



LAUNCESTON CITY COUNCIL

A Leader in Community & Government

SUPPLEMENTARY COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 9 APRIL 2001**

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CHAIRMAN:

S. SUPPLEMENTARY AGENDA ITEMS**S.1 178 George Town Road - Use Premises for the Purpose of Storage and Sale of Second Hand Steel, Pipes and Machinery (Bringing into Greater Conformity)**

FILE NO: DA0036/2001

AUTHOR: Andrew West (Development Planner)

DECISION STATEMENT:

To consider an application to use the existing premises for the purpose of a plant sales & hire yard, storage yard & display and sale of bricks blocks and pavers.

BACKGROUND INFORMATION:

Applicant -	Leslie Walter Dick
Property Identification -	178 George Town Rd
Area of Site -	5.1673ha
Zoning -	Reserved Residential
Existing Use -	Masonry Factory, storage and sale of bricks blocks and pavers.
T.P. Classification -	Plant sales & Hire Yard, Storage Yard,(Bringing a non conforming existing use into greater conformity)
Date Received -	30/1/01
Deemed Approval Date -	(42 days)
Representations -	I. Jones, Z Geiger, E Brown, F. Bassett, C. Mc Auley, R. Parsell, R.W. Hill.
Landslip Classification -	Not Rated on Planning Scheme

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council approve DA0036/2001 to use the premises at 178 George Town Road for the purpose of storage and sale of second hand steel, pipes and machinery subject to the following conditions:

S.1 178 George Town Road - Use Premises For The Purpose Of Storage And Sale Of Second Hand Steel, Pipes And Machinery (Bringing Into Greater Conformity) ...(Cont'd)

ENDORSED PLANS

1. The use and/or development as shown on the endorsed plans must not be altered without the written consent of the Manager Approvals.

2. LANDSCAPING

Existing landscaping and entrance amenity to be maintained to an acceptable standard. A standard appropriate to residential area and a prominent entrance into town.

3. STORAGE OF MATERIALS

- (i) Second hand steel and machinery is not to be stored on the ground only. Materials are not to be stacked above the height of the existing fence line.
- (ii) Second hand steel and machinery are not to be stored parallel with the northern boundary fence. These items are to be stored behind existing buildings in such a position that is not visible from neighbouring residential properties.
- (iii) Any cranes located on site are to be stored with cranes arms lowered to their lowest level.

4. SCREENING

A shade cloth screen or approved equivalent is to be installed along the northern boundary fence. The screen is to be maintained for the duration of the approved use.

5. HOURS OF OPERATION

The proposed use may only operate between the hours of 8.30am and 6.00pm Monday to Friday and between the hours of 9.00am and 5.00pm on Saturdays.

6. REMOVAL OF EXISTING MATERIALS

This permit allows the sale of existing second hand steel and machinery and the on going sale and distribution of bricks blocks and pavers. No additional second hand materials are to be placed on the site. Other than the sale and distribution of bricks blocks and pavers, this permit does not allow the storage and sale of additional materials other than those already located on site.

S.1 178 George Town Road - Use Premises For The Purpose Of Storage And Sale Of Second Hand Steel, Pipes And Machinery (Bringing Into Greater Conformity) ...(Cont'd)

REPORT:

REFERRALS

Infrastructure Assets: No objection
Environmental Health: Conditional Consent
Approvals - Building: No objection
Parks & Recreation: Conditional Consent
Community Planning: N/A
Urban Design & Arch: N/A
Tasmanian Heritage Cl: N/A
DIER (Transport): N/A

MATTERS FOR CONSIDERATION

A. Planning Scheme Provisions

The Intent of the Reserved Residential zone is as follows:

Intent of Zone

- (1) To designate land suitable for residential use;
- (2) To enable essential planning to be carried out before subdivision, including the location and type of roads, housing, recreation areas and the provision of essential services; and
- (3) To provide for the development of land in an orderly manner having regard to essential services, community facilities and roads.

