed on Lot 3, but rather the existing heritage building with a future change of use be used for residential use. The northern part of the site provides for onsite parking and manoeuvrability and</i></p> |

| | | |
|---|--|--|
| <p>e) To align existing titles with zone boundaries and no additional lots are created.</p> | <p><i>there is sufficient land to the east to provide for adequate private open space. Lot 3 is of sufficient area and dimensions to provide for future residential use.</i></p> | |
| <p>A2 Each lot must have a frontage of at least 3.6m.</p> | <p>P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</p> | <p><i>The proposal complies with the acceptable solution. Lot 1 will have a frontage of 26.20m to Wellington Street, Lot 2 will have frontage to Wellington Street of 13.33m and frontage to Smith Street of 27.34m, whilst Lot 3 is to be provided with a 14.43m wide frontage to Smith Street.</i></p> |

10.4.15.2 Provision of Services

| <p>Objective To provide lots with appropriate levels of utility services.</p> | | |
|---|---|--|
| <p>Acceptable Solutions</p> | <p>Performance Criteria</p> | <p>Proposal Response</p> |
| <p>A1 Each lot must be connected to a reticulated: a) Water supply; and b) Sewerage system.</p> | <p>P1 Each lot created must be: a) In a locality for which reticulated services are not available or capable of being connected; and b) Capable of accommodating an on-site wastewater management system.</p> | <p><i>The proposal complies with the acceptable solution. Each lot is capable of being connected to reticulated water supply and reticulated sewerage system, as demonstrated by the Proposed Subdivision Plan.</i></p> |
| <p>A2 Each lot must be connected to a reticulated stormwater system.</p> | <p>P2 Each lot created must be capable of disposal of stormwater to a legal discharge point.</p> | <p><i>The proposal complies with the acceptable solution. Lot 3 is currently connected to a reticulated stormwater system and this is not to change. Lot 1 and Lot 2 will each be provided with a new connection as demonstrated by the Proposed Subdivision Plan.</i></p> |

10.4.15.3 Solar Orientation of Lots

| Objective | | |
|---|---|--|
| To provide for solar orientation of lots and solar access for future dwellings. | | |
| Acceptable Solution | Performance Criteria | Proposal Response |
| A1 At least 50% of lots must have a long axis within the range of: a) North 20 degrees west to north 30 degrees east; or b) East 20 degrees north to east 30 degrees south. | P1 Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road. | <i>The orientation of the lot will not change. Lot 2 and 3 already contains an existing heritage building likely to see a change of use to residential, pending future development application. All lots comply with the performance criteria.</i> |
| A2 The long axis of residential lots less than 500m ² , must be within 30 degrees east and 20 degrees west of north. | P2 Lots less than 500m ² must provide adequate solar access to future dwellings, having regard to the: a) Size and shape of the development of the subject site; and b) Topography; and c) Location of access way(s) and roads. | <i>Lot 3 already contains an existing heritage building likely to see a change of use to residential, pending future development application. Lot 3 complies with the performance criteria.</i> |

10.4.15.4 Interaction, Safety and Security

This clause was not used in this planning scheme.

10.4.15.5 Integrated Urban Landscape

| Objective | | |
|--|--|---|
| To provide attractive and continuous landscaping in roads and public open spaces that contribute to the: | | |
| a) Character and identity of new neighbourhoods and urban places; or b) To existing or preferred neighbourhood character, if any. | | |
| Acceptable Solution | Performance Criteria | Proposal Response |
| A1 The subdivision must not create any new road, public open space or other reserves. | P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that: a) It has regard to existing, significant features; and b) Accessibility and mobility through public spaces and roads are protected or enhanced; and c) Connectivity through the urban environment is protected or enhanced; and d) The visual amenity and | <i>The proposal complies with the acceptable solution. No new road, public open space or other reserve is proposed to be created.</i> |

attractiveness of the urban environment is enhanced;
and
e) It furthers the local area objectives, if any.

10.4.15.6 Walking and Cycling Network

Objective

- a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and
- b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.
- c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

| Acceptable Solution | Performance Criteria | Proposal Response |
|---|---|--|
| A1 Subdivision must not create any new road, footpath or public open space. | <p>P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</p> <ul style="list-style-type: none"> a) Link to any existing pedestrian and cycling networks; and b) Provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and c) Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and d) Promote surveillance along roads and from abutting dwellings. | <i>The proposal complies with the acceptable solution. No new road, footpath or public open space is proposed to be created.</i> |

10.4.15.7 Neighbourhood Road Network

Objective

- a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and
- b) To design and construct road carriageways and verges so that the road geometry

and traffic speeds provide an accessible and safe neighbourhood road system for all users.

| Acceptable Solution | Performance Criteria | Proposal Response |
|--|---|--|
| A1 The subdivision must not create any new road. | <p>P1 The neighbourhood road network must:</p> <ul style="list-style-type: none"> a) Take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and b) Provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and c) Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and d) Provide safe and efficient access to activity centres for commercial and freight vehicles; and e) Ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and f) Provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and g) Provide for service and emergency vehicles to safely turn at the end of a dead-end road; and h) Take into account any | <p><i>The proposal complies with the acceptable solution. No new road is proposed to be created.</i></p> |

identified significant features.

10.4.4.6 Integrated Urban Landscape

Objective

To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:

- a) Character and identity of new neighbourhoods and urban places; or
- b) To existing or preferred neighbourhood character, if any.

| Acceptable Solution | Performance Criteria | Proposal Response |
|---|--|---|
| A1 The subdivision must not create any new road, public open space or other reserves. | <p>P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that:</p> <ul style="list-style-type: none"> f) It has regard to existing, significant features; and g) Accessibility and mobility through public spaces and roads are protected or enhanced; and h) Connectivity through the urban environment is protected or enhanced; and i) The visual amenity and attractiveness of the urban environment is enhanced; and j) It furthers the local area objectives, if any. | <i>The proposal complies with the acceptable solution. No new road, public open space or other reserve is proposed to be created.</i> |

10.4.4.7 Walking and Cycling Network

Objective

- a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and
- b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.
- c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

| Acceptable Solution | Performance Criteria | Proposal Response |
|---|---|--|
| A1 Subdivision must not create any new road, footpath or public open space. | <p>P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</p> <ul style="list-style-type: none"> e) Link to any existing pedestrian and cycling networks; and f) Provide the most practicable direct access for cycling and walking to activity centres, community facilities, | <i>The proposal complies with the acceptable solution. No new road, footpath or public open space is proposed to be created.</i> |

public transport stops and public open spaces; and

g) Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and

h) Promote surveillance along roads and from abutting dwellings.

Codes

Other Planning Considerations

E1.0 Bushfire Prone Areas Code – Not applicable, the subject site is not located within a bushfire-prone area.

E2.0 Potentially Contaminated Land Code – Not applicable, the site has not been previously utilized for a potentially contaminating activity.

E3.0 Landslip Code – Not applicable.

E4.0 Road and Railway Code

E4.6.1 Use of Road or Rail Infrastructure

| Objective | | |
|---|---|--|
| 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. | | |
| Acceptable Solution | Performance Criteria | Proposal Response |
| 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%. | 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. | Not applicable. <i>Wellington Street and Smith Street are not a Category 1 or 2 road.</i> |
| A2 For roads with a speed limit of 60km/h or less the use | P2 For roads with a speed limit of 60km/h or less, the level of use, | <i>The proposal complies with the acceptable solution for lots. The</i> |

| | | |
|---|--|--|
| <p>must not generate more than a total of 40 vehicle entry and exit movements per day.</p> | <p>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><i>traffic generation is assessed at less than 40 vehicle entry and exit movements per day (3 residential lots – approx. 27 vpd).</i></p> |
| <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 of 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><i>Not applicable. The site is not within a speed limit of more than 60km/h.</i></p> |

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

Objective

To ensure that development on or adjacent to class 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. | | |
|---|---|---|
| Acceptable Solution | Performance Criteria | Proposal Response |
| <p>A1</p> <p>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 more than 60km/h:</p> <ul style="list-style-type: none"> a) New road works, buildings, additions and extensions, earthworks and landscaping works; and b) Building envelopes on new lots; and c) Outdoor sitting, entertainment and children's play areas. | <p>P1</p> <p>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 landscaped to:</p> <ul style="list-style-type: none"> 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. | <p><i>Not applicable. No new road works, buildings, additions or extension, earthworks or landscaping works is proposed as part of this proposal.</i></p> |

E4.7.2 Management of Road Accesses and Junctions

Objective

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.

| Acceptable Solution | Performance Criteria | Proposal Response |
|--|---|--|
| <p>A1</p> <p>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</p> | <p>P1</p> <p>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</p> | <p><i>Only one access to provide both entry and exit per lot is proposed. An existing crossover will be utilised for the proposal for Lots 1 and</i></p> |

| | | |
|---|---|---|
| accesses providing separate entry and exit. | safety for all road users, including pedestrians and cyclists. | 3, with a new crossover proposed for Lot 2. |
| A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction. | P2 For limited access roads and roads with a speed limit of more than 60km/h: a) Access to a category 1 road or limited access road must only be via an existing access or junction or the 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 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. | Not applicable. |

E4.7.3 Management of Rail Level Crossings – Not applicable.

E4.7.4 Sight Distances at Accesses, Junctions and Level Crossings

Objective

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

| Acceptable Solution | Performance Criteria | Proposal Response |
|---|------------------------------|---|
| A1 Sight distances at a) An access or junction | P1 The design, layout and | The proposal complies with A1. The existing |

| | | |
|--|--|---|
| <p>must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) Rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p> | <p>location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p> | <p><i>access point complies with the Safe Intersection Sight Distance shown in Table E4.7.4. The new access will also comply with the SISD in Table E4.7.4.</i></p> |
|--|--|---|

E5.0 Flood Prone Areas Code – Not applicable, the subject site is not mapped within the Flood Prone Areas Overlay.

E6.0 Car Parking and Sustainable Transport Code

E6.6 Use Standards

E6.6.1 Car Parking Numbers

| Objective | | |
|--|--|--|
| To ensure that an appropriate level of car parking is provided to service use. | | |
| Acceptable Solutions | Performance Criteria | Proposal Response |
| <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><i>A1 Whilst the proposal does not constitute use or development in terms of parking generation, it is appropriate to consider that each lot is capable of providing for sufficient area for future residential use, and that the existing funeral service use will retain parking. Parking arrangements will be unchanged.</i></p> |

transport within
reasonable walking
distance of the site;
and

- 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:
 - 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. |
|---|

E6.7 Development Standards – Not applicable to this development.

E6.8 Provisions for Sustainable Transport – Not applicable to this development.

E7.0 Scenic Management Code – Not applicable.

E8.0 Biodiversity Code – Not applicable.

E9.0 Water Quality Code – Not applicable.

E10.0 Recreation and Open Space Code

E10.6.1 Provision of Public Open Space

| Objective | | |
|--|--|--|
| a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term. | | |
| Acceptable Solution | Performance Criteria | Proposal Response |
| A1 The application must include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu. | P1 Provision of public open space, must: a) Not pose a risk to health due to contamination; and b) Not unreasonably restrict public use of the land as a result of: i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and c) Be designed to: i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the pedestrian | <i>A request is made to the General Manager of Council seeking written consent that no land is required for public open space but rather there be cash in lieu contribution for the two additional lots to be created.</i> |

connectivity of the broader area; and

iii) be cost effective to maintain; and

iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and

v) provide for public safety through Crime Prevention Through Environmental Design Principles; and

vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and

vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and

viii) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.

E11.0 Environmental Impacts and Attenuation Code – Applicable. See attached Site Specific Study.

E12.0 Airports Impact Management Code – Not applicable.

E13.0 Local Historic Cultural Heritage Code

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings - Not applicable to this proposal.

