

23 February 2026
Reference: 2526-022

Mr Wes Young
Chief Executive Officer
Derwent Valley Council

By email: planning@dvc.tas.gov.au

Dear Mr Young,

9 Burnett Street, New Norfolk
Application for planning scheme amendment

Era Advisory has been engaged by Nathan Males to request an amendment of the Derwent Valley Local Provisions Schedule in accordance with s37 of the *Land Use Planning and Approvals Act 1993* (the Act).

The proposal seeks to rezone the land at 9 Burnett Street, New Norfolk (PID 5820585) from the Community Purpose Zone to the Local Business Zone. The attached supporting planning report assesses the proposed amendment against the provisions of the Tasmanian Planning Scheme and requirements of the Act.

In accordance with s37(3), an owner's consent form is included as an appendix to the supporting planning report.

Yours sincerely,



Grace Elliott
Planner

<i>Attachments</i>	<i>Supporting planning report</i>
	<i>Title documentation</i>
	<i>Owner's consent form</i>
	<i>Heritage Tasmania correspondence</i>

Era Advisory acknowledge palawa as the Traditional Owners of lutruwita (Tasmania).

They are the original custodians of our land, sky and waters.

We respect their unique ability to care for country and deep spiritual connection to it.

We honour and pay our respect to Elders past and present, whose knowledge and wisdom has and will ensure the continuation of culture and traditional practices.

We acknowledge that their sovereignty has never been ceded.

Always was, always will be.

Era Advisory Pty Ltd	
ABN 21 681 443 103	
Level 1, 125A Elizabeth St Hobart 7000 ([REDACTED])	
enquiries@era-advisory.com.au era-advisory.com.au	
This document may only be used for the purposes for which it was commissioned and in accordance with the Terms of Engagement for the commission. Unauthorised use of this document in any form whatsoever is prohibited	
Client	Nathan Males
Document version	Council submission
Date	23 February 2026
Author	Grace Elliott
Reviewer	Clare Hester
Job number	2526-022

Contents

1	Introduction	3
1.1	Purpose of the report	3
1.2	Enquiries	3
1.3	Title documentation	3
2	The proposal	4
2.1	Site and surrounds	4
2.1.1	Heritage	5
2.1.2	Parking and access	5
2.1.3	Surrounding area	5
2.2	Proposed planning scheme amendment	6
3	Assessment of planning scheme amendment	7
3.1	Strategic alignment	7
3.1.1	Draft strategic documents	7
3.2	Zone application guidelines	8
3.2.1	Local Business Zone application guidelines	8
3.2.2	Community Purpose Zone application guidelines	9
3.2.3	Summary of zoning assessment	9
3.3	Change of Use of a Place listed on the Tasmanian Heritage Register	10
3.4	Requirements of the Act	11
3.4.1	Assessment against Section 34(2)(a)	11
3.4.2	Assessment against Section 34(2)(b)	11
3.5	Assessment against Section 34(2)(c)	12
3.6	Assessment against Section 34(2)(d)	15
3.6.1	State Coastal Policy 1996	15
3.6.2	State Policy on the Protection of Agricultural Land 2009	15
3.6.3	State Policy on Water Quality Management 1997	15
3.6.4	National Environment Protection Measures	15
3.7	Assessment against Section 34(2)(da)	16
3.7.1	Settlement Types	16
3.7.2	Sustainable Economic Development	16
3.7.3	Cultural Heritage	18
3.8	Assessment against Section 34(2)(e)	18
3.9	Assessment against Section 34(2)(f)	20
3.10	Assessment against Section 34(2)(g)	21
3.11	Assessment against Section 34(2)(h)	21

Appendix A	Title documentation
Appendix B	Landowner permission
Appendix C	Heritage Tasmania correspondence

1 Introduction

1.1 Purpose of the report

Era Advisory (Era) has been engaged to request an amendment to the *Tasmanian Planning Scheme – Derwent Valley* (the planning scheme) pursuant to section 37 of the *Land Use Planning and Approvals Act 1993* (the Act).

This report forms the basis of the amendment application as has been prepared considering the provisions of the planning scheme, the requirements of the Act, and other relevant strategic documents.

1.2 Enquiries

Enquiries relating to this report should be directed to:

Grace Elliott
Planner
Era Advisory Pty Ltd
ABN 21 681 443 103
enquiries@era-advisory.com.au
[REDACTED]

1.3 Title documentation

The site consists of the following land, as described in Table 1 and depicted in Figure 1.

Table 1 - Land comprising the subject site

No.	Address	Owner	Title reference	Area
1	'St Pauls Uniting Church' - 9 Burnett St New Norfolk TAS 7140	Nathaniel Henry Males	134304/1	456.6m ²
2	'St Pauls Uniting Church' - 9 Burnett St New Norfolk TAS 7140	Nathaniel Henry Males	134306/1	460.6m ²

Title documentation can be found in Appendix A.

