

REPORT TO COUNCIL MEETING – 26 April 2021

**INFO HERITAGE PROVISIONS OF THE NORTHERN MIDLANDS
INTERIM PLANNING SCHEME 2013 AND THE TASMANIAN
PLANNING SCHEME**

Attachments: Section 1 – Page XXXX

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The Northern Midlands Council is in the process of replacing its current Northern Midlands Interim Planning Scheme 2013 with the Tasmanian Planning Scheme.

As requested by Councillors, attached to this report is:

- A comparison between the provisions of the current Heritage Precincts Specific Area Plan and the provisions of the Tasmanian Planning Scheme Local Historic Heritage Code.
- The draft Ministerial declarations regarding the current Local Historic Heritage Code and the Heritage Precincts Specific Area Plan.

LOCAL HERITAGE PRECINCTS

Setbacks

Northern Midlands Interim Planning Scheme 2013 – Heritage Precincts Specific Area Plan		Tasmanian Planning Scheme – Local Historic Heritage Code	
Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
A1 The predominant front setback as identified in the design statement must be maintained for all new buildings, extensions, alterations or additions.	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.	A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must: (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.	P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to: (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and
A2 New carports and garages, whether attached or detached, must be set back a minimum of 3	P2 The setback of new carports and garages from the line of the front wall of the house which it adjoins		

<p>A3 Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.</p>	<p>P3 Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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; 	<p>(d) the setbacks of other buildings in the surrounding area.</p> <p>P1.2 <i>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</i></p> <ul style="list-style-type: none"> (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.
<p>metres behind the line of the front wall of the house which it adjoins.</p>	<p>must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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. 	

	<p>d) the setbacks of other buildings in the surrounding area;</p> <p>e) the historic cultural heritage significance of adjacent places; and</p> <p>f) the streetscape.</p>	
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Orientation

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 All new buildings, extensions, alterations or additions must be orientated:</p> <p>a) perpendicular to the street frontage; or</p> <p>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 street; and</p> <p>c) A new building must not be on an angle to an adjoining heritage-listed building.</p>	<p>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:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the topography of the site;</p> <p>c) the size, shape, and orientation of the lot;</p> <p>d) the setbacks of other buildings in the surrounding area;</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p>

	<p>e) the historic cultural heritage significance of adjacent places; and</p> <p>f) the streetscape.</p>	<p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p> <p>P1.2</p> <p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
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Scale

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 Single storey developments must have a maximum height from floor level to eaves of 3 metres.</p>	<p>P1 No performance criteria</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p>
<p>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.</p>	<p>P2 No performance criteria.</p>	<p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
<p>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.</p>	<p>P3 No performance criteria.</p>		<p>P1.2</p>

		<p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p>	<p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
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Roof form

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 The roof form for new buildings, extensions, alterations, and additions must, if visible from the street, be in the form of hip or gable, with</p>	<p>P1 The roof form of all new buildings, extensions, alteration or additions must</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works,</p>

<p>A1.2 Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.</p>	<p>be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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. 	<p>and works, excluding demolition, must:</p> <ul style="list-style-type: none"> (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.
<p>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.</p>	<p>P2 No performance criteria</p>	<p>excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.
<p>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.</p>	<p>P3 No performance criteria</p>	<p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p>

<p>A4 Metal cowls must not be used where they will be seen from the street.</p>	<p>P4 No performance criteria</p>	<p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.</p>
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Plan Form

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Alterations and additions to pre-1940 buildings must retain the original plan form of the existing main building; or</p> <p>A1.2 The plan form of additions must be rectilinear or consistent with the existing house design and dimensions.</p>	<p>P1 Original main buildings must remain visually dominant over any additions when viewed from public spaces.</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p>
<p>A2 The plan form of new buildings must be rectilinear.</p>	<p>P2 No performance criteria</p>		

		<p>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule;</p>
		<p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p>
		<p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
		<p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p>

		<p>(c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.</p>
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External Walls

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Materials used in additions must match those of the existing construction, except in additions to stone or brick buildings; and</p>	<p>P1 Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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 wall materials in the setting; and d) the streetscape. 	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <ul style="list-style-type: none"> (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule. 	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area;
<p>A1.2 External walls must be clad in:</p>	<p>P1 Wall materials must be compatible with the historic</p>		

<p>a) traditional bull-nosed timber weatherboards; if treated pine boards are used to replace damaged weatherboards they must be painted; thin profile compressed board weatherboards must not be used; or</p> <p>b) brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including:</p> <ul style="list-style-type: none"> • painted standard size bricks; or • standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or • standard brickwork rendered in traditional style; or • if a heritage-listed building, second-hand traditional local bricks. <p>Heavily-tumbled clinker bricks must not be used; or</p> <p>c) concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted;</p> <p>d) concrete blocks in natural concrete finish must not be used.</p> <p>A1.3 Cladding materials designed to imitate traditional materials such as brick, stone and weatherboards must not be used.</p>	<p>cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site;</p> <p>c) the dominant wall materials in the setting; and</p> <p>d) the streetscape.</p>	<p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p> <p>P1.2</p> <p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
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Entrances and Doors

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 The position, shape and size of original door and window openings must be retained where they are prominent from public spaces; and</p>	<p>P1 Entrances and doors must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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; and c) the streetscape. 	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <ul style="list-style-type: none"> (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule. 	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.
<p>A1.2 The front entrance location must be in the front wall facing the street, and be located within the central third of the front wall of the house; and</p> <p>A1.3 Modern front doors with horizontal glazing or similar styles must not be used.</p>	<p>P1 Entrances and doors must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> a) the cultural heritage values of the local heritage place, its setting and the precinct; 		

	<p>b) the design, period of construction and materials of the dominant building on site; and</p> <p>c) the streetscape.</p>		<p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
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Windows

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 Window heads must be a minimum of 300mm below the eaves line, or match the existing.</p>	<p>P1 No performance criteria.</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding</p>

A2	Front facade windows must conform to the solid/void ratio.	P2	For commercial buildings, the solid/void ratio of front facade windows must be compatible with that of heritage-listed commercial buildings in the precinct.
A3	Window sashes must be double hung, casement, awning or fixed appropriate to the period and style of the building.	P3	No performance criteria
A4	Traditional style multi-pane sashes, when used, must conform to the traditional pattern of six or eight vertical panes per sash with traditional size and profile glazing bars.	P4	No performance criteria.
A5	Horizontally sliding sashes must not be used.	P5	No performance criteria.
A6	Corner windows to front facades must not be used.	P6	No performance criteria.
A7	Clear glass must be used.	P7	No performance criteria.
A8	Reflective and tinted glass and coatings must not be used where visible from public places.	P8	No performance criteria.
A9	Additions to heritage-listed buildings must have timber window frames, where visible from public spaces.	P9	No performance criteria.
A10	Painted aluminium must only be used where it cannot be seen from the street and in new buildings, or where used in existing buildings	P10	Window frames must be compatible with the historic cultural heritage

and works, excluding demolition, must:

(a) not be on a local heritage place;

(b) not be visible from any road or public open space; and

(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.

demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:

(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;

(b) the character and appearance of the surrounding area;

(c) the height and bulk of other buildings in the surrounding area; and

(d) the setbacks of other buildings in the surrounding area.

P1.2

Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:

		significance of a local heritage place or precinct, having regard to the cultural heritage values of the local heritage place, its setting and the precinct.	
A11	Glazing bars must be of a size and profile appropriate for the period of the building	P11	No performance criteria.
A12	Stick-on aluminium glazing-bars must not be used	P12	No performance criteria.
A13	All windows in brick or masonry buildings must have projecting brick or stone sills, or match the existing	P13	No performance criteria.
A14	French doors and bay windows must be appropriate for the original building style and must be of a design reflected in buildings of a similar period.	P14	No performance criteria
A15	Where two bay windows are required, they must be symmetrically placed.	P15	No performance criteria
A16	Large areas of glass panelling must: a) Be divided by large vertical mullions to suggest a vertical orientation; and b) Be necessary to enhance the utility of the property or protect the historic fabric; and c) Not detract from the historic values of the original building.	P16	No performance criteria
			(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.

Roof Covering

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Roofing of additions, alterations and extensions must match that of the existing building; and</p> <p>A1.2 Roof coverings must be:</p> <p>a) corrugated iron sheeting in grey tones, brown tones, dark red, or galvanized iron or</p> <p>b) slate or modern equivalents, shingle and low profile tiles, where compatible with the style and period of the main building on the site and the setting. Tile colours must be:</p> <ul style="list-style-type: none"> • dark gray; or • light grey; or • brown tones; or • dark red; <p>or</p> <p>c) traditional metal tray tiles where compatible with the style and period of the main building on the site</p> <p>d) for additions, alterations and extensions, match that of the existing building.</p>	<p>P1 No performance criteria</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>

<p>A2 Must not be klip-lock steel deck and similar high rib tray sheeting.</p>	<p>P2 No performance criteria</p>	<p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to: (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.</p>
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Roof Plumbing

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Gutters must be OG, D mould, or Half Round profiles, or match the existing guttering; and</p> <p>A1.2 Downpipes must be zinc/laume natural, colorbond round, or PVC round painted.</p>	<p>P1 No performance criteria</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
<p>A2 Downpipes must not be square-line gutter profile or rectangular downpipes, or match the existing downpipes.</p>	<p>P2 No performance criteria</p>		<p>P1.2</p>

			<p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
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Verandahs

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
A1 Original verandahs must be retained.	P1 No performance criteria		