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

Objective

To ensure that the demolition or removal of buildings and structures does not impact on

the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

| Acceptable Solution | Performance Criteria | Proposal Response |
|--|---|---|
| A1 Removal of non-original cladding to expose original cladding. | <p>P1.1 Existing buildings, parts of buildings and structures must be retained except:</p> <ul style="list-style-type: none"> a) There the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or b) The demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or c) There are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or d) The building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and <p>P1.2 Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p> | <p><i>The proposal is to remove more modern and non-original additions which will expose the original windows in the two heritage listed buildings (which are presently concealed). The proposal complies with the acceptable solution.</i></p> |

E13.6.2 Subdivision and development density

Objective

To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

| Acceptable Solution | Performance Criteria | Proposal Response |
|----------------------------|---|---|
| A1 No acceptable solution. | <p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) Be consisted with and reflect the historic development pattern of the precinct or area; and b) Not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the | <p><i>The proposed lots are commensurate in size and shape with the surrounding pattern of subdivision, particularly fronting Wellington Street. Wellington Street is provided with a range of lots sizes which range from low 600m²</i></p> |

| | | |
|----|---|---|
| | area; and | to mid 2000m ² . |
| c) | Not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and | <i>Frontages vary also from approximately 6m to 60m. Lot 1 is likely to be developed with a single dwelling, multiple dwellings are also possible, however, further discretion would also be invoked under the Local Historic Heritage Code provisions. Although the proposed subdivision will remove the hall from the church the buildings are to be retained with existing more modern addition removed. The subdivision does not require the removal of vegetation, significant trees or garden settings of historical significance. The proposal is a pattern of subdivision that reflects the prevailing patters in the area and will encourage development of one additional single dwelling. The proposal is considered to meet the performance criteria.</i> |
| d) | Not require the removal of vegetation, significant trees of garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and | |
| e) | Not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any. | |

- E13.6.3 **Site Cover** – Not applicable.
- E13.6.4 **Height and Bulk of Buildings** – Not applicable.
- E13.6.5 **Fences** – Not applicable.
- E13.6.6 **Roof Form and Materials** - Not applicable.
- E13.6.7 **Wall materials** - Not applicable.
- E13.6.8 **Siting of Buildings and Structures** - Not applicable.
- E13.6.9 **Outbuildings and Structures** – Not applicable.
- E13.6.10 **Access Strips and Parking** – Not applicable.
- E13.6.11 **Places of Archaeological Significance** - Not applicable.
- E13.6.12 **Tree and Vegetation Removal** - Not applicable – no vegetation removal is proposed.
- E13.6.13 **Signage** - Not applicable.
- E13.6.14 **Maintenance and Repair** - Not applicable.

E14.0 Coastal Code – Not applicable.

E15.0 Signs Code – Not applicable.

F2 Heritage Precincts Specific Area Plan

F2.5 Standards for Development – no relevant development provisions apply to the proposed 3 lot subdivision and demolition.

F2.6 Use Standards – no relevant use provisions apply to the proposed 3 lot subdivision and demolition.

5.2 State Policies

State Policy on Water Quality Management 1997

The *State Policy on Water Quality Management 1997* came into operation on 27 September 1997. This policy applies to all surface water, including coastal waters, and groundwater's, other than privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public, or, water in any tank, pipe or cistern.

Clause 31.5 of the Policy requires that a use or development be consistent with the physical capacity of the land so that the potential for erosion and subsequent water quality degradation is minimised.

The nature of future use and development combined with the capacity of the Planning Authority to impose appropriate conditions in any subsequent planning approvals provides the opportunity for the relevant requirements of the Policy to be met.

On the above basis, it is considered that the dispensation complies with the provisions of the *State Policy on Water Quality Management 1997*.

State Policy on the Protection of Agricultural Land 2009

The *State Policy on the Protection of Agricultural Land 2009* came into operation on 3 September 2009. The Policy applies to all agricultural land in Tasmania.

The Agricultural Land Policy defines 'Agricultural land' as:

Means all land that is in agricultural use or has the potential for agricultural use, that has not need zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

The site has been zoned for urban use and is therefore not classed as agricultural land and the Agricultural Land Policy does not apply to the land.

State Coastal Policy 1996

The *State Coastal Policy 1996* came into operation on 10 October 1996. This policy applies to the coastal zone, which includes all State waters and land within 1km from the High-Water Mark.

The site is not located within 1km of the coast and the State Coastal Policy does not apply to the land.

National Environment Protection Measures

In accordance with Section 12A of the *State Policies and Projects Act 1993*, a national environment protection measure is taken to be a State Policy. The following therefore require consideration:

- Ambient air quality 2002
- Diesel vehicle emissions 2001
- Assessment of site contamination 1999
- Used packaging materials 1999

- Movement of controlled waste between States and Territories 19998
- National pollutant inventory 2000

The site has no land use history that indicates contamination. It is considered that the NEPMs will have no impact on the proposed amendment.

5.3 Summary of Development

The proposed development fulfils the requirements of Section 43C of LUPAA by:

- Seeking to further the objectives set out in Schedule 1 of the Act; and
- Taking into consideration the prescribed matters, being the *Northern Midlands Interim Planning Scheme 2013*, as are relevant to the subject application.

6. Conclusion

This application satisfies the requirements of both Section 33 and Section 43A of LUPAA. This submission demonstrates that the proposal is consistent with Council's strategic objectives for this area as articulated in the Northern Tasmania Regional Land Use Strategy.

The proposal is consistent with the objectives of Schedule 1 of LUPAA and serves to uphold the values and objectives of the *Northern Midlands Interim Planning Scheme 2013*.

This application therefore seeks:

- An amendment to the Scheme to change the zoning of CT 159522/1 comprised within the 17.0 Community Purpose Zone to 10.0 General Residential Zone;
- To consider a development application for a 3-lot subdivision and demolition works.

Site Specific Study for
41-43 Wellington Street, LONGFORD
3 Lot Subdivision & Demolition

Response to Planning Scheme provisions of Code E11-
Environmental Impacts and Attenuation Code, Clause E11.6.1 (P1):

P1 Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the:

a) degree of encroachment:

How close is the emitting operation?

Approximately 675m to Abattoir.

What is between the subject site and the emitting operation?

A number of dwellings, visitor accommodation and business premises.

b) nature of the emitting operation being protected by the attenuation area:

What emissions does the operation produce? (noise and odours etc).

Noise and odours.

Are these emissions prevalent at this site?

Nil due to distance.

If so, how do the emissions affect the subject site?

.....
.....

degree of hazard or pollution that may emanate from the emitting operation:

Are the emission produced having negative effects on the site?

No.

Is the degree of impact at the site increased, lessened or the same as a result of the structure?

No change. No new sensitive use is proposed within the attenuation distance as part of this application.

c) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use:

Are there any manmade or natural buffers offered on site, or in the surrounding area, that may reduce the impact of the emitting operation? (i.e. distance of residential development between the subject site and emitting operation)

The separation distance is approximately 675m, with a number of other sensitive uses between the subject site and the emitting operation, therefore there is no impact from the emitting operation on the proposal.

Signed:



Date: 29 March 2020

Submission to Planning Authority Notice

| | | | |
|---|---|---------------------|---------------|
| Council Planning Permit No. | PLN-20-0001 | Council notice date | 13/01/2020 |
| TasWater details | | | |
| TasWater Reference No. | TWDA 2020/00034-NMC | Date of response | 18/02/2020 |
| TasWater Contact | David Boyle | Phone No. | 6345 6323 |
| Response issued to | | | |
| Council name | NORTHERN MIDLANDS COUNCIL | | |
| Contact details | Planning@nmc.tas.gov.au | | |
| Development details | | | |
| Address | 41-43 WELLINGTON ST, LONGFORD | Property ID (PID) | 3034513 |
| Description of development | Proposed Rezoning, 3 lot subdivision and demolition | | |
| Schedule of drawings/documents | | | |
| Prepared by | Drawing/document No. | Revision No. | Date of Issue |
| D.J.McCulloch Surveying | 7519-01 TW | | 15/01/2020 |
| Conditions | | | |
| Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application: | | | |
| CONNECTIONS, METERING & BACKFLOW | | | |
| <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit / lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction of the subdivision, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. | | | |
| FINAL PLANS, EASEMENTS & ENDORSEMENTS | | | |
| <ol style="list-style-type: none"> 4. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made. <i>Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.</i> 5. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions. | | | |
| DEVELOPMENT ASSESSMENT FEES | | | |
| <ol style="list-style-type: none"> 6. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows: | | | |

- a. \$351.28 for development assessment; and
- b. \$149.20 for Consent to Register a Legal Document

The payment is required by the due date as noted on the statement when issued by TasWater.

- 7. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/Development/Technical-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by



Jason Taylor

Development Assessment Manager

TasWater Contact Details

| | | | |
|-------|------------------------------|-----|---------------------|
| Email | development@taswater.com.au | Web | www.taswater.com.au |
| Mail | GPO Box 1393 Hobart TAS 7001 | | |

1 William St
Longford 7301
Tasmania

29/5/2020

Dear Mayor and Councillors,

Re: Draft Amendment 01-2020 (Ref No: PLN-20-0001)

I wish to make a representation regarding the proposed rezoning of land at 41-43 Wellington St Longford.

I have highlighted 5 aspects of the Report prepared by Rebecca Green and Associates to support this application on which I would like to comment. The report states:

1. "3.3.1 Heritage and Scenic

The site is heritage listed on the Tasmanian Heritage Register and at Council level. The site is located within a Heritage Precinct under the Scheme. Preliminary comment from Heritage Tasmania in respect to the proposal is that they will consider the matter further after the development application has been submitted to Council and referred for assessment. "

Heritage Tasmania requested to be involved in determining the discretionary permit (Council Agenda and Attachments for April Meeting). However, Council voted unanimously to approve the three-lot subdivision on this site if the application for rezoning is approved (Council Minutes, 27 April 2020) without reference to input from Heritage Tasmania. I am concerned that there has been no involvement with Heritage Tasmania to determine the permit because a permit has already been approved pending the success of this application. It is also concerning that Heritage Tasmania were only notified about this proposal on the 2nd April where as TasWater and other agencies involved supplied input in January. Why was Heritage Tasmania notified so late?

2. "3.3.2 Flooding

The site is not known to be subject to flooding."

This is a misleading statement. While the site is afforded some protection because of the levee, the site has been subjected to flooding in both 1929 and 1969 and is likely to be subjected to flooding in the future when flood waters breach the flood levee.

3. "4.2 Proposed Zone

The site has ceased being used as a public place of assembly and is for sale and suited for future residential use and development. The application of the surrounding General Residential Zone would be appropriate."

The owner's inability to sell the site should not be justification for Council to consider rezoning. Rezoning would also make it difficult for future owners to use

the buildings for the variety of purposes that the current zoning allows. Similarly, re-purposing such buildings for residential use has unique difficulties. Simply stating that the site is "suited to future residential use and development" does not make it so.

4. "4.5 Objectives of Schedule 1, Part 2 of LUPAA

(a) To require sound strategic planning and coordinated action by State and local government; and

The amendment seeks to further this objective of the Act by furthering Council's objectives as expressed through the Northern Regional Land Use Strategy. The proposed rezoning amendment represents a logical expansion of the General Residential Zone as the present use and zone of the site no longer suits the needs of a place of assembly. It is not appropriate to retain the Community Purpose Zone for a parcel of land that is privately held and to be sold to further private holdings. It therefore represents sound strategic planning. "

There is nothing "logical" about the expansion of the General Residential Zone in this situation given the historical and cultural values involved. The purpose of zoning is to ensure appropriate use as determined by the Planning Scheme, not to enable people to more easily sell an asset. The owners decision to stop using the site does not mean that the "site no longer suits the needs of a place of assembly". It would represent better "strategic planning" to retain the current zoning so as not to restrict permitted use under the General Residential Zone.

