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Launceston Interim Planning Scheme 2015

Amendment Application -

Variation to allow 'Business and Professional Services' within the Inner Residential zone at 40 Ann Street, East Launceston

Supporting Submission



Issue	2
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1. INTRODUCTION

This application seeks a variation to the Use Table at Clause 11.2, Inner Residential zone, Launceston Interim Planning Scheme 2015 (the IPS) with the purpose of facilitating the continued use of the existing building for 'business and professional services' contained on the property at 40 Ann Street, East Launceston.

This application to amend the Launceston Interim Planning Scheme 2015 is made pursuant to section 30O of the *Land Use Planning and Approvals Act 1993* (the Act). 6ty Pty Ltd, engaged by the property owner Dratherb Pty Ltd, has prepared this supporting submission. In accordance with the requirements of the Act, this submission:

- Provides the strategic rationale for the proposed amendment;
- Details the site and the surrounding uses;
- Provides a full description of the proposed amendment;
- Demonstrates that the application does not revoke or amend overriding local provisions or common provisions of the IPS;
- Determines that the proposal is in accordance with the State Policies made under section 11 of the *State Policies and Projects Act 1993*;
- Examines the impact the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms;
- Establishes that the proposal is in accordance with the City of Launceston Strategic Plan 2014-2024 and the Regional Land Use Strategy of Northern Tasmania;
- Demonstrates that the application can further the objectives set out in Schedule 1 of the Act; and
- Considers the safety requirements set out in the standards prescribed under the *Gas Pipe lines Act 2000*.

1.1 Site

The site subject to this amendment, shown on Figure 1, is located at 40 Ann Street, East Launceston and comprises an area of 584m².

The site coverage is summarised in Table 1.

Site Area	Building Footprint	Useable Building Area	Sealed Areas of the Site	Landscaped Area
584m ²	190m ²	200m ²	152m ²	242m ²
Percentage of Site Area	33%		26%	41%

Table 1: Site Coverage

A location plan is shown on Figure 2, showing the site in relation to the Central Business District of Launceston. The existing building contained on the site is shown on Photograph 1.



Figure 1: Aerial Photograph showing the lot boundary of the Site

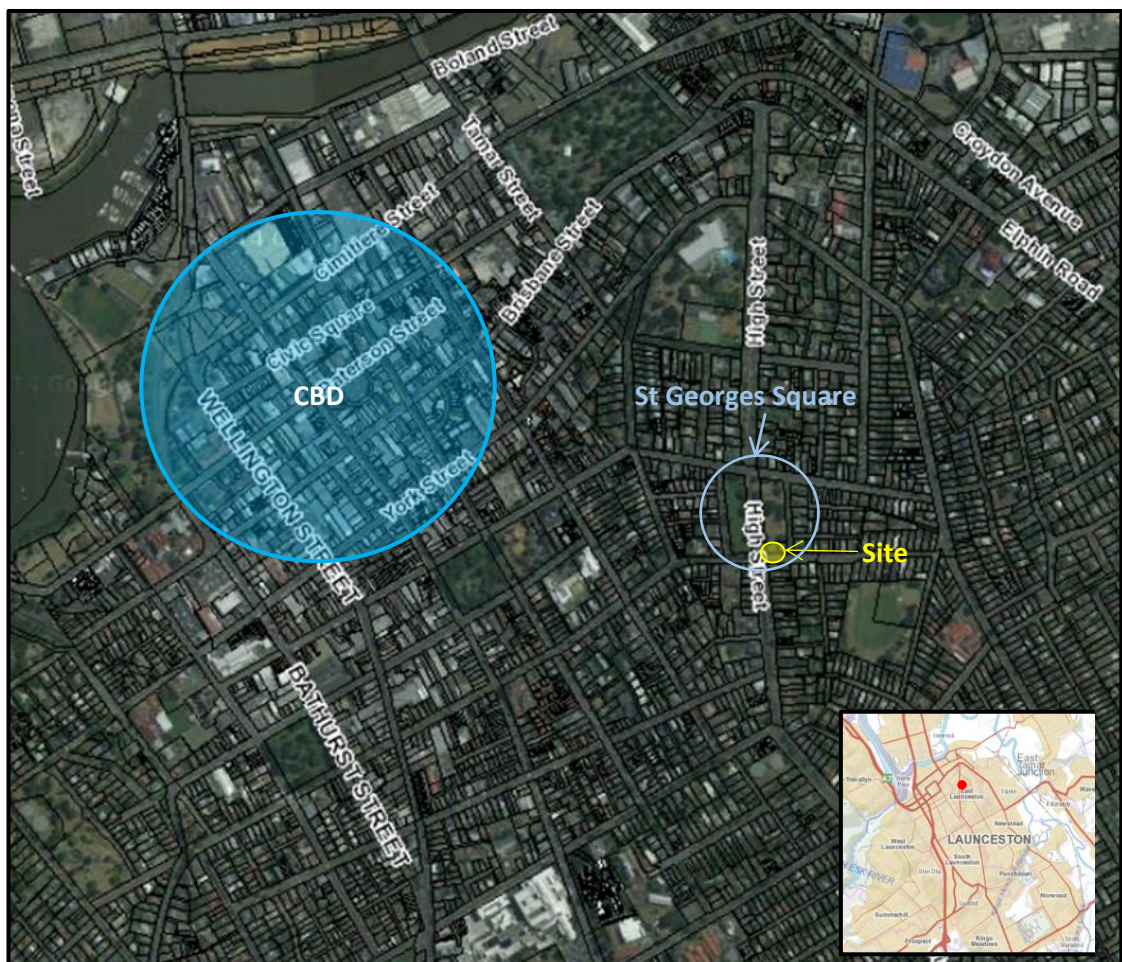


Figure 2: Location Plan

1.2 Certificate of Title

The site is identified on *Certificate of Title Volume 131354 Folio 1*. A copy of the Certificate of Title is contained in Appendix B.

1.3 Planning Authority

The Planning Authority is the Launceston City Council.

1.4 Planning Instrument

The use and development of the site is controlled under Launceston Interim Planning Scheme 2015 (IPS).



Photograph 1: The Site, looking north-east towards the building on the site

2. Zone and Overlay Maps, Launceston Interim Planning Scheme

The site is zoned Inner Residential and is identified as being located within a scenic management area of the IPS (refer to Figures 3 and 4). The Overlay Maps of the IPS may trigger the assessment of use and development against the Scenic Management Code.

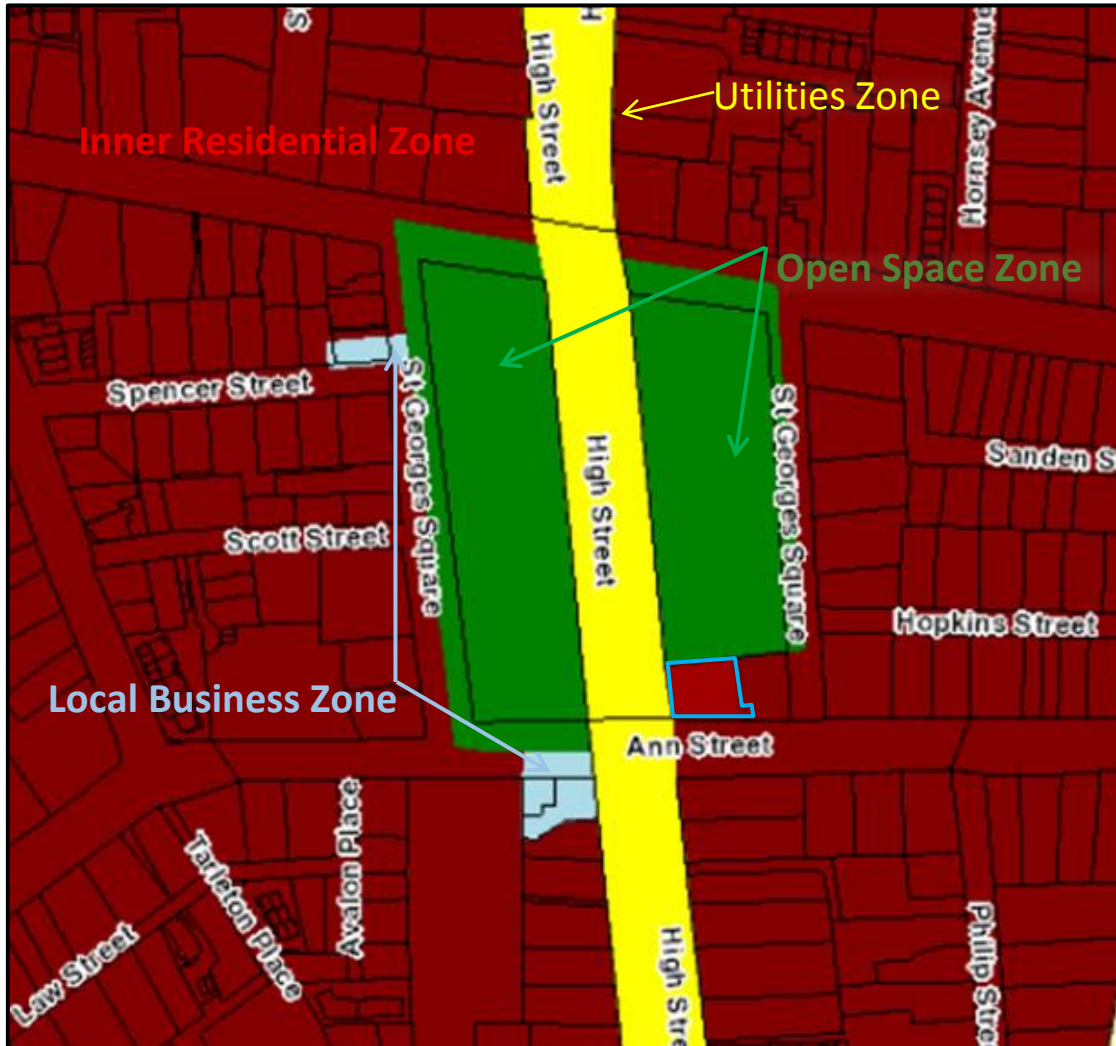


Figure 3: Inner Residential Zone, Launceston Interim Scheme 2015 (source: theLIST)



