



## Planning Submission

### Section 37(1) *Land Use Planning and Approvals Act 1993*

### Request to Amend the Northern Midlands Local Provisions Schedule

**36 Collins Street, Evandale**

**Prepared for:**

**Northern Midlands Council**



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<b>Issue</b>	Final
<b>Date</b>	August 2023
<b>Project Name</b>	Evandale Market
<b>Project Number</b>	23.163
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## Appendix A

Certificate of Title

## 1.0 Introduction

### 1.1 Purpose of the Report

6ty° Pty Ltd has been engaged by Peter Woof to prepare an application for a draft amendment to the Local Provisions Schedule of the *Tasmanian Planning Scheme – Northern Midlands* (“the Scheme”) in accordance with Section 37(1) of the *Land Use Planning and Approvals Act 1993* (“the Act”).

The draft amendment seeks to introduce a Site-Specific Qualification to the Northern Midlands Local Provision Schedule to allow for use and development of a building associated with the Evandale Market on part of Lot 1 Collins Street, Evandale. The subject property is in the General Residential Zone under the Scheme.

The purpose of the proposed draft amendment is to enable consideration of a development application for construction of a new building associated with the Evandale Market. The building would be used to house indoor market stalls to expand the existing Sunday market. The intention is to expand the market offerings and meet demand for additional undercover market stalls, as these are less impacted by poor weather.

The proposed use and development would not be possible under the Scheme without the proposed draft scheme amendment.

This report forms the basis of the application and has been prepared having regard to the relevant requirements and objectives of the Act and relevant strategic planning documents including:

- Northern Tasmania Regional Land Use Strategy;
- State Policies;
- Northern Midlands Strategic Plan 2021-2027; and
- Tasmanian Planning Scheme – Northern Midlands.

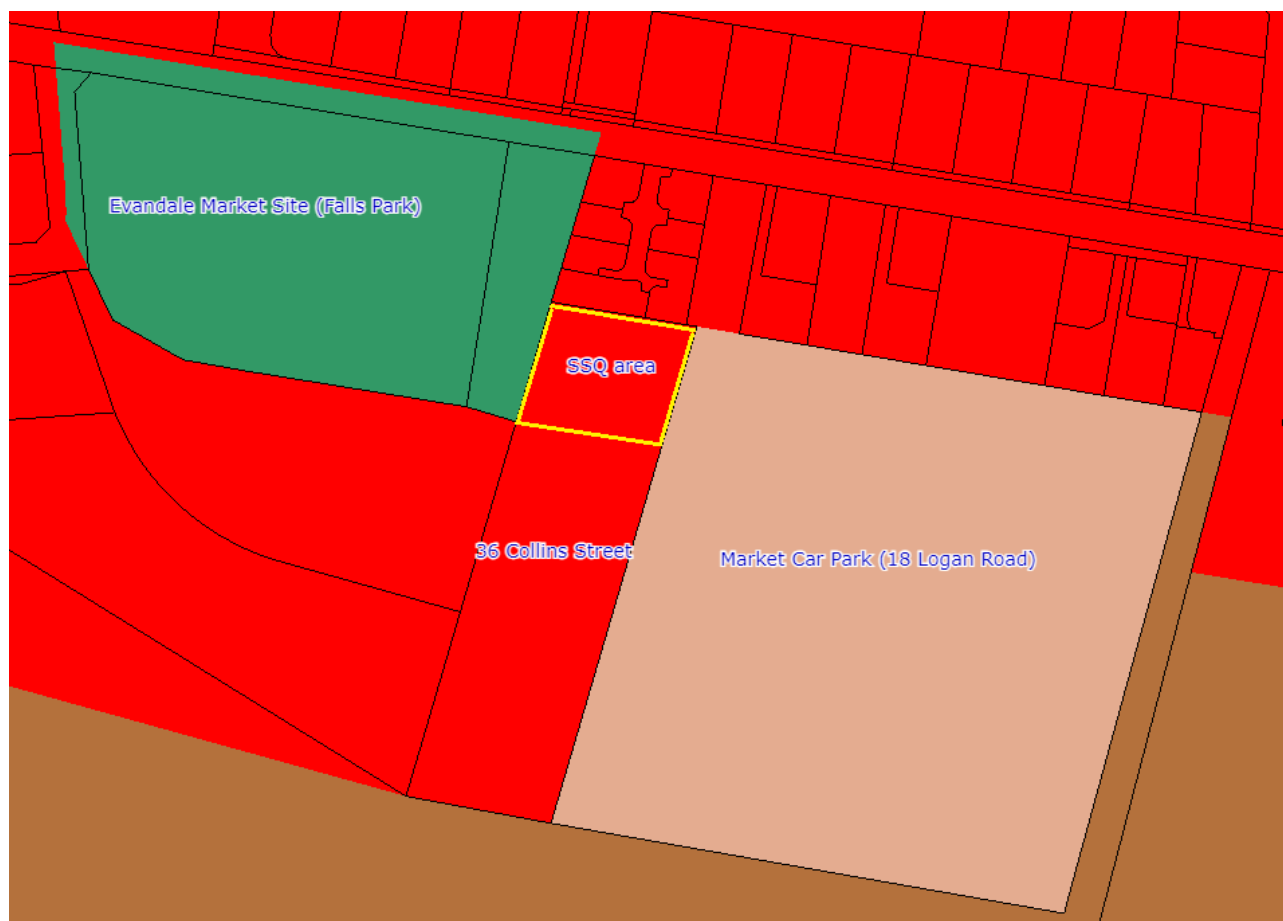
### 1.2 Application Overview

Subject Land	
Location	Part of 36 (Lot 1) Collins Street, Evandale
Title Information	Certificate of Title Volume 141412 Folio 1
PID	3615502
Title Area	8360m <sup>2</sup>
Current Zoning	General Residential
Overlays	Attenuation Code Airport Obstacle Limitation Area Bushfire-prone Area
Statutory References	
Planning Instrument	<i>Tasmanian Planning Scheme – Northern Midlands</i>
Planning Authority	Northern Midlands Council
Legislative Instrument	<i>Land Use Planning and Approvals Act 1993</i>

### 1.3 Proposed Draft Amendment

The proposed draft amendment seeks to introduce a Site-Specific Qualification (“SSQ”) to the Northern Midlands Local Provision Schedule to allow for use and development of a building associated with the Evandale Market.