ASSESSMENT

A. Planning Scheme matters

Background Information

Approval is sought to use the premises at 178 George Town Rd for the purpose of sale and display of bricks blocks and pavers and the storage and sale of second hand steel, pipes and machinery. The site was previously occupied by Besser bricks, who vacated the site in February 1999. The previous use of the site was for the purpose of manufacturing, selling and distributing bricks blocks and pavers.

S.1 178 George Town Road - Use Premises For The Purpose Of Storage And Sale Of Second Hand Steel, Pipes And Machinery (Bringing Into Greater Conformity) ...(Cont'd)

When the site was vacated by Besser it appears that it was only being used for the purpose of sale and distribution and that the manufacturing component of the operation had ceased. This was classified as a non-conforming existing use under the planning scheme. A non-conforming use such as this may continue provided that the use does not cease for a period exceeding two years. In this case Mr Dick has recommenced the existing use previously carried out by Besser within the two year period. In addition to the continuation of this non-conforming existing use Mr Dick has also applied to also use the site for the purpose of sale and storage of second hand steel, pipes and machinery. This use would normally be prohibited in the Reserved Residential Zone. Council can approve a prohibited use provided that it can be demonstrated that the proposed use is bringing the site into greater conformity with the intent of the zone than the previous non-conforming use. This application has been assessed on these grounds.

Assessment

The proposal put forward by Mr Dick consists of two major components, the non-conforming existing use and the proposed use, which is intended to bring the site into greater conformity with the reserved residential zone.

The non-Conforming existing use comprises of the sale and display of bricks blocks and pavers. Mr Dick has inherited this use right from Besser and has provided evidence to this extent, he has the right to continue this use without further application. The proposed use, comprising of the sale of second hand steel, pipes and machinery has been assessed under Clause 9.4(1) of the Planning Scheme which states that an application may be made to bring an existing use of land which does not conform with the planning scheme into greater conformity with the planning scheme. Before deciding on an application under this clause Council must consider if the proposed use or development:

- (a) Will be less detrimental than the non-conforming existing use to the amenity of the locality, adjoining uses and uses prevailing in the locality in terms of terms of air, water and land pollution, traffic generation, parking demand and appearance;
- (b) Will be more compatible and consistent with the intent of the relevant zone and the principal uses permitted in that zone;

S.1 178 George Town Road - Use Premises For The Purpose Of Storage And Sale Of Second Hand Steel, Pipes And Machinery (Bringing Into Greater Conformity) ...(Cont'd)

- (c) Will lengthen the process of ultimately bringing the use of the land into conformity with the provisions of the zone applicable to the land.

The proposal by Mr Dick consists of the storage of second hand materials including steel pipes, machinery and second hand fuel tanks. Mr Dick has been conducting this use without a permit since approximately June 2000. In this case it was initially recommended that the application be refused on the grounds that the proposed use was thought to be more detrimental than the existing non-conforming existing use in terms of the impacts on the amenity of the locality, adjoining uses and appearance. However after several meetings with the applicant the issues of the appearance and impacts on the amenity of the area can be minimised by relocating some of the materials and providing screening to adjacent residential properties.

The existing use, comprising of selling and distributing bricks will continue but the proposed use consists of this plus the sale and storage of second hand materials. Initially it was thought that the proposed use was adding to the intensity of the non-conforming use rather than bringing it into greater conformity with the reserved residential zone. However after a more detailed inspection of the site, it has been realised that the Besser had used the entire site for the purpose of storage, distribution, sale and manufacturing of bricks. There is also evidence that Besser was using waste created from manufacturing of bricks for filling the site. The proposed use by Les Dick does not contain the manufacturing component previously carried out by Besser and is a less intensive use than that carried out by Besser. Furthermore the use proposed by Mr Dick involves the removal of the items only from the site. The storage of these items is on a much lesser area of the site than the previous use. The only issue that would not contribute to bringing the site into greater conformity would be the visual impacts on the neighbouring properties. These issues have now been addressed with appropriate conditions.