Figure 4: Scenic Management Area (hatched), Launceston Interim Scheme 2015 (source: theLIST)

3. SITE AND SURROUNDING USES

St Georges Square is located less than 1km to the south-east of the Central Business District of Launceston (CBD) and forms part of the public open space network (refer to Figure 1). The Square is divided by High Street, a sub-arterial road, into two rectangular halves and when combined forms an area of more than 1hectare of public open space bounded by:

- Arthur Street to the north;
- St Georges Square to the east;
- Ann Street to the south; and
- St Georges Square to the west.

The site, subject to this amendment, is situated at the southern edge of St Georges Square on the eastern side of High Street. The property, situated at the north-eastern corner of the High Street and Ann Street intersection is setback more than 18m from the road carriageway of High Street. The site held in single ownership comprises an area of approximately 584m² and is bounded by:

- St Georges Square Park to the north;

- A detached dwelling at 38 Ann Street to the east;
- Ann Street and a detached dwelling at 53 High Street to the south;
- Local businesses and commercial development at 32A High Street and 39-41 Ann Street to the south-west; and
- High Street and St Georges Square to the west.

Photographs of the site are contained in Appendix B.

This section of the report examines the site and its existing conditions, including surrounding uses.

3.1 Building and Structures

A detached two storey building with a footprint of approximately 180m² is contained on the site. The main entrance of the building is orientated towards High Street, with a secondary access to site being from Ann Street. The building façade orientated towards High Street presents as a single storey building with the rear comprising two stories.

The building, constructed in the 1960s, has undergone internal modifications and alterations in 1998 to accommodate a medical centre. The exterior of the building has been rendered and painted. There are no other structures or buildings present on the site.

3.2 Access and Car Parking

The site is accessed by Ann Street, a bitumen road that is maintained by the Council. There are three car parking spaces provided on the High Street side of the building. There are an additional 2 spaces provided behind the building. The car parking accessible to the general public is provided on the High Street side of the building. This is accessed via a right-of-way from Ann Street. The car parking behind the building is allocated to staff.

On-street car parking is also available on both Ann Street and High Street.

3.3 Infrastructure Services

The site is provided with a full range of infrastructure services.

3.4 Land Capability

The site is located within the urban area of East Launceston. Land capability and the State Policy for the Protection of Agricultural Land 2009 are not relevant to the site.

3.5 Natural Hazard – Landslip

The site is identified on the Hazard Planning Maps produced by the Department of Premier and Cabinet to be in an area where it is identified as a low

susceptibility to landslide. A small portion of St Georges Square, adjoining the site also falls within this category. The adjoining land, identified on Certificate of Title 131354/2 is identified as being within a landslide susceptibility zone.

3.6 Natural Hazard – Flooding

The site is not identified as being subject to flooding.

3.7 Flora and Fauna

The site has been significantly modified over time with the area surrounding the building being converted to landscaped gardens. There is no threatened flora or fauna identified on the site.

3.8 Local Heritage

The site is not identified on the Tasmanian Heritage Register and is also not identified in the IPS as a local heritage item or place.

3.9 Surrounding Non-Residential Land Uses

The site is adjacent to High Street, a sub-arterial road, providing linkages to the CBD of Launceston. The site itself is at the edge of land zoned Inner Residential and is separated largely from adjoining residential uses by the open space of St Georges Square and the road carriageway of Ann Street.

There is also an array of non-residential uses in close proximity to the site which is typical of land zoned Inner Residential within the municipal area. Diagonally across from the site, on the south-western corner of High Street and Ann Street is an area zoned Local Business. This includes a bakery, butcher, café and retail shop specialising in homewares. Car parking for these businesses is provided along Ann Street and High Street.

An office is located to the west of these businesses, housing the Launceston office of the Australian Broadcasting Corporation. Access and car parking for this office is located on the site.

A take-away shop is located on the western side of St Georges Square along with an art gallery. Visitor accommodation in the form of 'bed and breakfast' is scattered across the residential area of East Launceston. Examples of visitor accommodation within the immediate area are located at the corner of Arthur and High Street and on the corner of Arthur Street and St Georges Square. A scout hall is also located at 1 St Georges Square.



Figure 5: Surrounding Land Uses showing non-residential uses

4. Amendment to the Launceston Interim Planning Scheme 2015

The primary purpose of this amendment is to facilitate the continued use of a non-residential building within the Inner Residential zone for 'business and professional services'. The current provisions of the Inner Residential zone prohibit 'business and professional services' other than a medical centre.

The proposed amendment intends to achieve this outcome by making the following alterations to the Use Table at clause 11.2 of the IPS:

Business and professional services	If for a medical centre; or If at 40 Ann Street, East Launceston
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The property owner had intended to apply for a dispensation from a local provision of the IPS prior to the legislation changing on 1 January 2015. However, at the time this was not pursued as advice obtained indicated that it was best to await the revised Interim Scheme which was nearing completion.

Use and development standards are not proposed by this amendment as the existing provisions embedded within the zone provides adequate controls for ensuring that non-residential use and development is compatible within a residential area.

The purpose of this amendment is to:

- Align the planning controls with a current land use trend;
- Recognise the existing use of the site and facilitate a variation to this established use; and
- Ensure that the relaxation of discretionary uses for the site will not be contrary to the purpose of the Inner Residential zone.

The following section of the report further examines the rationale for the proposed amendment.

4.1 Inner Residential Zone, Development Opportunities and Limitations

The zone purpose provides guidance with respect to appropriate use and development in the zone (refer to Figure 6). The purpose of the zone is then reinforced by the Use Table at clause 11.2 (refer to Figure 7) which lists specific uses as 'no permit required', 'permitted', 'discretionary' or prohibited. There are no local area objectives or desired future character statements for this zone. The combination of the Use Table and the purpose defines the development opportunities and limitations of the zone. This is discussed in context of the proposed amendment.

4.1.1 Zone Purpose

In examining the zone purpose statements, non-residential development is anticipated where this does not adversely impact on residential amenity; maintains vehicle and pedestrian safety; and does not result in the displacement of residential uses.

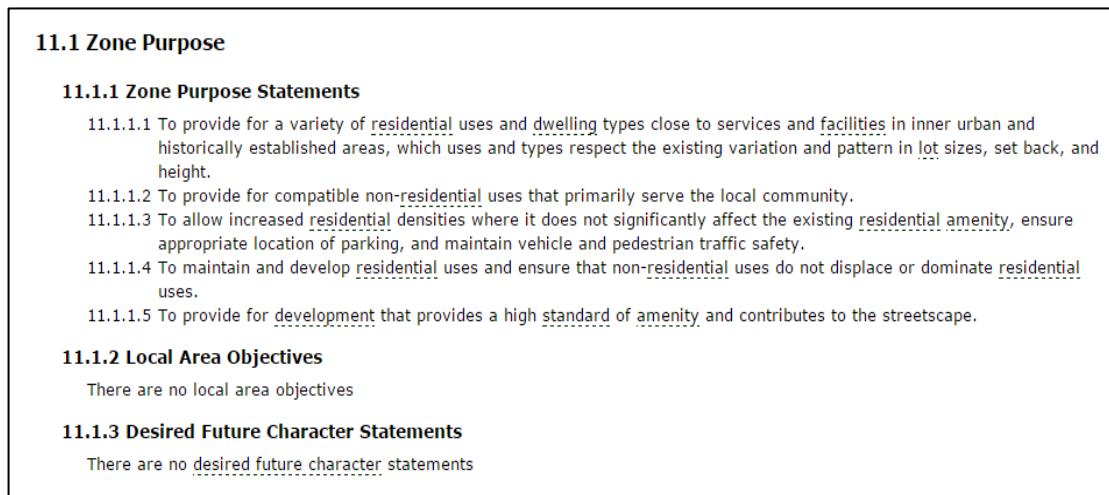


Figure 6: Excerpt, Zone Purpose, Inner Residential Zone, Launceston Interim Planning Scheme

The characteristics of the site lend itself to non-residential use and development in accordance with the zone purpose. This is evident from the medical centre that currently operates on the property. The location of the site within the Inner Residential zone supports its continuation as a non-residential use, given that it is:

- At the periphery of the area zoned Inner Residential, in easy walking distance to public transportation and diagonally across from existing local businesses;
- Located adjacent to a sub arterial road, largely separated from residential development by St Georges Square, Ann Street and High Street; and
- Future use and development is significantly limited by the site area, ensuring that scale of development is compatible with residential development.