5. "(g) To conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and "

While the owners of the site recognise the historic values of the site, its significant contribution to the history of Longford and to the streetscape of the town would be diminished if the vacant land is sub-divided and developed for housing. The necessity for historic buildings to stand-alone and be seen in context in the streetscape is an important aspect to consider. Subdividing and infill housing would be detrimental to the streetscape because the complex of buildings on this site is of aesthetic, architectural, historical and cultural interest, not only locally, but also within the wider municipality.

I therefore urge Council not to approve the application to rezone land at 41-43 Wellington Street because the only justification provided is the difficulty experienced by the owners selling their asset.

Yours sincerely,

Robert Henley

Rosemary Jones

From: Tony Butler <
Sent: Friday, 29 May 2020 11:20 AM
To: NMC Planning
Subject: Draft Amendment 01-2020 (Ref No PLN-20-0001)

Follow Up Flag: Follow up
Flag Status: Flagged

The General Manager
Northern Midlands Council

Dear Sir,

Due to the impact of the planning application on the Heritage values of Longford, a majority of residents will be very concerned, not just the adjacent neighbours. The conovirus lockdown has limited the knowledge of the proposal to local residents who are staying home in isolation , and even with the internet, people generally do not access the NMC site out of interest .

The Baptist Chapel is part of Longford's Heritage and consideration should be given to its future use. The building and surrounding grounds should remain as zoned, COMMUNITY USE .
There are many possible uses for the building , eg. Tourist information centre , exhibition of "Old Longford" artefacts currently stored at Clarendon, local art and craft display , outdoor seating , flower gardens etc., Longford has a strong gardening community , encourage the tourists to visit .
It may be worth recalling the public disquiet when the "Old Browns " relocated , effectively ripping the heart out of Longford . It must be agreed , that the new Browns IGA and Banjos are excellent. However, had the other relocated businesses remained , some of the original character of Longford may have been retained .
What is to become of the original Browns ? . The three hotels, Longford Antiques , the shops and cafes opposite the Church, have all undergone renovations maintaining Longford's heritage appeal . We rely on the NMC to continue momentum , providing incentives towards improving the appeal of Longford's Heritage..
There are two reports prepared by Pitt and Sherry and The Longford Tourism and Business Association.
There are a number of recommendations in the reports which should be applied to this planning application supporting the rejection of this application.

Yours Faithfully
Tony Butler
22 Longford Close

Notice of Objection

To the proposed amendment to the Northern Midlands Council planning scheme for 41-43 Wellington St., Longford. (Ref No: -20-0001)

This objection is lodged by Dr. Rev. T. Peter Johnson and Mrs. Ann Scott Johnson of 46, Wellington St., Longford Tas. 7301

The objection is to the plan to rezone the church land of 41-43, Wellington St., Longford from Community Purposes to Residential. Our objection arises from the planned rezoning leaving serious problems unconsidered. Without definite decisions about the problems listed in this Objection being made and published, we strongly object to this proposal.

It is easier to start by saying that we have no objection to the proposed demolition of the stated buildings on the site.

The Tabernacle. This is in a Heritage Precinct of Longford and is a building of great grandeur and beauty. As such, and with its historical value, it makes a very great presence in Longford. We would strongly object to any change in the façade of this building and, without a published assurance that there will be no change to this building, we object to the proposed amendment.

Zone 1. The problem here is that there is no mention of the future use of this land, and no stated limitations to its use. Any building on this land, any part of which is nearer to Wellington St., than that East End of the Tabernacle, would very seriously spoil the whole presence of the Tabernacle. Without a written assurance that no building will be erected on that part of Zone 1 we strongly object to the proposed amendment.

T. Peter Johnson

T. Peter Johnson

Ann Scott Johnson

Ann S. Johnson

| | | | | | |
|---------------------------|--|--|-----|--|--|
| NORTHERN MIDLANDS COUNCIL | | | | | |
| File No. | | | | | |
| Property | | | | | |
| Attachments | | | | | |
| REC'D 29 MAY 2020 | | | | | |
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The General Manager
 Mr Des Jennings
 Northern Midlands Council
 Smith Street
 Longford

28/5/20

Dear Mr Jennings,

Re: The three part application for the Longford Tabernacle - rezoning, subdivision and demolition.

If you check the requirements of the local NMC planning scheme you will find that the proposed changes do not comply with the objectives and stated values, that the NMC has included in their Northern Midlands Interim Planning Scheme 2013.

Consult:

E 13.4

Heritage precinct:

Means an area described in table E13.1

Local Heritage Precincts to this code as an area of special aesthetic, historic, scientific (including archaeological), spiritual or social value in which it is desirable to preserve or enhance the streetscape, townscape and/or notable character and significant features of the area.


Historic heritage significance:

Means in relation to a local heritage place or heritage precinct, and its aesthetic, historic, (including archaeological), social or spiritual value.

There are endless statutes, bylaws and planning instructions to local authorities as to how and what to protect and the proposed Rebecca Green and Associates submission fails just about all of them.

Please do not proceed with this horrid proposition.

Sincerely,



Lionel Farrell
 Crn Smith and Wellington Street,
 Longford.
 7301

| | | | | | |
|---------------------------|---|---|-----|---|---|
| NORTHERN MIDLANDS COUNCIL | | | | | |
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The General Manager
Mr Des Jennings
Northern Midlands Council
Smith Street
Longford

Nosswick

28/5/20

Dear Mr Jennings,

Save the Tabernacle:

I would like to lay an objection to the rezoning of the old Baptist Tabernacle at 41/43, Wellington Street, Longford, before your Mayor and Councillors.

I believe the decision of the council body to recommend this rezoning and subdivision will alter the whole architectural style and quality of the corner of Wellington Street and Smith Street.

My objection is that we were under the premise that we had a Heritage Precinct to stop this change that threatens the site, street view and the visuals we gain from having the Tabernacle staying just as it is.

It is these changes which destroy the fabric of this historic town. Longford, I believe has in excess of 170 listed heritage listed buildings.

Research indicates that the Northern Midlands Interim Planning scheme you will find that the proposed changes fall outside your own planning requirements.

i.e.

E 13.4

Heritage precinct:

Means an area described in table E13.1

Local Heritage Precincts to this code as an area of special aesthetic, historic, scientific (including archaeological), spiritual or social value in which it is desirable to preserve or enhance the streetscape, townscape and/or notable character and significant features of the area.

Historic heritage significance:

Means in relation to a local heritage place or heritage precinct, and its aesthetic, historic, (including archaeological,), social or spiritual value.

There are endless statutes, bylaws to local authorities as to how and what to protect.

Therefore I consider this to be an unacceptable proposition.

Sincerely,

"Noswick". Blackwood Creek Road, Blackwood Creek, Tasmania, 7301.

157 Blackwood Crk Rd.

| | | | | | |
|---------------------------|---|---|-----|---|---|
| NORTHERN MIDLANDS COUNCIL | | | | | |
| File No. | | | | | |
| Property | | | | | |
| Attachments | | | | | |
| REC'D 1 JUN 2020 | | | | | |
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| WM | | | EA | | |
| HR | | | | | |
| HLT | | | | | |

The Town Manager
Mr Jennings
Northern Midlands Council
smith Street
Longford.

30th May 2020

Dear Sir,

Please, please do not proceed with the subdivision of the Old Tabernacle site in Longford, turning into another housing development.

Haven't we enough of cluster housing that is now seriously altering the nature and liveability of Longford.

The old Tabernacle, which I walk past regularly, is a joy to behold and a great asset to the town.

I believe that our local council planning and heritage laws should have stopped this proposal in it's tracks.

Is the building protected by Heritage Tasmania or isn't it. Do we want to protect our heritage, or don't we?

If local council laws aren't enough to protect buildings like the old Longford Tabernacle- then get some new ones.

Council commissions endless reports - then ignores them.

The green lawn beside the Tabernacle shows off the "wailing wall" beautifully with it's charming colonial brickwork. And Romanesque windows and brick-teeth-brickwork under the eaves.

Why on earth would the council want housing into that space?

Please reverse your decision and revisit the Green submission.!

Sincerely,

Agust
1c Seymour Street Carrick 7291.

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26/5/2020

Dear Town Manager, Mayor and Councillors,

PLN-20-0001

Objection to the proposed rezoning of land at 41-43 Wellington St Longford.

The submission, prepared by Rebecca Green and Associates to support this application is flawed, and presents incorrect information to the Council. The submission states:

“3.3.1 Heritage and Scenic

The site is heritage listed on the Tasmanian Heritage Register and at Council level. The site is located within a Heritage Precinct under the Scheme. Preliminary comment from Heritage Tasmania in respect to the proposal is that they will consider the matter further after the development application has been submitted to Council and referred for assessment. “

There is no report From Heritage Tasmania attached to the application. The application is therefore deficient in its presentation of all relevant material and should not be assessed until all relevant information is collated and included. We do not consider that Heritage Tasmania has indeed assessed this development application.

“3.3.2 Flooding (Green submission).

The site is not known to be subject to flooding.”

This is an incorrect statement and misleads the Council in its decision-making ability. The site has been subjected to flooding in both 1929 and 1969 and is likely to be subjected to flooding in the future when flood waters breach the flood levee, which is a real possibility.

“4.2 Proposed Zone (Green submission).¹

The site has ceased being used as a public place of assembly and is for sale and suited for future residential use and development. The application of the surrounding General Residential Zone would be appropriate.”

Rezoning this site, in order to facilitate a sale for the owners, is inappropriate. The owner’s ability to sell the site should not be justification for Council to consider rezoning. Rezoning RESIDENTIAL would also make it difficult for future owners to use the buildings for commercial or social purposes, as the current zoning allows.

Zoning of these buildings into residential spaces should have been be the subject of an initial Development Impact Statement, examining the tourist attraction, the historic fabric and critical streetscape; vistas on the southern side of the tabernacle, and the impact of any changes to “residential” may have on the strategic importance of the Smith St. Wellington Street corner and the amenity that the corner provides. is the

"4.5 Objectives of Schedule 1, Part 2 of LUPAA (Rebecca Green Submission.)

- a. *To require sound strategic planning and coordinated action by State and ²local government; and*
- b. *The amendment seeks to further this objective of the Act by furthering Council's objectives as expressed through the Northern Regional Land Use Strategy. The proposed rezoning amendment represents a logical expansion of the General Residential Zone as the present use and zone of the site no longer suits the needs of a place of assembly. It is not appropriate to retain the Community Purpose Zone for a parcel of land that is privately held and to be sold to further private holdings. It therefore represents sound strategic planning."*

NO!

There is nothing "logical" about expanding the residential zone upon which the Tabernacle stands, other than to tidy up and colour-in the planning map of Longford. Zoning has occurred in haphazard and incidental ways over many years and while our current zones may intersect and overlay each other, the purpose of re-zoning should not be to enable people to more easily sell an asset. The current owners lack of use of the site does not mean that the "site no longer suits the needs of a place of assembly".

Sincerely,

Langford Mori

K. I. Gour

4 Archer St

Longford

The General Manager
Northern Midlands Council
Smith Street
Longford.

1 June 2020

Gregory Howlett
87A Wellington Street
Longford 7301
Mobile: 0

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BY HAND

Dear Sir

Representation opposing rezoning and subdivision
Site: 41-43 Wellington Street Longford
Ref No: PLN-20-0001

By this representation I oppose the draft amendment 01/2020 of Northern Midlands Interim Planning Scheme 2013 concerning rezoning and the draft Planning Permit PLN-20-0001 for a 3-lot subdivision and partial demolition. I do this as a ratepayer, a resident of Wellington Street Longford and as the owner of Heritage Corner at 1-3 Marlborough Street Longford, also a heritage listed property which incorporates Sticky Beaks Café.