The concerns of most of the representors have a consistent theme. That is, the use of the sight for the storage of second hand materials has a detrimental impact on the amenity of the residential properties through its appearance. Although it must be noted that one letter was received supporting the proposal. The adjacent paddock to the subject site is also zoned Reserved Residential and one of the representors(Mr R Hill)has included a proposed subdivision plan for this site. The proposed subdivision for residential purposes is within the intent of the zone.

S.1 178 George Town Road - Use Premises For The Purpose Of Storage And Sale Of Second Hand Steel, Pipes And Machinery (Bringing Into Greater Conformity) ...(Cont'd)

The concerns of the representors can be understood, however in the context of clause 9.4 of the planning scheme there is evidence that the proposed use is bring the site into greater conformity with the zone. The issues raised by the representors have now been addressed with appropriate conditions. If the impacts caused on the residential amenity can be minimised through screening and storing of materials in appropriate locations on site then the development is considered appropriate. It is also appropriate to consider the fact that the site is unlikely to be developed in accordance with the zone in the immediate future. If the proposed development is not approved then the potential for vandalism and the degradation of the site remains high. This may in itself have a further detrimental impact on the amenity of the area.

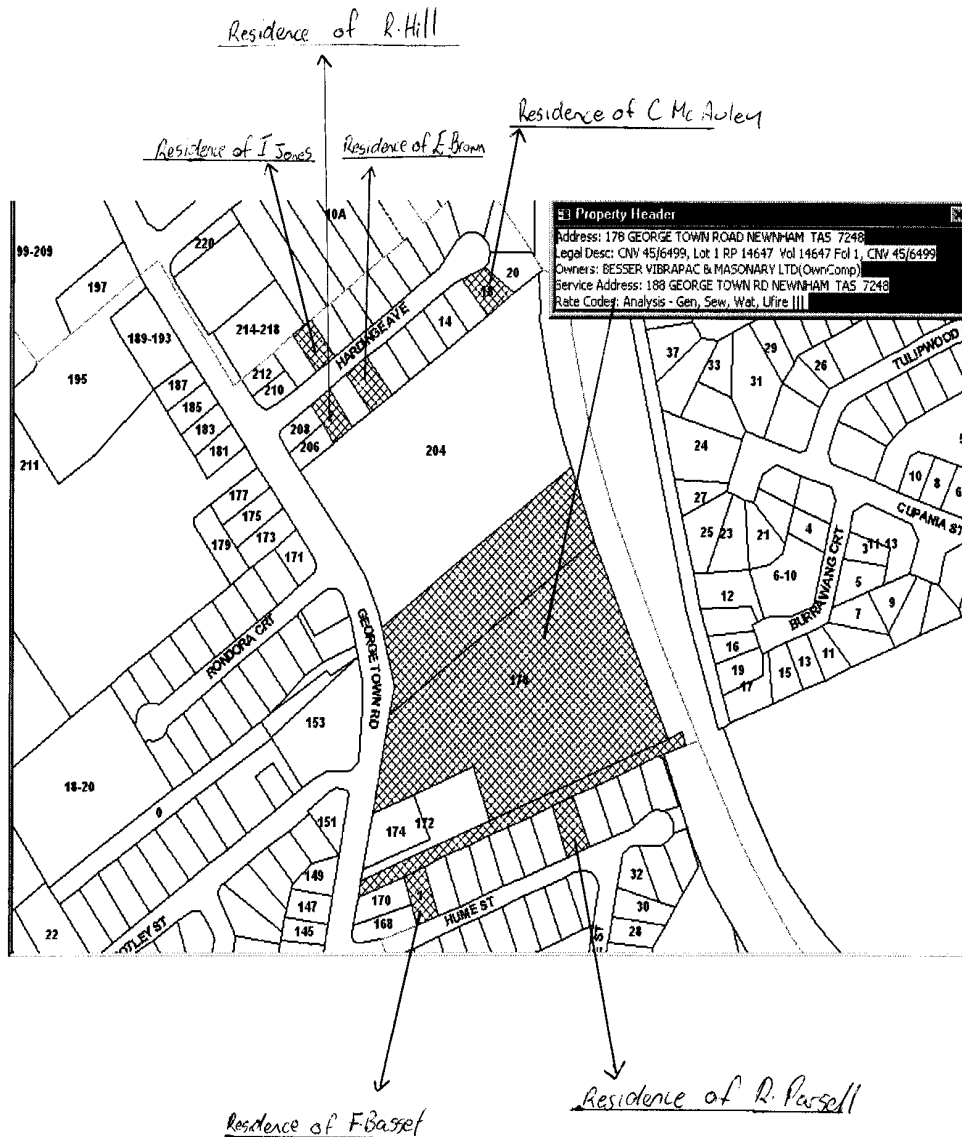
BUDGET & FINANCIAL ASPECTS:

Nil

ATTACHMENTS:

1. Locality Plan
2. Site plan of proposal
3. Applicants Letter

Locality Plan



Tuesday, Mar 13, 2001 01:26 PM

MEETING BOOK PAGE NUMBER:

CHAIRMAN:

Monday 9 April 2001

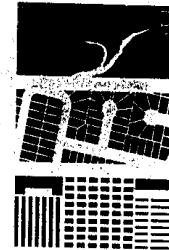


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24 January 2001

General Manager
Launceston City Council
PO Box 396
Launceston, 7250

Dear Sir,

Attention: Mark Westerway

RE: 178 Georgetown Road – Development Application

This letter should be read in conjunction with the completed application form for a planning permit submitted by Mr Les Dick.

The property is zoned Reserved Residential and currently enjoys an existing use right as a 'masonry factory and associated storage and sales', a legacy of its previous ownership by the Besser group. The new owner, Mr Les Dick has retained an agency for besser product and although the manufacturing of bricks, blocks and pavers has ceased on this site, the display and sale of these products is on going. This necessarily involves heavy vehicle or truck movements into and out of the site.

Mr Dick is seeking Council approval to use 178 Georgetown Road for the storage and sale of second hand steel, tanks, pipes, machinery and other components transferred to the site from the previously occupied site at L D Marine, adjacent to the North Esk, and his other various associated businesses. This material is valuable and in most instances can be re-cycled, and the intention is to store this material on site as shown on the attached plans, and to progressively sell it off. It is the intention to eventually clear the site in preparation for possible future development. It is not intended that a 'fully functioning scrap metal or junk yard' be established.

The provisions of Clause 9.4 of the Launceston Planning Scheme 1996 allow an application to be made "...to bring an existing use of land which does not conform with the planning scheme into greater conformity with the planning scheme...". This may involve establishing an alternative prohibited use either in whole or in part, subject to satisfying a number of criteria. The relevant matters to be considered include the following:

- The proposed use is by its very nature a quiet and non intrusive activity. The material being stored has been stacked or placed around the perimeter of the property and within a number of the existing buildings or roofed sheds. Any activity is related to the public viewing items for sale and any associated loading for delivery. The biggest impact relates to the appearance of the stored material when viewed from adjacent areas. However, as previously stated, it is anticipated that much of this material will be progressively sold, and over time it is anticipated that the appearance of the property will be improved. There will be no storage of material that could cause pollution of the air, water or the site itself.
- The site is currently zoned for future residential development. It is anticipated that a separate application will be made for a rezoning given the previous history of industrial and commercial use and development on the site, and that Launceston has an over abundance of land zoned for residential use. However, in the short term, it is considered that the proposed use as described would not prejudice a residential development should a particularly keen developer come forward. The proposed use is temporary in nature and the material stored could be removed from the site if required. The proposal does not involve a development that could add significantly to the cost of resuming the land for a residential use.

The public have access to the property during normal working hours of 8.30am to 6.00pm Monday to Friday and 9am to 5.00pm on Saturday. Car parking is provided in an area adjacent to the main office building.

Should Council staff wish to inspect the site or discuss any aspects of the application, please do not hesitate in contacting the undersigned.

Yours Sincerely,



Alex Brownlie

S.2 435 Hobart Road and 1 Relbia Road - Satellite Bus Park and Relocate Two Billboard Signs (Alteration to Non-Conforming Existing Use)

FILE NO: DA0015/2001

AUTHOR: Catherine Goss (Development Planner)

DECISION STATEMENT:

To consider an application to develop and use a satellite bus park & relocate 2 billboard signs (alteration to non-conforming existing use) at 435 Hobart Road & 1 Relbia Road.

BACKGROUND INFORMATION:

Applicant - Metro Tasmania Pty Ltd, PO Box 578, Launceston

Property Identification - UPO 5407314, 5439045

Area of Site - 9540 + 800 m²

Zoning - Closed Residential

Existing Use - 435 Hobart Road - bus turning circle & billboard signs, 1 Relbia Road – community hall

T.P. Classification - Alteration to a non-conforming use (Construction of a car park, Demolition, Advertising Signage)

Date Received - 16/1/2001

Deemed Approval Date - 26/2/2001, Extension of time granted

Representations - Two

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council approve application DA0015/2001 to develop and use a satellite bus park & relocate 2 billboard signs (alteration to non-conforming existing use) at 435 Hobart Road & 1 Relbia Road subject to the following conditions:

1. The use and development shall be carried out generally as shown on the endorsed plans and must not be altered without the written consent of the Manager Approvals

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

Approval does not include the retention of the billboard signs. These are to be permanently removed from the site.

2. AMENDED PLANS REQUIRED

Despite condition 1 before the development commences amended plans are to be submitted to show how buses approaching the proposed access point from the west will not be required to cross the centreline of Relbia Rd.

The amended plans must be drawn to a 1:250 scale complete with indicated and dimensioned turning paths. If the amended plans show traffic exiting into Relbia Rd then it shall also indicate the required minimum sight distance of 45m into the southbound lane of Hobart Rd. Four copies of amended plans must be provided. When approved by the Manager Approvals the plans will be endorsed and will then form part of the permit and shall supersede the original endorsed plans.

NOTE: An amended 1:250 site plan has been included to assist the applicant in providing a layout to comply. This involves changing the direction of rotation through the site from anti-clockwise to clockwise with the busses reversed into the bays rather than driven in forwards.

3. No more than 6 buses and 6 employee vehicles are to park on the site at any one time.
4. No vehicle under the control of the operators of this use, or their staff, shall be permitted to park in the streets directly adjoining the subject site.
5. All vehicles must enter and exit from the site in a forward direction only.
6. **PARKING AND DIRECTIONAL SIGNS**
Before the use commences, areas required for vehicular access, on site manoeuvring and parking must be provided in accordance with Councils Off Street Parking Policy Code and be:
 - a) Properly constructed to such levels that they can be used in accordance with the plans;
 - b) Surfaced with an all-weather sealcoat;
 - c) Drained to the stormwater reticulation system to the satisfaction of Councils Plumbing Inspector;

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

- d) As a minimum dimensioned according to Austroads guidelines for 5-15 km/h within the road reserve and 0-5km/h within the site;
- e) Provided with turning areas to negate the need for vehicles to reverse into the street;
- f) Linemarked to indicate each vehicle space and access lanes;
- g) Provided with an inwards facing "no exit" sign at the access point to the site and an outwards facing "no entry" sign at the sites egress point;
- h) Kept available for these purposes at all times.

7. WORKS IN ROAD RESERVE

An agreement pursuant to Council's "Private Works on Roads By-Law" must be entered into with Council prior to commencing works within the road reserve or works that will effect the road reserve.

Such works may include:

- a) The construction of any new or widened concrete crossovers to match the existing pavement;
- b) The removal of existing crossovers that are made redundant by the development and their replacement to match the design along the street frontage;
- c) The construction of new driveways must have a fully sealed surface of concrete, asphalt or square edged pavers to suit the existing streetscape;
- d) Any required alterations to underground services including pipes, conduits and cables;
- e) The installation of connections to the kerb for stormwater discharge;
- f) The erection of hoarding, scaffolding or traffic management works during the construction period;
- g) The temporary occupation of the road reserve by construction equipment or vehicles, stock piles of materials or waste;
- h) The maintaining the footpaths serviceability during the construction period plus any repairs required to the road at the end of the construction period;
- i) Maintaining a safe site for pedestrians and road users during the construction period.