4.1.2 Use Table

The Use Table at clause 11.2 of the IPS (refer to Figure 6) further supports non-residential development in the zone. The Council can consider an array of non-residential discretionary uses for the site including:

- Business and professional services, where this for a medical centre;
- Educational and occasional care;

- Community meeting and entertainment, where this is not for a cinema or function centre;
- Food services, where this is for a café or takeaway premises;
- General retail and hire, where this is for a local shop;
- Sports and Recreation;
- Tourist Operation;
- Utilities; and
- Visitor accommodation.

Even though there is range of non-residential use and development that can be considered for the site under the current provisions, the Use Table places particular restriction on 'business and professional services'. This restriction is not reflective of the site's land use history or the emerging development trends with regard to medical centres.

Over the last 16 years the site has operated or had existing use rights as a medical centre. When this use was approved by the Council in 1998 (see discussion below), significant investment was made by the property owner, modifying and altering the interior space of the existing building to consulting rooms. In recent years the continuation of the medical centre has come into question. A medical centre is not likely to remain as a long term viable option on the site as highlighted by the discussion below and therefore the future adaptive reuse of the building must be considered.

The function and layout of the medical centre is best suited to an office or general consulting rooms. An application proposing a change of use under the Inner Residential zone from a medical centre to consulting rooms/or an office would be categorised as '*business and professional services*'.

"Business and professional services" is defined by Table 8.2, clause 8.2.1 of the IPS as, *"use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre"*.

A medical centre as defined by clause 4.1.3, *"means use of land to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only"*.

Use and development categorised as '*business and professional services*', other than a medical centre is prohibited in the Inner Residential zone and therefore cannot be considered by the Council.

This is a deliberate policy decision within the Inner Residential zone to ensure that business precincts do not establish in residential areas

outside of recognised activity centres. This in turn protects the established centre hierarchy, in particular the central business district of Launceston (CBD). It is recognised that the CBD, less than 1km from the site, has currently a significant portion of commercial floor space available that can be converted to offices or consulting rooms.

There is a concern that a relaxation of the qualification to allow an office or consulting rooms outside of the scope of a medical centre will divert the uptake of vacant floor space away from the preferred areas of Launceston identified to meet retail and service requirements of residents.

11.2 Use Table	
No Permit Required	
Use Class	Qualification
Educational and occasional care	If for home based child care
Natural and cultural values management	
Passive recreation	
Residential	If for a single dwelling
Permitted	
Use Class	Qualification
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	If for a medical centre
Community meeting and entertainment	If not for a cinema or function centre
Educational and occasional care	
Food services	If for a cafe or takeaway food premises
General retail and hire	If for a local shop
Residential	
Sports and recreation	
Tourist operation	
Utilities	
Visitor accommodation	
Prohibited	
Use Class	Qualification
All other uses	

Figure 7: Excerpt, Use Table, Inner Residential Zone, Launceston Interim Planning Scheme

The delivery of these strategies and policies, however, will not be prevented by this amendment for a number of reasons. Firstly the site will not open the opportunity for new non-residential development as this has already been established on the site. Secondly, the site is physically restricted to land area limiting the development opportunity. Thirdly, development pressure will not be extended beyond the lot

boundaries of the site as the relaxation of discretionary uses will apply to the site only.

The relaxation of the qualification will open the scope for 'business and professional services'. While the scope of this use class is broadened, this will not compromise the purpose of the Inner Residential zone. There are adequate use and development standards in place to manage the impacts of non-residential development on adjoining residential development. These standards support and reinforce the zone purpose statements ensuring delivery of compatible non-residential uses remain primarily focussed on serving the local community and not result in displacing or dominating residential development.

4.1.3 Codes

Additionally, any future application will be need to be assessed against the relevant standards of applicable codes. This will provide further limitations on the use and development of land, particularly with respect to car parking and scenic management.

Table 2 examines each of the codes and their relevance to future use and development of the site. These will be applied should a change of use or further development is proposed. These codes will be triggered as part of an assessment of a new application.

Table 2: Summary of Codes that will be applicable at the time of an application

Code	Comment
E1 Bushfire-Prone Areas Code	The site is in not in bushfire-prone area. This Code will not be applicable.
E2 Potentially Contaminated Land Code	There is no known contaminated land on the site. This Code will not be applicable.
E3 Landslip Code	There are areas of the site as being subject to landslip. This Code will be applicable if further development is proposed.
E4 Road and Railway Assets Code	This may be applicable if intensification of an existing access is proposed. This Code may be applicable.
E5 Flood Prone Areas Code	The site is not identified as being within a flood prone area. This Code will not be applicable.
E6 Car Parking and	This Code applies to all use and

Sustainable Transport Code	development. This Code will be applicable. This places specific requirements on the provision of car parking. This will place restrictions on future use and development of the site.
E7 Scenic Management Code	The site is within a scenic management area. This Code will be applicable.
E8 Biodiversity Code	Priority habitat is not identified for the site. This Code will not be applicable.
E9 Water Quality Code	The site is not within 30m of a waterway or wetland. This Code will not be applicable.
E10 Open Space and Recreation Code	This only applies to application undertaking subdivision. This Code will not be applicable.
E11 Environmental Impacts and Attenuation Code	This Code will not be applicable.
E12 Airports Impact Management Code	The site is not within Australian noise exposure forecast contours on the maps; and not within prescribed air space. This Code will not be applicable.
E13 Local Historic Cultural Heritage Code	The site is not listed as place of heritage value. This Code is not applicable.
E14 Coastal Code	The site is more than 1km from any coast line. This Code will not be applicable.
E15 Telecommunication Code	This Code is unlikely to apply.
E16 Invermay/Inveresk Flood Inundation Area Code	The site is not within this Flood Inundation Area. This Code will not be applicable.
E17 Cataract Gorge Management Area Code	The site is not within this area. This Code will not be applicable.
E18 Signs Code	A proposal may involve signage. This code may be applicable.
E19 Development Plan Code	This Code will not be applicable.

4.2 Land Use Trend

A catalyst for this amendment is a trend that has emerged over the last five years with respect to the delivery and location of health care services offered in Launceston. There is a growing preference amongst health care professionals and practitioners to co-locate together in a large group practice environment, usually comprising more than eight practitioners. This is evident from the examples provided in Table 1 highlighting the number of new medical centres that have established or existing medical centres that have been re-developed in Launceston over this period.

The desire for the adoption of this health care model by individual practitioners is in part because this approach is cost effective in service delivery in an increasingly competitive environment. Additionally, it provides the ability for individual practitioners to provide diverse, high-quality care to their patients.

This approach is reflected in a land use trend which in part has prompted the closure of small medical centres in and around residential areas and the establishment or redevelopment of health care centres at strategic locations throughout Launceston. For example, Tremaur Medical Centre was relocated from 59 High Street, East Launceston to larger premises at 67 Elphin Road, Launceston. Another example is the closure of three small medical practices at Riverside, Trevallyn and Legana and the incorporation of these into a large group practice at the Windsor Park Precinct.

The new and redeveloped medical centres are physically characterised by sites with land areas generally exceeding 2000m². The site areas are determined on the basis that a new or re-developed medical centre will require a building with capacity to house numerous consulting rooms; centralised station for minor surgeries and treatment and staff amenities (refer to Table 2).

Car parking requirements are also a key driver with regard to determining the required site area. The Parking Space Requirements of Table E6.1, the IPS outlines that for a doctor's surgery, consulting room or clinic, 4 car parking spaces per registered practitioner are required. Under clause E6.5.1 this requirement can be reduced to 90%. Accordingly, a medical centre with 8 practitioners will require a minimum of 29 spaces. This translates to a land area of approximately 450m² alone without including the internal road layout to access the parking spaces.

Practice Name and Address	New Centre	General Practitioner	Nursing Staff	Specialist Practitioners
Newstead Medical Centre, 165 Elphin Road, Newstead		11	2	2
Tremaur Medical Centre, 67 Elphin Road, Launceston;		6	2	
Summerdale Medical Practice, corner of Peel Street and Stanley		11	8	2

Street, Summerhill;				
West Tamar Health, Windsor Park Precinct, Windsor Park Drive, Riverside; and	Yes	12	5	2
Launceston Medical Centre, 243-247 Wellington Road, South Launceston.	Yes	7	2	

Table 1: Summary of group practices within the Launceston area (verify data)

The existing two-storey building on the site, with significant investment, could be redeveloped to improve its long term outlook as a medical centre. The existing building footprint has an approximate area of 180m² which equates to approximately 31% site coverage. While the building can be substantially increased to accommodate additional consulting rooms, a building expansion or even a new build would be heavily restricted by the small land area, building height restrictions and the car parking requirements of the IPS.