The SSQ would apply to the northern part of 36 Collins Street, Evandale as identified in Figure 1 below. The identified area for the SSQ is approximately 1800m<sup>2</sup>.



**Figure 1: Area of 36 Collins Street, Evandale subject to proposed Site-specific qualification identified in yellow.**

The proposal will amend the Northern Midlands Local Provision Schedule NOR – Site-specific Qualifications table by inserting the following line:

Reference Number	Site Reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
NOR-8.3	Shown as NOR-8.3 on the overlay maps (Part of 36 Collins	141412/1	An additional Discretionary Use Class for this site is:  General retail and hire with the qualification “If for a market and directly	General Residential Zone – clause 8.2 Use Table

	Street, Evandale)		associated with the Evandale market.”	
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## 1.4 Statutory Overview

Section 32(3)(c) of the Act provides that a Local Provisions Schedule (LPS) may, if permitted to do so by the SPP's, include a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.

Section 32(4) further provides that an LPS may only include a provision referred to in subsection (3) in relation to an area of land if certain requirements are met, as addressed further in Section 3.1 of this report.

Section 38(1) of the Act requires that the Planning Authority must satisfy themselves that a draft amendment will meet the Local Provisions Schedule (LPS) criteria set out in section 34 of the Act. The following table provides an overview of the LPS criteria pertinent to the proposed draft amendment.

Section 34(2) LPS Criteria		
The LPS criteria to be met by a relevant planning instrument are that the instrument –		
Sub-clause	Requirement	Response
(a)	contains all the provisions that the SPPs specify must be contained in an LPS.	<i>The proposed draft amendment seeks to amend the LPS by way of introducing a new Site-specific qualification.</i>  <i>All provisions that the State Planning Provisions (SPPs) specify will continue to apply to the site.</i>
(b)	is in accordance with section 32.	<i>The proposed draft amendment will satisfy the matters specified in section 32 of the Act, addressed further in <b>Section 3.2</b> of this report.</i>
(c)	further the objectives set out in Schedule 1.	<i>Assessment of the proposed draft amendment against the objectives set out in Schedule 1 of the Act is provided in <b>Section 3.1</b> of this report.</i>
(d)	is consistent with each State policy.	<i>Assessment of the proposed draft amendment against each State Policy is provided in <b>Section 3.3</b> of this report.</i>
(da)	satisfies the relevant criteria in relation to the TPPs.	<i>There are no Tasmanian Planning Policies in effect in which to consider the proposed draft amendment against.</i>
(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	<i>Assessment of the proposed draft amendment against the Northern Tasmania Regional Land Use Strategy is provided in <b>Section 3.5</b> of this report.</i>

Section 34(2) LPS Criteria		
The LPS criteria to be met by a relevant planning instrument are that the instrument –		
Sub-clause	Requirement	Response
	to which the relevant planning instrument relates.	
(f)	has regard to the strategic plan, prepared under section 66 of the <i>Local Government Act 1993</i> , that applies in relation to the land to which the relevant planning instrument relates.	<i>Assessment of the proposed draft amendment against the relevant parts of the Northern Midlands Strategic Plan 2017-2027 is provided in <b>Section 3.6</b> of this report.</i>
(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.	<i>In this instance, the site does not adjoin and is not located adjacent to, land that is governed by another LPS within a different municipal area. Accordingly, the proposed draft amendment satisfies section 34(2)(g) of the Act.</i>
(h)	has regard to the safety requirements set out in the standards prescribed under the <i>Gas Safety Act 2019</i> .	<i>The site is located approximately 10km north-east of the nearest applicable Gas Pipeline Corridor. The proposed draft amendment will therefore not affect, or could be affected by, the requirements set out in the standards prescribed under the <u>Gas Safety Act 2019</u>.</i>



## 2.0 Site and Surrounds

### 2.1 The Site

The site comprises the northern part of an internal lot known as 36 Collins Street, Evandale. The site is owned by Peter Woof, the operator of the Evandale Market.

The land identified for application of the SSQ (Figure 1) is approximately 1800m<sup>2</sup> and is positioned between the main Evandale Market site at Falls Park and the car park associated with the market at 18 Logan Road (Figure 1). The car park is subject to an existing Site-specific Qualification allowing for the Vehicle Parking use on the site.



**Figure 1 - Aerial image illustrating the spatial area of the site**

Source: base image and data from the LIST ([www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)) © State of Tasmania

The site is currently developed with a shed in the north-western corner and a fenced walkway along the northern boundary, providing access between the car park and the market site, as shown in Figure 2 and Photo 2 below.





**Figure 2: Evandale Market – walkway location**

Source: base image and data from the LIST ([www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)) © State of Tasmania

The remainder of the site is vacant, with a large, grassed area in the middle and mature trees around it. There is a hedge row established on the eastern side, separating the subject site from the adjacent car park. Photos 1, 2 and 3 below further illustrate the features and context of the site.