General observations

Longford is a village with significant aesthetic beauty and historical heritage. The buildings on the property in question are conceded to be of "known historical value" and are indeed heritage listed. They are prominently located on the main street of Longford in the Heritage Precinct and contribute significantly to the aesthetic and historical streetscape. The main structure is of grand proportions and is located on sizeable grounds that frame and amplify its beauty and grace. The southern brick wall (lined with tree ferns) is particularly beautiful and demands an unrestricted view.

Change in zoning

I start with some general and troubling observations/questions. Is it sufficient reason to rezone a property just because the owner does not need it and "cannot" sell it? These appear to be the motivations for the application according to the third paragraph of the Executive Summary. Are these proper concerns for a council?

The subject property, as currently zoned, has an intrinsic or market value which may simply be less than what the owners have been prepared to accept. This should not be a matter for council. The

owners bought the property as Community Purpose land no doubt with their eyes open, but now want to sell it as residential land. I understand that they ran their business in Longford (partly) but have now chosen to run it from elsewhere, not within the council region. We are provided with no account of what efforts have been made to sell the property nor what interest has been expressed by potential purchasers.

Rezoning would not only result in the owners being able to sell their property more readily but undoubtedly would result in a windfall to them. Residential land is clearly worth more than Community Purpose land. Subdivision would significantly increase that windfall. So, there would be two substantial benefits for the owners. These benefits should not be gifted by the council without proper reason.

So, what are the consequences of rezoning? The Rebecca Green & Associates submission goes through the objectives under Schedule 1 of the LUPAA (starting from page 7) given that an amendment to a planning scheme must seek to further the objectives set out in Schedule 1.

Objective (b) in Part 1 of Schedule 1 states the mandatory objective *"To provide for the fair, orderly and sustainable use and development of ... land"*.

The submission addresses the *"orderly and sustainable use"* of land (at the top of page 8) but fails to address the *"fair...use and development of...land"*. Furtherance of the objective is therefore not demonstrated, and the draft Amendment must therefore be rejected.

This is not just a technical failing. This application raises real questions of fairness which are simply not addressed anywhere in the submission. Some of these are:

1. Would it be fair to neighbouring property owners who bought their properties knowing the subject property was zoned for Community Purpose and not for residential use? They may not have wanted residential neighbours over adjoining boundaries. Indeed, new residential neighbours over the fence may well impair the value of the neighbouring properties. Further, the neighbouring property owners may well have wanted to have a view of or to be next to or across from a Community Purpose heritage building and not the residential complex that will occur if this application succeeds.
2. Would it be fair to the residents of Longford to lose Community Purpose land which could again be put to community use? This is particularly important in country towns. The existence of Community Purpose land zoning can only encourage community purpose activities which benefit the community. The removal of it would be an unfair loss to the community.
3. Rezoning would result in development of the land which will adversely impact upon the heritage structures and the streetscape by cluttering the site and restricting views. Shouldn't we be preserving these assets rather than diminishing them? We will never get them back in their full glory if they are rezoned. This would be unfair to the residents of and visitors to Longford. Residents are attracted to or remain in beautiful towns such as Longford because of its heritage and streetscapes. Longford would be a frighteningly different place without these attributes. Can we afford to whittle them away?

4. Diminished heritage and streetscapes would also adversely impact upon Longford's ability to attract businesses and tourists. Again, this is not fair to the town.

As an aside, in acceding to the rezoning, council might be unwittingly encouraging or setting a precedent for an undesirable form of property speculation, that being the purchase, rezoning then sale of properties of historical significance for commercial gain. Success here could result in the loss or impairment of other community treasures.

Some of these concerns also apply in relation to the objectives of the Northern Midlands Interim Planning Scheme 2013. *Clause 2.2.2.8 Heritage* provides the objective to "Recognise the importance of the area's ...European heritage to the community and protect it for the benefit of the community and visitors.". Rezoning opens the door to private occupation (as opposed to community purpose occupation) and also subdivision, as is sought here. This will in turn lead to a reduction in the heritage value by reason of changed streetscape and reduced community access to the building. The current Community Purpose zoning by definition provides benefit to the community in relation to this heritage property. The rezoning to residential will remove that benefit. This cannot be a case of the heritage being protected for the benefit of the community or visitors. To the contrary, by changing the zoning, already existing benefit to the community by reason of the current zoning, will be lost, not protected, as required under *2.2.2.8 Heritage*.

In conclusion, I submit that rezoning would not further the objective of fairness required by Schedule 1 of the LUPAA and would not operate to protect this heritage property for the benefit of the community and visitors under the Northern Midlands Interim Planning Scheme 2013.

Subdivision

This is dependent on rezoning which I oppose.

If there is to be a change in zoning, why should there also be a subdivision? And more particularly, why should there be approval of a subdivision without a clear understanding as to what form the final development(s) will take. The submission (page 32) suggests that the proposed vacant lot (lot 1) is "...likely to be developed with a single dwelling, multiple dwellings are also possible...".

We are concerned here with a heritage building and its grounds. It is not the case of vacant land being subdivided for dwellings to be built down the track. If the council is asked to approve a subdivision involving a heritage property, it is entitled to and should insist on being presented with a final proposed development.

This combination of applications under s43A may make it easier for the applicants, but it does not assist the council. To the contrary, by also approving a subdivision, the council would be losing some control of the process. If approved, something will eventually be built on proposed lot 1, but what will it be? I appreciate that further applications would have to be made but approving the subdivision will necessarily result in something being built on proposed lot 1. An owner of residential land is entitled to build something on it. This new structure or structures, whatever it or they may be, must impact on the streetscape which is so important in an historical town and must interfere with the street view of that most important southern wall of the main building.

I therefore strongly oppose the council acting against its own interests and those of Longford in approving any subdivision of the land without, at the very least, a clear understanding of what might be coming down the track.

If subdivision is entertained by council, I strongly oppose any outcome that could result in a structure or structures being built on the southern side of the existing main structure on the basis that this would result in criminal and irreversible damage to the streetscape and look of this very worthy building.

Summary

I have grave misgivings about this application and oppose it. I hope the applicants can be encouraged to find another solution to their predicament but not at the expenses of neighbours and the community at large. As to their application, my position is therefore:

1. Oppose rezoning
2. Oppose subdivision if rezoning allowed
3. Oppose any subdivision of land that allows development to the south of the main structure.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G. Howlett', with a long horizontal flourish extending to the right.

Gregory Howlett

1-301

BERRIEDALE

The General Manager
Mr Des Jennings,
Northern Midlands Council
Smith Street
Longford Tasmania 7301

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Dear Mr Jennings,

re: Objection to Planning Amendment and proposal by Rebecca Green and Assoc.

Passed by NMC 27th April 2020.

Attached please find a 32 page "objection document", prepared by me with the assistance of

Mr Sandy Gibson, Native Point, Perth.
Mr Ken Richards, "Kilgour", Archer street, Longford.
Mr Robert Harrison of "Norley" Longford.

Their signatures appear on page 26 of the 'objection document'.

Trusting that you will find the comments and concerns therein worthy of careful consideration.

Sincerely,



John Izzard,
Berriedale,
44 Wellington Street,
Longford,
Tasmania
7301.

Mobile:
email:

Notice of Objection. 28th May 2020.

Objection to a proposed amendment to the Northern Midlands Council planning scheme for 41/43 Wellington Street, Longford, to allow:

- 1. Re-zoning of church land from Community Purposes to Residential.*
- 2. Subdivision of 41 to 43 Wellington Street into 3 Lots.*
- 3. Demolition of some buildings on the site.*



“The area or vista around dwellings of heritage or character significance is in many cases, as important as the dwelling or building itself.”

(Extract from report by Pitt and Sherry 2012, commissioned by Northern Midlands Council).

This objection is lodged to the Northern Midlands Council sitting as the local planning authority.

EXECUTIVE SUMMARY:

This objection is based upon the following issues which conflict, we believe, with the letter, intention and objectives of the Northern Midlands Interim Planning Scheme 2013, the heritage values set out to protect the Heritage Precinct of Longford, and that the aesthetic values that the Baptist Tabernacle site, and buildings, contribute to the amenity, status and enjoyment of the ratepayers and visitors to the town of Longford, Tasmania.

The Baptist Tabernacle building is of a **monumental architectural nature** and one of the most highly visible and stand-alone historical structures in Longford. To a great extent it is the beginning of the "Longford Historical Experience".

The Tabernacle is listed in/on:

- (a). **The Tasmanian Heritage Register.**
- (b). **The Register of the National Estate.**
- (c). **The Heritage Precinct of the Town of Longford.**
- (d). **The National Trust of Tasmania.**
- AND
- (e). **Comes under the purview of the BURRA CHARTER.**
- (f). **Commonwealth Environmental and Historical Protection Acts.**

Our objection is based upon the following:

- (1) Procedural fairness.
- (2) Failure of the NMC to fully and carefully consider the historical importance of the site and buildings.
- (3) Failure of the NMC to fully and carefully consider the impact upon the streetscape that the rezoning and sub-division will cause.
- (4). Failure of Heritage Tasmania to assess and consider the impact upon the streetscape and the shrinkage of the site, in relation to the setting of the Tabernacle.
- (5). Failure of the application by Rebecca Green and Associates to provide an Environmental Impact Statement, nor indeed, any information regarding subdivision and the redevelopment of the proposed Lots 1, 2 and 3.
- (6). The inability to obtain historical records owing to the Corona Virus lockdown. This includes Lands Dept. Hobart titles and records; archives and photographs of the Baptist Church held by UTAS Launceston.

Also the historical records of the Northern Midlands Council, and citizens, held by the National Trust, Clarendon; and legal documents held by the Gibson family solicitors, Launceston.

Positioning Statement:

The prime focus of this objection is the conflict between what the applicant Rebecca Green and Associates are proposing, and what the actual provisions of the *Northern Midlands Interim Planning Scheme 2012* state. That is, that various objectives and actual requirements for Heritage Protection – especially in regards to “streetscape” and preservation of “vistas”, and the overall the cultural protections, provided therein, have not been fully considered.

Other issues are presented to reinforce and help in our arguments.

The document tries to explain and indeed prove that the preservation of the Longford Baptist Tabernacle is of vital importance to the amenity of ALL stakeholders who include ratepayers and their families, tourists and visitors and indeed future generations.

There are many Longford citizens who hold dear memories of their baptism, joyous marriage ceremonies, happy get togethers, and heart-felt funerals, held in the Tabernacle building, which are part of the ebb and flow of life for a township in rural Tasmania. Those memories should be held sacred.

This document endeavours to present the history of the Tabernacle and the family that constructed it; the absolute importance of “street scapes” in relation to historical and heritage buildings, which presumably, was why so much emphasis has been placed into the *Northern Midlands Interim Planning Scheme 2012*. about “street scapes” and heritage and cultural protection.

It is acknowledged that empty heritage buildings are what is called “a wicked problem”.

This is why we believe that patience is needed to be part of the process, in endeavouring to find a solution. Historic buildings need a new life and purpose if they are to survive.

It cannot be beyond the imagination of the stakeholders and the NMC to acknowledge this, and work towards a solution with ratepayers, stakeholders and the owners of the property.

A rezoning and a subdivision is exactly what isn't needed.

(1). Procedural fairness:

The NMC proceedings held on 27th April 2020 regarding a three-part **re-zoning, sub-division and demolition proposal**, all three in the one application by Rebecca Green and Associates, took place during the main thrust of the Corona Virus lockdown, therefore dramatically altering the opportunity for ratepayers, and other interested parties, to become involved in this most important decision-making process.