The retention of the qualification for '*business and professional services*' in the Use Table of the Inner Residential Zone denies the opportunity for the existing building to be utilised more broadly for its established purpose.

The physical characteristics of this site when compared to other sites containing medical centres as established by the above land use trend, suggests that the site for its continuation as a medical centre is likely to wane. The relaxation of the current planning controls will not deviate significantly from the established land use and will facilitate the continued sustainable development of this existing physical resource.

Practice Name and Address	Site Area (m²)	Building Footprint (m²)	Floor Area
Newstead Medical Centre, 165 Elphin Road, Newstead	3100		
Tremaur Medical Centre, 67 Elphin Road, Launceston;	2500	400	600
Summerdale Medical Practice, corner of Peel Street and Stanley Street, Summerhill;	2000	400	400
West Tamar Health, Windsor Park Precinct, Windsor Park Drive, Riverside; and	260000	850	850
Launceston Medical Centre, 243-247 Wellington Road, South Launceston.	2870	590	800

Table 2: Approximate site area and building footprints of new and redeveloped medical centres

4.3 Land Use and Historical Planning Controls

The site contains a single detached building that has been adapted over time to accommodate a range of land uses on the site. The most recent land use change of the building occurred in 1998 when a planning permit was granted, reference DA238/98 under the Launceston Planning Scheme 1996 by the Council to convert the existing building to a medical centre. At this time the site was zoned Urban Residential (refer to Figure 5) and a medical centre was a discretionary use.

In conjunction with the approval for a medical centre, the Council also granted approval to subdivide this property from its parent title, creating two lots one with an area of approximately 584m² (the site) and a second lot with an area of approximately 465m² (CT131354/2).

The approved change of use saw the conversion of the interior space of the existing building to consulting rooms, reception area and staff amenities. The staff amenities include restrooms and a staff room with a small kitchenette.

The exterior of the building, while it has been rendered and painted in recent years, its appearance has largely unchanged since it was constructed in the 1960's by the Department of Public Works.

This building was constructed to house the East Launceston Police Station (refer to Appendix C). From the attached proposal plans, the police station contained an office, holding cells and residence. The East Launceston Police Station operated on the site from the mid 1960s until the 1980s. Under the Launceston Planning Scheme 1983 the site was not recognised as part of the residential area and zoned Public Recreation. A residence was contained on the site prior to the 1960's as is evident from the proposal plans contained in Appendix C.

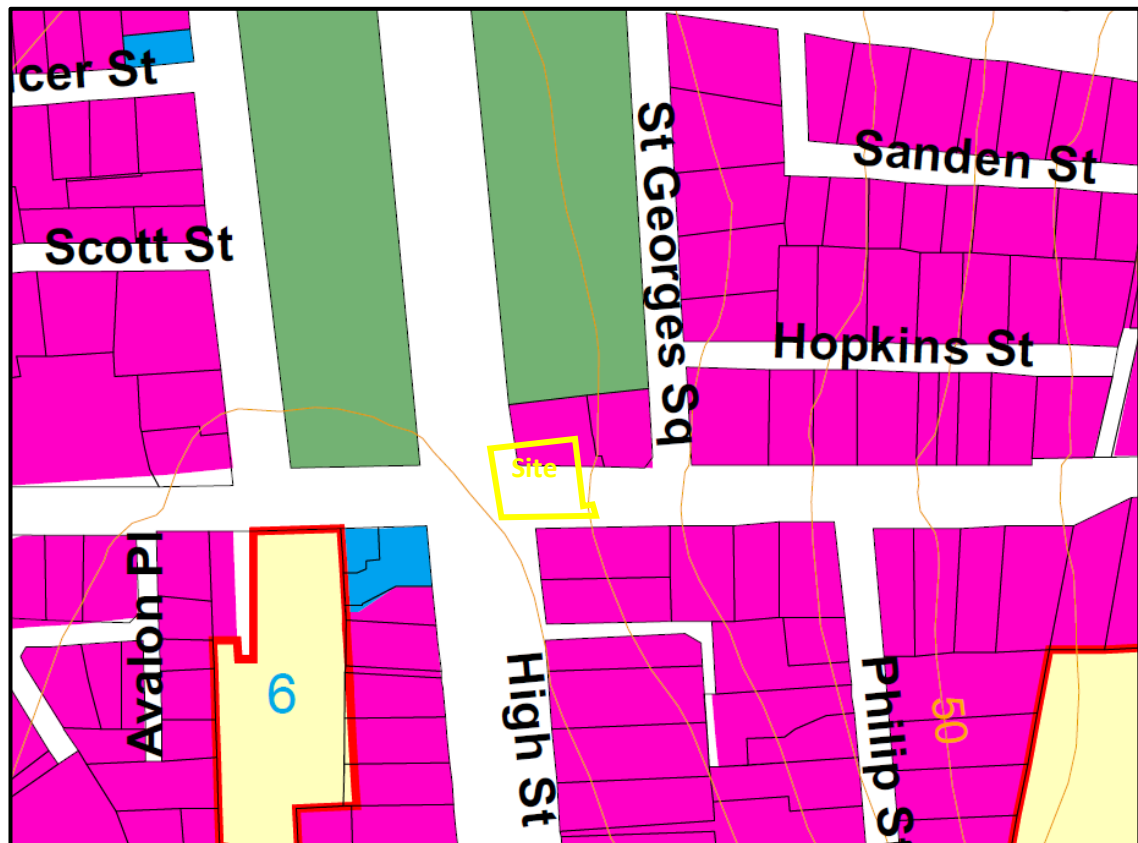


Figure 5: Zone Map, Launceston Planning Scheme 1996

Prior to the building being developed for a police station, the site contained the East Launceston Tram Stop. The suburban tramway system operated in Launceston between 1911 and 1942 with the tram network removed by 1952 to make way for cars and buses. After this time a residence was contained on the site which was demolished prior to the construction of the police station. Under the 1956 Launceston Planning Scheme the site was zoned Reserves.

Since 1998 the building has consistently been utilised as a medical centre with new health practitioners, specialising in nutrition and wellbeing, locating within the building in late 2014.

Prior to the commencement of this new business, however, the building was vacant for more than 18 months. During this period it became apparent that under the Inner Residential Zone of the Launceston Interim Planning Scheme 2012, the continuation of this building to be utilised as a professional office or consulting room, other than a medical centre, cannot be considered by the Council. These same restrictions currently apply under the IPS.

5 LAND USE PLANNING AND APPROVALS ACT 1993

This amendment made under Division 2 of the Act, may include the removal or the insertion of a local provision(s) providing that this is consistent with the Regional Land Use Strategy of Northern Tasmania.

Section 32 of Division 2 requires that this proposed amendment to the IPS, in the opinion of the Council demonstrate that it must:

- As far as practical, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area;
- Not conflict with the common provisions or any overriding local provisions of the IPS; and
- Have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

In initiating this amendment, the Council must also satisfy itself that this amendment to the IPS:

- Seeks to further the objectives set out in Schedule 1 of the Act;
- Is in accordance with the requirements of State Policies made under section 11 of the State Policies and Projects Act 1993;
- Have regard to the strategic plan of the Council referred to in Division 2 of Part 7 of the Local Government Act 1993; and
- Has regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

The following section of this report demonstrates that this proposed amendment is in accordance with these requirements.

5.1 Land Use Conflicts

Pursuant to section 32(1)(e), the amendment, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the IPS applying to the adjacent area.

The introduction of the qualification will not give rise to the potential for land use conflicts. While a broader range of land uses may be considered for the site, non-residential development is adequately controlled under the existing provisions of the Inner Residential Zone. The controls in place ensure that use and development remains compatible with adjoining residential development.

The amendment will not present a potential for land use conflicts with use and development permissible under the IPS applying to adjacent area.

5.2 Impact of the Amendment on the Region

Pursuant to section 32(1)(e), the proposed amendment must have regard to the impact the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

The environmental impacts of the proposed amendment are limited as the site is located within the urban area of Launceston. The proposed amendment will also have very little economic impact on the Launceston CBD or adjoining commercial areas. The site has a long standing history as a non-residential land use. The economic impacts of the proposed amendment are localised by allowing a variation to the established land use providing the best opportunity for the retention of tenants in the building. The social impacts are difficult to quantify, and is not likely to have any adverse impacts on the adjoining residential area.

Overall, the proposed amendment has very little impact on use and development of the region and therefore can be supported.

5.3 Local Provisions and Common Provisions

The amendment must demonstrate that the local provisions being inserted into the IPS do not conflict with the common provisions.

The common provisions in the IPS are as follows:

- Planning Directive No 1 – the Format and Structure of Planning Schemes;
- Planning Directive 4.1 Standards for Residential Development in the General Residential Zone; and
- Planning Directive No 5: Bushfire-Prone Areas Code.