<p>A2.1 The replacement of a missing verandah must be consistent with the form and detail of the original verandah; or</p> <p>A2.2 If details of the original verandah are not available:</p> <p>a) The verandah roof must join the wall line below the eaves line of the building; and</p> <p>b) Verandah posts and roof profile must be consistent with that in use by the surrounding buildings of a similar period.</p>	<p>P2 Verandahs must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site; and</p> <p>c) the streetscape.</p>	<p>A3 A new verandah, where one has not previously existed, must be consistent with the design and period of construction of the dominant existing building on the site or, for vacant sites, those of the dominant design and period within the precinct.</p> <p>P3 No performance criteria</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p> <p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local</p>
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		<p>heritage precinct, having regard to:</p> <ul style="list-style-type: none">(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;(b) the character and appearance of the surrounding area;(c) the height and bulk of other buildings in the surrounding area; and(d) the setbacks of other buildings in the surrounding area.
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Architectural Details

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 Original details and ornaments, such as architraves, fascias and mouldings, are an essential part of the building's character and must not be removed beyond the extent of any alteration, addition or extension.</p>	<p>P1 No performance criteria</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any road or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
<p>A2.1 Non-original elements must be consistent with the original architectural style of the dominant existing building on the site or, for vacant sites, be consistent with the existing streetscape; and</p> <p>A2.1 Non-original elements must not detract from or dominate the original qualities of the building, nor should they suggest a past use which is not historically accurate.</p>	<p>P2 No performance criteria</p>		<p>P1.2</p>

			<p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <ul style="list-style-type: none"> (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.
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Outbuildings

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 The roof form of outbuildings must, if visible from the street, be in the form of hip or gable, with a maximum span of 6.5m and a</p>	<p>P1 The roof form of outbuildings, if visible from the street, must be compatible with the historic cultural heritage</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be</p>

<p>pitch 22.5 – 40 degrees.</p>	<p>between</p>	<p>significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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. 	<p>and works, excluding demolition, must:</p> <ul style="list-style-type: none"> (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.
<p>A2 Outbuildings must be designed, in both scale and appearance, to be subservient to the primary buildings on the site.</p>	<p>P2 No performance criteria</p>	<p>compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area. 	<p>P1.2 Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p>
<p>A3 Outbuildings must not be located in front of existing heritage-listed buildings, and must be setback a minimum of 3 metres behind the line of the front wall of the house that is set furthest back from the street.</p>	<p>P3 No performance criteria</p>		
<p>A4 Any garage, including those conjoined to the main building, must be designed in the form of an outbuilding, with an independent roof form.</p>	<p>P4 No performance criteria</p>		

<p>A5 Those parts of Outbuildings visible from the street must be consistent, in both materials and style, with those of any existing heritage-listed building on-site.</p>	<p>P5 No performance criteria</p>	<p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.</p>
<p>A6 Where visible from the street, the eaves height of outbuildings must not exceed 3m and the roof form and pitch must be the same as that of the main house.</p>	<p>P6 No performance criteria</p>	

Conservatories

<p>Acceptable Solution/s</p>	<p>Performance Criteria</p>	<p>Acceptable Solution/s</p>	<p>Performance Criteria</p>
<p>A1 Conservatories must not be located at the front of a building.</p>	<p>P1 No performance criteria</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p>
<p>A2 The scale, form, materials, and colours of a conservatory addition must respect the established style and period of the existing building.</p>	<p>P2 No performance criteria</p>	<p>(a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically</p>	<p>(a) the streetscape or townscape values identified in</p>

		<p>part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(a) the character and appearance of the surrounding area;</p> <p>(b) the height and bulk of other buildings in the surrounding area; and</p> <p>(c) the setbacks of other buildings in the surrounding area.</p> <p>P1.2</p> <p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p>
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			(c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.
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Fences and Gates

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Replacement of front fence must be in the same design, materials and scale; or</p> <p>A1.2</p> <p>a) Front fence must be a timber vertical picket, masonry to match the house, heritage style woven wire, galvanized tubular fencing, other than looped, or iron palisade fence with a maximum height of 1500mm.</p> <p>b) Side and rear fences must be vertical timber palings to a maximum height of 1800mm.</p>	<p>P1 Fences must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the architectural style of the dominant building on the site;</p> <p>c) the dominant fencing style in the setting; and</p> <p>d) the original or previous fences on the site.</p>	<p>Within a local heritage precinct, new front fences and gates must be designed and constructed to match the existing original fences on the site.</p>	<p>Within a local heritage precinct, new front fences and gates must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) height, form, style and materials of the proposed fence; and</p> <p>(c) the style, characteristics and setbacks of fences and gates in the surrounding area.</p>
<p>A2 Gates must match the fence, both in materials and design.</p>	<p>P2 No performance criteria</p>		

<p>A3 Screen fences used to separate the front garden from the rear of the house must be of timber or lattice.</p>	<p>P3 No performance criteria</p>		
<p>A4 Fences must not be: a) horizontal or diagonal timber slat fences; or b) plastic covered wire mesh; or c) flat metal sheet or corrugated sheets; or d) plywood and cement sheet.</p>	<p>P4 No performance criteria</p>		

Paint Colours

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Colour schemes must be drawn from heritage-listed buildings within the precinct; or A1.2 Colour schemes must be drawn from the following: a) Walls – Off white, creams, beige, tans, fawn and ochre. b) Window & Door frames – white, off white, Indian red, light browns, tans, olive green and deep Brunswick green. c) Fascia & Barge Boards - white, off white Indian red, light browns, tans, olive green and deep Brunswick green</p>	<p>P1 Colour schemes must be compatible with the local historic heritage significance of the local heritage place or precinct having regard to the character and appearance of the existing place or precinct.</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must: (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to: (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as</p>

<p>d) Roof & Gutters – deep Indian red, light and dark grey.</p>		<p>the relevant Local Provisions Schedule;</p> <p>identified in the relevant Local Provisions Schedule;</p>
<p>A2 There must be a contrast between the wall colour and trim colours.</p>	<p>P2 No performance criteria</p>	<p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
<p>A3 Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.</p>	<p>P3 No performance criteria</p>	<p>P1.2</p> <p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p>

		(d) the setbacks of other buildings in the surrounding area.
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Lighting

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 Wiring or conduit to new lighting is not located on the front face of a building.</p>	<p>P1 No performance criteria</p>	<p>A1 Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must: (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>P1.1 Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to: (a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule; (b) the character and appearance of the surrounding area; (c) the height and bulk of other buildings in the surrounding area; and (d) the setbacks of other buildings in the surrounding area.</p>

			<p>P1.2 <i>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</i></p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) the character and appearance of the surrounding area;</p> <p>(c) the height and bulk of other buildings in the surrounding area; and</p> <p>(d) the setbacks of other buildings in the surrounding area.</p>
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Maintenance and Repair

Acceptable Solution	Performance Criteria	Exemption
<p>New materials and finishes used in the maintenance and repair of buildings match the materials and finishes that are being replaced.</p>	<p>No performance criteria.</p>	<p>Maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric are exempt.</p>

LOCAL HERITAGE PLACES

Setbacks

Northern Midlands Interim Planning Scheme 2013		Tasmanian Planning Scheme	
Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
A1 The predominant front setback as identified in the design statement must be maintained for all new buildings, extensions, alterations or additions.	P1 The front setback must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: <ul style="list-style-type: none"> 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. 	A1 No Acceptable Solution.	P1 The front, side and rear setbacks of a building must be compatible with the local historic heritage significance of the place, having regard to: <ul style="list-style-type: none"> (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the topography of the site; (c) the size, shape, and orientation of the lot; and (d) the setbacks of other buildings in the surrounding area.
A2 New carports and garages, whether attached or detached, must be set back a minimum of 3	P2 The setback of new carports and garages from the line of the front wall of the house which it adjoins		

<p>metres behind the line of the front wall of the house which it adjoins.</p>	<p>must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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. 	
<p>A3 Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.</p>	<p>P3 Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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; 	

	<p>d) the setbacks of other buildings in the surrounding area;</p> <p>e) the historic cultural heritage significance of adjacent places; and</p> <p>f) the streetscape.</p>		
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Orientation

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 All new buildings, extensions, alterations or additions must be orientated:</p> <p>a) perpendicular to the street frontage; or</p> <p>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 street; and</p> <p>c) A new building must not be on an angle to an adjoining heritage-listed building.</p>	<p>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:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the topography of the site;</p> <p>c) the size, shape, and orientation of the lot;</p> <p>d) the setbacks of other buildings in the surrounding area;</p>	<p>A1 No Acceptable Solution.</p>	<p>P1 The front, side and rear setbacks of a building must be compatible with the local historic heritage significance of the place, having regard to:</p> <p><i>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</i></p> <p><i>(b) the topography of the site;</i></p> <p><i>(c) the size, shape, and orientation of the lot; and</i></p>

	e) the historic cultural heritage significance of adjacent places; and f) the streetscape.		(a) the setbacks of other buildings in the surrounding area.
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Scale

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
A1 Single storey developments must have a maximum height from floor level to eaves of 3 metres.	P1 No performance criteria	A1 No Acceptable Solution.	P1 The height and bulk of buildings must be compatible with the local historic heritage significance of a local heritage place, having regard to: (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the character and appearance of the existing building or place; (c) the height and bulk of other buildings in the surrounding area; and
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.	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.		