It can be argued that for many ratepayers, visitors and members of the family who originally built the Longford Tabernacle, the action of the NMC in so swiftly agreeing to the 43A application, was both distressing and unexpected.

Most ratepayers and interested parties who are vitally interested in the future of the Baptist Tabernacle, and love this particularly important monumental and historical building, only heard of the Council's decision well after it had been made.

Those few who were aware of the application, were denied permission to attend the Council meeting on the 27th of April 2020, (as was the press) and most, never dreamed that the Council would ever approve the proposed rezoning , subdivision and demolition.

The normal official Council response: "that it was advertised" holds no water in this instance as the public we're in official "lockdown" and buying The Examiner newspaper which carried the planning "notice" could not be presumed to have been read by interested parties.

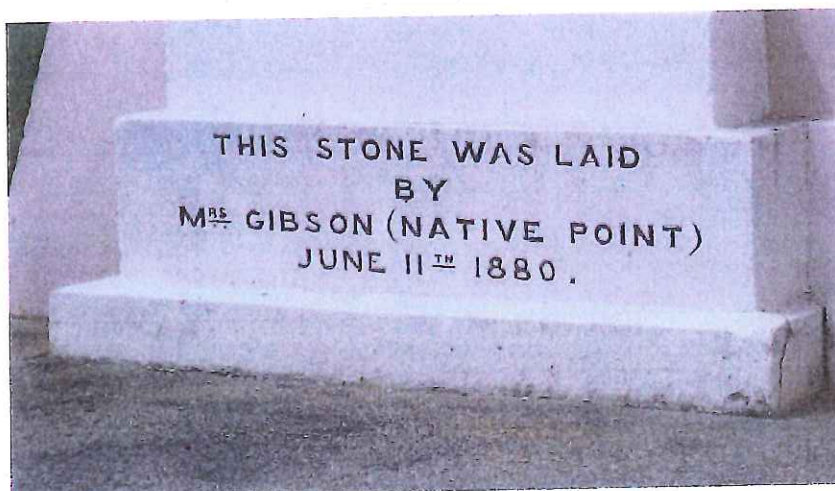
Also the normal ratepayer-to-ratepayer exchanges, talking about such a controversial proposal, in face-to-face discussion, exchanging thoughts and ideas was impossible, if not illegal (lockdown), to take place.

As well, the ability to meet with Council officials was not possible, and the presumption that all ratepayers have access to a computer (to view both the Rebecca Green application, and the later Council decision) cannot be accepted as "a credible-community involvement in the planning process".

Irrespective of the State government making emergency provisions for local government to operate during the "lock-down", the important decision to re-zone and subdivide such an important historical building as the Tabernacle, was not of such urgency, as to require a speedy decision by the NMC.

That the decision was made unanimously, and from reading the Council minutes, without questioning of the Council officers, (to any great extent), it would appear that the Councillors were totally unaware of the of the importance of the Tabernacle to ratepayers, and indeed, the passions that their decision would arouse.

To add insult to injury no effort was made to advise neighbouring and adjacent ratepayers, and indeed the Gibson family, of what was afoot.



(2). Failure of the NMC to fully and carefully consider and recognise the historical importance of the Tabernacle site and buildings.

Northern Midlands Interim Planning Scheme 2.2.2.8 Heritage, states the Council must:

- (a) "Recognise the importance of the area's Aboriginal and European heritage and protect it for the benefit of the community and visitors."
- (b) "Recognise the importance to the identity of the community and value to the economy of the area of its heritage buildings, items and places."
- (c) "New development is to be guided by patterns of settlement already established, and should seek to enhance and complement the identified heritage values and not detract from these assets, and will be subject to a detailed assessment.)"

OBJECTION/COMMENT:

It is clear from the Submission from Rebecca Green and Associates, and from the Minutes of the Council Meeting (April 27, 2020), and the planning officer's comments, that the following were not considered, and the inadvertently NMC acted contrary to the spirit and letter of their own planning interim Planning scheme:

1. "Due recognition of the importance of the Tabernacle heritage ..." (2.2.2.8 (a))
2. "Due recognition of the importance to the identity of the community and value to the economy of the area of its heritage buildings, items and places ..." (2.2.2.8 (b))"
3. "New development is to be guided by patterns of settlement already established, and should seek to enhance and compliment the identified heritage values and not detract from these and will be subject to a detailed assessment ..." (2.2.2.8. (c))"

It is patently clear that The Council failed to consider the above three requirements and act accordingly.

Below is a brief history of the Longford Tabernacle which should have been considered before action was taken on the church at 41/43 Wellington Street Longford. It should have been part of a "detailed assessment", as required under 2.2.2.8 Section (c)

The Northern Midlands Interim Planning Scheme 2012 mentions the importance of "Streetscapes" 13 times. (2.2.2.8 Heritage)

Historical Background:

The Longford Tabernacle and its intertwining with the story of the township's development and growth, through rural activities such as sheep and wheat and milling, and its provision of an amenity for both the wealthy and working class citizens of the district, demands amenity protection.

The land upon which the Longford Tabernacle is sited, was acquired by the Gibson family in the 1850's from the Longford Mill owner, Thomas Ritchie.

The Ritchie milling dynasty began with Thomas Ritchie, who by 1834 had built a flourmill at Scone, near Perth. Sons Thomas, John and George were involved with milling in Longford, but it was David who turned Scone Mill into one of the leading mills in Tasmania, producing high standard flour as well as most of Tasmania's oatmeal. Following the 1870 loss of the mill to fire, he moved into Launceston, buying the Cataract Mill in 1876. Ritchie was the first Tasmanian miller, in April 1889, to convert from stones to a complete roller mill, and in 1910 D Ritchie & Son built Tasmania's first concrete grain silos. The comparatively small mill continued operating until bought by Monds & Affleck in 1973 and closed. (Jill Cassidy, *Tasmanian Historical Studies*.)

In 1880, Mary Gibson of Scone and Native Point set about building 10 churches in Tasmania; the Longford Tabernacle being one of them. Others were in Hobart, Launceston, Perth, Deloraine, Blackwood Creek, Devonport and structures in smaller rural communities.

She hired Henry Conway as architect and his design for the Longford Tabernacle was repeated for the Deloraine Tabernacle. Longford's present Town Hall was most likely designed by Henry Conway, as was Eskleigh (former "Scone" homestead).

The Tabernacle represents the aspirations of both a wealthy family of Tasmanian landowners and rural producers, and the working class citizens of the district who used the Tabernacle as both a place of worship and a place to gather as a community.



Mary and William Gibson.

According to the Gibson Family, the cost of the Longford building was covered by selling two prize merino rams, for one thousand Guineas each. The Gibsons by this time were one of Australia's leading breeders of prize-winning merino sheep. Wool from the Gibson rams won gold medals and prizes both in Australia and Europe. At one stage the Gibson wool was considered the premier merino wool of the world.



The Owl, (a Gibson prize Merino ram) whose descendants paid for the building of the Longford Tabernacle in 1880.

William Gibson served on the Longford Municipal Council for many years and was a member of the Tasmanian Legislative Council from 1859 to 1865. In 1870 William Gibson built "Scone" homestead on the banks of the South Esk River. In 1943 a descendent of William Gibson, Mr B. Gibson, donated Scone homestead, now called Eskleigh, to become a place for the care of disabled adults.

The Gibson family were also large grain producers, with one branch of the family producing in it's Hobart mills, "Gibson's Toasted Wheat", in competition with Kelloggs.

The story of the Longford Baptist Tabernacle, is entwined with both the story of the Gibson family and the 200 year old old history of the Norfolk Plains, as a vital part of the history of rural farming Australia.

That the Longford farmers, in the early part of the 1800's supplied grain to Sydney when the colony there faced starvation, has become almost lost to the present generation.

The towns of Oatlands have converted historic buildings and sites into valuable tourist assets, such as the Ross Wool Centre and the Oatlands Carington Mill.

Longford has commissioned many reports begging for the development of "tourism highlights", one of which could be the Longford Tabernacle – as a local history centre, community centre, and tourism office, highlighting and pointing to tourist destinations such as, Woolmers, Brickenden, Evandale and indeed, other places of interest in Longford.

LONGFORD TABERNACLE.

THE FOUNDATION STONE

Of the above-named

BAPTIST CHURCH

Will be laid at Longford

By

MRS W. GIBSON (Native Point), on

FRIDAY, JUNE 11th,

At 2:30 o'clock p.m.

In the evening a PUBLIC MEETING will
be held in the

ASSEMBLY ROOMS,

At 7 o'clock.

Speakers—Messrs T. Spurgeon, W. Gib-
son, jun., Gould, Harrison (Delo-
raine), Lavers, Williamson (Perth).

To accommodate friends from a distance

A T E A

Will be provided in the

TEMPERANCE HALL

At 5 o'clock.

Tickets, 1s each.

(3).

DIANOFORTE & ORGAN TUNING.

In 1880, beside the foundation stone, was placed a capsule with historical documents relating to the Tabernacle and the congregation, which was to be opened at the 100 year anniversary of the Tabernacle's construction.

This was done in 1980 and a new set of documents placed inside the capsule, to be opened again in 2080.

The capsule is still in place inside the wall by the foundation stone.

“The area or vista around dwellings of heritage or character significance is in many cases, as important as the dwelling or building itself.”

(Extract from report by Pitt and Sherry 2012, commissioned by the Northern Midlands Council).

E13.4 Definition of Terms. (Northern Midlands Interim Planning Scheme.)

Heritage precinct:

Means an area described in table E13.1 Local Heritage Precincts to this code as an area of special aesthetic, historic, scientific (including archaeological), spiritual or social value in which it is desirable to preserve or enhance the streetscape, townscape and/or notable character and significant features of the area.

Historic heritage significance:

Means in relation to a local heritage place or heritage precinct, and its aesthetic, historic, (including archaeological), social or spiritual value.

The preservation of **site-scapes**; streetscapes and breathing spaces surrounding the land or the open space surrounding historic buildings or structures, is one of the most difficult concepts to get planners, planning officers, councils and planning authorities, around the world, to grasp, let alone act upon.

It is constantly harped upon by historians, cultural preservationists, and within bodies like Heritage Tasmania and the National Trust of Australia, through its support of “The Burra Charter”, but is usually surrendered, when faced with planning applications or pressure from development proposals, demanding swift decisions.

Tasmania, fortunately, has more historical buildings than the rest of Australia combined. Longford is not particularly as blessed as other Tasmanian cities and towns. Longford has 178 registered historic sites. **Every** historical site and building is **vitaly important**.

Australia is a signatory to the ICOMOS (The International Council on Monuments and Sites) which is incorporated in the *Burra Charter**, a charter for protecting places of Cultural Significance. Heritage Tasmania has incorporated and adopted the Articles and principles of the Burra Charter as have the Commonwealth Government.

Who is the Charter for?

The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works upon places of cultural significance, including owners, managers and custodians.

Article 8.* Setting. Burra Charter.

“Conservation requires the retention of an appropriate setting. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the cultural significance of the place.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are **not appropriate**.”

The preservation of the streetscape and side and front vistas in relation the Baptist Tabernacle is the vital issue to be considered.



The transformed NMC office, a transformed "streetscape".

OBJECTION/COMMENT:

A prime example of "streetscape importance", possibly unintended, is the decision of the NMC to demolish the house on the Smith Street corner, beside the NMC office. That action has turned the council office-building from a fairly non-discript structure into a rather eye-catching gem, with it's charm, architectural integrity and visual interest enhanced.

It now reflects the style of the times in which it was built.

The streetscape has been improved and the building's visual appeal has increased.

The structure has space. It can be now classed as a "**stand alone**" building of significant architectural importance.