**Photo 1 - photograph illustrating the location of the site including the existing outbuilding – looking west towards Falls Park**





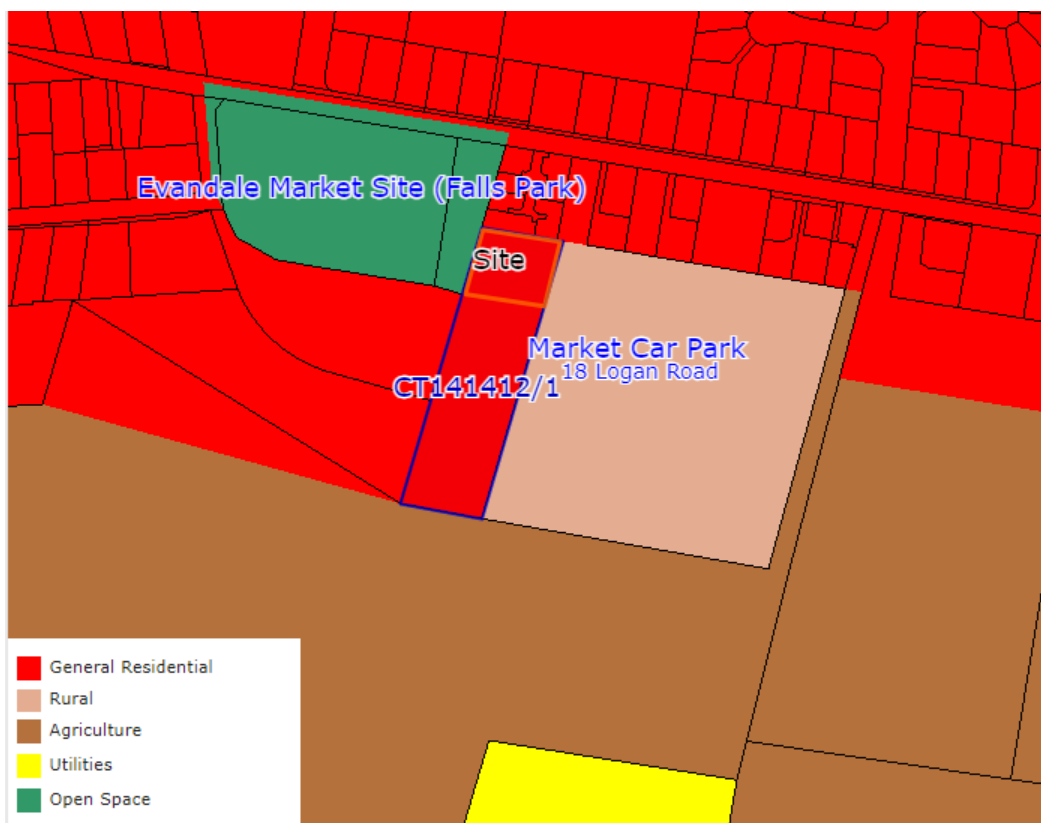
**Photo 2 - photograph of the walkway crossing the Site between Falls Park and the market car park**



**Photo 3 - photograph of the market car park (18 Logan Road)**

## 2.2 Zoning and Overlays

The site is assigned to the General Residential Zone under the Scheme. Other zones within proximity to the site include Open Space, Rural, Agriculture and Utilities. The spatial allocation of land use zones is shown in Figure 3 below.



**Figure 3 - Zoning of the site and surrounding area**

Source: base image and data from the LIST ([www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)) © State of Tasmania

The site is shown within the Bushfire Prone Area, Airport Obstacle Limitation Area and Attenuation Area on the Scheme overlay maps.

## 2.3 Natural Values and Hazards

### Bushfire Hazard

The site is located within a Bushfire Prone Area. The proposal is for a SSQ to make the General retail and hire use class a Discretionary use on the site, with the qualification “If for a market and directly associated with the Evandale market.”

The Bushfire-Prone Areas Code would not apply to any future application made under the SSQ, as a market is not a vulnerable or hazardous use and would not require subdivision.

Any bushfire requirements would be addressed through approvals under the *Building Act 2016*.

### Potentially Contaminated Land

The site is used and developed with a fitness centre which is not a use listed in Table C14.2 and the site is not known to be potentially contaminated.



### Landslide Risk

The site is not identified within any landslide hazard bands on the Scheme overlay maps.

### Flood Hazard

The site is not shown as being subject to a flood risk on the Scheme overlay maps.

### Scenic Values

The site is not subject to any scenic values mechanisms in the Scheme.

### Biodiversity Values

The site is modified and is identified as urban and agricultural land in TasVeg 4.0 mapping. The site does not contain some mature trees however it is not identified as having biodiversity or other similar natural values.

### Waterway and Coastal Values

The site is not near the coast and does not contain any waterways.

## **2.4 Local Context**

### **2.4.1 Site and surrounds**

The site is an internal lot located immediately to the east of the existing Evandale Market Site at Falls Park. Falls Park is owned by the Northern Midlands Council and used by the Evandale Market under a lease arrangement. Falls Park is in the Open Space Zone and is used as a self-contained caravan and motorhome stop over during the week.

The land to the east of the subject title, addressed as 18 Logan Road, is in the same ownership as the subject site and is developed with a car park that serves the Evandale Market. This land is in the Rural Zone and is subject to a Site Specific Qualification that allowed for the use and development of the site as a car park under the Vehicle Parking use class.

The site is adjoined by General Residential zoned land to the north and west. The parcel to the north is developed with multiple dwellings and the land to the west is developed with a heritage listed property known as Briars Lane. Land to the south of the site is a farm in the Agriculture Zone. The Evandale wastewater treatment ponds operated by Taswater are approximately 150m south of the southern boundary of the subject title.

### **2.4.2 Northern Tasmanian Land Use Strategy Summary**

Evandale is identified as a Satellite Settlement within the Northern Tasmanian Regional Settlement Hierarchy and is a Neighbourhood/Town Centre under the Activity Centres Network (refer to the NRLUS discussion in Section 3.5 of this report).

### **2.4.3 Infrastructure**

The site is not connected to reticulated services.

A sewer main (150mm) crosses the north-western corner of the site and the nearest reticulated water main (100mm) is located on the southern side of Logan Road.

#### 2.4.4 Road Network

The site is an internal lot and does not have direct frontage or access from any road.

The title is currently addressed as 36 Collins Street, though it is not connected to a road physically and does not appear to have right of way or other means of access.

Logan Road is the closest road to the subject site and the adjoining title (18 Logan Road), which is in the same ownership, does have direct access from Logan Road, used for the Evandale Market car park. Logan Road is under the local authority of the Council.

### 3.0 Draft Amendment Statutory Assessment

#### 3.1 Objectives of the *Land Use Planning and Approvals Act 1993*

Section 34(2)(a) of the Act requires that an amendment furthers the Objectives set out in Schedule 1. The following sections detail how the proposed draft amendment furthers these objectives.

##### 3.1.1 Schedule 1 Objectives – Part 1

PART 1 – Objectives of the Resource Management and Planning System of Tasmania	
Objective	Response
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and	<i>The site is in an urban zone (General Residential Zone) and is predominantly grass lawn, with some mature trees around the edges of the site that will not be disturbed by the proposal. There are no communities or species of conservation significance recorded on or close to the site. The site does not contribute significantly to ecological processes or genetic diversity within the local area and region.</i>
(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and	<i>The draft amendment will provide for fair, orderly and sustainable use and development. It will provide an opportunity to use a parcel of land for an extension of the established Evandale Market. This is compatible and logical within the context of the established market site and car park and can be achieved without compromising or distorting the activity centre hierarchy. There are no particular natural or cultural values associated with the land.</i>
(c) to encourage public involvement in resource management and planning; and	<i>Public involvement will be undertaken through the exhibition of the proposed amendment.</i>
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and	<i>The draft amendment will facilitate economic development by allowing for an expansion of the established Evandale Market and meet a demand</i>

PART 1 – Objectives of the Resource Management and Planning System of Tasmania	
Objective	Response
	<i>to increase the space available for undercover stalls. This will provide better economic outcomes for the Evandale Market and stallholders as the impact of seasonal weather on market visitation is reduced.</i>
(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.	<i>The amendment process represents a sharing of responsibility for resource management and planning between Council the Commission, stakeholders and the community.</i>

### 3.1.2 Schedule 1 Objectives – Part 2

PART 2 – Objectives of the Planning Process Established by this Act	
Objective	Response
(a) to require sound strategic planning and co-ordinated action by State and local government; and	<p><i>The proposed draft amendment is consistent with the Regional Land Use Strategy of Northern Tasmania.</i></p> <p><i>The proposed SSQ will provide an opportunity to develop a specific parcel of land with a building for the established Evandale Market, which has been operating for over 40 years.</i></p> <p><i>The site is strategically located between the existing market site (Falls Park) and the car park for the market. The site is already developed with a formed walkway that provides safe and coordinated pedestrian access between the car park and market.</i></p> <p><i>The proposal will not change the underlying zoning of the land as General Residential. The site is constrained in terms of residential development due to being an internal lot without direct frontage to a road and proximity to the Agriculture Zone and Evandale wastewater treatment plant.</i></p> <p><i>It therefore represents coordinated and sound strategic planning.</i></p>
(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	<p><i>The amendment process is part of the system involved in establishing and reviewing planning instruments.</i></p> <p><i>The draft amendment will involve applying a Site Specific Qualification to part of an existing title.</i></p> <p><i>The relevant Zone and Code provisions will continue to apply to the site in relation to the</i></p>

PART 2 – Objectives of the Planning Process Established by this Act	
Objective	Response
	<i>proposed development application that will be facilitated by the proposed draft amendment.</i>
(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	<p><i>The proposed draft amendment will not have a significant impact on environmental values associated with the land and water resources within the site and surround.</i></p> <p><i>The future use and development that will be facilitated by the proposed draft amendment for an expansion of the Evandale Market, will have a net community benefit from an economic and social perspective.</i></p>
(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	<i>The proposed draft amendment is consistent with the relevant State, regional and local strategy and policy directions which broadly seek to achieve sustainable development that does not compromise environmental, social, economic, conservation and resource management objectives.</i>
(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	<i>The proposed planning scheme amendment is considered under section 37(1) of the Act.</i>
(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	<p><i>The proposed draft amendment will provide the ability for the site to be developed with an extension of the well-established Evandale Market, which is popular with both locals and tourists.</i></p> <p><i>The proposal contributes to ensuring a pleasant, efficient and safe environment for working, living and recreating in northern Tasmania.</i></p>
(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	<i>The draft amendment will not result in any impact on a place listed or known to be significant for its scientific, aesthetic, architectural, historical or cultural value.</i>
(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	<i>The site is capable of being serviced by road, sewer, water, stormwater and electricity infrastructure with capacity.</i>
(i) to provide a planning framework which fully considers land capability.	<i>The site is not subject to the Protection of Agricultural Land Policy, as addressed further in Section 3.3.2 of this report.</i>

### 3.2 Section 32 of the Land Use Planning and Approvals Act 1993

Section 32(3) of the *Land Use Planning and Approvals Act 1993* states the following in relation to the contents of the Local Provisions Schedule (LPS).

- (3) *Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –*
- (a) ...
  - (b) ...
  - (c) *a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*

Then, at sub-section (4) states that –

- (4) *An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
- (a) *a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
  - (b) *the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

The proposed draft amendment seeks to apply a Site Specific Qualification (SSQ) over part of a title, as described above. The SSQ is intended to allow use development for a market on this site, specifically for a new building to house undercover market stalls for the Evandale Market. The proposal is assessed against the requirements of Section 32(4) in the table below.

Section 32(4) Contents of LPS		
An LPS may only include a provision referred to in subsection (3) in relation to an area of land if -		
Sub-clause	Requirement	Response
(a)	A use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or	<p><i>The Evandale Market is a popular Sunday market that has been operating at Falls Park, Evandale for over 45 years.</i></p> <p><i>The market has a significant social and economic benefit with an average visitation of 3000 people each week, with more in the summer months. There is an average of 100 stalls each week, peaking in the summer period. The market stalls sell a variety of goods including fresh local produce, crafts, second hand goods such as furniture, tools, clothes and collectables, baked goods and preserves and food/drinks.</i></p> <p><i>The total economic turnover is not collated for the stalls. As an approximation - if each of the</i></p>



Section 32(4) Contents of LPS		
An LPS may only include a provision referred to in subsection (3) in relation to an area of land if -		
Sub-clause	Requirement	Response
		<p>3000 visitors per week spend a modest \$10 each, that would equate to \$30,000 each week.</p> <p>Other businesses in Evandale also benefit from the influx of visitors each Sunday. Evandale is an historic village, known as a great destination for antique and collectable shopping and cafes.</p> <p>The proposed draft amendment seeks to amend the LPS by way of inserting a Site Specific Qualification (SSQ) within the Northern Midlands Local Provisions Schedule.</p> <p>The SSQ will allow for a market, under the General Retail and Hire use class to be considered as a Discretionary use on the identified site, directly associated with the established Evandale Market.</p> <p>The Evandale Market has identified an increase in demand for indoor market space. The proposed amendment would allow for use and development of a dedicated building on the identified site, between Falls Park and the existing car parking area. Increased space for undercover stalls is desired to reduce the impact of poor weather on patron numbers. Also currently, indoor stall holders are required to completely pack up their stalls in the Falls Park Pavilion for the Glover Art Prize event each year. A dedicated space will not be subject to this requirement.</p> <p>The proposal will allow for an expansion of indoor stalls, providing security for stall holders and reduction of the impact of poor weather. The additional space will allow for increased number and variety of stalls, contributing to the overall success of the Evandale Market.</p>
(b)	the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.	<p>The area of land is selected for the position between the main market venue, Falls Park, and the established car park (18 Logan Road), which makes it particularly suited for the intended purpose.</p>

### **3.3 State Policies**

The following section assesses the draft amendment against each of the current State Policies.

#### **3.3.1 Tasmanian State Coastal Policy 1996**

The site is located more than 1km from the coastal zone, which is defined by reference to State Waters, and the State Policy therefore does not apply.

#### **3.3.2 State Policy on the Protection of Agricultural Land 2009**

The provisions of the State Policy are reflected in the Rural and Agriculture Zones in the Scheme. The site is currently zoned General Residential and no change to the underlying zoning is proposed.

Accordingly, the site is not contemplated by the provisions of the Protection of Agricultural Land Policy.

#### **3.3.3 State Policy on Water Quality Management 1997**

The provisions of the State Policy on Water Quality Management 1997 are reflected in the Natural Assets Code in the Scheme. The site is not subject to any component of the Natural Assets Code.

Notwithstanding, permit conditions are capable of being applied to ensure appropriate performance measures are implemented to protect water quality, limit runoff during construction phases and address stormwater discharge from the site associated with the proposed use and development that is facilitated by the proposed draft amendment. The draft amendment is therefore consistent with the State Policy.

#### **3.3.4 National Environmental Protection Measures**

Section 12A of the *State Policies and Projects Act 1993* states that a National Environment Protection Measure is taken to be a State Policy.

The National Environmental Protection Measures (NEPMs), which have been adopted as State Policies, relate to ambient air quality, diesel vehicle emissions, assessment of site contamination, used packing material, movement of controlled waste between States and Territories and the national pollutant inventory. The NEPMs therefore relate to matters that are not affected by the proposed amendment.

### 3.4 Tasmanian Planning Policies

Section 34(2)(da) of the Act requires an amendment to satisfy the relevant criteria of a Tasmanian Planning Policy (“TPP”). There are no TPPs currently in effect and on that basis the criterion is met.

### 3.5 Northern Tasmania Regional Land Use Strategy

The Northern Tasmania Regional Land Use Strategy (‘**NTRLUS**’) was originally declared by the Minister for Planning in accordance with the relevant provisions of the Act on 27 October 2011. The current version was amended on 23 June 2021 and provides a framework for the sustainable use of land in the region.

The NTRLUS is a strategic regional land use plan for the eight (8) council areas in the north and north-east of Tasmania. It has a 20-year time horizon to 2032 for integrated infrastructure, land use development and transport planning, and is underpinned by economic development, social and environmental strategies.

The NTRLUS defines three key land use categories to direct the allocation of all land in the Region. These categories are:

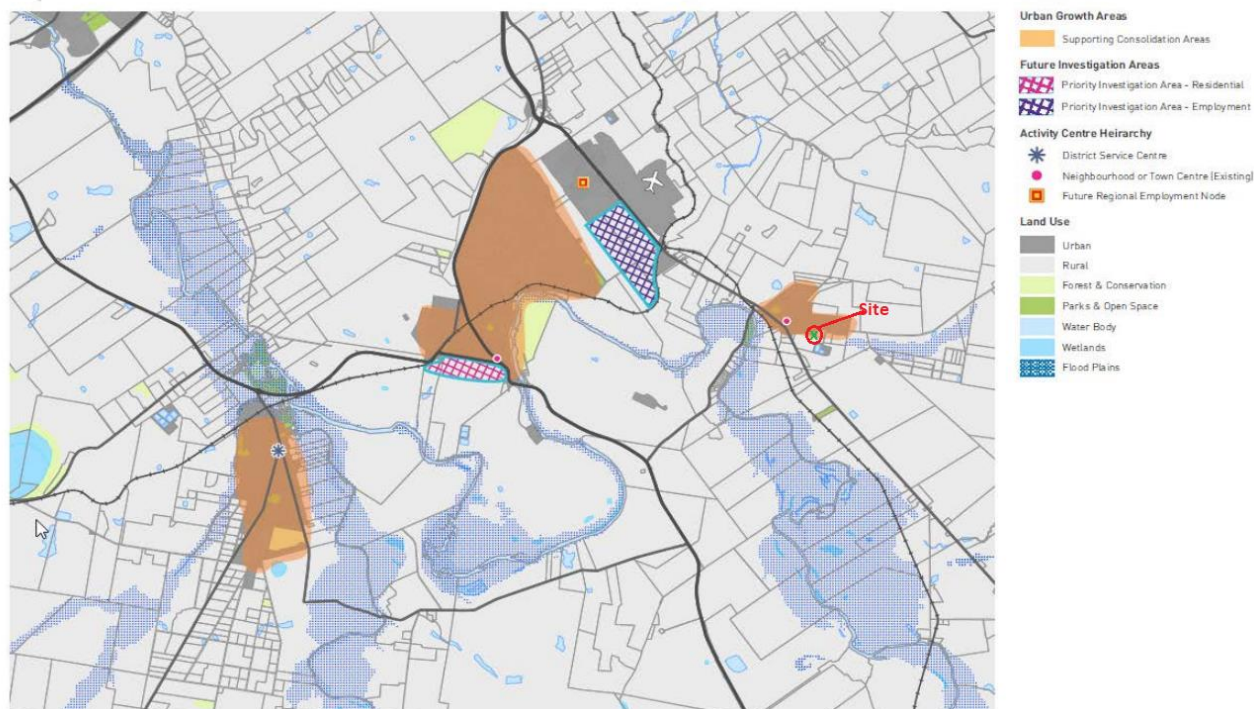
- Urban Growth Areas
- Rural Areas
- Natural Environment Areas

Urban Growth Areas comprise land within developed urban settlements or areas intended for urban development as identified in a Priority Consolidation Area, Supporting Consolidation Area or Growth Corridor on the Regional Framework Maps.

The Regional Framework Plan for the Northern Townships (Map G.3 in the NTRLUS) identifies the site within a Supporting Consolidation Area within Evandale (see Figure 4).

It is noted that for the purposes of the Activity Centre Hierarchy, Evandale is classified as a Neighbourhood or Town Activity Centre and in the Regional Settlement Hierarchy Evandale is classified as a Satellite Settlement.

Map G.3 Regional Framework Plan: Northern Townships  
(Longford, Perth and Evandale)



**Figure 4 – Map G.3 Regional Framework Plan: Northern Townships (Longford, Perth and Evandale), with the approximate location of the site marked**

The section of the NTRLUS that is relevant to the proposed draft amendment is the Regional Activity Centre Network Policy.

The Key Activity Centre Networks Strategies set out in section E3.3 of the NTRLUS are addressed in Table 1 below.

**Table 1 - Key Activity Centre Network Strategies**

<b>E3.3 Key Activity Centre Network Strategies</b>	
Planning for and development of the Regional Activity Centre Network should apply the following strategies:	
<b>Strategy</b>	<b>Response</b>
Implement a regional activity centre network to support a wide range of land uses and activities consistent with the role and function of centres described in the Regional Activity Centre Hierarchy (Table E.3).	<p><i>The proposed draft amendment will not alter the established activity centre hierarchy.</i></p> <p><i>The proposal will contribute to the role of Evandale as a Town Activity Centre and assist the growth of the Evandale Market, which is an established attraction in the town.</i></p>
Strengthen the Region's capacity to deliver high order government, community, commercial and private sector services and facilities through an integrated network of activity centres.	<i>The use and development that will be facilitated by proposed draft amendment will support the established integrated network of activity centres within the region.</i>
Support the primacy and role of the Launceston PAC.	<i>The proposed draft amendment will not impact the primacy and role of the Launceston PAC.</i>
Enable the provision and retention of critical services and facilities, particularly in rural areas, by	<i>The proposed draft amendment will not impact established rural activity centres and settlements.</i>

<b>E3.3 Key Activity Centre Network Strategies</b>	
Planning for and development of the Regional Activity Centre Network should apply the following strategies:	
<b>Strategy</b>	<b>Response</b>
containing the network to a limited number of strategically located rural centres that can be conveniently and widely accessed and efficiently supported.	<i>The proposal will to contribute to the growth of an established market in the Satellite Town of Evandale.</i>
Promote accessibility of employment to support sustainable development.	<i>The proposed draft amendment will facilitate direct and indirect impacts upon employment within the Region by supporting the growth and development of the Evandale Market and associated businesses.</i>
Promote efficient land use, transport and infrastructure planning to reduce dependence on private vehicle travel.	<p><i>The proposed draft amendment will facilitate a future development associated with the existing Evandale Market.</i></p> <p><i>The proposal will not detrimentally impact transport and infrastructure planning.</i></p>
<p>Plan the development of each activity centre relative to its identified function, role and anticipated catchment to:</p> <ul style="list-style-type: none"> <li>• Create economic growth by co-locating a mix of land uses;</li> <li>• Concentrate goods and services more efficiently;</li> <li>• Provide appropriate locations for government investment in public transport, health, education, cultural and entertainment facilities;</li> <li>• Provide focus for community and social interaction;</li> <li>• Promote sustainable travel and access to transport infrastructure and networks;</li> <li>• Integrate land use and transport to support walking, cycling and public transport; and</li> </ul>	<p><i>The proposed draft amendment will not impact upon the function, role or anticipated catchment of Evandale within the established activity network hierarchy.</i></p> <p><i>The proposed draft amendment would allow for future development to expand the undercover area available for the Evandale Market. The site is strategically located between the existing market site (Falls Park) and the market car park. The Evandale Market is in close proximity to other businesses and attractions in Evandale, contributing to the economic growth of the broader town.</i></p> <p><i>The proposal will enable the concentration of goods and services within established retail networks.</i></p> <p><i>The future retail development will not affect established and proposed locations for government investment in public transport, health, education, cultural and entertainment facilities.</i></p> <p><i>The proposed draft amendment will support the expansion of the existing Evandale Market, a popular attraction that provides for community and social interaction.</i></p> <p><i>The proposal will not impact the availability of sustainable travel or transport and infrastructure networks.</i></p> <p><i>The use and development facilitated by the proposed draft amendment will not alter the existing walking, cycling and public transport infrastructure.</i></p> <p><i>Evandale is a walkable town with good quality footpaths.</i></p> <p><i>Evandale can be accessed by bus to and from Launceston, 7 days a week.</i></p>



E3.3 Key Activity Centre Network Strategies	
Planning for and development of the Regional Activity Centre Network should apply the following strategies:	
Strategy	Response
<ul style="list-style-type: none"> <li>Accommodate higher density residential development and multiple trip-generating activities.</li> </ul>	<i>The proposed draft amendment is not directly related to residential use and development.</i>

Overall, the proposed draft amendment will not compromise, distort or be discordant with the Specific Policies and Actions of the Regional Activity Centre Network Policy set out in section E3.4 of the NTRLUS.

Specific Policies and Actions relevant to the proposal are set out in Table 2 below.

**Table 2 - Specific Policies and Actions of the Regional Activity Centre Network Policy.**

Specific Policies and Actions		
Policy	Action	Response
<b>RAC-P4</b>  Promote and support the role of lower order activity centres, particularly neighbourhood and rural town centres. This will support and strengthen local communities and encourage a viable population base for regional and rural settlements, while promoting the development of new neighbourhood and local centres within Urban Growth Areas where appropriate.	<b>RAC-A5</b>  Provide for lower order activity centres to be sustained through a local residential strategy or development plans to create vibrant and sustainable regional and rural communities. It should strengthen their role and function, maintaining and consolidating retail attractions, local employment opportunities, public amenities and services.	<i>The proposal will support the role of Evandale as a Town Activity Centre by allowing for the growth of the Evandale Market, which is a well-known and established attraction in the town.</i>
<b>RAC-P5</b>  Provide safe and amenable access to Activity Centres, for all members of the community, by supporting active transport opportunities that encourage people to walk, cycle and use public transport.	<b>RAC-A6</b>  Support the improved use of public transport and alternative modes of transport, pedestrian amenity and urban environments in a coordinated and consistent manner between the higher order activity centre.	<i>The site is located in an area of Evandale which contains footpaths and pedestrian access for the Evandale Market.</i>  <i>Locals are able to access the site by active transport methods and there is a bus service to Evandale from Launceston including on weekends.</i>  <i>Safe and amenable access will be able to be provided to the site.</i>
<b>RAC-P9</b>  Discourage 'out-of-centre' development and provide for new development that supports the Regional Activity Centres Network and the integrated transport system.	<b>RAC-A11</b>  Undertake master planning for the major regional activity centres, taking into account the Regional Activity Centres Network and supporting policies to encourage in-centre developments. Master plans	<i>The proposed draft amendment is not considered to be an 'out-of-centre' development. The site is located within the urban area of Evandale, which is a Town Activity Centre in the NTRLUS.</i>

Specific Policies and Actions		
Policy	Action	Response
<p>Development applications that are 'out of centre' will only be considered if all of the following criteria are adequately addressed:</p> <ul style="list-style-type: none"> <li>• Community need;</li> <li>• No adverse impact on existing activity centres; and</li> <li>• Synergy with existing employment hubs (i.e. health, education, research).</li> </ul> <p>Overall, community benefit must be demonstrated through a social and economic impact assessment to reflect the strategic directions and policies of the RLUS.</p>	<p>should include a detailed development capacity audit, public consultation, opportunities and constraints assessment, methods to improve urban amenity and an economic development strategy and address other activity centre principles.</p> <p>Master plans should enhance accessibility of the higher order activity centres through good layout and good pedestrian movement.</p>	
<p><b>RAC-P10</b></p> <p>Provide for a range of land uses to be incorporated into activity centres appropriate to their role and function within the Activity Centres Hierarchy.</p>	<p><b>RAC-A13</b></p> <p>Focus higher density residential and mixed-use development in and around regional activity centres and public transport nodes and corridors</p>	<p><i>The proposed amendment will support and allow for an expansion of the existing Evandale Market, an established land use in the Evandale activity centre. The popular market is a key tourism and economic driver for the town and has been in operation for over 45 years.</i></p>
<p><b>RAC-P12</b></p> <p>Regional Activity Centres should encourage local employment. In most instances this will consist of small-scale businesses servicing the local or district areas.</p>	<p><b>RAC-A15</b></p> <p>Local policy should provide for home based businesses to support small businesses to establish and operate, while facilitating relocation into activity centres at an appropriate size and scale of operation.</p>	<p><i>The proposed amendment will support and allow for an expansion of the existing Evandale Market.</i></p> <p><i>The market provides for direct and indirect local employment and the attraction brings people that support other businesses in the town and surrounding area.</i></p>

### 3.6 Northern Midlands Strategic Plan 2021-2027

The Northern Midlands Strategic Plan 2021-2027 (Strategic Plan) is prepared under the Local Government Act 1993. It outlines Council's long-term strategic priorities, vision and mission across a range of operations.

The Strategic Plan set out four key priorities for the Northern Midlands Council:

- 1) *Lead: Serve with honesty, integrity, innovation and pride;*
- 2) *Progress: Economic health and wealth – grow and prosper;*
- 3) *People: Cultural and society – a vibrant future that respects the past; and*
- 4) *Place: Nurture our heritage environment.*

The Vision included in the Strategic Plan is:

*Northern Midlands is an enviable place to live, work and play. Connected communities enjoy safe, secure lives in beautiful historical towns and villages. Our clean, green agricultural products are globally valued. Local business and industry is strongly innovative and sustainable.*

The relevant Strategic Outcomes are identified and addressed in Table 3.