			(d) the setting of the local heritage place.
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Roof form

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 The roof form for new buildings, extensions, alterations, and additions must, if visible from the street, be in the form of hip or gable, with a pitch between 25 – 40 degrees, or match the existing building, and</p> <p>A1.2 Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.</p>	<p>P1 The roof form 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:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site;</p>	<p>A1 Replacement roofs on local heritage places which will be visible from any road or public open space adjoining the site, must be of a form and material to match the existing roof being replaced.</p>	<p>P1 Roof form and materials must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p>

	<p>c) the dominant roofing style and materials in the setting; and d) the streetscape.</p>		<p>(b) the design, period of construction and materials of the building on the site that the roof directly relates to; (c) the dominant roofing style and materials in the setting; and (d) the streetscape.</p>
<p>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.</p>	<p>P2 No performance criteria</p>		
<p>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.</p>	<p>P3 No performance criteria</p>		
<p>A4 Metal cowls must not be used where they will be seen from the street.</p>	<p>P4 No performance criteria</p>		

Plan Form

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>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.</p>	<p>P1 Original main buildings must remain visually dominant over any additions when viewed from public spaces.</p>	<p>A1 No Acceptable Solution.</p>	<p>P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to:</p>

<p>A2 The plan form of new buildings must be rectilinear.</p>	<p>P2 No performance criteria</p>	<p>No provisions.</p>	<p>No provisions.</p>
		<p>No provisions.</p>	<p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to; (c) the dominant external building materials in the setting; and (d) the streetscape.</p>

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Materials used in additions must match those of the existing construction, except in additions to stone or brick buildings; and</p>	<p>P1 Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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 wall materials in the setting; and d) the streetscape. 	<p>A1 No Acceptable Solution.</p>	<p>P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to:</p> <ul style="list-style-type: none"> (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to; (c) the dominant external building materials in the setting; and (d) the streetscape.

<p>A1.2 External walls must be clad in:</p> <p>a) traditional bull-nosed timber weatherboards; if treated pine boards are used to replace damaged weatherboards they must be painted; thin profile compressed board weatherboards must not be used; or</p> <p>b) brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including:</p> <ul style="list-style-type: none"> • painted standard size bricks; or • standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or • standard brickwork rendered in traditional style; or • if a heritage-listed building, second-hand traditional local bricks. <p>Heavily-tumbled clinker bricks must not be used; or</p> <p>c) concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted;</p>	<p>P1 Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site;</p> <p>c) the dominant wall materials in the setting; and</p> <p>d) the streetscape.</p>	<p>A1 No Acceptable Solution.</p>	<p>P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>(b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to;</p> <p>(c) the dominant external building materials in the setting; and</p> <p>(d) the streetscape.</p>
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<p>d) concrete blocks in natural concrete finish must not be used.</p> <p>A1.3 Cladding materials designed to imitate traditional materials such as brick, stone and weatherboards must not be used.</p>		<p><i>New build – no provisions</i></p>	<p><i>New build – no provisions.</i></p>
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Entrances and Doors

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 The position, shape and size of original door and window openings must be retained where they are prominent from public spaces; and</p>	<p>P1 Entrances and doors must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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; and c) the streetscape. 	<p>A1 No Acceptable Solution.</p>	<p>P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to:</p> <ul style="list-style-type: none"> (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to; (c) the dominant external building materials in the setting; and (d) the streetscape.

<p>A1.2 The front entrance location must be in the front wall facing the street, and be located within the central third of the front wall of the house; and</p> <p>A1.3 Modern front doors with horizontal glazing or similar styles must not be used.</p>	<p>P1 Entrances and doors must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> 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; and c) the streetscape. 	<p><i>New build – no provisions.</i></p>	<p><i>New build – no provisions.</i></p>
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Windows

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 Window heads must be a minimum of 300mm below the eaves line, or match the existing.</p>	<p>P1 No performance criteria.</p>	<p><i>New build – no provisions.</i> <i>Existing building:</i> A1 No Acceptable Solution.</p>	<p><i>New build – no provisions.</i> <i>Existing building:</i> P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local</p>
<p>A2 Front facade windows must conform to the solid/void ratio.</p>	<p>P2 For commercial buildings, the solid/void ratio of front facade windows must be compatible with that of heritage-listed commercial buildings in the precinct.</p>		

A3	Window sashes must be double hung, casement, awning or fixed appropriate to the period and style of the building.	P3	No performance criteria
A4	Traditional style multi-pane sashes, when used, must conform to the traditional pattern of six or eight vertical panes per sash with traditional size and profile glazing bars.	P4	No performance criteria.
A5	Horizontally sliding sashes must not be used.	P5	No performance criteria.
A6	Corner windows to front facades must not be used.	P6	No performance criteria.
A7	Clear glass must be used.	P7	No performance criteria.
A8	Reflective and tinted glass and coatings must not be used where visible from public places.	P8	No performance criteria.
A9	Additions to heritage-listed buildings must have timber window frames, where visible from public spaces.	P9	No performance criteria.
A10	Painted aluminium must only be used where it cannot be seen from the street and in new buildings, or where used in existing buildings	P10	Window frames must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to the cultural heritage values of the local heritage place, its setting and the precinct.

historic heritage significance of the place, having regard to:

(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;

(b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to;

(c) the dominant external building materials in the setting; and

(d) the streetscape.

A11 Glazing bars must be of a size and profile appropriate for the period of the building	P11 No performance criteria.		
A12 Stick-on aluminium glazing-bars must not be used	P12 No performance criteria.		
A13 All windows in brick or masonry buildings must have projecting brick or stone sills, or match the existing	P13 No performance criteria.		
A14 French doors and bay windows must be appropriate for the original building style and must be of a design reflected in buildings of a similar period.	P14 No performance criteria		
A15 Where two bay windows are required, they must be symmetrically placed.	P15 No performance criteria		
A16 Large areas of glass panelling must: a) Be divided by large vertical mullions to suggest a vertical orientation; and b) Be necessary to enhance the utility of the property or protect the historic fabric; and c) Not detract from the historic values of the original building.	P16 No performance criteria		

Roof Covering

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
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<p>A1.1 Roofing of additions, alterations and extensions must match that of the existing building; and</p> <p>A1.2 Roof coverings must be:</p> <p>a) corrugated iron sheeting in grey tones, brown tones, dark red, or galvanized iron or</p> <p>b) slate or modern equivalents, shingle and low profile tiles, where compatible with the style and period of the main building on the site and the setting. Tile colours must be:</p> <ul style="list-style-type: none"> • dark gray; or • light grey; or • brown tones; or • dark red; <p>or</p> <p>c) traditional metal tray tiles where compatible with the style and period of the main building on the site</p> <p>d) for additions, alterations and extensions, match that of the existing building.</p>	<p>P1 No performance criteria</p>	<p>Replacement roofs on local heritage places which will be visible from any road or public open space adjoining the site, must be of a form and material to match the existing roof being replaced.</p>	<p>Roof form and materials must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>(b) the design, period of construction and materials of the building on the site that the roof directly relates to;</p> <p>(c) the dominant roofing style and materials in the setting; and</p> <p>(d) the streetscape.</p>
<p>A2 Must not be klip-lock steel deck and similar high rib tray sheeting.</p>	<p>P2 No performance criteria</p>		

Roof Plumbing

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Gutters must be OG, D mould, or Half Round profiles, or match the existing guttering; and</p> <p>A1.2 Downpipes must be zinclaume natural, colorbond round, or PVC round painted.</p>	<p>P1 No performance criteria</p>	<p>A1 Replacement roofs on local heritage places which will be visible from any road or public open space adjoining the site, must be of a form and material to match the existing roof being replaced.</p>	<p>P1 Roof form and materials must be compatible with the local historic heritage significance of a local heritage place, having regard to: (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p>
<p>A2 Downpipes must not be square-line gutter profile or rectangular downpipes, or match the existing downpipes.</p>	<p>P2 No performance criteria</p>		<p>(b) the design, period of construction and materials of the building on the site that the roof directly relates to;</p> <p>(c) the dominant roofing style and materials in the setting; and</p> <p>(d) the streetscape.</p>

Verandahs

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 Original verandahs must be retained.</p> <p>A2.1 The replacement of a missing verandah must be consistent with the form and detail of the original verandah; or</p> <p>A2.2 If details of the original verandah are not available:</p> <p>a) The verandah roof must join the wall line below the eaves line of the building; and</p> <p>b) Verandah posts and roof profile must be consistent with that in use by the surrounding buildings of a similar period.</p>	<p>P1 No performance criteria</p> <p>P2 Verandahs must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site; and</p> <p>c) the streetscape.</p>	<p>A1 No Acceptable Solution.</p>	<p>P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>(b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to;</p> <p>(c) the dominant external building materials in the setting; and</p>

			<i>(d) the streetscape.</i>
A3 A new verandah, where one has not previously existed, must be consistent with the design and period of construction of the dominant existing building on the site or, for vacant sites, those of the dominant design and period within the precinct.	P3 No performance criteria	<i>New build - No provisions.</i>	<i>New build - No provisions.</i>

Architectural Details

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>Original Detailing</p> <p>A1 Original details and ornaments, such as architraves, fascias and mouldings, are an essential part of the building's character and must not be removed beyond the extent of any alteration, addition or extension.</p>	<p>P1 No performance criteria</p>	<p>A1 No Acceptable Solution.</p>	<p>P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>(b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to;</p>

			<p>(c) the dominant external building materials in the setting; and (d) the streetscape.</p>
<p>A2.1 Non-original elements must be consistent with the original architectural style of the dominant existing building on the site or, for vacant sites, be consistent with the existing streetscape; and</p> <p>A2.1 Non-original elements must not detract from or dominate the original qualities of the building, nor should they suggest a past use which is not historically accurate.</p>	<p>P2 No performance criteria</p>	<p>No provisions.</p>	<p>No provisions.</p>