The agreement must specify:

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

- (i) The steps taken by the owner or his agents to protect the road from damage or to reinstate that damage at the completion of the construction period;
- (ii) A plan of the areas within the road reserve which are to be occupied by the works and any traffic diversions;
- (iii) Details of any signage, lighting, barriers or overhead protection that are to be provided to ensure public safety and/or traffic control;
- (iv) The proposed starting date and finishing dates of the works and, in the case of works in high traffic areas, the proposed hours of operation within the road reserve;
- (v) That inspections are to be arranged with Council's Infrastructure Assets Division prior to the commencement of any public works, following preparation of the base (prior to concreting, paving or asphalt sealing) and at the completion of the works;
- (vi) That a fee of \$50 for the inspection of minor public works is payable prior to the development commencing.

The developer is to have the associated and required works in the road reserve constructed by suitably qualified persons to comply with current Council standard drawings (Series 7600) and completed to the satisfaction of the Manager Infrastructure Assets.

8. Fencing of the rear boundaries is to be constructed to a height of 1.8m at the expense of the applicant.

Fencing along the Hobart and Relbia Road frontages is to be 1.8m high steel picket fencing.

9. The gate to the Hobart Road access point must swing into the site and not be able to swing out into the road reserve. Gates are to be locked out of hours to prevent the site becoming a thorough-a-fare.
10. No mechanical work shall be undertaken on site. The use is restricted to parking of buses and employee vehicles only. All servicing is to be conducted elsewhere.
11. Demolition of the hall shall be carried out to comply with appropriate regulations with all materials safely removed from the site.

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

12. During operation of this use, the best practicable means shall be taken to prevent nuisance or annoyance to any person not associated with the use, in spite of the fact that air, noise, and water pollution matters may be subject to provisions of the Environmental Management and Pollution Control Act 1994 and Regulations thereunder.

13. A landscape plan must be prepared by a qualified Landscape Architect or other competent person for the unsealed portions of the site, to the satisfaction of Councils Parks & Recreations Manager. Once endorsed the plan shall form part of this permit.

Landscaping shall not inhibit the necessary site lines for the site.

14. Once developed, in accordance with the endorsed plan of Condition 13, convenient taps or a fixed sprinkler system capable of watering all lawns and landscaped areas shall be installed to suitably maintain the landscaping.

Notes

- A. *This permit does not imply that any other approval required under any other by-law or legislation has been granted.*
- B. *This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.*

REPORT:

Proposal

This proposal consists of developing the two sites to provide a satellite bus parking area for the cities public bus transport system. Development includes the following:

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

435 Hobart Road

- Relocation of three existing billboards signs;
- Clearing the site of a sealed circular drive access and vegetation;
- Sealing of the ground surface;
- Fencing the site. An 1.8m high steel picket fence is proposed for that portion of the frontage;

To provide 6 bus spaces and 6 car spaces.

1 Relbia Road

- Demolition and removal of the community hall;

A single gate is proposed at the access point on Hobart road and double gates actually on the Relbia Road property to secure the site.

The intention of the proposal is to park the buses overnight to facilitate two trips per day between the depot and the site, i.e. the first and last trips of each day. Rather than going into the main depot at the end of each day, drivers would go directly to the site, leaving their vehicles on site. This saves running costs of the buses and reduces bus trips in Hobart Road and Wellington St.

Vehicle movements each weekday are noted as follows:

Between 6-8 am - 5-6 cars enter and 5-6 buses exit

Between 10am-2.30pm - 5-6 enter/exit

Between 4-7.30pm - 5-6 enter/exit.

MATTERS FOR CONSIDERATION

A. Planning Scheme Provisions

The Intent of the sites Closed Residential zone is for residential housing, primarily in the form of single family homes. Other uses are limited to low key uses that directly serve the areas immediate residents.