In accordance with section 37(3) of the Act, the landowner's written permission for the making of this application is provided in Appendix B.

2 The proposal

2.1 Site and surrounds

The site comprises two lots at 9 Burnett Street, New Norfolk.

The site is known as St Pauls Uniting Church, however, has not been used as a church for several years. The site is now in private ownership and is primarily used as a yoga and dance studio known as 9B Studios.

The land is covered almost entirely by built form with the front title accommodating the church building and the rear title accommodating a hall with stage.



Figure 1 Aerial imagery of site and surrounds (Source: LISTmap)



Figure 2 Image of the site as viewed from Burnett Street (Source: Google Maps, May 2024)

2.1.1 Heritage

The site (inclusive of both lots) is listed on the Tasmanian Heritage Register.

The Tasmanian Heritage Register data sheet identifies the following:

- *St. Paul's Uniting Methodist Church is of historic heritage significance because of its ability to demonstrate the principal characteristics of a stucco Old Colonial Gothic ecclesiastical building.*
- *St. Paul's Uniting Methodist Church is of high historic cultural heritage significance because of its strong and special association with the general community as a religious and townscape landmark.*

The site is also listed as a local heritage place within the Derwent Valley Local Provisions Schedule (LPS).

Heritage Tasmania has confirmed that they have no heritage concerns with the proposed rezoning. See attached email correspondence from Heritage Tasmania (Appendix C).

2.1.2 Parking and access

Both titles have a benefiting easement comprising a right of way from Burnett Street across adjoining land owned by the Department of Health. This provides for vehicle access the length of the southern boundary.

Only one lot has frontage (CT 134304/1).

2.1.3 Surrounding area

The site directly adjoins land zoned Local Business to the north, sharing a boundary with a car yard. To the west and northwestern corner, adjoining land is zoned General Residential, with two dwellings located along the shared boundaries. To the south, the site adjoins land owned by the Department of Health,

which accommodates the New Norfolk District Hospital and Community Health Centre within the Community Purpose Zone – the land directly adjoining the site is used for car parking and access.

The site is located approximately 55 m north of New Norfolk’s General Business Zone, the primary commercial precinct of the town. As the administrative and economic centre of the Derwent Valley municipality, New Norfolk serves as the region’s key hub for business, services, and governance.



Figure 3 Zoning of site and surrounds with Community Purpose Zone shown in light yellow, Local Business Zone shown in light blue, General Business Zone shown in dark blue, General Residential Zone shown in red and Utilities Zone shown in yellow (Source: LISTmap)

2.2 Proposed planning scheme amendment

The proposal seeks to rezone land from the Community Purpose Zone to the Local Business Zone at 9 Burnett Street, New Norfolk.

Rezoning to the Local Business Zone will facilitate a wider range of uses at the site, including commercial uses.

An appraisal of the planning scheme amendment against the relevant legislative requirements is provided in Section 3 of this report.

3 Assessment of planning scheme amendment

3.1 Strategic alignment

The most recent strategic planning document for New Norfolk is the New Norfolk Structure Plan 2016 (Structure Plan), prepared by Era in conjunction with Playstreet and Knight Frank. The Structure Plan identifies a series of key opportunities for the New Norfolk township. The proposed rezoning aligns with several of the opportunities identified, as summarised in Table 2.

Table 2 - Alignment with key opportunities identified in the Structure Plan.

Key opportunity	Response
4.1.2 Historic Cultural Heritage	Historic cultural heritage is recognised as an important feature of the township that could be better capitalised on through assistance in the restoration and repair of buildings. The proposal aligns with this opportunity by providing an opportunity for more flexible use of a heritage site, ensuring long-term tenancy. The continued tenancy of the building, and potential for a commercial use, provides new opportunity for building restoration.
4.1.4 Town Centre	As a compact town centre, it is identified that New Norfolk provides an opportunity for day-to-day social interaction focused around a pedestrian friendly environment. The proposal aligns with this opportunity by creating more opportunity for residential and non-residential use of a site in walking distance to the town centre and residential areas, promoting pedestrian movement.
4.1.6 Gateway Function	It is identified that capturing a proportion of passing traffic through New Norfolk as a place to stop will generate significant benefit for the town. Leveraging New Norfolk's distinctive features, including the continued use of heritage sites, contributes to the town's appeal.
4.1.9 Niche Retailing	Niche retailing activities are identified as attractors to the town that capitalise on the town's key strengths, being historic cultural heritage and location. The proposal will provide opportunities for a niche retail use in a historic church, strongly aligning with this key opportunity.