Outbuildings

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1 The roof form of outbuildings must, if visible from the street, be in the form of hip or gable, with a maximum span of 6.5m and a pitch between 22.5 – 40 degrees.</p>	<p>P1 The roof form of outbuildings, if visible from the street, must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p>	<p>A1 Outbuildings and structures on local heritage places must:</p> <p>(a) not be located in the front setback;</p> <p>(b) not be visible from any road or public open space adjoining the site;</p> <p>(c) not have a side that is longer than 3m;</p>	<p>P1 Outbuildings and structures must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage</p>

	<p>b) the design, period of construction and materials of the dominant building on site;</p> <p>c) the dominant roofing style and materials in the setting; and</p> <p>d) the streetscape.</p>	<p>(a) have a gross floor area less than 9m²;</p> <p>(e) have a combined total area of all outbuildings on the site of not more than 20m²;</p> <p>(f) have a maximum height less than 2.4m above existing ground level;</p> <p>(g) not have a maximum change of level as a result of cut or fill of more than 1m; and</p> <p>(h) not encroach on any service easement or be located within 1m of any underground service.</p>	<p>values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>(b) the bulk, form and size of buildings on the site;</p> <p>(c) the bulk, form and size of the proposed outbuilding or structure;</p> <p>(d) the external materials, finishes and decoration of the outbuilding or structure; and</p> <p>(e) the visibility of the outbuilding or structure from any road or public open space adjoining the site.</p>
<p>A2 Outbuildings must be designed, in both scale and appearance, to be subservient to the primary buildings on the site.</p>	<p>P2 No performance criteria</p>		
<p>A3 Outbuildings must not be located in front of existing heritage-listed buildings, and must be setback a minimum of 3 metres behind the line of the front wall of the house that is set furthest back from the street.</p>	<p>P3 No performance criteria</p>		
<p>A4 Any garage, including those conjoined to the main building, must be designed in the form of an outbuilding, with an independent roof form.</p>	<p>P4 No performance criteria</p>		
<p>A5 Those parts of Outbuildings visible from the street must be consistent, in both materials and style, with those of any existing heritage-listed building on-site.</p>	<p>P5 No performance criteria</p>		
<p>A6 Where visible from the street, the eaves height of outbuildings must not exceed 3m</p>	<p>P6 No performance criteria</p>		

and the roof form and pitch must be the same as that of the main house.		
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Conservatories

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
A1 Conservatories must not be located at the front of a building.	P1 No performance criteria	A1 No Acceptable Solution.	P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to: (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to;
A2 The scale, form, materials, and colours of a conservatory addition must respect the established style and period of the existing building.	P2 No performance criteria		

Fences and Gates

			<p>(c) the dominant external building materials in the setting; and (d) the streetscape.</p>
<p>Acceptable Solution/s</p> <p>A1.1 Replacement of front fence must be in the same design, materials and scale; or</p> <p>A1.2</p> <p>a) Front fence must be a timber vertical picket, masonry to match the house, heritage style woven wire, galvanized tubular fencing, other than looped, or iron palisade fence with a maximum height of 1500mm.</p> <p>b) Side and rear fences must be vertical timber palings to a maximum height of 1800mm.</p>	<p>Performance Criteria</p> <p>P1 Fences must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the architectural style of the dominant building on the site;</p> <p>c) the dominant fencing style in the setting; and</p> <p>d) the original or previous fences on the site.</p>	<p>Acceptable Solution/s</p> <p>A1 New fences and gates on local heritage places must be designed and constructed to match existing original fences on the site.</p>	<p>Performance Criteria</p> <p>P1 New fences and gates must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>(b) the architectural style of the buildings on the site;</p> <p>(c) the dominant fencing style in the setting;</p>
<p>A2 Gates must match the fence, both in materials and design.</p>	<p>P2 No performance criteria</p>		

<p>A3 Screen fences used to separate the front garden from the rear of the house must be of timber or lattice.</p>	<p>P3 No performance criteria</p>	<p>(d) the original or previous fences on the site; and (e) the proposed height and location of the fence.</p>
<p>A4 Fences must not be: a) horizontal or diagonal timber slat fences; or b) plastic covered wire mesh; or c) flat metal sheet or corrugated sheets; or d) plywood and cement sheet.</p>	<p>P4 No performance criteria</p>	

Paint Colours

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
<p>A1.1 Colour schemes must be drawn from heritage-listed buildings within the precinct; or A1.2 Colour schemes must be drawn from the following: a) Walls – Off white, creams, beige, tans, fawn and ochre. b) Window & Door frames – white, off white, Indian red, light browns, tans, olive green and deep Brunswick green. c) Fascia & Barge Boards - white, off white Indian red, light browns, tans, olive green and deep Brunswick green</p>	<p>P1 Colour schemes must be compatible with the local historic heritage significance of the local heritage place or precinct having regard to the character and appearance of the existing place or precinct.</p>	<p>A1 No Acceptable Solution.</p>	<p>P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to: (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the</p>

d) Roof & Gutters – deep Indian red, light and dark grey.		relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to; (c) the dominant external building materials in the setting; and (d) the streetscape.
A2 There must be a contrast between the wall colour and trim colours.	P2 No performance criteria	
A3 Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.	P3 No performance criteria	

Lighting

Acceptable Solution/s	Performance Criteria	Acceptable Solution/s	Performance Criteria
A1 Wiring or conduit to new lighting is not located on the front face of a building.	P1 No performance criteria	A1 No Acceptable Solution.	P1 Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to: (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there

			<p>are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>(b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to;</p> <p>(c) the dominant external building materials in the setting; and</p> <p>(d) the streetscape.</p>
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Maintenance and Repair

Acceptable Solution/s	Performance Criteria	Exemption
<p>New materials and finishes used in the maintenance and repair of buildings match the materials and finishes that are being replaced.</p>	<p>No performance criteria.</p>	<p>Maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric are exempt.</p>

Alternative Use of heritage buildings

Acceptable Solution/s	Performance Criteria	

<p>A1 No acceptable solution.</p>	<p>P1 Notwithstanding Clause 8.9, a permit may be granted for any use of a building listed in table F2.1 where:</p> <ul style="list-style-type: none"> a) it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and b) the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and c) a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit. 	<p>7.4.1 An application for a use of a place listed on the Tasmanian Heritage Register or as a Local Heritage Place subject to the Local Historic Heritage Code that would otherwise be Prohibited is Discretionary.</p> <p>7.4.2 The planning authority may approve such an application if it would facilitate the restoration, conservation and future maintenance of:</p> <ul style="list-style-type: none"> (a) the local historic heritage significance of the local heritage place; or (b) the historic cultural heritage significance of the place as described in the Tasmanian Heritage Register. <p>7.4.3 In determining an application the planning authority must have regard to:</p> <ul style="list-style-type: none"> (a) any statement of historic cultural heritage significance for the place, as described in the Tasmanian Heritage Register; (b) any statement of local historic heritage significance and historic heritage values, as described in the Local Historic Heritage Code; (c) any heritage impact statement prepared by a suitably qualified person setting out the effect of the proposed use and any associated development on: (i) the local historic heritage significance of the local heritage place or local heritage precinct; and (ii) the historic cultural heritage significance of the place as described in the Tasmanian Heritage Register; (d) any conservation plan prepared by a suitably qualified person in accordance with <i>The Conservation Plan: A guide to the</i>
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		<p><i>preparation of conservation plans for places of European cultural significance 7th edition, 2013;</i></p> <p>(e) the degree to which the restoration, conservation and future maintenance of the heritage significance of the place is dependent upon the establishment of the proposed use;</p> <p>(f) the likely impact of the proposed use on the amenity, or operation, of surrounding uses;</p> <p>(g) any Heritage Agreement that may be in place, in accordance with the provisions contained in the <i>Historic Cultural Heritage Act 1995</i>;</p> <p>(h) the purpose and provisions of the applicable zone; and</p> <p>(i) the purpose and provisions of any applicable code.</p>
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Northern Midlands Interim Planning Scheme 2013

Land Use Planning and Approvals Act 1993

Section 87C and Schedule 6, clause 8(4)

NOTICE OF DECLARATION

I, ROGER CHARLES JAENSCH, Minister for Planning, acting in accordance with Schedule 6, Clause 8(4) of the *Land Use Planning and Approvals Act 1993* ("the Act") after having consulted with the Tasmanian Planning Commission, declare the specific area plans, particular purpose zones and site specific qualifications identified in the Schedule to this declaration to be plans zones and qualifications to which Schedule 6, Clause 8 of the Act does not apply.

Dated this XX day of XXXXX, 2019

ROGER CHARLES JAENSCH

Minister for Planning

The Schedule

Specific Area Plans, Particular Purpose Zones and Site-specific Qualifications declared not subject to Schedule 6, Clause 8 of the Act

Provision	Reason
General Residential Zone – 10.2 Use Table Residential permitted – "If for multiple dwellings, except on CT 152543/1"	The provision is inconsistent with the: <ul style="list-style-type: none"> • purpose of State Planning Provisions General Residential Zone which is to provide for residential use or development that accommodates a range of dwelling types; and • State Planning Provisions General Residential Zone Use Table 8.2 as it downgrades the status of the Residential use class in the zone.
General Residential Zone – 10.2 Use Table Residential discretionary – "If on CT 152534/1 retirement village only"	The provision is inconsistent with the: <ul style="list-style-type: none"> • purpose of State Planning Provisions General Residential Zone which is to provide for residential use or development that accommodates a range of dwelling types; and • State Planning Provisions General Residential Zone Use Table 8.2 as it downgrades the status of the Residential use class in the zone.