The amendment will control future use and development of the property with specific intent on expanding the allowable uses for the site in particular for the use category 'business and professional services'. The qualification will not deviate away from Planning Directive No 1 and will be consistent with the format and structure of the IPS.

Planning Directive 4.1, *Standards for Residential Development in the General Residential Zone* is not applicable to the site as it is zoned Inner Residential under the IPS. Again, Planning Directive 4.1 will not be impacted upon the proposed local provisions into IPS.

The site is not deemed to be in a bushfire hazard management area. Accordingly, an assessment for any future use and development of the site against the bushfire prone areas code will be required.

5.4 State Policies

The following State Policies are made under the *State Policies and Projects Act 1993*:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997; and
- Tasmanian State Coastal Policy 1996.

The National Environmental Protection Measures are automatically adopted as State Policies under the *State Policies and Projects Act 1993*.

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997;
- Tasmanian State Coastal Policy 1996; and
- The National Environmental Protection Measures (NEPMS).

The following section examines the State Policies and as they apply to this amendment.

5.4.1 State Policy on the Protection of Agricultural Land 2009

The purpose of the State Policy on the Protection of Agricultural Land 2009 is,

“to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land”.

The site is within the urban settlement of Launceston and does not concern prime agricultural land. This Policy is not applicable.

5.4.2 Tasmanian State Coastal Policy 1996

The State Coastal Policy 1996 (Policy) is created under the State Policies and Projects Act 1993. This Coastal Policy is triggered as the site is within one kilometre inland of the high-water mark.

The site is located inland in excess of 1km from the coast and therefore this Policy is not applicable to this amendment.

5.4.3 State Policy on Water Quality Management 1997

The State Policy on Water Quality Management is concerned with achieving ‘sustainable management of Tasmania’s surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania’s Resource management and Planning System’.

The application will not impact on water quality.

5.4.4 National Environmental Protection Measures

The National Environmental Protection Measures relate to:

- Ambient air quality;
- Ambient marine, estuarine and fresh water quality;

- The protection of amenity in relation to noise;
- General guidelines for assessment of site contamination;
- Environmental impacts associated with hazardous wastes; and
- The re-use and recycling of used materials.

These are automatically adopted as state policies. The listed NEPMs are not applicable to this application.

5.5 City of Launceston Strategic Plan 2014 – 2024 in the context of the Greater Launceston Plan

The City of Launceston Strategic Plan 2014-2024 provides the focus for the implementation of strategies for the municipality. A key focus of this document is on revitalising the CBD of Launceston. The discussion above has highlighted that the proposed amendment will not prevent the delivery of the intended outcomes of this document.

5.6 Regional Land Use Strategy of Northern Tasmania

An amendment to the IPS can be supported where it is consistent with the *Regional Land Use Strategy of Northern Tasmania*.

The Minister for Planning declared the *Regional Land Use Strategy of Northern Tasmania – Version 3.0*, Northern Tasmania Development, Launceston prepared by JMG on 27 October 2011 (RLUS). A revised Version 4.0 was declared by the Minister for Planning, by notice in the Tasmanian Government Gazette, on 16 October 2013.

The strategic direction and goals for future development of the region is set by Parts B and C of this document.

The intent of the amendment is aligned with the goals and strategies articulated by Parts B and C and in turn provide support for their delivery.

Part D of the RLUS sets out the desired regional outcomes for the region by articulating the:

- *Planning directions / principles necessary to achieve those outcomes;*
- *Specific policies to be applied to guide state and local government planning processes and decision making; and*
- *Specific regional planning projects and programs to be actioned and initiated further and implemented over the life of the plan (Page 37, RLUS).*

The desired regional outcomes are an integrated and holistic set and appear under the following headings:

- 1 Regional Settlement Network;
- 2 Regional Activity Centre Network;
- 3 Regional Infrastructure Network;
- 4 Regional Economic Development;
- 5 Social Infrastructure and Community; and
- 6 Regional Environment.

The Regional Settlement Network and the Regional Activity Centre Network are deemed most relevant to this amendment and accordingly are discussed below.

5.6.1 1 Regional Settlement Network

The desired regional outcome for the Regional Settlement Network is: *Reinforce Urban Growth Boundary Areas with an efficient urban settlement pattern strategy to ensure sustainable use of land across the region that:*

- *consolidates the roles of the greater Launceston urban area and the surrounding subregional urban centres;*
- *creates well-planned communities, supported by an activity centre network that gives people good access public transport and links residential areas to employment locations (Page 38, RLUS).*

The RLUS through the Regional Settlement Network articulates a hierarchy of settlements which are summarised in the Northern Tasmanian Settlements Table. This identifies Launceston, of which the site forms a part of, as a Regional City.

Section 4.1 outlines the specific policies and actions that will assist with achieving the desired regional outcome for the Regional Settlement Network.

The Table below addresses the specific policies and actions which will be implemented by this proposal.

Policy	Action
<p><i>RSN-P1 Urban settlements are contained within the identified Urban Growth Boundary Areas, which is a tool to manage rather than accommodate growth. No new discrete settlements are allowed and opportunity for expansion will be restricted to</i></p>	<p><i>RSN – A2 Ensure that the zoning of land provides the flexibility to appropriately reflect the nature of the settlement or precincts within a settlement and the ability to restructure underutilised land.</i></p>

<p><i>locations where there is a demonstrated housing need, particularly where spare infrastructure capacity exists, namely water supply and sewerage.</i></p>	
<p>Comment</p>	
<p>The site is contained within the urban growth boundary at the edge of the inner residential area of Launceston adjacent to a sub-arterial road and public open space. The proposal will continue to facilitate the use and development consistent with the existing use pattern of the site.</p> <p>The current zoning of the site restricts the use class 'business and professional services'. The existing building on the site has a long standing use history as consulting rooms. The current zone prohibits reuse of this existing building for this purpose other than a medical centre.</p> <p>There is a land use trend that is indicating that the demand for medical centres in residential areas will continue to decline and could see this building remain vacant and underutilised if the current planning controls are not revised.</p> <p>The insertion of new provisions into the IPS will not see a settlement pattern arise for the site which deviates away from the current pattern of development in this location. The site is located adjacent to High Street, a sub-arterial road, and is diagonally across from the existing local business at the south-western corner of Ann Street and High Street. While a residential building is located directly to the east, separation is achieved from the site to adjoining residential development by the carriageway of High Street and Ann Street and the open space of St Georges Square. The existing controls ensure that non-residential development does not adversely impact on current residential uses.</p> <p>The proposal is consistent with this Policy and Actions of the RLUS.</p>	
<p>RSN-P2 Ensure existing settlements can support local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those urban and rural settlements.</p>	<p>RSN-A7 Identify</p> <ul style="list-style-type: none"> • areas with existing mixed land use patterns; and/or • brownfield areas; adjacent to activity centres for mixed use redevelopment, and ensure that the zoning provides flexibility for uses that support the activity centre and the role of the settlement.

The proposal will introduce specific provisions for the site, providing increased flexibility with regard to the continued use and development of the building’s purpose. This will ensure that the amendment provides support for the continued use and role of the site.

The site is in an area with an existing mixed use pattern adjacent to a sub-arterial road. The amendment is in line with the strategies and action of by ensuring that flexibility within the Inner Residential zone is provided for the site to recognising the established land use.

The proposal is consistent with this Policy and Actions

5.6.2 2 Regional Activity Centre Network

The desired regional outcome for the Regional Activity Centre Network is:

Develop and reinforce an attractive, sustainable and vibrant Regional Activity Centre network to support sustainable urban settlements and communities. Regional activity centres will be well designed urban places as specific locations for employment, infill housing, retail, commercial and community facilities with good access to high-frequency transit such as bus interchanges and bus route corridors. (Page 63, RLUS).

Although the site is outside any designated activity centre, it is adjacent to land zoned local business and within 1km of the Launceston Central Business District. Accordingly, it is important to examine the policies and actions of the Regional Activity Centre Network to ensure that the insertion of the provisions into the IPS proposed by this amendment do not focus commercial activities away from this primary centre.

A response to the relevant policies and actions being implemented by this amendment are provided below.

Policy	Action
<p>RAC-P1 Maintain and consolidate the Regional Activity Centres Network to ensure future urban development consolidates and reinforces the spatial hierarchy of existing centres through reuse and redeveloping existing buildings and land to integrate a mix of land uses including the</p>	<p>RAC-A2 Ensure that zoning and land use provisions under Planning Schemes minimise the potential for decentralisation of functions outside of the Regional Activity Centres Network and reinforces the spatial hierarchy, role and function of centres.</p>

<p>coordinated provision of residential development, retail, commercial, business, administration, social and community facilities, public and active transport provision and associated infrastructure.</p>	
<p>RAC-P2 Reinforce the role of the Principal Regional Activity Centre of Launceston as the primary focus for administration, government, business, commercial, cultural, high order retail goods (including bulk goods locations/precincts) recreational, arts and tourism activity for the region.</p>	
<p>The amendment does not impact on any centre hierarchy. The key point to remember here is that the site has a non-residential land use history for the last 16 years. The relaxation of discretionary uses of the site in essence is intended to provide a variation to the established use. The physical site restrictions will not result in pressure to convert additional land beyond the site boundaries for ‘business and professional services’.</p>	

This assessment of the relevant strategies and policies and actions of the Regional Land Use Strategy for Northern Tasmania demonstrates that the amendment is consistent with this document and can be supported.