3.1.1 Draft strategic documents

An updated New Norfolk Structure Plan is being delivered by REALMstudios with SGS Economics and Form Planning. The updated Structure Plan is informed by a series of background documents including an Economic Development Strategy, a Settlement Framework and a Social Infrastructure Strategy. The documents are not yet publicly available.

3.2 Zone application guidelines

In determining the appropriateness of applying a particular zone to a site, consideration must be given to the zone application guidelines issued by the TPC pursuant to Section 8A of the Act.

3.2.1 Local Business Zone application guidelines

It is proposed to apply the Local Business Zone to the site. An assessment of the site against the Local Business Zone application guidelines is provided in Table 3.

Table 3 – Local Business Zone application guidelines.

No.	Guideline
LBZ 1	The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within: (a) local shopping strips; or (b) town centres for some smaller settlements.
Response The site is within the New Norfolk urban settlement, which is defined as a Rural Services Centre under the STRLUS. The existing Local Business Zone to the north and north east of the site includes a car yard (Colonial Motors), a service station (AMPOL), and a hotel (Bush Inn). The site is north of the town centre, approximately 55 m from the General Business Zone. The Local Business Zone is appropriate zoning for a site outside of the town centre within a local shopping area/strip. The proposal aligns with LBZ 1.	
LBZ 2	The Local Business Zone may be applied to: (a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy; (b) N/A (c) N/A
Response LBZ 2 is not applicable. New Norfolk is a Rural Services Centre and not a Local Centre or lower order Minor or Neighbourhood Centre.	
LBZ 3	The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.
Response The site is within a group of local shops and business adjacent to an existing residential area. As the shops and business to the north and north east of the site are within the Local Business Zone, there is a strategic intent to maintain those uses. The provisions of the surrounding residential zone (General Residential Zone) would not be appropriate for the site, as the historical use of the site has not been residential and there is intention to maintain broader uses. The site has historically been used for a community function. A rezoning of the site to Local Business will provide for more diverse use options that are reasonably expected for privately owned, non-residential land in an urban settlement. The proposal aligns with LBZ 3.	
LBZ 4	The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless: (a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or

No.	Guideline
	(b) there is a strategic intention to expand the existing retail or business area in this locality consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

Response

LBZ 4 is not applicable. The site is not an individual, isolated local shop or business. The site adjoins an existing Local Business Zone.

3.2.2 Community Purpose Zone application guidelines

It is proposed to remove the Community Purpose Zone from the site. An assessment of the site against the Community Purpose Zone application guidelines is provided in Table 4.

Table 4 – Community Purpose Zone application guidelines.

No.	Guideline
CPZ 1	The Community Purpose Zone should be applied to land that provides, or is intended to provide, for key community facilities and services, including: (a) schools, tertiary institutions or other education facilities; (b) medical centres, hospital services or other care-based facilities; (c) emergency services facilities; or (d) large community halls, places of worship or other key community or cultural facilities.

Response

The site is currently used as a yoga and dance studio. It is not intended to provide for key community facilities and services such as a medical centre, school or place of worship. The intention is to enable flexible usage of the site which may include commercial enterprise and/or residential. This will ensure long-term tenancy of the site, which is an important consideration for efficient use of land, economic development, and heritage preservation.

The site does not satisfy CPZ 1, and the Community Purpose Zone should not be applied to the site.

CPZ 2	Some community facilities and services may be zoned the same as the surrounding zone, such as a residential or business zone, if the zone is appropriate for the nature or scale of the intended use, such as a small scale place of worship, public hall, community centre or neighbourhood centre.
-------	---

Response

The intended use of the site is not a place of worship, public hall, community centre or neighbourhood centre. CPZ 2 is not applicable.

3.2.3 Summary of zoning assessment

Based on the 8A Zone Application Guidelines, it is concluded that the Local Business Zone is the most appropriate zoning for the site. It is intended to allow flexible use of the site in the long-term, which may include commercial enterprise, and/or residential ensuring long-term tenancy. The site adjoins the existing Local Business Zone, which contributes to economic development and serves the local community just outside the New Norfolk town centre.

3.3 Change of Use of a Place listed on the Tasmanian Heritage Register

Clause 7.4 under the General Provisions of the Tasmanian Planning Scheme provides for a change of use of a place listed on the Tasmanian Heritage Register or a Local Heritage Place (both of which apply to the subject site) that would otherwise be Prohibited is Discretionary.

The specific provisions as follows:

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.

7.4.2 The planning authority may approve such an application if it would facilitate the restoration, conservation and future maintenance of:

- 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.*

7.4.3 In determining an application the planning authority must have regard to:

- a. a 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 The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance 7th edition, 2013;*
- 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;*
- f. the likely impact of the proposed use on the amenity, or operation, of surrounding uses;*
- g. any Heritage Agreement that may be in place, in accordance with the provisions contained in the Historic Cultural Heritage Act 1995;*
- h. the purpose and provisions of the applicable zone; and*
- i. the purpose and provisions of any applicable code.*

Heritage Tasmania has confirmed that they have no heritage concerns with the proposed rezoning. See attached email correspondence from Heritage Tasmania (Appendix C).

3.4 Requirements of the Act

Section 34(2) of the Act is relevant for a planning scheme amendment as it stipulates the assessment criteria that are required to be met, which are:

- (2) The LPS criteria to be met by a relevant planning instrument are that the instrument –*
- (a) contains all the provisions that the SPPs specify must be contained in an LPS; and*
 - (b) is in accordance with section 32; and*
 - (c) furthers the objectives set out in Schedule 1; and*
 - (d) is consistent with each State policy; and*
 - (da) satisfies the relevant criteria in relation to the TPPs; and*
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
 - (f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*
 - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
 - (h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*

The following sections address the matters that are required under Section 34(2) of the Act.

3.4.1 Assessment against Section 34(2)(a)

Section 34(2)(a) of the Act requires an amendment to result in a planning scheme instrument that the SPPs specify must be contained in an LPS.

The proposed LPS amendment will not override existing provisions in the LPS that are specified by the SPPs, nor does it affect matters such as LPS structuring and numbering, application of the SPPs, or the general application of mapping.

The proposed LPS amendment does seek to remove the specific application of the Community Purpose Zone to the site and replace it with the provision of the Local Business Zone.

The proposed LPS amendment is in accordance with the Section 8A Guidelines.

The legislative requirement is satisfied.

3.4.2 Assessment against Section 34(2)(b)

Section 34(2)(b) of the Act requires an amendment to be in accordance with Section 32 of the Act, which prescribes the content for an LPS.

Table 5 - Response to Section 32(2) of the Act.

Requirement	Response
(e) must specify the municipal area to which its provisions apply; and	The applicable municipal area is Derwent Valley.
(f) must contain a provision that the SPPs require to be included in an LPS; and	The proposed amendment does not affect this clause.
(g) must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs; and	The current LPS contains a spatial overlay of zoning across the municipality. The proposed amendment includes changing the site from Community Purpose Zone to Local Business Zone; no change to overlays are proposed.
(h) may, subject to this Act, contain any provision in relation to the municipal area that may, under section 11 or 12, be included in the Tasmanian Planning Scheme; and	The proposed amendment does not affect this clause.
(i) may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land; and	The current LPS includes a specific overlay that relates to zoning. The amendment seeks to amend that map by changing the site from Community Purpose Zone to Local Business Zone.
(j) must not contain a provision that is inconsistent with a provision of section 11 or 12 ; and	The proposed amendment is not inconsistent with Sections 11 or 12 of the Act.
(k) may designate land as being reserved for public purposes; and	The proposed amendment does not affect this clause.
(l) may, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter; and	If the proposed amendment is approved, the Community Purpose Zone will no longer apply to the site, and the Local Business Zone will be applicable.
(m) may, if permitted to do so by the SPPs, override a provision of the SPPs; and	The proposed amendment does not affect this clause.
(n) may, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs; and	The proposed amendment, if approved, will result in the site being rezoned from Community Purpose Zone to Local Business Zone.
(o) may, subject to this Act, include any other provision that – (i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and (ii) is permitted by the SPPs to be included in an LPS; and	The proposed amendment does not affect this clause.
(p) must not contain a provision that the SPPs specify must not be contained in an LPS.	The proposed amendment is consistent with this clause.

3.5 Assessment against Section 34(2)(c)

Section 34(2)(c) of the Act requires an amendment to further the objectives set out in Schedule 1 of the Act. Schedule 1 sets out the objectives of the resource management and planning system of Tasmania,

and the objectives of the planning process as established by the Act. A summary of how this amendment furthers the listed objectives is included in Table 6.

Table 6 – Response to Schedule 1 objectives of the Act.

Objective	Response
Part 1 – Objectives of the Resource Management and Planning System of Tasmania	
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and	The land subject to the amendment is existing urban land. No waterways, threatened species, or threatened vegetation communities exist on or are in proximity to the site. The proposed rezoning will not impact ecological processes or genetic diversity and is consistent with subclause (a).
(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and	According to the Section 8A Guidelines, the Community Purpose Zone should be applied to land that provides, or is intended to provide, for key community facilities and services. This includes places of worship, and therefore the Community Purpose Zone was historically appropriate given the site's previous use as a Church. The site is no longer used by the Church, and is now in private ownership. As the site is listed on the Tasmanian Heritage Register, options for development are limited. The current zoning of the site also limits the uses of the site to community facilities, services and social infrastructure. Applying the Local Business Zone to the privately owned site will provide for a level of flexibility that will ensure long term use of the site. It is noted that ongoing use of the site is critical for heritage conservation. Applying the Local Business Zone to the site will provide for the orderly use of land, as the site adjoins the Local Business Zone and is not a residential use. Allowing for additional non-residential uses to service the local community provides for a fair, orderly and efficient use of infrastructure and land.
(c) to encourage public involvement in resource management and planning; and	This objective is achieved through the legislative process. The draft amendment will be placed on public exhibition for a formal comment period. Representors will be provided the opportunity to provide additional input during a public hearing process.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and	The proposed amendment will directly contribute to the economic development of the area by allowing for a range of uses, including commercial, that will complement the surrounding Local Business Zone and serve the local community. Application of the Local Business Zone will ensure the long-term tenancy and use of the heritage building, which is considered an important community asset. The amendment will provide for the flexible utilisation of an existing building, in an existing urban settlement adjoining existing Local Business Zoned land.
(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.	The proposed amendment represents a process of shared responsibility between State government, local government, the development industry and the community. All relevant bodies will be consulted as part of the planning approval process. Heritage Tasmania has confirmed that there are no heritage concerns with the proposed rezoning. See attached email correspondence from Heritage Tasmania (Appendix C).

Objective

Response

Part 2 – Objectives of the Planning Process Established by the Act

(a) to require sound strategic planning and co-ordinated action by State and local government; and	The proposed amendment invites both the local and state tiers of government to participate in the amendment process. In preparing this supporting planning report, consideration has been given to how the proposed LPS amendment is consistent with the STRLUS and its applicable policies and actions. An assessment of those policies and actions is included in Section 3.8.
(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and	The LPS regulates use and development across the Derwent Valley, in keeping with the framework. The proposed amendment does not alter how the LPS operates across the municipality.
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and	The proposed amendment will not have a direct impact on the environment, as there are no known environmental values at the site. There are no changes proposed to overlays or codes that apply to the site. The proposed amendment creates opportunities for a range of social and economic benefits to the town through new opportunities for commercial use at the site, which is no longer used as a church.
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and	The proposal does not affect the attainment of this objective.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and	The proposal does not affect the attainment of this objective.
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and	The proposed amendment will rezone the site from the Community Purpose Zone to the Local Business Zone. This will create possibility for a range of social and economic benefits to the town through new opportunities for commercial use near the heart of the New Norfolk township. Commercial opportunities will complement existing commercial developments in the existing adjacent Local Business Zone and across the township, keeping New Norfolk a pleasant place to live, visit and work in.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and	The site is listed on the Tasmanian Heritage Register and as a local heritage place in the existing LPS. Rezoning the site from Community Purpose to Local Business will not affect the conservation status at the site. The application of heritage protections will not be affected. New commercial opportunities at the site could support renewal and create greater potential for heritage appreciation.

Objective	Response
	Heritage Tasmania has confirmed that there are no heritage concerns with the proposed rezoning. See attached email correspondence from Heritage Tasmania (Appendix C).
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and	Public infrastructure and other assets will not be affected by the proposed amendment. The site was purchased from the Church in January of 2023 and has not been used as a Church for multiple years.
(i) to provide a planning framework which fully considers land capability.	The proposal does not affect the attainment of this objective. The site is not productive land capable of being used for rural or agricultural pursuits.

3.6 Assessment against Section 34(2)(d)

3.6.1 State Coastal Policy 1996

The site is less than one kilometre from the coast (River Derwent) and, therefore, the *State Coastal Policy 1996* is relevant to the proposal. The policy is guided by three main principles. Firstly, the natural and cultural values of the coast will not be affected by the proposal. Secondly, the amendment will facilitate development in a sustainable manner which allows for more efficient use of resources without impacting on natural values. Thirdly, the amendment process requires approval at both State and local government level, ensuring that protection of the coastal zone remains a shared responsibility.

The proposed rezoning is on land within an existing urban area and is consistent with the *State Coastal Policy 1996*.

3.6.2 State Policy on the Protection of Agricultural Land 2009

This policy is not relevant to the proposed amendment. The site is already zoned for non-agricultural purposes and is not in proximity to agricultural land.

3.6.3 State Policy on Water Quality Management 1997

This policy applies to all surface waters, including coastal waters, and groundwaters other than:

- Privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public; or
- Waters in any tank, pipe or cistern.

Therefore, the policy applies to use and development that may impact on the surface or groundwater quality in Tasmania. Any future use and development will comply with the policy by meeting any applicable use and development standards within the LPS.

3.6.4 National Environment Protection Measures

National Environmental Protection Measures (NEPMs) are developed under the *National Environment Protection Council (Tasmania) Act 1995* and outline objectives and protections for aspects of the environment. Section 12A of the *State Policies and Projects Act 1993* empowers NEPMs with the status of a State Policy.

Seven NEPMs have been made to date that deal with ambient air quality, air toxins, assessment of site contamination, diesel vehicle emissions, movement of controlled waste between states and territories, national pollutant inventory, and used packaging materials.

The site is not identified as potentially contaminated, and the proposal does not involve any potential use or development that require environmental considerations under the NEPMs.

3.7 Assessment against Section 34(2)(da)

The Tasmanian Government released the approved Tasmanian Planning Policies (TPPs) on 19 November 2025, noting that they will not come into effect until 1 July 2026. The purpose of the TPPs is to provide a consistent planning policy setting, to guide planning outcomes delivered through the strategic and regulatory elements of the planning system.

There is no order or hierarchy associated with the TPPs and no one TPP, policy or strategy should be read in isolation from another to imply a particular action or consequence. While the TPPs are not yet in effect, an assessment has been undertaken against the applicable policies for the rezoning to demonstrate compliance.

3.7.1 Settlement Types

The Settlement TPP prioritises a settlement pattern that locates people where they have access to employment, social infrastructure and transport networks to improve connectivity and liveability of settlements. The Settlement TPP acknowledges that designing functional, sustainable and engaging spaces contributes to social inclusion and strengthens connections with place and cultural identity. The combination of these factors supports healthy communities, attracting more people to live, visit and invest in our settlements. The settlement TPP highlights liveability of settlements and the importance of social infrastructure to promote the health, employment, education, safety and wellbeing of the community.

Table 7 - Alignment with TPP 1.4 Settlement types.

1.4 Settlement types - strategies	Response
1. Promote the vibrancy and character of specific activity centres, hubs or inner-city locations that have good connectivity, housing choices and access to goods and services that support urban lifestyles, where the impacts associated with mixed use and higher density residential use can be managed.	The proposal will contribute to the vibrancy of the area by promoting flexible use and long-term tenancy of a site with distinct heritage character in a central location.
2. Identify and protect the key values and activities of rural towns and villages, and support use and development that enhances these values and activities.	The proposal will support ongoing use of a site containing significant heritage value that contributes to the character of the New Norfolk township.

3.7.2 Sustainable Economic Development

The Sustainable Economic Development TPP supports economic activity through the planning system by embedding the principles of allocating sufficient land in appropriate locations to support various economic activities. The policy requires protecting allocated land from incompatible use and development and promoting business and commercial activities at a scale and intensity suited to the location to support diverse economic and employment opportunities and strengthen the State's economy.

3.7.2.1 Tourism

Alignment of the proposal with key tourism strategies is summarised in Table 9.

Table 8 - Alignment with TPP 4.4 Tourism.

4.4 Tourism - strategies	Response
2. Promote tourism use and development that protects, is compatible with and builds on the assets and qualities of the events, activities and attractions underpinning them.	The proposal will provide opportunity for commercial use in an existing heritage building, promoting long-term tenancy and economic sustainability, which contributes to heritage protection while building on a key tourism opportunity.
6. Identify and promote the protection of attributes that attract and enhance tourism experience.	Historic cultural heritage is a key attribute of New Norfolk that creates and enhances the tourism experience. The proposal will provide opportunity for a variety of uses in an existing heritage building, promoting long-term tenancy and economic sustainability, which contributes to heritage protection.
9. Promote the integration of tourism infrastructure into activity centres to support and reinforce the economic function of activity centres.	The proposal will provide opportunity for commercial use at a site within a Rural Services Centre, creating increased opportunity for economic growth and tourism appeal (given the site's distinct heritage character).

3.7.2.2 Business and commercial

Alignment of the proposal with key business and commercial strategies is summarised in Table 9.

Table 9 - Alignment with TPP 4.7 Business and commercial.

4.7 Business and commercial - strategies	Response
1. Identify and allocate a sufficient supply of land within existing settlements or areas identified for future growth of settlements, to provide for commercial and business use and development based on existing and projected demands, considering: (a) consumer demand and demographic forecast; (b) efficient use of existing infrastructure; (c) accessibility to existing transport networks and services; (d) access to workforce; (e) the activity centre hierarchy; and (f) the regional settlement hierarchy.	The proposal will provide for commercial and business use in alignment with efficient use of existing infrastructure (adaptive reuse in existing serviced building), accessibility to existing transport networks and services (central location) and the activity centre hierarchy (Rural Services Centre).
3. Support the activity centre hierarchy by promoting complementary use and development to strengthen efficiencies within activity centres and, where possible, avoid unnecessary competition between activity centres.	The proposal is in alignment with the activity centre hierarchy, promoting commercial use within a Rural Services Centre.
4. Encourage the intensification and growth in, and around, higher order activity centres that are highly accessible and which promote the efficient use of infrastructure and services.	The proposal will contribute to intensification of use within the New Norfolk activity centre (Rural Services Centre) in a central area with pedestrian connectivity.

3.7.3 Cultural Heritage

Historic cultural heritage policy provides for the protection, and restoration of identified buildings and encourages appropriate development and adaptive reuse of buildings. The proposed rezoning will allow for adaptive reuses that are centrally located in an urban area. Alignment of the proposal with key historic cultural heritage strategies is summarised in Table 10.

Heritage Tasmania has confirmed that they have no heritage concerns with the proposed rezoning. See attached email correspondence from Heritage Tasmania (Appendix C).

Table 10 - Alignment with TPP 6.2 Historic cultural heritage.

TPP 6.2 Historic cultural heritage - strategies	Response
1. Identify sites that have State, National or world heritage significance and consider the impacts on the heritage values of those sites when designating land for a particular purpose.	The proposal will provide increased opportunity for the preservation of heritage values at the site. The site will continue to have heritage protection as it is listed on the Tasmanian Heritage Register. Any future development associated with the use at the site will be subject to heritage assessment.
4. Provide for the protection, and encourage the restoration of identified buildings, part of buildings, infrastructure, places/features, precincts and landscapes that contain local historic cultural heritage significance.	The proposal will promote long-term tenancy of the site and provide for commercial uses, contributing to the economic sustainability of the site and increasing opportunity for heritage preservation.
5. Encourage appropriate development and adaptive reuse of buildings, part of buildings, infrastructure, places/features, precincts and landscapes of local historic cultural heritage significance by promoting innovative and complementary design responses that conserves, restore and retain cultural heritage values.	The proposal will encourage the adaptive reuse of the heritage building.

3.8 Assessment against Section 34(2)(e)

Section 34(2)(e) of the Act requires the amendment, as far as practicable, to be consistent with the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS). The STRLUS guides the planning direction for the region and provides a critical link between State and local strategic planning. It sets out the strategy and policy basis to facilitate and manage change, growth, and development.

The STRLUS includes a suite of land use planning policies that are intended to guide decision making by State and local government including through the planning scheme amendment process. They outline how the strategic outcomes will be achieved. The STRLUS includes regional policies of relevance to the proposed amendment, including policies for social infrastructure, land use and transport integration, activity centres, and settlement and residential development.

An assessment of the proposed amendment against the relevant regional policies is provided below. The assessment approach considers the STRLUS as a wholistic document and balances the draft amendment against all policies. Individual policies and actions are not taken as absolute requirements.

An assessment against specific regional policy deemed relevant to this proposal is provided in Table 11.

Table 11 – Response to STRLUS regional policy.

Policy	Action	Response
--------	--------	----------

CV 2 Recognise, retain and protect historic cultural heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.	CV 2.2 Promulgate the nationally adopted tiered approach to the recognition of heritage values and progress towards the relative categorisation of listed places as follows: (a) places of local significance are to be listed within the Local Historic Heritage Code, as determined by the local Council. (b) places of state significance are to be listed within the Tasmanian Heritage Register, as determined by the Tasmanian Heritage Council. (c) places of national or international significance are listed through national mechanisms as determined by the Australian Government.	The site will continue to be listed on the Tasmanian Heritage Register and as a local heritage place under the Planning Scheme as it has local and state significance.
T 1 Provide for innovative and sustainable tourism for the region	T 1.1 Protect and enhance authentic and distinctive local features and landscapes throughout the region.	The proposal will promote long-term tenancy of the site, contributing to the economic sustainability of the site and increasing opportunity for heritage preservation. The heritage character of New Norfolk is a distinctive local feature that creates tourism appeal.
	T 1.5 Provide flexibility within commercial and business zones for mixed use developments incorporating tourism related use and development.	The proposal will provide an opportunity for a tourism use in a business zone, by allowing for commercial activity at a distinct heritage site.
AC 1 Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.	AC 1.1 Implement the Activity Centre Network through the delivery of retail, commercial, business, administration, social and community and passenger transport facilities.	The township of New Norfolk is listed under the STRLUS as a Rural Services Centre. The role of a Rural Services Centre is: <i>To provide predominantly non-urban communities with a range of goods and services to meet their daily and weekly needs. Trips to larger Primary and Principal Activity Centres only required occasionally.</i> The proposed rezoning of the site is consistent with the role of New Norfolk as a Rural Services Centre. The proposed amendment supports Policy AC 1 by facilitating a broader range of uses on the site, promoting economic growth, and encouraging small-scale business activities within walking distance of the General Business Zone and adjacent to the General Residential Zone.