Longford's historical sites and buildings **will reduce, not expand**, so every effort needs to be made to protect and enhance, where possible, this cultural heritage.

The Longford Baptist Tabernacle is #5154 on the Heritage Tasmania's Register.

The external aspect of historical buildings, those that are possibly most interesting from a architectural point of view, and a visually exciting experience, are "**stand alone**" buildings.

STAND ALONE BUILDINGS:

The Longford Baptist Tabernacle is possibly Longford's most striking "stand alone" structure. By this it is meant that more than just the **facade** can be seen.



Baptist Tabernacle Longford.

Below is a picture of building **facades** in Wellington Street Longford. The red-brick building, formally the Artisan Cafe, is the most interesting, as it stands alone and the north and south walls are visible. It is a "stand alone building" with "breathing space" either side. Street-scape which includes stand alone buildings are more valuable than just street-facing facades.



Other “stand alone buildings” of significant historical importance in Wellington Street are:

1. Kingsley House.
2. The Club Hotel, formally the Prince of Wales Hotel.
3. Affleck’s Mill, four story structure in Union Street.
4. The Baptist Tabernacle.
5. The Old Berriedale Inn.
6. The Old Emerald Mill.
7. The Anglican Church.
8. Williat House (The Old Longford Hotel).
9. The Corner Shop. (Sticky Beaks).
10. Brown’s Store.
11. Longford Library

A prime example of how a ‘**stand alone**’ historic building can have it’s breathing space shrunk, and it’s visual impact destroyed, was the permission for the BWS liquor store to built right up to the footpath. A setback would have preserved the streetscape.



E13.4 Definition of Terms. (Northern Midlands Interim Planning Scheme 2013.)

Existing Character:

“Means the existing character statement set out in table E13.1 which is intended to describe each of the management units. The existing character consists of the units **unique or important public view corridors, vistas or natural or built features.**”



OBJECTION/COMMENT:

The southern wall of the Tabernacle exhibits the art of the builder, in the Romanesque windows and the perfectly preserved example of the famous “Longford Red Brick”. Longford brick was a special feature of Longford in colonial and Victorian times. The colour is said to be unique to Longford, with the soil coming from pits near the present boat ramp.

The Southern Wall fits perfectly in the E13.4 definition of: “ unique or important public view corridors, vistas or natural built features”.

The Tabernacle’s southern wall is in danger of its “streetscape value “ being altered, devalued or hidden, if the sub-division into Lot#1, as approved, takes place.

The streetscape value of the Tabernacle should not be view in isolation. It is part of a nest of structures in their own right, individually important, but as a cluster, a serious part of our culture and form, creating, as the famous academic, George Sedden described as, “A sense of Place”.

Standing outside the Tabernacle there is vision of:

- a. The old convict wall, outside Dr. Johnsons house.
- b. The old Berriedale Inn. (original stage coach depot for Launceston run).
- c. The Old Emerald Mill complex of buildings and walls. (JJ's)
- d. Tabernacle behind the viewer.
- e. A extraordinary o "streetscape", in this section of Wellington Street.
- f. Possibly the busiest tourist stop off point in Longford; JJ's bakery.

This "existing character" WILL be destroyed, as defined in E13.4 should the proposed subdivision in the Rebecca Green submission, be upheld when Councillors sit as the local planning authority.

At the moment the decision by Council sitting April 27th, is in serious conflict to the Northern Midlands Interim Planning Scheme 2013 aspirations.

Acknowledgement.

The preservation and maintenance of the Longford Tabernacle by the present owners is acknowledged.

Ratepayers and the NMC and ratepayers should appreciate their past efforts in maintaining the Tabernacle and it's surrounds.

Rezoning Danger.

Rezoning to residential removes the **first layer, and major protection** the site and buildings have.

Once zoned "residential" the site becomes a "NO PERMIT REQUIRED" zone, and there is some doubt that the many protections the site now has, can be transferred.

OBJECTION/COMMENT.

Ratepayers relying upon the provisions of the NMC Interim Planning Scheme 2013 provisions of the Longford Heritage Precinct, State Planning Act provisions and other Historic and Cultural laws, aspirations and clearly defined prescriptions, have been very, very, disappointed.

The speed in which the Heritage Council issued an initial approval, the lack of concern by the NMC's contracted advisor, Mr. Denman, and the swift decision by the NMC, have left many stakeholders wondering what is the purpose of all these so-called protections and requirements if they are to be totally ignored?

A stark comparison:

Below it, is a photograph of the Baptist Tabernacle in Deloraine, within the streetscape.



Compare, the stately and noble nature of the Baptist Tabernacle Longford.



- (4). **Failure of Heritage Tasmania/Heritage Council to assess and consider the impact upon the street-scape and the shrinkage of the site in relation to the setting of the Longford Tabernacle.**

It is believed that Heritage Tasmania has failed in its remit to seriously consider what is proposed for the Longford Baptist Tabernacle. The Heritage Council objectives state:

“The Tasmanian Heritage Council is a statutory body responsible for the administration of the *Historic Cultural Heritage Act 1995* and the establishment and maintenance of the Tasmanian Heritage Register.

It operates as part of the resource management planning system. Development on places on the Register require the approval of the Heritage Council before works can commence.)

The Tasmanian Historic Cultural Heritage Act 1995 states:

Historic Cultural Heritage Act 1995

Version current from 8 October 2019 to date (accessed 23 May 2020 at 13:54)

4A. Matters to be regarded

- (1) In performing or exercising any functions or powers under this Act in relation to a place, the Heritage Council, the Minister and any other person must have regard to:
 - (a) the retention of the historic cultural heritage significance of the place; and
 - (b) any relevant provisions of the [Building Act 2016](#) .
- (2) The Heritage Council, the Minister and any other person who performs or exercises functions or powers under this Act in relation to a place must do so in a manner that is consistent with the objectives of the resource management and planning system and the planning process set out in Schedule 1 to the Planning Act.

OBJECTION /COMMENT

- (a) **The words “the retention of the historic cultural significance of the place...” and “must have regard to” would appear to be fairly clear... read on.**

On the 17th May 2020 11.19pm we received this email from our architectural consultant:

Hi John

I asked Ian Boersma Senior Heritage architect, Heritage Tasmania, secretariat to Tasmanian Heritage Council, whether he had seen an application regarding the former Baptist Church in Wellington St Longford.

He said he had, and the application to subdivide the property and demolish modern sections of the building had been approved with conditions that required details of how the adjacent walls of the church and Sunday school were to be dealt with, post demolition.

I asked how THC could deal with such an application without taking into account public representations as the advertising had only just started. He said that this was an example of when this had to occur (probably 6 examples during his time with HT) because they had to deal with it within the time limit.

I said that he must have realised this wasn't fair, as the public were excluded, to which he said the public could still be heard by Council as part of their assessment/approval process.

I said that Council had also already considered the application and issued a draft approval, so how would that occur?

I asked why THC didn't just refuse the application so as to make it fair to the public?

He said that wouldn't be appropriate (?) and I disagreed. I asked why THC didn't ask for more information (regarding the impact of the demolition) as a means of 'stopping the clock' so that the public advertising could occur as it should.

He said no because THC only had 14 days (?) to determine the application.

I told him that I was enquiring on behalf of people who had just learned of the application having received a notification card from Council which also seemed to indicate a decision had apparently been made, and they were upset.

I suggested that this was all contrary to the process prescribed by legislation and perhaps it would end up in the Supreme Court.

He said he didn't know because he wasn't a lawyer, and the call ended....
Regards,

L.M.

cont/.

OBJECTION/COMMENT:

The above email clearly confirms that Heritage Tasmania has not considered the proposal, nor taken any action to seriously investigate the application.

It would appear that Mr Boersma has approved the submission without inspecting the site or taking into account of streetscape, vista retention or the cultural and historical importance of the Tabernacle.

At this stage it should be pointed out, again, that the site, at the moment, has a 'protection layer' with it's zoning as "Community Purpose", with all that that entails.

After rezoning, if the Council, sitting as the local planning authority, approves the draft proposal by Rebecca Green and Associates, the land becomes "residential" and the draft application will be considered as a residential site, and this becomes a entirely different 'kettle of fish'.

The above is critically important in relation to the proposed Lot #1. (the grassed area on the southern side).

If re-zoned, we have no confidence that our argument regarding "stand alone buildings" and streetscape issues, heritage precinct issues or cultural values will be even considered or seriously addressed by Heritage Tasmania.

It is unclear exactly what will occur as the zoning "Residential" is listed in the NMC planning scheme as "No Permit Required".

The Submission. Rebecca Green & Assc.

5. Reason for re-zoning. (1. Executive Summary page 3, paragraph 3, last sentence).

The reasons given for re-zoning in the draft proposal submitted by Rebecca Green and Associates, and repeated in the Council's planning officer's comments, which were ultimately accepted by at the NMC meeting on the 27th of April 2020. They are:

“The current zoning of the Community Purpose is no longer a relevant zoning as the Funeral Chapel has ceased operating from that site and is land surplus to the Lethborg Family Funeral needs.”

The submission later states on page 4 (3. Site Analysis, Paragraph 4) :

“The site has been for sale for some time, with no interest for the entirety of the site for place of assembly or similar use.”

OBJECTION/COMMENT:

BUT IT IS STILL A CHAPEL!

In other words... in simple terms... the owners cannot sell their property and want the NMC to rezone, sub-divide and partially demolish on-site buildings.

We cannot find anywhere is any Tasmanian Act, regulation or other instrument that a Council is empowered to assist a ratepayer to sell, a **difficult-to-sell property**, let alone a historic building, clearly zoned for a specific purpose.

Is this service open to all owners of historical properties, within a Historic Precinct?

What sort of dangerous precedent does this create?

Will the other owners of Heritage listed properties be able avail themselves of this Council service?

Under normal commercial rules if a property cannot sell...lower the price!

The submission by Rebecca Green and Associates is very lean on information regarding the heritage values of the site. Indeed it consists of just 4 lines in 3.3.1 (Heritage and Scenic).

This understatement of the scenic, cultural and architectural values of, not only the Wellington Street site itself, but the vital importance of street-scape and breathing space for historically important buildings appear to have been lost during the assessment, of this submission, by Rebecca Green and Associates, by the NMC.

5. Failure to follow the letter and spirit of:

The Longford Heritage and Precinct Character Statement:

Northern Midlands Interim Planning Scheme 2013

“The Longford Heritage Precinct is unique because is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre trade and commerce for the district.

Traditional buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street then curves gently at Heritage Corner towards Cressy and links Longford to the surrounding rural farmland creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickenden estates.

Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid 19th century to the early 20th century, including significant street trees, picket fences and cottage gardens.

The rural township feel is complimented by a mix of businesses serving local needs, tourism and historical interpretation. Longford’s heritage ambience has been acknowledged, embraced and built on by many of those who have lived in or visit the town.”

OBJECTION/COMMENT:

As noted earlier, the four lines in the submission (Rebecca Green) dealing with the historical nature of the buildings and site, fail to live up to the flowery language of the “Longford Heritage and Precinct Character Statement”.

When confronted with a submission that will alter the zoning of the building, the fabric of the existing structures, the streetscape and threaten the “stand alone” nature of the Tabernacle—caution (and the Precinct Character Statement) appears to have been thrown to the wind.

What ever happened to:

“an area of special aesthetic, historic, scientific (including archaeological), spiritual or social value in which it is desirable to preserve or enhance the streetscape, townscape and/or notable character and significant features of the area.”

Clearly the the spirit and letter of it’s own Planning Scheme and the stated objectives there-in has not been fully considered.

6. **17.0 Community Purpose Zone:**

(Northern Midlands Interim Planning Scheme 2013).

17.1.3 Local Area objectives:

“To manage development in the Community purpose zones part of or context to the Heritage precinct in the towns and villages.

To ensure developments within street reservations contribute positively to the context of the Heritage Precincts in such settlement.

17.1.4 Desired Future Character Statements:”.

OBJECTION/COMMENT:

Was the Rebecca Green submission considered in the light of the above provisions?

Where is the Future Character Statements for 41/43 Wellington Street?

7. Section 3.3.2 the Green submission states:

“The site is not known to be subject to flooding”.

OBJECTION/COMMENT:

This is incorrect: see <https://dpiwwe.tas.gov.au/Documents/SouthEsk.PDF>

The history of flooding in Longford has been extensively recorded, with the 1929 flood being the most damaging. It was a 100 year flood (that 100 years is due to expire in 9 years time). The Wellington Street/Smith Street corner suffered to up to 4 feet of water during major historical floods. Flooding reached the Longford Library.

The writer of this report experienced difficulty getting insurance on the basis that our premises was on a “flood plain”. The present Longford levee (berm), like the Launceston levee, is designed to allow sufficient time for evacuation, not a guaranteed protection from flood, or a total solution to Longford’s flooding problems.

There is an underground stream that flows from Market Square, under “Kilgour” and through the proposed subdivision into Lot #1.

The history of the water problem can be obtained from a local “expert” on the history of the Longford Tabernacle. **It is wet...**

Not mentioned in the submission is the fact that an old Victorian house once stood on the proposed Lot #1 site.

It was meant as the Rectory for the Tabernacle but was abandoned, and a new rectory build along the eastern side of the Sunday School site in Smith Street. This is now a private home.

The old three-brick-walled-house (initial rectory on the proposed Lot #1) was condemned by the then Longford local authority and ordered demolished, sometime in the 1960’s.

The old house suffered from excessive damp owing to the underground stream and lack of sunlight, being in the shade of the church.

It should be pointed out that planning decisions, and aspects of the street-scape, must be based upon what is on the land now, not that of 60 years ago.

Sewerage:

Sewerage overload Wellington Street.

The proposed redevelopment of 41/43 Wellington Street (no information of intended residential intensity supplied nor implied, by Rebecca Green and Associates) leaves the question of sewerage overload unanswered.

With one proposed residence for Lot 3 and the potential for 4 units in the Church building (if a mezzanine is built), and perhaps a cluster of up to 8 units on Lot 1, there is the potential for **up to 13** residential sewerage outlets.

Wellington Street sewerage piping is old and possibly disintegrating in sections.

It was built in 1968 and the piping is approaching, if not already passed life expectancy of 50/60 years.

The Wellington Street has sewer blocked twice within the past 18 months resulting raw sewerage flooding the back yard of 44 Wellington Street and then pouring down the Wellington Street gutter to Union Street. Other sewerage from these spills reached the end of Latour Street, by the old levee (see photo below).

One Taswater worker described the sewerage mains in this section of Wellington Street as "Chronic".

The addition of up to 13 possible new residences, demanding sewerage connections will only exacerbate the problem. Council is aware of the Taswater sewerage problems overload in Longford, regarding the pressure from both the township and the abattoir.

OBJECTION/COMMENT.

Failure to be specific regarding the residential density of Lot 1,2 and 3 should have been questioned and addressed prior to approval for the re-zoning being recommended.

The footpath outside 39 Wellington Street is badly cracking and a sinkhole, as a result of last year's sewerage blockage, has recently been filled by the NMC.



Footpath cracking and repaired sinkhole Wellington St.



Warning Sign, Later St.

3.5 Tourism Strategy:

(Northern Midlands Interim Planning Scheme 2013.)

“Promote the Northern Midlands as ‘Tasmania’s Historic Heart’...

There is no mention of Tourism in the Rebecca Green Application.

OBJECTION/COMMENT.

The Rebecca Green proposal is for a site that is:

Opposite and in full view of the most busy tourist stop in Longford, JJ’s bakery.

It is also possibly the most visited coffee shop, cake shop and restaurant in Longford, servicing the local community. Patrons sitting outside JJ’s are looking at the Tabernacle, as part of the streetscape.

AND

The Smith/Wellington corner is where NMC signs indicate to tourists the entrance to the Longford Caravan Park.

Tourists walk down Smith Street from the caravan park to either JJ’s or Hill Street/IGA.

Tourist drive pass the Longford Tabernacle to either, Brickenden or Woolmers or turn at Marlborough Street heading for Cressy and/or the Lakes H/Way.

The Longford Tabernacle is the most “in your face” building for tourists passing by, not to mention local ratepayers and visiting Tasmanians.

The Tabernacle is the monumental structure adding most to the tourist value of that section of the Longford Historical precinct. As one visitor said to this writer, “if there is one thing you remember about Longford, it’s that whooping great church”.

Section 4.3 (Section 33 of LUPAA).

This 'notice of objection' advises that we have serious issues as to whether the submission by Rebecca Green and Associates complies with Section 33 of LLUPA.

We also have reservations regarding items 4.4 , 4.5, 4.6, 4.7, 4.9, 4.10, as well as 4.3.2C to 4.11. in the Rebecca Green Submission

We trust that the NMC can revisit it's decision of April 27th 2020, and arrive at a more suitable outcome.

Sincerely,

John Izzard,
44 Wellington Street,
Longford.


0438 123 123

johnizzard@bigpond.com

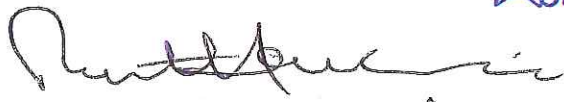
Objection document:

Longford Tabernacle Rezoning and Subdivision Objection document.

Signed By:  "Native Land Perth, Tas."

Signed By:  "BERRIEDRAKE"
44 WELLINGTON ST.
LONGFORD.

Signed By:  "Kilgaw"
A Archer Street
Longford 1301.

Signed By:  "Korley"
Longford, TAS

APPENDIX:

1. **Premier's Department Guide to Planning decisions.**

2. **Extracts from:
Heritage Precincts Specific Area Plan F.2.1 Purpose of Specific Area Plan.**

GOOD GOVERNANCE GUIDE:

FOR LOCAL GOVERNMENT IN TASMANIA

Department of Premier and Cabinet Local Government Division.

(Extracts from page 74 on).

Planning is concerned with the public good, not private interests.

Planning schemes are developed to reflect community aspirations for the future of their municipal area.

If you genuinely believe that the planning scheme is allowing inappropriate development, then the appropriate course of action is to seek changes to the planning scheme. You are bound by the law to make decisions that are in line with the planning scheme.

You do not have the discretion to make a decision that does not align with the planning scheme.

Land-use planning decisions are made in line with councils' planning schemes, which are developed to reflect the community's vision for the future of the municipal area.

The development of planning schemes is a critical stage in the land-use planning process. This process takes into account the view of the public, as well as public transport needs, public safety and security, air, land and water quality, management of coastal and rural resources, and conservation of natural and cultural heritage.

There are likely to be occasions when you have no option but to approve developments that are consistent with the planning scheme, even though there is considerable dissatisfaction in the community.

In such situations, it is important to understand that by virtue of election to a council, you are also fulfilling a role and a responsibility in accordance with the State's planning legislation.

Therefore, in carrying out that responsibility you are bound to take a broader and longer-term view of things – perhaps to the detriment of individual constituents.

F2 Heritage Precincts Specific Area Plan F2.1 Purpose of Specific Area Plan

F2.1.1 In addition to, and consistent with, the purpose of E13.0 Local Historic Heritage Code, the purpose of this Specific Area Plan is to ensure that development makes a positive contribution to the streetscape within the Heritage Precincts.

F2.2 Application of Specific Area Plan

F2.2.1 This Specific Area Plan applies to those areas of land designated as Heritage Precincts on the Planning Scheme maps.

F2.2.2 The following development is exempt from this Specific Area Plan:

a) works required to comply with an Emergency Order issued under

section 162 of the Building Act 2000;

b) electricity, optic fibre and telecommunications cables, and water, sewerage, drainage connections and gas lines to individual buildings;

c) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;

d) repainting of an exterior surface that has been previously painted, in a colour similar to that existing;

e) the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove unacceptable risk to the public or private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and

f) the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or

Table E13.2.

F2.3 Definitions

F2.3.1 Streetscape

For the purpose of this specific area plan 'streetscape' refers to the street reservation and all design elements within it, and that area of a private property from the street reservation; including the whole of the frontage, front setback, building façade, porch or verandah, roof form, and side fences; and includes the front elevation of a garage, carport or outbuilding visible from the street (refer Figure F2.1 and F2.2).

F2.3.2 Heritage-Listed Building

For the purpose of this Plan 'heritage-listed building' refers to a building listed in Table F2.1 or listed on the Tasmanian Heritage Register.

F2.4 Requirements for Design Statement

F2.4.1 In addition to the requirements of clause 8.1.3, a design statement is required in support of the application for any new building, extension, alteration or

Northern Midlands Interim Planning Scheme 2013

addition, to ensure that development achieves consistency with the existing streetscape and common built forms that create the character of the streetscape.

F2.4.2 The design statement must identify and describe, as relevant to the application, setbacks, orientation, scale, roof forms, plan form, verandah styles, conservatories, architectural details, entrances and doors, windows, roof covering, roof plumbing, external wall materials, paint colours, outbuildings, fences and gates within the streetscape. The elements described must be shown to be the basis for the design of any new development.

F2.4.3 The design statement must address the subject site and the two properties on both sides, the property opposite the subject site and the two properties both sides of that.

F2.5 Standards for Development

F2.5.1 Setbacks

Objective

To ensure that the predominant front setback of the existing buildings in the streetscape is maintained, and to ensure that the impact of garages and carports on the streetscape is minimised.

Acceptable Solutions
Performance Criteria

A1 The predominant front setback as identified in the design statement must be maintained for all new buildings, extensions, alterations or additions (refer Figure F2.4 & F2.8).

P1 The front setback must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:

- a) the cultural heritage values of the local heritage place, its setting and the precinct;**
- b) the topography of the site;**
- c) the size, shape, and orientation of the lot;**
- d) the setbacks of other buildings in the surrounding area;**
- e) the historic cultural heritage significance of adjacent places; and**
- f) the streetscape.**

A2 New carports and garages, whether attached or detached, must be set back a minimum of 3 metres behind the line of the front wall of the house which it adjoins (refer Figure F2.3, & F2.7).

P2 The setback of new carports and garages from the line of the front wall of the house which it adjoins must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:

Heritage Precincts Specific Area Plan Page F2-2

F2.5.2 Orientation

Northern Midlands Interim Planning Scheme 2013

- a) the cultural heritage values of the local heritage place, its setting and the precinct;**
- b) the topography of the site;**
- c) the size, shape, and orientation of the lot;**
- d) the setbacks of other buildings in the surrounding area;**
- e) the historic cultural heritage significance of adjacent places; and**
- f) the streetscape.**

A3 Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.

P3 Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:

- a) the cultural heritage values of the local heritage place, its setting and the precinct;
- b) the topography of the site;
- c) the size, shape, and orientation of the lot;
- d) the setbacks of other buildings in the surrounding area;
- e) the historic cultural heritage significance of adjacent places; and
- f) the streetscape.

Objective

To ensure that new buildings, extensions, alterations and additions respect the established predominant orientation within the streetscape.

Acceptable Solutions

Performance Criteria

A1 All new buildings, extensions, alterations or additions must be orientated:

a) perpendicular to the street frontage (refer Figure F2.5, F2.6, & F2.8); or

b) Where the design statement identifies that the predominant orientation of buildings within the street is other than perpendicular to the street, to conform to the established pattern in the

P1 Orientation of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:

- a) the cultural heritage values of the local heritage place, its setting and the precinct;
- Heritage Precincts Specific Area Plan Page F2-3

F2.5.3 Scale

F2.5.4 Roof Forms

Northern Midlands Interim Planning Scheme 2013

street; and

c) A new building must not be on an angle to an adjoining heritage-listed building (refer Figure F2.5).