5.6.3 Schedule 1 of the Land Use Planning and Approvals Act

Section 20(1)(a) of the Act provides that the amendment seeks to further the objectives set out in Schedule 1. The objectives in Schedule 1 and their relevance to this amendment are addressed below.

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

The proposal through the proposed development control will open the use and development opportunity of this existing building facilitating its continued reuse. The site is within a fully serviced area of East Launceston with the natural form of the property being significantly modified. The proposal promotes the sustainable development of this existing physical resource and

does not compromise the maintenance of ecological processes and genetic diversity. The proposal is consistent with this objective.

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

This amendment represents fair, orderly and sustainable use of land, consistent with objectives of the IPS and the Inner Residential zone provisions as highlighted by the discussion throughout this report.

The restrictions imposed by the provisions of the Inner Residential zone places the site at risk of becoming underutilised particularly given the recent land use trend. The amendment will ensure that the current restrictions concerning the use class 'business and professional services' will be lifted, facilitating a broader reuse of the building as an office or consulting rooms.

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

Public involvement will be achieved through the exhibition process of this amendment.

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

The amendment facilitates economic development by broadening the opportunity for use and development of the existing building. The amendment complies with the objectives set out in paragraphs (a), (b) and (c).

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

Responsibility of resource management and planning has been shared between the Council and the Tasmanian Planning Commission, the community and industry.

5.6.4 Schedule 1 Part 2 – Objectives of the Planning Process

- (a) *To require sound strategic planning and co-ordinated by State and local government;*

The proposal demonstrates sound strategic planning as discussed by this report and in the supporting documentation of the application. The proposed application is appropriately zoned for the use and development of land. The relaxation of the qualifier

associated with the use class 'business and professional services' ensures that the planning controls are limited to the site only. The proposal is not contrary to any strategic planning policy or coordinated approach adopted by State and local government. The proposal complies with this objective.

- (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;*

The amendment in conjunction with the Inner Residential zone provisions and relevant codes of the IPS will provide appropriate controls for the future use and development of the site. In particular, specific controls are in place with respect development of non-residential development. The objective is considered to be furthered.

- (c) *To ensure 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;*

The effects on the environment from any future use and development of the site are considered to be very limited. Positive social and economic impacts are anticipated through the introduction of this qualification into the Use Table, opening the opportunities for reuse of the existing building allowing the adaptation of this physical resource. This in turn ensures that the building remains attractive for future reuse.

- (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;*

The proposal will not impact on the environmental, social, economic, conservation and resource management policies. The objective is not relevant to this proposal.

- (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;*

The application will provide for a consolidated approval for land use or development for the subdivision of the site. The additional lots could not be considered at the time the original subdivision was approved as the zoning prohibited this development. The dispensation will allow to co-ordinate the planning approval for the proposed subdivision of the site.

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

The site is separated from adjoining residential development by the set the open space of St Georges Square, the road carriageway of High Street and Ann Street. While the property adjoins residential development to the east, development controls embedded within the IPS along with the site limitations discussed in this report ensures that this amendment will not give rise to non-compatible development. The amendment will facilitate non-residential development without comprising the efficient and safe living and recreational environment in accordance with the Inner Residential zone. The proposal furthers this objective.

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

The building has had a rich land use history as a tram spot and police station. The original footings of the tram building remain engrained within the existing structure of the building. Despite this rich land use history, the property is not listed on the Tasmanian Heritage Register, identified as a local heritage place or part of a historic precinct. There are no known historical interests of the site. This objective is not relevant.

- (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;*

The property is a fully serviced site. There will be no further demand on infrastructure services by this proposal. This objective is not applicable.

- (i) *To provide a planning framework which fully considers land capability;*

The site is in an urbanised. This objective is not relevant to this proposal.

5.7 Gas Pipelines Act 2000

Pursuant to Section 20S(1)(e) of the Act provides that the amendment is *consistent with the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.*

The infrastructure corridor containing the gas pipeline is not located in the vicinity of the site as shown. The application is in accordance with this requirement.

6.0 Conclusion

This amendment requests that a qualification is inserted into the Use Table at clause 11.2 Scheme for the land identified on CT131354/1 at 40 Ann Street, East Launceston. If this application is approved, this will lift the restriction allowing a wider range of use and development categorised as 'business and professional services' to be considered on the site.

The preceding report has highlighted that there is a changing land use trend with regard to medical centres and this potentially restricts future use and development of the site as a consulting room or an office. Given this trend and the long standing use history of the site, this amendment is warranted ensuring that planning controls provide flexibility to allow the Council to consider a variation to the established land use without detracting from the CBD.

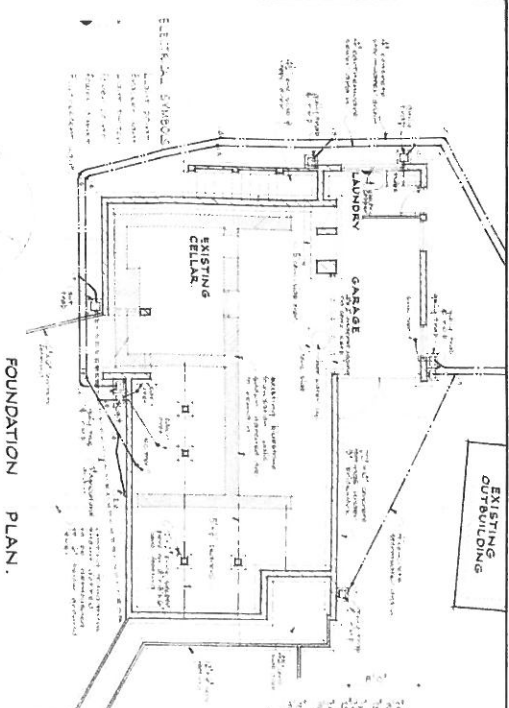
The report also demonstrates that the amendment is consistent with the:

- Common provisions of the IPS;
- Objectives set out in Schedule 1 of the Act;
- State Policies;
- Regional Land Use Strategy of Northern Tasmania; and
- Gas Pipelines.

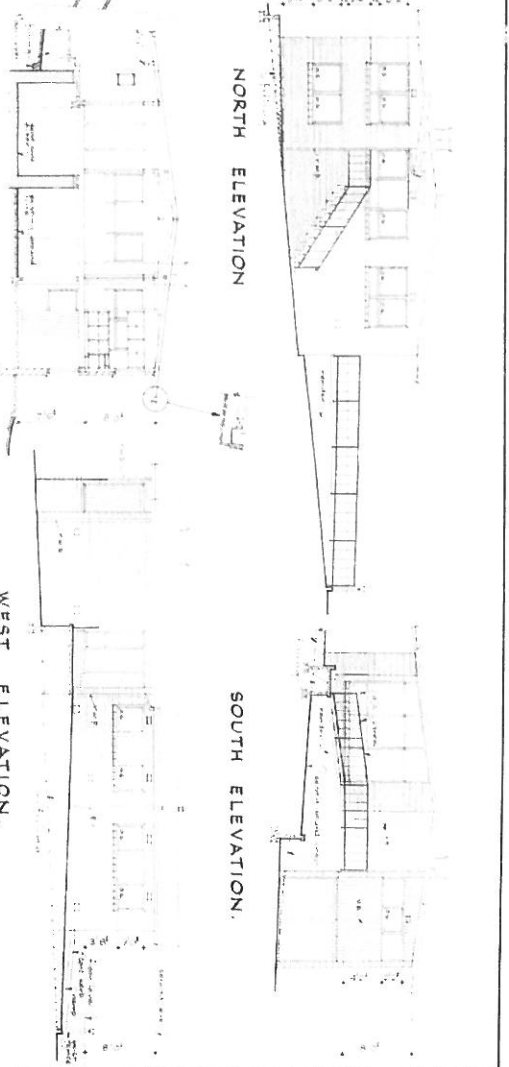
Additionally, approval of this amendment will not result in land use conflict with uses on adjoining land or have significant environmental, economic or social impacts on the region.

For these reasons the application can be supported.

Appendix C – Site Photographs



FOUNDATION PLAN.