	AC 1.2 Utilise the Central Business, General Business, Local Business Zones to deliver the activity centre network through planning schemes, providing for a range of land uses in each zone appropriate to the role and function of that centre in the network.	The proposal is to utilise the Local Business Zone, which is consistent with the role of New Norfolk as a Rural Services Centre.
	AC 1.10 Activity centres should encourage local employment, although in most cases this will consist of small scale businesses servicing the local or district areas.	The proposal will create an opportunity for a small scale business use, encouraging local employment.
	AC 1.11 Provide for 10 – 15 years growth of existing activity centres through appropriate zoning within planning schemes.	The proposal will increase the capacity for economic growth of the New Norfolk activity centre by applying the Local Business Zone to the site, which is considered to be the most appropriate zoning.
SRD 1 Provide a sustainable and compact network of settlements with Greater Hobart at its core, that is capable of meeting projected demand.	SRD 1.1 Implement the Regional Settlement Strategy and associated growth management strategies through planning schemes.	The STRLUS categorises New Norfolk as a Major District Centre. A Major District Centre is defined as: <i>Significant urban areas physically divorced from Greater Hobart where residents of and visitors to the region can access a wide range of services, education and employment opportunities, although employment is strongly related to surrounding productive resources. Important centres to surrounding sub-region.</i> The proposal aligns with New Norfolk's role as a Major District Centre, providing an opportunity for commercial activity and economic growth outside of Greater Hobart.

3.9 Assessment against Section 34(2)(f)

Section 34(2)(f) requires the amendment to have regard to the *Derwent Valley Strategic Plan 2023-2033* (the Strategic Plan), prepared under section 66 of the *Local Government Act 1993*.

The Strategic Plan is built upon four strategic objectives:

2. A vibrant, healthy and inclusive community
3. A thriving and diverse local community
4. A sustainable natural and built environment
5. Good governance and community leadership

The proposal is generally aligned with the Strategic Plan. Specifically, it is consistent with the following strategies:

Strategy 2.1 – We collaborate with partners to promote the Derwent Valley as the place to visit, work and invest.

Strategy 2.2 – We support the continued revitalisation of the New Norfolk area as a regional service centre and visitor destination.

The legislative requirement is satisfied.

3.10 Assessment against Section 34(2)(g)

Section 34(2)(g) of the Act requires an amendment to be, as far as practicable, both consistent with and coordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates.

Derwent Valley is adjacent to the following municipalities:

- Glenorchy
- Hobart
- Kingborough
- Huon Valley
- Brighton
- Southern Midlands
- Central Highlands
- West Coast

Each of the above municipalities, except for Kingborough, have an LPS that is operational.

The proposed amendment is consistent with the requirements specified in the Section 8A Guidelines, and will therefore align with other LPSs that are in effect in adjoining municipalities. The site is located a considerable distance from municipal boundaries, and is not impacted by, nor will it have an impact on, the operation of an adjoining LPS.

3.11 Assessment against Section 34(2)(h)

Section 34(2)(h) requires an amendment to have regard to the safety requirements set out in the standards prescribed under the *Gas Safety Act 2019*.

The site is not affected by a gas pipeline. Therefore, this requirement is not applicable.

4 Conclusion

An amendment is sought to the *Tasmanian Planning Scheme – Derwent Valley* to rezone the site at 9 Burnett Street, New Norfolk from Community Purpose Zone to Local Business Zone.

The site, which is listed on the Tasmanian Heritage Register, was historically used as a church but no longer has this function. Rezoning to the Local Business Zone will facilitate a wider range of uses at the site, including commercial uses, that is appropriate for a privately owned site.

The site adjoins the existing Local Business Zone. It is located approximately 50 m north of New Norfolk's General Business Zone, the primary commercial precinct of the town. The proposal will support the role of New Norfolk as a Rural Services Centre.

No other changes are proposed to the content of the LPS.

The proposed LPS amendment satisfies the relevant requirements of Section 34 of the Act. The information provided in this report demonstrates adequate justification for Council to certify the draft amendment under Section 40F of the Act.

Appendix A Title documentation

Appendix B Landowner permission

Appendix C Heritage Tasmania correspondence

Era Advisory
Level 1, 125A Elizabeth St
Hobart 7000



enquiries@era-advisory.com.au
era-advisory.com.au

era