- b) the topography of the site;
- c) the size, shape, and orientation of the lot;
- d) the setbacks of other buildings in the surrounding area;
- e) the historic cultural heritage significance of adjacent places; and
- f) the streetscape.

Objective

To ensure that all new buildings respect the established scale of buildings in the streetscape, adhere to a similar scale, are proportional to their lot size and allow an existing original main building form to dominate when viewed from public spaces.

Acceptable Solutions

Performance Criteria

A1 Single storey developments must have a maximum height from floor level to eaves of 3 metres (refer Figure F2.14).

P1 No performance criteria

A2 Where a second storey is proposed it must be incorporated into the roof space using dormer windows, or roof windows, or gable end windows, so as not to detract from original two storey heritage-listed buildings (refer Figure F2.13 & F2.15).

P2 No performance criteria.

A3 Ground floor additions located in the area between the rear and front walls of the existing house must not exceed 50% of the floor area of the original main house.

P3 No performance criteria.

Objective

To ensure that the roof form and elements respect those of the existing main building and the streetscape.

Acceptable Solutions

Performance Criteria

A1.1 The roof form⁵ for new buildings, extensions, alterations, and additions must, if visible from

P1 The roof form of all new buildings, extensions, alteration

5 Roofs are often the most crucial aspect of the design of new buildings in historic areas.

Although many other elements of a new building can be disguised or screened by planting, roofs remain dominant. Roofscape is an

Heritage Precincts Specific Area Plan Page F2-4

Northern Midlands Interim Planning Scheme 2013

the street, be in the form of hip or gable, with a pitch between 25 – 40 degrees (refer Figure F2.14 & F2.18), or match the existing building, and

A1.2 Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.

or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:

- a) the cultural heritage values of the local heritage place, its setting and the precinct;
- b) the design, period of construction and materials of the dominant building on site;
- c) the dominant roofing style and materials in the setting; and

d) the streetscape.

A2 Where there is a need to use the roof space, dormer windows are acceptable and must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant (refer Figure F2.15).

P2 No performance criteria

A3 Where used, chimneys must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant.

P3 No performance criteria

A4 Metal cowls must not be used where they will be seen from the street.

P4 No performance criteria

F2.5.5 Plan Form

important visual element of historic villages, where the roofs of some buildings may be seen as prominently as the front walls.

Massive roof forms are not acceptable. A multi-hipped roof was a traditional technique to reduce the height of hipped roofs and maintain a uniform ridge line, reducing roof mass. Traditional elements such as dormer windows and chimneys help to punctuate the expanse of a roof. Most buildings constructed prior to 1900 have simple small roof forms, with hips or gables spanning about 6.5m. If the building was wider or longer, another hip, gable or skillion was added rather than raising the ridge line and trying to span a greater distance under one roof.

6 Heritage houses normally present a simple front wall to the street. Where there is a variation it is usually filled in by a verandah, thereby producing basic rectangular or square plan forms. The main entry is usually located in the centre of the house with front rooms both sides. The choice of plan form directly affects the roof shape. Complex plan forms usually result in multiple ridge lines of varying heights and are unsympathetic with the simple roof form common to most heritage buildings. Equal squares and rectangles in the plan can achieve this satisfactorily.

Objective

To ensure that new buildings, alterations, additions and extensions respect the setting, original plan form, shape and scale of the existing main building on the site or of adjoining heritage-listed buildings.

Heritage Precincts Specific Area Plan Page F2-5

Northern Midlands Interim Planning Scheme 2013
Acceptable Solutions
Performance Criteria

A1.1 Alterations and additions to pre-1940 buildings must retain the original plan form of the existing main building; or

A1.2 The plan form of additions must be rectilinear or consistent with the existing house design and dimensions.

P1 Original main buildings must remain visually dominant over any additions when viewed from public spaces.

A2 The plan form of new buildings must be rectilinear (refer Figure F2.9).

P2 No performance criteria

The General Manager
Mr Des Jennings
Northern Midlands Council
Smith Street Longford 7301
24 May 2020

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|---------------------------|---|---|-----|---|---|
| NORTHERN MIDLANDS COUNCIL | | | | | |
| File No. | | | | | |
| Property | | | | | |
| Attachments | | | | | |
| REC'D 1 JUN 2020 | | | | | |
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| GM | | | PLN | | |
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Dear Mr Jennings

Old Baptist Tabernacle Change of Zoning, Proposed Sale and Subdivision

As residents in the historic precinct of Longford we have been concerned to discover that the old Tabernacle property situated on the corner of Wellington and Smith Street may be sold and subdivided. Numerous Northern Midland Council-initiated masterplans for Longford have all detailed the critical importance of the historic nature of this Longford precinct and that this precious environment should be preserved.

NMC Planning Scheme:

"E 13.4

Local Heritage Precincts - an area of special aesthetic, historic, scientific (including archaeological) spiritual or social value in which it is desirable to preserve or enhance the streetscape, townscape and/or notable character and significant features of the area."

At our end of Wellington Street so much effort has been made by the current owners of these historic buildings to restore and improve the buildings in compliance with Heritage regulations and with your council's advice and approval.

So, there will be one rule for the southern end of the historic precinct and another for the northern end? What does a subdivision of one property into three, in this location, do to comply with the historic nature of the town. This subdivision would potentially leave the **tabernacle**, in a residential zone, like a *white elephant*, completely useless for most purposes. Once subdivided, the purpose for these small blocks is obvious and probably irreversible.

Houses or units crammed into small back yards.

This plan for the subdivision to be potential residences is concerning. Simply be changing the zoning – they may now not have to comply with the heritage regulations. Will we see concrete slab structures, built check-by-jowl, against the fence line of the beautiful tabernacle? Please have some vision.

The Australian Government is currently encouraging states to set up recovery programs and is offering grants to revitalise our rural communities:

reliefandrecoveryfund@infrastructure.gov.au

Is this not an opportunity seeks ideas for the site from our community and apply for funding under the recovery grants scheme?

For example: Many Longford residents have been seeking a location for a Museum/Information Centre to store the region's historic artefacts some of which are currently stored at Clarendon at Evandale. It would be well positioned too as a Visitor Centre - close to the village green and opposite the busy commercial historic precinct.

A creative new development for Longford would provide employment, draw visitors, and create a potential local attraction with a purposeful and interactive historic focus for the town.

Please do not approve this subdivision.

Yours sincerely





Roderick Cuthbert and Mary Dufour

Rosemary Jones

From: Bosch, Ockie <
Sent: Friday, 22 May 2020 2:39 PM
To: NMC Planning
Subject: Draft Amendment 01-2020 (Ref No: PLN-20-0001)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Chair,

I hereby would like to express my full support for the Draft Amendment 01-2020 (Ref No: PLN-20-0001) to rezone 41-43 Wellington Street, Longford, from Community Purpose to General Residential.

I am a neighbour (45 Wellington Street) and agree that what is intended will certainly improve this particular site in the historic precinct of the town. It may be good to restrict the type of dwelling to fit in with the historic value of the site (e.g. weather board and pitched roof). However, whatever will happen will be an improvement to the area. We are in the process to renovate our house – a new fence has already been erected and painting will happen in the early summer. This is something we are doing for ourselves, but believe we will also contribute to improving the appearance of the centre of Longford.

Again, our full support for the proposed development of 41-43 Wellington Street.

Warm regards

OCKIE

Professor Dr Ockie Bosch

Research Professor, Malik Management Institute, St Gallen, Switzerland

Guest Professor, Keio University, Hyoshi, Japan

Editor-in-Chief, Systems Journal, MDPI

- Past President (2016/17), International Society for the Systems Sciences
- Past Vice-President & Academician, International Academy for Systems and Cybernetic Sciences

Email : _____

Mob: +61 (0)4

Postal address: 45 Wellington Street, Longford, TAS 7301, Australia

Rosemary Jones

From: The Lethborg family <pelethborg@gmail.com>
Sent: Sunday, 7 June 2020 8:34 PM
To: NMC Planning
Cc: Dallas McCulloch
Subject: Re: Email to applicant, Representations received to Planning Application
PLN20-0001, Draft Amendment 01/2020

Dear NMC,

Thank you for your email with redacted representations.

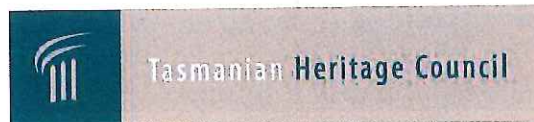
It appears the major issue raised is the Heritage/aesthetic value of the chapel building that hasn't been used as a church requiring community purpose zoning since about 1997 (23 years). I offer these observations in reply to some of concerns expressed:

- The rezoning itself will not impact the building's heritage value.
- The Demolition of the non heritage extensions will in fact enhance the heritage buildings.
- The subdivision will only separate the two stand alone heritage buildings again allowing enhancing their look and giving them the best chance of being maintained well and utilized. This will lessen the chance of the buildings becoming not well maintained and utilized in future.
- Currently the Longford tabernacle looks ok...possibly better than its 'twin' at Deloraine still used as a church and that has a residence next door as did this Longford property. The house was demolished to allow for parking.
- The rezoning is about giving the buildings a purpose that fits the surrounds which is all residential.
- If a residence was to be erected on vacant land I am sure it would be in keeping with the precinct and would not effect the stand alone aesthetic as some were concerned.

I have read all the representations and believe from my above observations and expert advise I have sort, the proposal will not result in any negatives outlined in the concerns expressed.

I believe the council has made the correct decision in supporting the application and am happy to work with those concerned to address any further questions they have.

Yours Sincerely,
Philip Lethborg



Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
Tel: 1300 850 332
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

PLANNING REF: PLN-20-0001
THC WORKS REF: #6145
REGISTERED PLACE NO: #5154
FILE NO: 10-47-81THC
APPLICANT: DJ McCulloch Surveying
DATE: 4 May 2020

NOTICE OF HERITAGE DECISION

(*Historic Cultural Heritage Act 1995*)

The Place: Baptist Church, 41-43 Wellington Street, Longford.
Proposed Works: Rezoning, subdivision and partial demolition.

Under section 39A(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-20-0001, subject to the following condition:

- A detailed schedule of works must be prepared to the satisfaction of Heritage Tasmania's Works Manager prior to the commencement of demolition works on the site. The schedule of works is to clarify the extent of demolition, with regard for the identification, protection and alteration (ie: infill, where required), and conservation of heritage fabric to both the former Baptist Church, and Church Hall.**

Reason for condition

To ensure that the works not adequately documented have regard for the place's historic cultural heritage values.

Advice

The applicant should note that all of the areas affected by the subdivision will remain entered in the Tasmanian Heritage Register as part of the original entry for the site, and that heritage works to the new lots shall require heritage approval pursuant to Part 6 of the *Historic Cultural Heritage Act 1995*.

Heritage approval is required prior to the construction of all new boundary fencing within the subdivided sites, and to the site perimeter.

The applicant/owner may request a review and amendment to the place's entry in the THR once the new property title/s are sealed. The applicant is encouraged to contact Heritage Tasmania for advice.

Should you require clarification of any matters contained in this notice, please contact Heritage Tasmania's Works Manager, Ian Boersma, on 6777 2073 or 1300 850 332.

A handwritten signature in black ink, appearing to read 'Pete Smith', with a stylized, cursive script.

Pete Smith

Director – Heritage Tasmania

Under delegation of the Tasmanian Heritage Council

1-341

Approval process for a combined permit and amendment of planning schemes
 Part 3, Land Use Planning and Approvals Act 1993