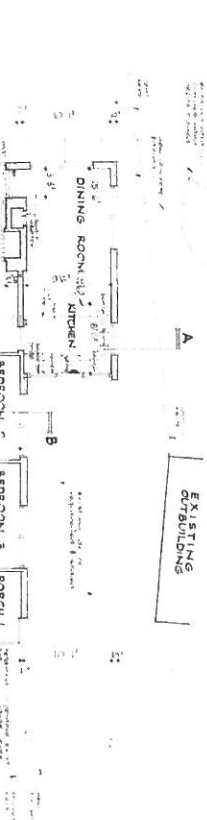


NORTH ELEVATION

SOUTH ELEVATION

SECTION A-A

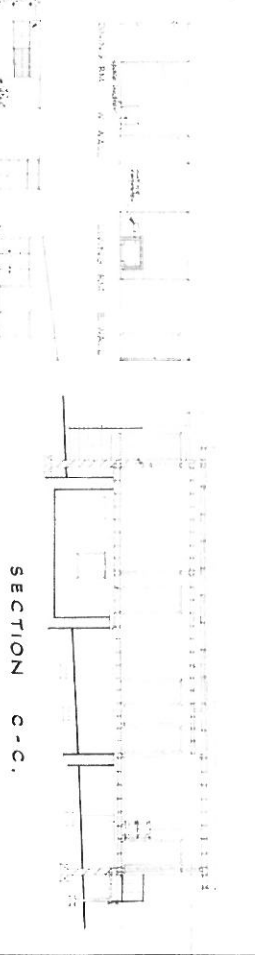
WEST ELEVATION



GROUND PLAN.

SECTION B-B

EAST ELEVATION

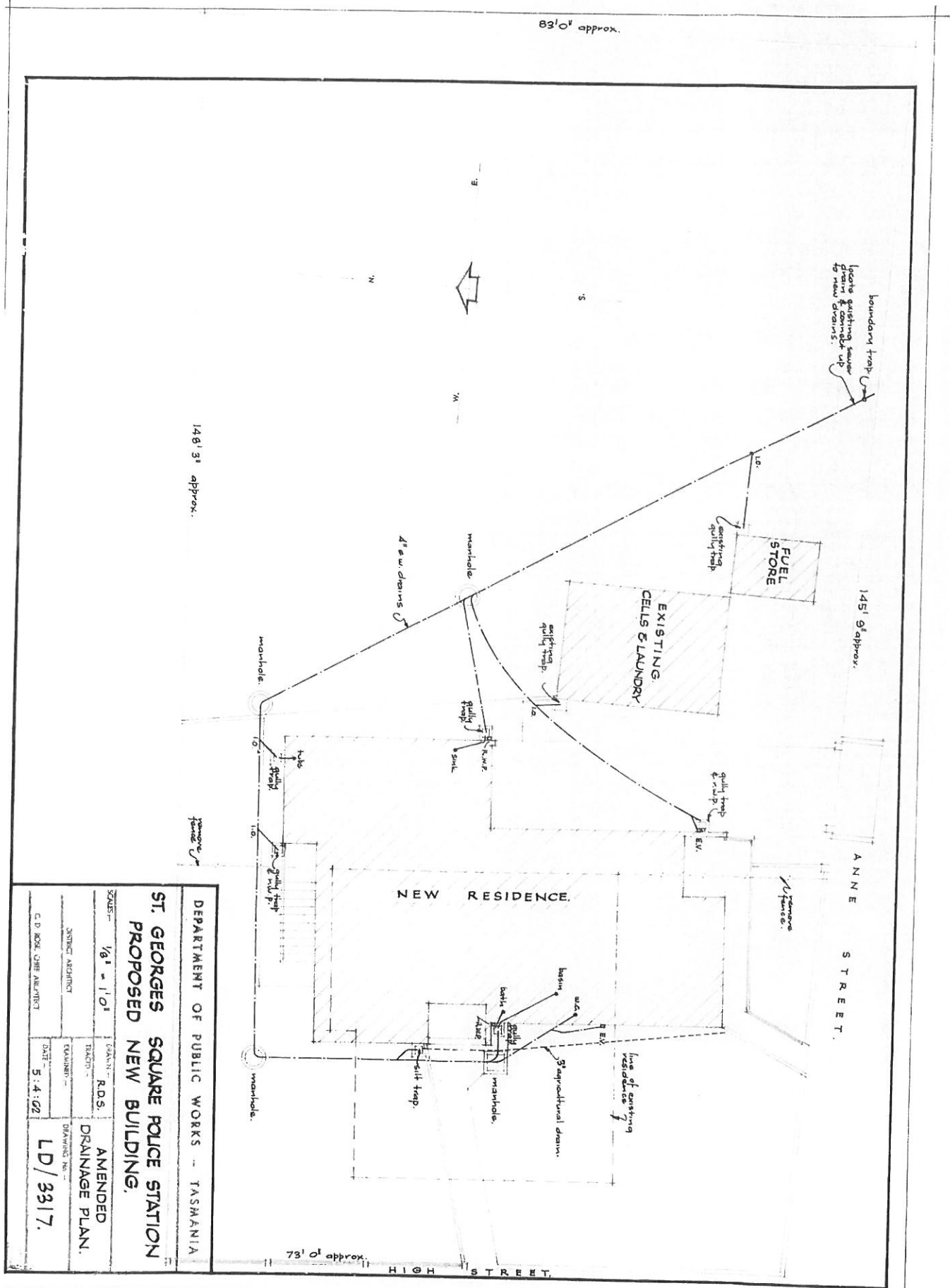


SECTION C-C



DEPARTMENT OF PUBLIC WORKS
ST. GEORGE'S SQUARE POLICE STATION
PROPOSED NEW BUILDING

DATE: _____
 DRAWING NO: _____
WORKING DRAWING
LC/3241



148' 3" approx.

83' 0" approx.

145' 9" approx.

boundary trap
Locate existing sewer
main & connect up
to new drains.

ANNE STREET.

NEW RESIDENCE.

EXISTING
CELLS & LAUNDRY

FUEL
STORE

4" sew. drains



manhole

manhole

manhole

gully trap

gully trap

gully trap

gully trap

gully trap

manhole

gully trap

soil

soil

basin

WC

gully

manhole

soil trap

structural drains

line of existing
residence

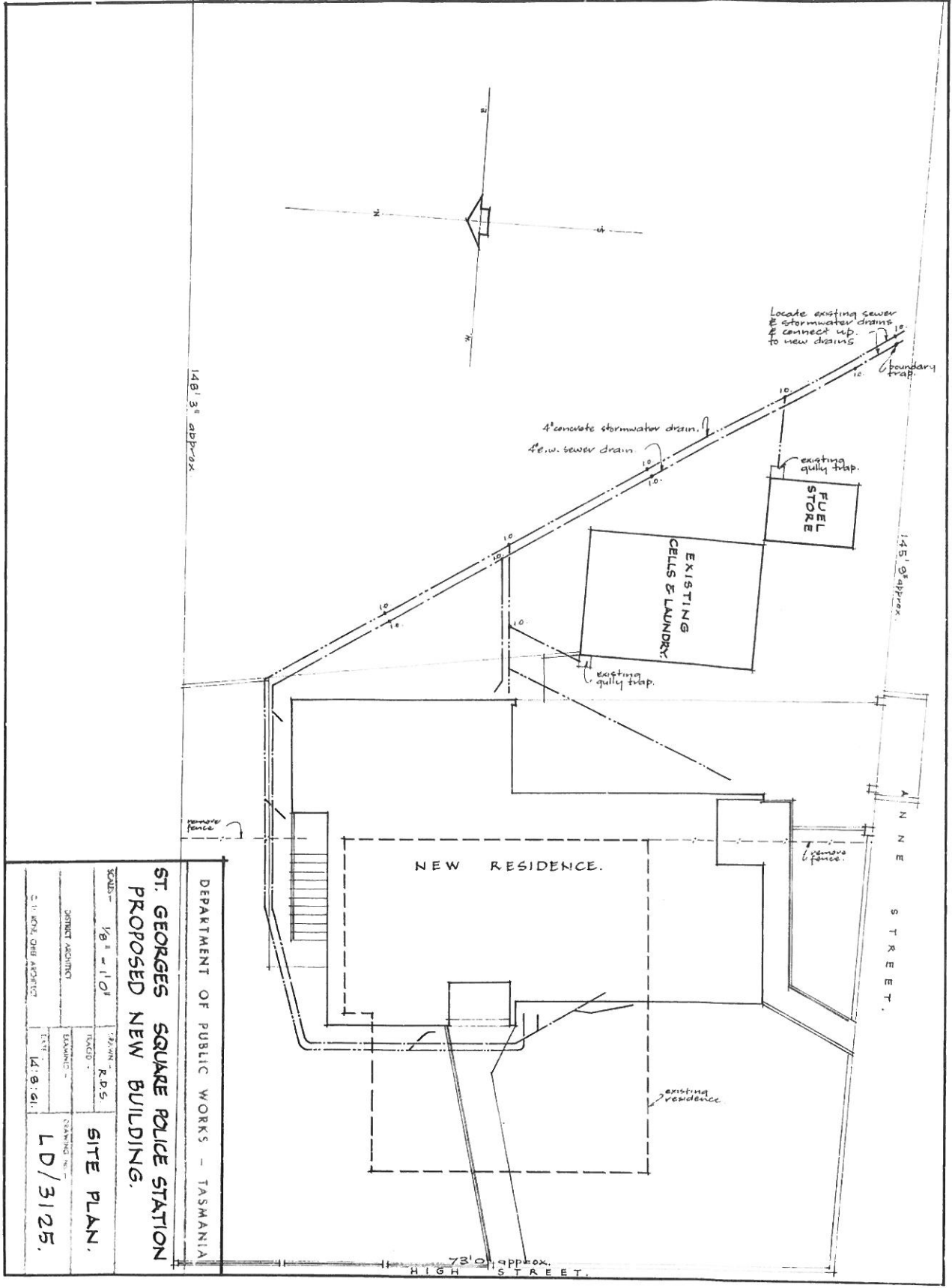
73' 0" approx.