**Table 3 - Relevant Strategic Outcomes of the Northern Midlands Strategic Plan**

<b>Progress: Economic health and wealth – grown and prosper</b>	
<b>Strategic Outcome</b>	<b>Response</b>
2.4 Support and attract wealth-producing business and industry	<p><i>The proposed draft amendment will provide a pathway for a subsequent development application for use and development of the site associated with the popular Evandale Market.</i></p> <p><i>The proposal will directly support the growth and expansion of businesses that trade at the Evandale Market.</i></p> <p><i>Increasing the footprint and viability of the Evandale Market (especially during poor weather) by creating additional undercover area for stalls will also indirectly support the broader prosperity of Evandale and the Northern Midlands region by continuing to bring people to the town each Sunday.</i></p>
<b>People: Culture and society – a vibrant future that respects the past</b>	
<b>Strategic Outcome</b>	<b>Response</b>
3.2 Developments enhance existing cultural amenity	<i>The proposed draft amendment will allow for enhancement and expansion of the Evandale Market, which already has a notable cultural benefit for the region as a tourist attraction and activity for locals.</i>
3.4 Towns are enviable places to visit, live and work	<i>The proposed draft amendment will further facilitate the role the popular Evandale Market plays to attract people to visit, live and work in the town and region.</i>

Place: Nurture our heritage environment		
Strategic Outcome	Response	
4.4 Our heritage villages and towns are high value assets	<i>The proposed draft amendment will allow for expansion of the Evandale Market in a strategic location between Falls Park and the existing market car park. The proposal will not negatively impact the built heritage of Evandale and will contribute to the continued growth of Evandale Market as a tourist attraction, bringing visitors to the heritage town each week.</i>	

### 3.7 Adjacent Local Government Areas

Section 34(2)(g) of the Act requires the amendment, as far as practicable, to be consistent and coordinated with any LPS applying to adjacent local government areas. The proposed amendment relates to a site-specific qualification that applies to an individual title, which is not directly adjacent to a neighbouring Local Government Area. It will therefore not affect any adjacent LPS.

### 3.8 Gas Safety Act 2019

Section 34(2)(h) requires the amendment to have regard to the safety requirements set out in the standards prescribed under the *Gas Safety Act 2019*. The proposed amendment does not affect the attainment of these requirements because it will not have an adverse impact on any aspect of the gas supply industry.

### 3.9 Code Summary

Tasmanian Panning Scheme – Launceston		
Clause	Code	Applicability
C1.0	Signs Code	<b>Not Applicable</b> - no development is proposed. The future development will be subject to the requirements of the Code if signage is proposed.
C2.0	Parking and Sustainable Transport Code	<b>Applicable</b> - no development is proposed. The Code applies to all use and development. Future use and development will be subject to the requirements of the Code.
C3.0	Road and Railway Assets Code	<b>Applicable</b> - no development is proposed. The future development will be subject to the requirements of the Code as applicable.

Tasmanian Panning Scheme – Launceston		
Clause	Code	Applicability
C4.0	Electricity Transmission Infrastructure Protection Code	<b>Not Applicable</b> - the site is not located within an electricity transmission corridor, communications station buffer area or substation facility buffer area.
C5.0	Telecommunications Code	<b>Not Applicable</b> - the proposal does not involve development for a telecommunications facility.
C6.0	Local Historic Heritage Code	<b>Not Applicable</b> - the code is not applicable in accordance with clause C6.2 of the Scheme.
C7.0	Natural Assets Code	<b>Not Applicable</b> - the site is not subject to a watercourse and coastal protection area, coastal refugia area or priority vegetation area.
C8.0	Scenic Protection Code	<b>Not Applicable</b> - the site is not mapped as being within a scenic protection area.
C9.0	Attenuation Code	<b>Applicable</b> - no development is proposed.  The site is within known attenuation areas associated with the Tasmanian Gun Club at Nile Road and the TasWater sewerage lagoons. Future use and development will need to consider the requirements of the Code.
C10.0	Coastal Erosion Hazard Code	<b>Not Applicable</b> - the site is not within a coastal erosion hazard area.
C11.0	Coastal Inundation Hazard Code	<b>Not Applicable</b> - The site is not located within a coastal inundation hazard area.
C12.0	Flood-Prone Areas Hazard Code	<b>Not Applicable</b> - The site is not located within a flood-prone hazard area.
C13.0	Bushfire-Prone Areas Code	<b>Applicable</b> - The site is mapped as bushfire prone on the overlay maps.  Future use and development will need to consider the requirements of the Code.
C14.0	Potentially Contaminated Land Code	<b>Not Applicable</b> - The site is not known to be located on land which is potentially contaminated.
C15.0	Landslip Hazard Code	<b>Not Applicable</b> - The site is not mapped as being subject to a landslip hazard band.
C16.0	Safeguarding of Airports Code	<b>Applicable</b> – The site is within an airport obstacle limitation area. The AHD height specified for the OLS area is 211m.  The future development will be subject to the requirements of the Code.



## 4.0 Conclusion

The draft amendment seeks to introduce a Site-Specific Qualification to the Northern Midlands Local Provision Schedule to allow for use and development of a building associated with the Evandale Market on part of 36 Collins Street, Evandale.

The purpose of the proposed draft amendment is to enable consideration of a development application for construction of a new building associated with the Evandale Market. The building would be used to house indoor market stalls to expand the existing Sunday market.

The proposed amendment represents coordinated and sound strategic planning and complies with the relevant requirements of the Act.

It is recommended that the proposed planning scheme amendment be initiated and subsequently approved.

**Appendix A**

## Certificate of Title