Provision	Reason
General Residential Zone – 10.2 Use Table Food Services discretionary – “If a Restaurant on the land described in CT 3040/81 (114 Marlborough Street, Longford)”	The provision is provided for by State Planning Provisions General Residential Zone Use Table 8.2 which provides for all Food Services as discretionary “if not for a take away food premises with a drive through facility”.
General Residential Zone – 10.2 Use Table Recycling and Waste Disposal discretionary – “If on CT 135864/3”	The provision is provided for the State Planning Provisions clause 7.6, which provides for a discretionary decision in relation to this use of the land.
General Residential Zone – 10.2 Use Table Resource Development discretionary – “If on CT 135864/3”	The provision is provided for the State Planning Provisions clause 7.6, which provides for a discretionary decision in relation to this use of the land.
Low Density Residential Zone – 12.2 Use Table Food Services discretionary – “If a Restaurant on the land described in CT 200085/1 (part of 31-41 Grant Street, Campbell Town”	The provision is provided for by State Planning Provisions Low Density Residential Zone use Table 10.2 which provides for all Food Services as discretionary “if not for a take away food premises with a drive through facility”.
32.0 Particular Purpose Zone – Future Residential	The provision is provided for by the State Planning Provisions Future Urban Zone.
E3.0 Landslip Code	The provision is provided for by the State Planning Provisions Landslip Hazard Code.
E5.0 Flood Prone Areas Code	The provision is provided for by the State Planning Provisions Flood-Prone Areas Hazard Code.
E7.0 Scenic Management Code	The provision is provided for by the State Planning Provisions Scenic Protection Code.
E8.0 Biodiversity Code	The provision provided for by the State Planning Provisions Natural Assets Code.
E12.0 Airports Impact Management Code	The provision is provided for by the State Planning Provisions Safeguarding of Airports Code
E13.0 Heritage Code	The provision is provided for by the State Planning Provisions Local Historic Heritage Code
F2.0 Heritage Precincts Specific Area Plan	The provision is provided for by the State Planning Provisions Local Historic Heritage Code which provides for the application of local heritage precincts and local heritage places.

Northern Midlands Interim Planning Scheme 2013

Land Use Planning and Approvals Act 1993

Section 87C and Schedule 6, clause 8D(3)

DECLARATION

I, ROGER CHARLES JAENSCH, Minister for Planning, acting in accordance with Schedule 6, Clause 8D(3) of the *Land Use Planning and Approvals Act 1993* ("the Act") after having consulted with the Tasmanian Planning Commission, declare that Schedule 6, clause 8D(2) of the Act does not apply in relation to the code-applying provisions identified in the Schedule to this declaration in relation to the municipal area of Northern Midlands.

Dated this XX day of XXXXX, 2019

ROGER CHARLES JAENSCH

Minister for Planning

The Schedule

Code-applying Provisions declared not subject to Schedule 6, Clause 8D(2) of the Act

Code	Reason
E1.0 Bushfire-Prone Areas Code	The code contains no relevant Code-applying Provisions.
E2.0 Potentially Contaminated Land Code	The code contains no relevant Code-applying Provisions.
E3.0 Landslip Code	The Local Provisions Schedule requirements at clause LP1.7.12 of the State Planning Provisions specify the mapping to be used for the Landslip Hazard Area overlay for the State Planning Provisions Landslip Hazard Code.
E4.0 Road and Railway Assets Code	The code contains no relevant Code-applying Provisions.
E5.0 Flood Prone Areas Code, excluding: <ul style="list-style-type: none"> • the Flood Prone Area overlay. 	The only relevant Code-applying Provision is: <ul style="list-style-type: none"> • the Flood Prone Area overlay.
E6.0 Parking and Sustainable Transport Code	The code contains no relevant Code-applying Provisions.

Code	Reason
<p>E7.0 Scenic Management Code, excluding:</p> <ul style="list-style-type: none"> • the Scenic Management Area overlay if on land that is a zone listed in C8.2.1 of the State Planning Provisions; • Clause E7.1 Local Scenic Management Areas; and • the Scenic Management – Tourist Road Corridor (scenic corridor) overlay, if on land that is a zone listed in C8.2.1 of the State Planning Provisions. 	<p>The only relevant Code-applying Provisions are:</p> <ul style="list-style-type: none"> • the Scenic Management Area overlay; • Clause E7.1 Local Scenic Management Areas; and • the Scenic Management – Tourist Road Corridor (scenic corridor) overlay.
<p>E8.0 Biodiversity Code</p>	<p>The Local Provisions Schedule requirements at clause LP1.7.5 of the State Planning Provisions, and guidelines NAC 7 to NAC 12 of Guideline No.1, specify how the Priority Vegetation Area overlay is to be created for the State Planning Provisions Natural Assets Code.</p>
<p>E9.0 Water Quality Code</p>	<p>The code contains no relevant Code-applying Provisions.</p>
<p>E10.0 Recreation and Open Space Code</p>	<p>The code does not relate to an equivalent State Planning Provisions Code.</p>
<p>E11.0 Environmental Impacts and Attenuation Code</p>	<p>The code contains no relevant Code-applying Provisions.</p>
<p>E12.0 Airports Impact Management Code</p>	<p>The Local Provisions Schedule requirements at clause LP1.7.14(a) of the State Planning Provisions and guidelines SAC 1 to SAC 5 in Guideline No. 1 specify the how the Airport Noise Exposure Area and the Airport Obstacle Limitation Area overlays are to be created for the State Planning Provisions Safeguarding of Airports Code.</p>
<p>E13.0 Local Historic Heritage Code, excluding:</p> <ul style="list-style-type: none"> • The Local Heritage Precincts overlay; • Table E13.1 Local Heritage Precincts; and • Table E13.2 Local Heritage Places Outside Precincts, <p>unless the place or precinct has been inserted or removed by amendment after the commencement day.</p>	<p>The only relevant Code-applying Provisions are:</p> <ul style="list-style-type: none"> • the Local Heritage Precincts overlay; • Table E13.1 Local Heritage Precincts; and • Table E13.2 Local Heritage Places Outside Precincts.
<p>E15.0 Signs Code</p>	<p>The code contains no relevant Code-applying Provisions.</p>
<p>F2.0 Heritage Precincts Specific Area Plan, excluding:</p> <ul style="list-style-type: none"> • the Heritage Precincts overlay; and • Table F2.1 Heritage Places Inside Heritage Precincts, <p>unless the place or precinct has been inserted or removed by amendment after the commencement day.</p>	<p>The only relevant Code-applying Provisions are:</p> <ul style="list-style-type: none"> • the Heritage Precincts overlay; and • Table F2.1 Heritage Places Inside Heritage Precincts.

Northern Midlands Interim Planning Scheme 2013

Land Use Planning and Approvals Act 1993

Section 87C, Schedule 6, clause 8D(5)

DECLARATION

I, ROGER CHARLES JAENSCH, Minister for Planning, acting in accordance with Schedule 6, Clause 8D(5) of the *Land Use Planning and Approvals Act 1993* ("the Act") after having consulted with the Tasmanian Planning Commission, declare that the requirement in Clause LP1.8.1 of the State Planning Provisions (SPPs), specifically the statement "all information requirements are to be completed in the tables", as it relates to the code-applying provisions identified in the Schedule to this declaration when they are included in the draft Northern Midlands Local Provisions Schedule and Northern Midlands Local Provisions Schedule in accordance with Schedule 6, clause 8(2) of the Act does not apply in relation to the draft Northern Midlands Local Provisions Schedule and Northern Midlands Local Provisions Schedule.

Dated this XX day of XXXXX, 2019

ROGER CHARLES JAENSCH

Minister for Planning

The Schedule

Code-applying Provision
E13.0 Local Historic Heritage Code Table E13.2 Local Heritage Places Outside Precincts
F2.0 Heritage Precincts Specific Area Plan Table F2.1 Heritage Places Inside Heritage Precincts

Northern Midlands Interim Planning Scheme 2013

Land Use Planning and Approvals Act 1993

Section 87C and Schedule 6, clause 8A(1)

NOTICE OF DECLARATION

To: Northern Midlands Council

Take notice that in accordance with Schedule 6, Clause 8A(1) of the *Land Use Planning and Approvals Act 1993* ("the Act") I, ROGER CHARLES JAENSCH, Minister for Planning, after having consulted with the Tasmanian Planning Commission, declare that the draft Northern Midlands Local Provisions Schedule prepared and the Northern Midlands Local Provisions Schedule made in relation to the municipal area of Northern Midlands under Part 3A of the Act must contain the specific area plans, particular purpose zones and site-specific qualifications provisions identified in the Schedule to this Notice.

Dated this XX day of XXXXX, 2019

ROGER CHARLES JAENSCH

Minister for Planning

The Schedule

Specific Area Plans, Particular Purpose Zones and Site-specific Qualifications declared subject to Schedule 6, Clause 8A(1) of the Act

Provision
33.0 Particular Purpose Zone – Service Station
F1.0 Translink Specific Area Plan

Northern Midlands Interim Planning Scheme 2013

Land Use Planning and Approvals Act 1993

Section 87C and Schedule 6, Clauses 1, 8, 8A(1), 8D(2)

This document has been prepared by the Department of Justice, Planning Policy Unit to clarify the operation of the of the Minister's declarations made in accordance with Schedule 6, Clauses 8(4), 8A(1), and 8D(3) of the *Land Use Planning and Approvals Act 1993* ("the Act"). This document identifies the provisions to which the Minister's declarations do not apply, specifically:

- particular purpose zones, specific area plans and site-specific qualifications that are subject to Schedule 6, Clause 8(1) of the Act (refer to Schedule 1);
- particular purpose zones, specific area plans and site-specific qualifications that are not subject to Schedule 6, Clause 8A(1) of the Act (refer to Schedule 2); and
- code-applying provisions that are subject to Schedule 6, Clause 8D(2) (refer to Schedule 3).