HIGH STREET.

DEPARTMENT OF PUBLIC WORKS - TASMANIA
ST. GEORGES SQUARE POLICE STATION
PROPOSED NEW BUILDING.

SCALE - 1/8" = 1' 0"	PLAN - R.D.S.	AMENDED DRAINAGE PLAN.
DISTRICT ARCHITECT	DATE - 5.4.02	LD/3317.
C. D. ROSE, CHIEF ARCHITECT		

05.0 approx.



148' 3" approx.

145' 9" approx.

ANNE STREET.

78' 0" approx. HIGH STREET.

DEPARTMENT OF PUBLIC WORKS - TASMANIA
ST. GEORGES SQUARE POLICE STATION
PROPOSED NEW BUILDING.

SCALES -	1/8" = 1'0"	PLAN -	R.P.S.
DISTRICT ARCHTCT		TOWER -	
		EXAMINED -	
C. J. KOL, CHIEF ARCHTCT		DATE	17.8.61
		STAMPING NO.	LD/3125.

SITE PLAN.

LD/3125.

Appendix B -

Public Works Tasmania

Building Elevation and Floorplans of the Police Station



40 ANN ST WITH 53 HIGH ST IN VIEW



40 ANN ST WITH 53 HIGH ST IN VIEW



SHOWING ELEVATED POSITION OF 40 ANN ST



38 ANN ST



38 ANN ST FROM ST. GEORGES SQ



40 ANN ST FROM ST. GEORGES SQ



40 ANN ST FROM ST. GEORGES SQ



RELATIONSHIP BETWEEN 38 & 40 ANN ST



LOCAL BUSINESS ZONE



LOCAL BUSINESS ZONE



HIGH ST LOOKING FROM INTERSECTION



ABC OFFICES 45-51 ANN STREET



2-6 ST. GEORGES SQ



PLAYGROUND ST. GEORGES SQ



ST. GEORGES SQ WEST OF HIGH STREET

Appendix A – Certificate of Title

RECEIVED
- 9 JUL 2015

7 July 2015

Launceston City Council

BY:

Dear Sirs,

Re: Application to amend the Launceston Interim Planning Scheme - land at 40 Ann Street, East Launceston (CT131354/1)

We have engaged 6ty Pty Ltd to make an application to amend the Launceston Interim Planning Scheme concerning land at 40 Ann Street, East Launceston (CT131354/1).

We give them permission to proceed with the process.

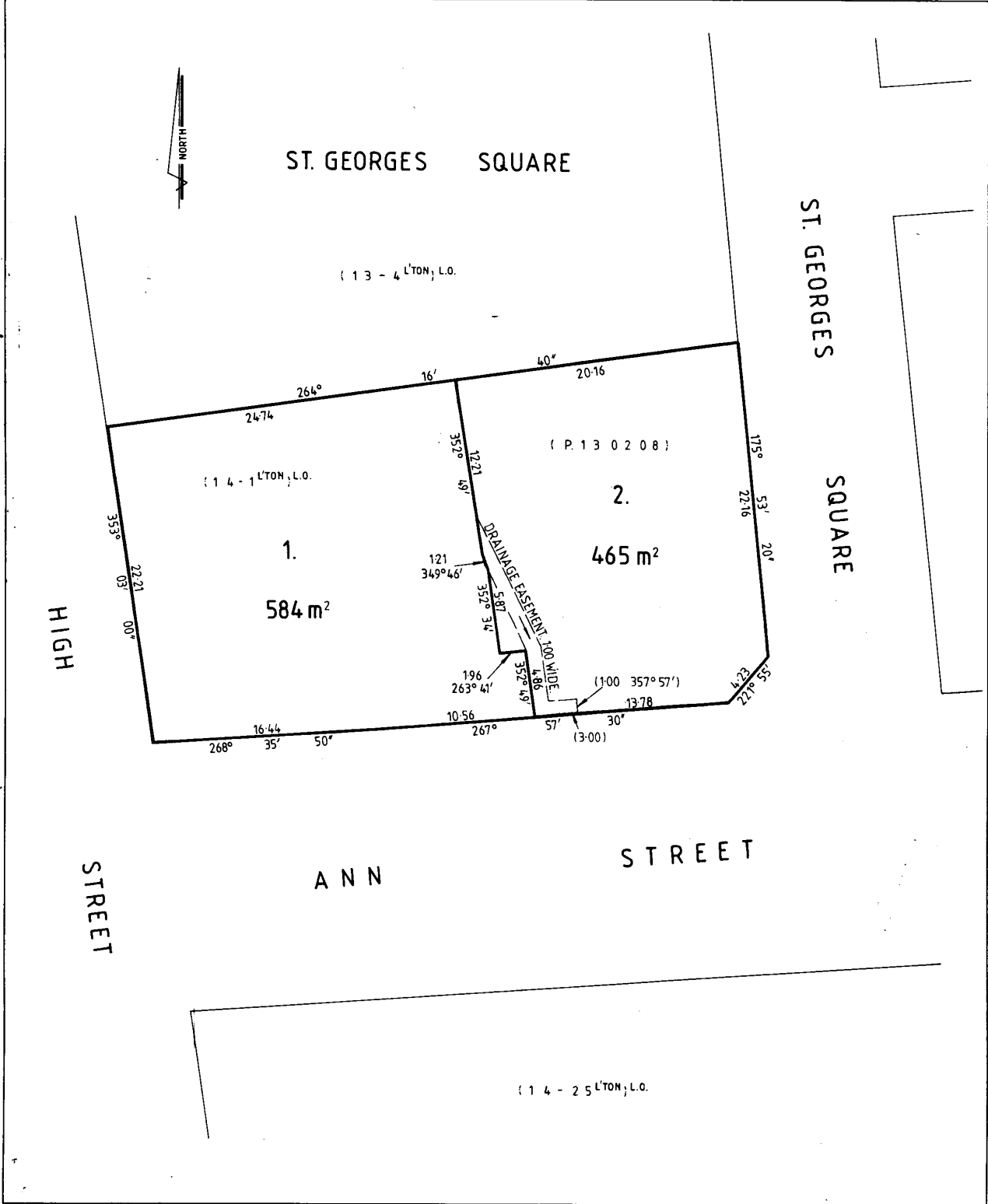
Yours sincerely,



Gary Fettke

Director: Dratherb Pty Ltd
PO Box 773, Kings Meadows, 7249
t: 0419501975 e: gfettke@tassie.net.au

OWNER DRATHERB PTY. LTD.		PLAN OF SURVEY	REGISTERED NUMBER
FOLIO REFERENCE CT.130208-1			SP 131354
GRANTEE WHOLE OF LOT 1, 1048 m ² , GTD. TO THE CROWN.		BY SURVEYOR R. J. DICKENS - G. J. WALKEM & CO. LAUNCESTON.	
		LOCATION CITY OF LAUNCESTON.	<i>M. J. Dickins</i> Recorder of Titles
		SCALE 1:250. LENGTHS IN METRES	
MAPSHEET MUNICIPAL CODE No. 120. (5041-44)	LAST UPI No. 5438063	LAST PLAN No. P130208.	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN



SEARCH OF TORRENS TITLE

VOLUME 131354	FOLIO 1
EDITION 2	DATE OF ISSUE 26-Sep-2001

SEARCH DATE : 28-Apr-2015

SEARCH TIME : 03.51 PM

DESCRIPTION OF LAND

City of LAUNCESTON

Lot 1 on Sealed Plan 131354

Derivation : Whole of Lot 1 on Plan 130208 Gtd. to The Crown

Prior CT 130208/1

SCHEDULE 1

C119308 TRANSFER to DRATHERB PTY. LTD. Registered
27-Jul-1998 at noon (MF:25300/673)

SCHEDULE 2

C91873 Land is limited in depth to 15 metres, excludes
minerals and is subject to reservations relating to
drains sewers and waterways in favour of the Crown
(MF:25260/796)

C119308 Land is limited in depth to 15 metres, excludes
minerals and is subject to reservations relating to
drains sewers and waterways in favour of the Crown

SP 131354 EASEMENTS in Schedule of Easements

SP 131354 COVENANTS in Schedule of Easements

C119380 FENCING PROVISION in Transfer

C324185 MORTGAGE to Australia and New Zealand Banking Group
Limited Registered 26-Sep-2001 at noon
(MF:2633/1470)

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations