

TASMANIAN PLANNING COMMISSION



Our ref: DOC/23/108054
Officer: Lauren O'Brien
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25 September 2023

Mr Ron Sanderson
Acting General Manager
Derwent Valley Council
PO Box 595
NEW NORFOLK TAS 7140

Attention: Mr Dan Marr, Executive Manager - Development
By email: dvcouncil@dvc.tas.gov.au

Dear Mr Sanderson

**Derwent Valley Interim Planning Scheme 2015 - Draft amendment PSA 2021-6
Rezone lots 5 and 6 Poulters Road, New Norfolk from Low Density Residential and Rural Living
to General Residential, and insert The Mills Residential Estate Specific Area Plan**

I refer to the above draft amendment and to a hearing held at the Commission's office in Hobart on 13 September 2023 which was adjourned.

The Commission gives the following directions:

1. Subdivision approval (planning permit 89/2005)

- a. The planning authority is to provide a summary of the subdivision approval on the subject land, including which conditions in the permit have been fulfilled and a summary of the amendments made to the permit.
- b. The planning authority and applicant are to provide a submission on the status of conditions 1 and 2 under heading 'Conditions Relating to DIER Referral' of the [original planning permit](#)¹ dated 24 October 2005. This is to include if or when the conditions will be fulfilled, and who is responsible for the cost and construction of the required infrastructure. If these conditions have been amended, clarification for amending them is required.

The Department of State Growth is invited to provide a submission to the Commission on this matter.

Submissions are to be provided to the Commission by **23 October 2023**.

2. Visitor Accommodation permit

The planning authority is to provide a copy of the planning permit for the Visitor Accommodation use shown as 'Luxury Cabins' on slide 12 of the applicant's [hearing presentation](#)².

This submission is to be provided to the Commission by **23 October 2023**.

¹ www.planning.tas.gov.au/__data/assets/pdf_file/0006/724479/Submission-Planning-authority-original-permit-24-October-2005.PDF

² www.planning.tas.gov.au/__data/assets/pdf_file/0008/724481/Hearing-submission-Urbis-13-September-2023-.PDF

3. Lot yield and residential growth targets - Regional Land Use Strategy

- a. The planning authority is to provide a submission on the growth targets in the Southern Tasmania Regional Land Use Strategy 2010-2035 (regional strategy) for New Norfolk, drawing on Council's data or information from the current uptake of residential land, as discussed at the hearing.

The purpose of this submission is to provide an understanding of how the draft amendment is consistent with the regional strategy, which nominates a 20-30% increase in residential growth.

- b. The planning authority is to provide a submission on the draft amendment's consistency with the relevant policies in the regional strategy with regard to the allowable lot yield proposed.

This submission is to be provided to the Commission by **23 October 2023**.

4. Reference to Commission's previous decisions

The planning authority is to provide a list of the Commission's decisions referred to on page 43 of its [section 35 report](#)³ to Council dated 25 November 2021.

This submission is to be provided to the Commission by **23 October 2023**.

5. Water servicing plan

The applicant is to provide a copy of the master concept servicing study for water and sewer services, which includes detail on the reservoir design and water modelling, and which was discussed at the hearing and requested by TasWater in its request for additional information dated 24 August 2022. This is to be provided to the Commission and a copy sent to TasWater by **9 October 2023**.

TasWater is requested to provide a response submission to the Commission on its opinion of the model by **20 November 2023**.

6. Bushfire risk management

The planning authority, with input from and in collaboration with the applicant's bushfire expert and Tasmania Fire Service, is to provide a revised draft The Mills Residential Estate Specific Area Plan (draft SAP) that includes site specific and/or broader strategic provisions addressing bushfire risk mitigation, as discussed at the hearing. Revisions should be shown as tracked changes.

The planning authority and the applicant are to provide a submission on:

- a. how bushfire risk mitigation will be managed on the subject land through the SAP provisions, Bushfire Hazard Management Plans and Part 5 Agreements; and
- b. having regard to a., clarification on the appropriateness of applying the General Residential Zone with consideration of the Zone Purpose statements.

This submission is to be provided to the Commission by **23 October 2023**.

7. Specific Area Plan drafting

The planning authority is to provide an amended draft SAP that addresses the following matters:

- a. clarification of the purpose of the draft SAP;
- b. clarification of the application of the draft SAP;

³ www.planning.tas.gov.au/__data/assets/pdf_file/0005/681503/Planning-authority-section-35-report-25-November-2021.PDF

- c. clarification of the Desired Future Character Statements in relation to Area A and Area B;
- d. clarification of the use and development allowable in Area B, and whether they constitute 'complementary non-residential use' as stated in the Desired Future Character Statements;
- e. clarification whether further subdivision of land in Area B is intended, in light of the range of permissible uses allowed, including residential with no minimum lot sizes specified;
- f. clarification of the development standards relationship with the relevant clause objectives; and
- g. a review to address any minor editorial or typographical errors.

Revisions made to the draft SAP under item 8 should include any amendments made under item 7, shown as tracked changes.

This submission is to be provided to the Commission by **23 October 2023**.

Any response submissions regarding the above submissions to be provided to the Commission by **4 December 2023**.

Submissions must be made by email to tpc@planning.tas.gov.au. Once received, the submissions referred to above will be made available under the [relevant assessment](#)⁴ on the Commission's website.

Please note that submissions will be published in full, without redaction.

If the hearing is to be reconvened, the Commission will advise the parties and publish a notice.

If you require further information please contact Lauren O'Brien, Planning Adviser, on 6165 6813.

Yours sincerely



Claire Hynes
Delegate (Chair)

cc All parties

⁴ www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-der-psa-2021-6