This document also provides information on specific provisions in the Northern Midlands Interim Planning Scheme 2013 that do not meet the definition of site-specific qualification or specific area plan under Schedule 6, Clause 1 of the Act.

Schedule 1

Particular Purpose Zones, Specific Area Plans and Site-specific Qualifications subject to Schedule 6, Clause 8 of the Act

Provision	Application
General Residential Zone – 10.2 Use Table General Retail and Hire discretionary – "If a hairdressing salon and the sale of clothing and accessories only on the land described in CT 110036/1 (4 Nile Road, Evandale)"	Site-specific Qualification
General Residential Zone – 10.2 Use Table Vehicle Parking discretionary – "If on CT 135864/3 and directly associated with the Evandale market"	Site-specific Qualification
Low Density Residential Zone – 12.4.3.1 A1.2 & P1.3 Lot Area, Building Envelopes and Frontage A1.2 - Subdivision at Devon Hills will not result in any new lots. P1.3 - Land in Devon Hills must not be further subdivided.	Specific Area Plan or Site-specific Qualification

Provision	Application
Rural Living Zone – 13.2 Rural Living Zone Use Table Equipment and Machinery Sales and Hire discretionary – “If on CT 122423/2 (201 Pateena Road, Longford)”	Site-specific Qualification
Rural Living Zone – 13.2 Rural Living Zone Use Table Manufacturing and Processing discretionary – “If on CT 122423/2 (201 Pateena Road, Longford)”	Site-specific Qualification
Rural Living Zone – 13.2 Rural Living Zone Use Table Storage discretionary – “If for a contractors yard on CT 122423/2 (201 Pateena Road, Longford)”	Site-specific Qualification
Community Purpose – 17.2 Community Purpose Zone Use Table General Retail and Hire – “Only if in a building on CT 153988/1 that existed at the effective date of the scheme”	Site-specific Qualification
Light Industrial Zone – 24.2 Use Table Residential use discretionary – “If for a dwelling where all habitable rooms are limited to the first floor and above on the land described on CT 56239/1 (10 Union St, Longford)”	Site-specific Qualification
Rural Resource Zone – 26.2 Use Table Vehicle Parking discretionary – “If on CT 135864/3 and directly associated with the Evandale market”	Site-specific Qualification

Schedule 2

**Particular Purpose Zones, Specific Area Plans and Site-specific Qualifications not
subject to Schedule 6, Clause 8A(1) of the Act**

Provision	Reason
Nil	

Schedule 3

Code-applying Provisions subject to Schedule 6, Clause 8D(2) of the Act

Code-applying Provision	Application
<p>E5.0 Flood Prone Areas Code</p> <ul style="list-style-type: none"> The Flood-prone Area overlay 	<p>For application through the Local Provisions Schedule as the flood-prone hazard area overlay for the State Planning Provisions Flood-Prone Hazard Areas Code.</p>
<p>E7.0 Scenic Management Code</p> <ul style="list-style-type: none"> The Scenic Management Area overlay, if on land that is a zone listed in C8.2.1 of the State Planning Provisions. Clause E7.1 Local Scenic Management Areas The Scenic Management – Tourist Road Corridor (scenic corridor) overlay, if on land that is a zone listed in C8.2.1 of the SPPs. 	<p>The Scenic Management Area overlay is for application through the Local Provisions Schedule as the Scenic Protection Area overlay for the State Planning Provisions Scenic Protection Code.</p> <p>Clause E7.1 Local Scenic Management Areas is for application through the Local Provisions Schedule as the Scenic Protection Area list for the State Planning Provisions Scenic Protection Code.</p> <p>The Scenic Management – Tourist Road Corridor (scenic corridor) overlay is for application through the Local Provisions Schedule as the Scenic Road Corridor overlay for the State Planning Provisions Scenic Protection Code.</p>
<p>E13.0 Local Historic Heritage Code</p> <ul style="list-style-type: none"> The Local Heritage Precincts overlay; Table E13.1 Local Heritage Precincts; and Table E13.2 Local Heritage Places Outside Precincts, <p>unless the place or tree has been inserted or removed by amendment after the commencement day.</p>	<p>The Local Heritage Precincts overlay is for application through the Local Provisions Schedule as the Local Heritage Precinct overlay for the State Planning Provisions Local Historic Heritage Code.</p> <p>Table E13.1 Local Heritage Precincts is for application through the Local Provisions Schedule as the Local Heritage Precinct list for the State Planning Provisions Local Historic Heritage Code.</p> <p>Table E13.2 Local Heritage Places Outside Precincts is for application through the Local Provisions Schedule as the Local Heritage Places list for the State Planning Provisions Local Historic Heritage Code.</p>
<p>F2.0 Heritage Precincts Specific Area Plan</p> <ul style="list-style-type: none"> The Heritage Precincts overlay; and Table F2.1 Heritage Places Inside Heritage Precincts, <p>unless the place or tree has been inserted or removed by amendment after the commencement day.</p>	<p>The Heritage Precincts overlay is for application through the Local Provisions Schedule as the Local Heritage Precinct overlay for the State Planning Provisions Local Historic Heritage Code.</p> <p>Table F2.1 Heritage Places Inside Heritage Precincts is for application through the Local Provisions Schedule as the Local Heritage Places list for the State Planning Provisions Local Historic Heritage Code.</p>

Schedule 4

Provisions that do not meet the definition of a Specific Area Plan or Site-specific Qualification under Schedule 6, Clause 1 of the Act

Provision	Reason
<p>Low Density Residential Zone – 12.2 Use Table</p> <p>Sports and Recreation discretionary – “Including horse training or veterinary establishments on land in South Longford described on CT 110574/1-2; 111673/1-2; southern part of 112949/3; 113908/1-2; 122095/3; 124312/1; 135118/1-3; 140326/1; 157278/1-2; 19327/2-3; 244840/1; 244841/1; 26599/1; 63989/1”</p>	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision applies to multiple areas.</p>
<p>Rural Living Zone – 13.4.2 Subdivision</p> <p>Permitted minimum lot size of:</p> <ul style="list-style-type: none"> • 10ha for Blackwood Creek, Deddington, Norwich Drive and Pateena Road. • 2ha for Caledonia Drive, Kalangadoo. 	<p>Does not meet the definition of a Site-specific Qualification under Schedule 6, Clause 1 of the Act as the provision:</p> <ul style="list-style-type: none"> • does not modify, substitute or add to the provisions of the planning scheme as it simply establishes the minimum lot size requirements for different areas; and • applies to multiple areas. <p>Does not meet the definition of a Specific Area Plan under Schedule 6, Clause 1 of the Act as the provision:</p> <ul style="list-style-type: none"> • simply establishes minimum lot sizes for different areas; and • does not specifically map the areas to which it applies.

Land Use Planning and Approvals Act 1993

Version current from 3 February 2021 to date (accessed 12 April 2021 at 16:08)

87C. Savings and transitional – *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme) Act 2015*

The savings and transitional provisions specified in Schedule 6 have effect.

**SCHEDULE 6 - Savings and Transitional Provisions – *Land Use
Planning and Approvals Amendment (Tasmanian Planning Scheme) Act
2015***

Section 87C

1. Interpretation of this Schedule

In this Schedule –

amending Act means the Tasmanian Planning Scheme Amendment Act;

commencement day means the day on which Parts 2A and 3 of this Act, as in force immediately before that day, are substituted by the amending Act;

former provisions means the provisions of this Act as in force immediately before the commencement day;

particular purpose zone means –

- (a) a zone called a particular purpose zone in the provisions of the planning scheme in which the zoning appears; or
- (b) a group of provisions, in a planning scheme, consisting of –
 - (i) a zone that is particular to an area of land; and
 - (ii) the provisions that are to apply in relation to that zone;

permit application means an application, for a permit in relation to land, that is made before the first LPS that applies in relation to the land comes into effect;

planning directive means a planning directive as in force immediately before the commencement day or that is made, after that day, in accordance with clause 3(2)(b) and is in force;

planning instrument means a planning scheme, as in operation in relation to a municipal area before an LPS comes into effect in relation to the municipal area;

planning scheme has the same meaning as it has in the former provisions;

site-specific qualification means a provision, or provisions, in a planning scheme, that –

- (a) only apply in relation to a particular area of land specified in the planning scheme; and
- (b) modify, are in substitution for, or are in addition to, the requirements of the planning scheme that would otherwise apply in relation to the land;

specific area plan means –

- (a) a plan referred to as a specific area plan in the provision of the planning scheme in which the plan appears; or
- (b) a plan, in a planning scheme, consisting of –
 - (i) a map or overlay that delineates a particular area of land; and
 - (ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the planning scheme in which the plan appears.

2. Saving of regional areas and regional strategies

(1) An area that was a regional area under this Act immediately before the commencement day is taken to be a regional area specified under section 5A of this Act.

(2) A document that was a regional land use strategy under the former provisions is taken to be a regional land use strategy declared under section 5A of this Act.

3. Saving of various instruments

(1) Despite the substitution of Parts 2A and 3 of the former provisions, if there was, immediately before the commencement day, a planning instrument in operation in relation to a municipal area, then, on and from the commencement day until an LPS comes into effect in relation to the municipal area –

- (a) any planning directive that was in force immediately before the commencement day continues to apply in relation to the municipal area and may be modified or revoked under Part 2A of the former provisions as if that Part had not been substituted under the amending Act; and
- (b) any planning purposes notice that was in force, in relation to the municipal area, under section 30EA of the former provisions continues to apply in relation to the municipal area; and
- (c)

(2) Despite the substitution of Parts 2A and 3 of the former provisions, if there was, immediately before the commencement day, a planning instrument in operation in relation to a municipal area, then, on and from the commencement day until an LPS comes into effect in relation to the municipal area –

- (a) the planning instrument remains in operation in relation to the municipal area; and
- (b) Parts 2A and 3 of the former provisions remain in force in relation to the municipal area and accordingly a planning directive, and an interim planning directive, each within the meaning of the former provisions, may be made under Part 2A of the former provisions in relation to the municipal area; and
- (ba) a planning directive, and an interim planning directive, each within the meaning of the former provisions, that is in force under, and is, after the commencement day, made under, Part 2A of the former provisions as they apply in accordance with paragraph (b) , applies in relation to the planning instrument; and
- (c) a request, for an amendment to the planning instrument, that is made under section 33 of the former provisions may, by notice to the planning authority in relation to the planning instrument, be withdrawn by the applicant at any time before the draft amendment is approved under section 42 of the former provisions; and
- (d) a draft amendment, to the planning instrument, that, before the day on which the LPS comes into effect in relation to a municipal area, has been initiated by a planning authority under section 34 of the former provisions, otherwise than pursuant to a request under section 33 of the former provisions, may, with the approval of the Commission, be withdrawn at any time by the planning authority before the draft amendment is approved under section 42 of the former provisions.

(3) A planning authority, before exhibiting a draft amendment of a planning instrument under section 38 of the former provisions, is to notify –

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

of the date on which the amendment of the planning instrument is to be exhibited in accordance with the former provisions.

(4) Subclause (3) does not apply in relation to a draft amendment of a planning instrument that is not required, under the former provisions, to be exhibited.

(5) A planning authority must not –

- (a) under section 35 of the former provisions as applied by this clause, certify a draft amendment of a planning instrument; or
- (b) under section 41A of the former provisions as applied by this clause, undertake a modification, or an alteration to a substantial degree, of a draft amendment of a planning instrument –

unless the planning authority is satisfied that the draft amendment is consistent with the TPPs, as in force before the relevant planning instrument is certified, modified or altered, respectively.

(6) The Commission must not –

- (a) under section 42 of the former provisions as applied by this clause, approve a draft amendment of a planning instrument; or
- (b) under section 41 or 41B of the former provisions as applied by this clause –
 - (i) modify, or alter to a substantial degree, a draft amendment of a planning instrument; or
 - (ii) require a draft amendment of a planning instrument to be modified or altered to a substantial degree; or
 - (iii) certify an altered draft amendment –

unless the Commission is satisfied that the draft amendment as so approved, modified, altered or certified, is or would be consistent with the TPPs, as in force before the draft amendment of the planning instrument is approved, the modification or alteration is made, or the certification occurs, respectively.

(7) For the purposes of the application of the TPPs in relation to a draft amendment of a planning instrument referred to in subclauses (5) and (6) –

- (a) the aims and principles of the TPPs in relation to the Tasmanian Planning Scheme, as referred to in section 12B, are to be taken to be the aims and principles of the TPPs in relation to the planning instrument; and
- (b) the TPPs may specify the manner in which the TPPs are to be implemented into a planning instrument referred to in subclauses (5) and (6).

4. Saving of certain requests or draft amendments to alter designation of zoning under planning instruments

(1) Subclause (2) applies in relation to a draft amendment of a planning instrument if –

- (a) the draft amendment is for the purposes of altering in the planning instrument the designation of a zone to an area of land in a municipal area; and
- (b) the draft amendment has been initiated by a planning authority under section 34 of the former provisions before an LPS comes into effect in relation to the municipal area; and
- (c) the draft amendment has not been approved under section 42 of the former provisions before an LPS comes into effect in relation to the municipal area.

(2) If this subclause applies in relation to a draft amendment of a planning instrument –

- (a) Part 3B of this Act applies in relation to the draft amendment as if the draft amendment were a draft amendment of the LPS for the purposes of altering in the LPS the designation of a zone to an area of land; and
- (b) the planning authority may alter the draft amendment for the purposes of ensuring that it relates to the LPS; and
- (c) if the draft amendment was initiated by a planning authority pursuant to a request under section 33 of the former provisions – the person who made the request may, by notice to the planning authority, withdraw the request at any time before a draft amendment of the LPS, that relates to the request, is approved under section 40Q; and
- (d) if the draft amendment was initiated by a planning authority otherwise than pursuant to a request under section 33 of the former provisions – the planning authority may, with the approval of the Commission, withdraw the draft amendment at any time before the draft amendment is approved under section 40Q.

5. Saving of certain requests or draft amendments to alter certain requirements of planning instruments

(1) Subclause (2) applies in relation to a draft amendment of a planning instrument if –

(a) the draft amendment is a draft amendment, of a planning instrument, for the purposes of

(i) altering the requirements of a particular purpose zone, or of a specific area plan, that was designated in the planning instrument to an area of land in a municipal area; or

(ii) establishing in the planning instrument a specific area plan in relation to an area of land in a municipal area; and

(b) the draft amendment has been initiated by a planning authority under section 34 of the former provisions before an LPS comes into effect in relation to the municipal area; and

(c) the draft amendment has not been approved under section 42 of the former provisions before an LPS comes into effect in relation to the municipal area.

(2) If this subclause applies in relation to a draft amendment of a planning instrument –

(a) Part 3B of this Act applies in relation to the draft amendment as if the draft amendment were a draft amendment of an LPS for the purposes of –

(i) altering the requirements of a particular purpose zone, or of a specific area plan, that is designated under the LPS to an area of land; or

(ii) establishing in the LPS a specific area plan in relation to an area of land in a municipal area –

as the case may be; and

(b) the planning authority may alter the draft amendment for the purposes of ensuring that it relates to the LPS; and

(c) if the draft amendment was initiated by the planning authority pursuant to a request under section 33 of the former provisions – the person who made the request may, by notice to the planning authority, withdraw the request at any time before an amendment of the LPS, that relates to the request, is approved under section 40Q; and

(d) if the draft amendment was initiated by the planning authority otherwise than pursuant to a request under section 33 of the former provisions – the planning authority may, with the approval of the Commission, withdraw the draft amendment at any time before the draft amendment is approved under section 40Q.

6. Application of Part 3B in relation to certain draft amendments

(1) If –

(a) under clause 4 or 5, Part 3B of this Act applies in relation to a draft amendment of a planning instrument; and

(b) the requirements of a provision (*the former provision*) of Division 2 or 2A of Part 3 of the former provisions have been satisfied in relation to the draft amendment before the day on which an LPS comes into effect in relation to the land to which the draft amendment applies –

the requirements of the provision of Part 3B that most closely corresponds to the former provision are to be taken to have been satisfied in relation to the draft amendment.

(2) If –

(a) under clause 4 or 5, Part 3B of this Act applies in relation to a draft amendment of a planning instrument; and

(b) the draft amendment was a draft amendment to which a request, in relation to an application for a permit, under section 43A of the former provisions applied –

the request for the draft amendment, and the application for a permit, are to be taken to be a request and an application for a permit, to which section 40T applies.

7. Certain requests and draft amendment to lapse

(1) If, before an LPS comes into effect in relation to the municipal area –

- (a) a request was made under section 33 of the former provisions for the preparation of a draft amendment, to a planning instrument; and
- (b) the draft amendment, to a planning instrument, is not a draft amendment to which clause 4 or 5 applies –

the request lapses on the day on which the LPS comes into effect in relation to the municipal area.

(2) If a request for an amendment of a planning instrument is withdrawn or lapses under this Schedule, this Act ceases to apply, on the day on which the LPS comes into effect in relation to the municipal area, in relation to the request and any draft amendment of the planning instrument to which the request relates.

(3) If a draft amendment of a planning instrument, that was in operation in relation to a municipal area immediately before the day on which an LPS comes into effect in relation to the municipal area –

- (a) is not a draft amendment to which clause 4(2) or clause 5(2) applies; and
- (b) is not approved by the Commission under section 42 of the former provisions before an LPS comes into effect in relation to the municipal area –

this Act ceases to apply in relation to the draft amendment on the day on which the LPS comes into effect in relation to the municipal area.

8. Specific area plans, particular purpose zones and site-specific qualifications

(1) A draft LPS prepared, and an LPS made, in relation to a municipal area, under Part 3A of this Act, must contain –

- (a) the specific area plans; and
- (b) the particular purpose zones; and
- (c) the site-specific qualifications –

that applied under the planning scheme, in relation to the municipal area, that applied to the area immediately before the commencement day, as those plans, zones or qualifications have, before an LPS comes into force in relation to the land to which the planning scheme relates, been amended, if at all, under section 30IA of Part 3 of this Act, as in force immediately before the commencement day and as it applies in relation to the planning scheme by virtue of this Schedule.

(1A) Subclause (1) does not apply in relation to a specific area plan, a particular purpose zone, or site-specific qualifications, if a declaration is made under clause 8A(1) in relation to the plan, zone or qualifications.

(2) If a specific area plan, particular purpose zone, or a site-specific qualification, is contained in an LPS in accordance with subclause (1), section 32(4) only applies, in relation to that LPS, in relation to an amendment of that LPS.

(3) Nothing in this clause is to be taken to prevent an amendment of an LPS in relation to the specific area plans, the particular purpose zones, or a site-specific qualification, contained in the LPS.

(4) This clause does not apply in relation to a specific area plan, a particular purpose zone, or a site-specific qualification that the Minister, after having consulted with the Commission, declares to be a plan, zone or qualification to which this clause does not apply.

8A. Inclusion of certain plans, zones and qualifications inserted or amended after commencement day

(1) If –

- (a) after the commencement day but before an LPS applies in relation to a municipal area, a specific area plan, a particular purpose zone, or site-specific qualifications, is or are inserted in a planning scheme in relation to the municipal area by an amendment to the planning scheme; or

(b) a specific area plan, a particular purpose zone, or site-specific qualifications, that is or are included in a planning scheme in relation to a municipal area before the commencement day is or are amended after the commencement day but before an LPS applies in relation to the municipal area –

the Minister, after consultation with the Commission, may, by notice to the planning authority in relation to the municipal area, declare that a draft LPS prepared, and an LPS made, in relation to the municipal area under Part 3A of this Act must contain the plan, zone or qualifications, as so inserted or amended.

(2) If the Minister declares under subclause (1) that a draft LPS prepared, and an LPS made, in relation to a municipal area must contain a specific area plan, a particular purpose zone, or site-specific qualifications, a draft LPS prepared, and an LPS made, in relation to the municipal area must contain the plan, zone or qualifications, as so inserted or amended.

(3) This clause does not apply in relation to a specific area plan, a particular purpose zone, or site-specific qualifications to which clause 8(1) applies if the plan, zone or qualifications has or have, before an LPS comes into force in relation to the land to which the plan, zone or qualifications relates, been amended, if at all, under section 30IA of Part 3 of this Act as it applies in relation to the land by virtue of this Schedule.

8B. Alteration of draft amendments to which clauses 4(2)(b) or 5(2)(b) apply

(1) In this clause –

permitted alterations means alterations, referred to in subclause (3), to the provisions of a relevant amendment;

relevant amendment means a draft amendment to which clause 4(2)(b) or 5(2)(b) applies.

(2) Despite clauses 4(2)(b) and 5(2)(b), but without limiting the generality of those clauses, the alterations that may be made by a planning authority to a relevant amendment include the permitted alterations.

(3) For the purposes of this clause, permitted alterations are alterations to a relevant amendment so that, in the opinion of the Commission, the relevant amendment –

(a) will conform to the requirements of the SPPs in relation to the LPS to which the relevant amendment relates; or

(b) will reflect the terminology used in the SPPs or the LPS, including, but not limited to including, where the relevant amendment relates to the designation of a zone in a planning instrument, by changing the designation of the zone to the zone in the LPS that most closely corresponds to the zone in the relevant amendment before the relevant amendment contains the permitted alterations; or

(c) will contain provisions that –

(i) are appropriately numbered; or

(ii) make correct references to provisions in the relevant amendment, in the LPS to which the relevant amendment relates, or in other instruments, including but not limited to the SPPs; or

(d) will achieve the effect intended, by the relevant amendment, before the permitted alterations are contained in the relevant amendment.

(4) The Commission may, in relation to a relevant amendment, take any one or more of the following actions:

(a) by notice to the planning authority, direct the planning authority –

(i) to modify the relevant amendment in the manner specified in the notice, so that the relevant amendment contains permitted alterations; and

(ii) to submit the relevant amendment, as so modified, to the Commission for approval under paragraph (b);

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(b) approve, or refuse to approve, a relevant amendment as modified by a planning authority in accordance with a direction under paragraph (a) ;

(c) direct the planning authority to take action, under a provision of Part 3B of this Act, in relation to a relevant amendment that has been approved under paragraph (b) .

8C. Alteration of instruments to which clause 8(1) or 8A(1) applies

(1) In this clause –

included document means –

- (a) a specific area plan; or
- (b) a particular purpose zone; or
- (c) site-specific qualifications –

that is or are required, under clause 8(1) , to be contained in a draft LPS and an LPS or to which a declaration under clause 8A(1) relates;

permitted alterations means alterations, referred to in subclause (3) , to the relevant provisions;

relevant provisions means the provisions, of an included document, that are contained in a draft LPS.

(2) Despite clause 8(1) and clause 8A(2) , the relevant provisions may contain permitted alterations.

(3) For the purposes of this clause, permitted alterations are alterations to the relevant provisions so that, in the opinion of the Commission, the relevant provisions –

- (a) will conform to the requirements of the SPPs in relation to the draft LPS in which the relevant provisions are included; or
- (b) will reflect the terminology used in the SPPs or the draft LPS, including, but not limited to including, where the relevant provisions relate to the designation of a zone in a planning instrument, by changing the designation of the zone to the zone in the draft LPS that most closely corresponds to the zone in the relevant provisions before the relevant provisions contain the permitted alterations; or
- (c) will contain provisions that –
 - (i) are appropriately numbered; or
 - (ii) make correct references to relevant provisions, other provisions in the draft LPS, or in other instruments referred to in the draft LPS, including but not limited to the SPPs; or
- (d) will achieve the effect intended by the relevant provisions before they contain the permitted alterations.

(4) Alterations to the relevant provisions under subclause (3)(d) may consist of, but are not limited to consisting of, an alteration of an instrument referred to in a paragraph of the definition of *included document* in subclause (1) so that the instrument becomes, when included in a draft LPS, an instrument referred to in another paragraph of that definition.

(5) The Commission may, in relation to a draft LPS to which clause 8(1) or clause 8A(2) applies, take any one or more of the following actions:

- (a) by notice to the planning authority, direct the planning authority –
 - (i) to modify the draft LPS in the manner specified in the notice, so that the relevant provisions contain permitted alterations; and
 - (ii) to submit the draft LPS, as so modified, to the Commission for approval under paragraph (b) ;
- (b) approve a draft LPS as modified and submitted by a planning authority in accordance with a direction under paragraph (a) ;

(c) itself modify the draft LPS so that the relevant provisions contain the permitted alterations and –

(i) approve, for the purposes of paragraph (d) , the draft LPS as so modified; and

(ii) provide to the planning authority a copy of the draft LPS as so approved;

(d) direct the planning authority to take action, under a provision of Part 3A of this Act, in relation to a draft LPS that has been approved under this subclause.

8D. Inclusion in LPSs of certain code-applying provisions

(1) In this clause –

code-applying provision means a map, overlay, list, or provision, that, immediately before the commencement day –

(a) was included in a planning instrument; and

(b) applied, to a provision of the planning instrument, a provision of a code that formed part of, or was referred to in, the planning instrument.

(2) If –

(a) a planning instrument that applied in relation to a municipal area immediately before the commencement day included, or referred to, a code immediately before that day (*the planning instrument code*); and

(b) the SPPs contain a code (*the SPPs code*) that is substantially similar to the planning instrument code; and

(c) the planning instrument, immediately before the commencement day, contained one or more code-applying provisions in relation to the planning instrument code –

a draft LPS prepared, and an LPS made, in relation to the municipal area under Part 3A of this Act must contain each of the code-applying provisions as modified, if at all, in accordance with a determination under subclause (7) .

(3) The Minister, after having consulted with the Commission, may declare that subclause (2) does not apply in relation to a code-applying provision, specified in the declaration, in relation to a municipal area specified in the declaration.

(4) Subclause (2) does not apply in relation to a code-applying provision specified in a declaration under subclause (3) , in relation to a municipal area specified in the declaration.

(5) The Minister may declare that –

(a) a requirement, of the SPPs, that relates to the formatting of a code-applying provision when the provision is included in a draft LPS and an LPS in accordance with subclause (2) ;
or

(b) any other requirement, of the SPPs, that relates to a code-applying provision when the provision is included in a draft LPS and an LPS in accordance with subclause (2) –

does not apply in relation to a particular draft LPS and LPS or to all draft LPSs and all LPSs.

(6) If the Minister declares under subclause (5) that a requirement, of the SPPs, does not apply in relation to a particular draft LPS and LPS or to all draft LPSs and all LPSs, the requirement of the SPPs does not, despite any other provision of this Act, apply in relation to the particular draft LPS and LPS, or to all draft LPSs and all LPSs, as the case may be.

(7) The Commission may determine that a code-applying provision that is to be included in a draft LPS in relation to a municipal area is to be included in the draft LPS as modified in accordance with the determination.

(8) The Commission may only determine under subclause (7) that a code-applying provision is to be modified if the modification is necessary in order to ensure –

(a) that a correct cross-reference is used in the code-applying provision when it is included in the draft LPS; or

- (b) the correction of a minor error in the code-applying provision; or
- (c) the effective operation of the provision when it is included in a draft LPS.
- (9) The Commission may, in relation to a draft LPS in relation to a municipal area, take any one or more of the following actions:

- (a) by notice to the planning authority, direct the planning authority –
- (i) to modify the draft LPS in the manner specified in the notice, so that the draft LPS contains a code-applying provision as so modified in accordance with the determination under subclause (7) ; and
 - (ii) to submit the draft LPS, as so modified, to the Commission for approval under paragraph (b) ;
- (b) approve a draft LPS as modified by a planning authority in accordance with a direction under paragraph (a) ;
- (c) itself modify the draft LPS so that the draft LPS contains the code-applying provision as so modified in accordance with the determination under subclause (7) ;
- (d) approve, for the purposes of paragraph (e) , the draft LPS as modified under paragraph (c) ;
- (e) provide to the planning authority a copy of the draft LPS as approved under paragraph (d) ;
- (f) direct the planning authority to take action, under a provision of Part 3A of this Act, in relation to a draft LPS that has been approved under this subclause.

9. Applications for permits

If an application for a permit in relation to an area of land in a municipal area is made, but not decided under this Act by the relevant decision-maker, before the day on which an LPS comes into effect in relation to the municipal area, the application may be withdrawn by the applicant at any time.

10. Saving of certain rights to appeal

If a planning authority has amended a permit under section 43K or 56 as in force before the commencement date, any person referred to in section 43K(3) , (4) or (5) , as in force before the commencement day, or section 56(3) or (4) may appeal to the Appeal Tribunal against the decision of the planning authority within 14 days after the day on which the notice was served under section 43K(3) , (4) or (5) or 56(3) or (4) .