A Car Park is prohibited in the zone. As the Hobart Road site is already used for a bus turning area it is able to be considered under Clause 9.3 of the Planning Scheme – Non-conforming existing uses – extension, transfer or substantial intensification.

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The Billboards require similar consideration.

The hall on 1 Relbia Road also has existing use rights, its floor area slotting its use into the class of Place of Assembly. This aspect of the proposal can be assessed under Clause 9.4 - Non-conforming existing uses – bringing into greater conformity.

To assess such an application Council must consider if the proposed use or development:

- (a) *Will be less detrimental than the non-conforming existing use to the amenity of the locality, adjoining uses and uses prevailing in the locality in terms of terms of air, water and land pollution, traffic generation, parking demand and appearance;*
- (b) *Will be more compatible and consistent with the intent of the relevant zone and the principal uses permitted in that zone;*
- (c) *Will lengthen the process of ultimately bringing the use of the land into conformity with the provisions of the zone applicable to the land.*

The Launceston Planning Scheme also requires Council at Clause 6 to consider, among other things

- * design matters,
- * character of the locality,
- * existing and future amenity,
- * effect on adjoining development,
- * size and shape of the land,
- * access, loading, carparking and maneuvring,
- * landscaping,
- * position of buildings and the design of them

B. Representations

The two submissions raise the following issues:

- Inappropriate to have that number of vehicles on one site in a residential area;
- Fumes from that number of vehicles;
- Noise levels especially of buses starting early in the morning and finishing at night;
- Impact of fences and signs on site distances on the corner of Relbia & Hobart Roads;

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

- Aesthetics due to removal of trees and no noted planting;
- Wire fencing;
- Use for hall as a community hall possible, Council is aware of a possible occupant, negotiations to purchase having been ignored;
- Proposed use out of character with the area, particularly the proximity to Franklin House;
- Parked buses likely to cause further site distance problems at intersection.

ASSESSMENT

A. Planning Scheme matters

Assessment of the matters identified earlier comes through the headings that follow.

- design matters

The proposal should reduce buses trips per day over the route from the city. Adequate room for parking and manoeuvring on site is tight but, subject to changes required by Infrastructure Assets, is workable. The requested changes facilitate site distances and traffic safety at the intersection.

The site contains a concrete based circular drive through the site and is otherwise grassed. Use of the turning circle has encroached onto the grass to leave sections of bare gravel. Landscaping is not indicated on the proposal plans but there is opportunity for this to be undertaken and to therefore improve the appearance of the site.

Billboard signs are not a preferred type of sign, the Scheme preferring signage to only be applied to the site that the sign actually applies to. Redeveloping the site offers the opportunity for the signs to be removed. It is considered appropriate to apply a condition for their removal if the application is approved.

- character of the locality

The site is located on the northern corner of the junction of Relbia & Hobart Roads adjacent the Municipalities's southern border. There are a number of industrial and commercial sites in this vicinity, particularly on the opposite and western side to the road.

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The eastern side has similar sites but these tend to be intermixed with residential properties. Property adjoining the sites and to the east are zoned Closed Residential with development reflecting this. Land to the southeast in Relbia Road is rural residential in both character and zoning.

- existing and future amenity

Being on the cities commercial/rural fringe the amenity is not as high as a quality as it would be in the residential or more rural character areas in the vicinity. Heavy vehicles serving the industrial and commercial sites to the north would travel along this section of Hobart Road this way from the Midlands highway, with Trucks serving agricultural uses along Relbia Road.

As noted, the use of the Hobart Road site for a bus turning area has non-conforming use rights. The proposal will intensify the proportion of the site to be used. To assess the impact this the following, clause 9.3 (4) is to be considered:

- (a) *Will not impair the amenity of the locality, adjoining uses and uses prevailing in the locality in terms of terms of air, water and land pollution, traffic generation, parking demand, appearance, and the like.*

Extra traffic will be generated to the extent that bus drivers will be based from at the site, each driver generating 2 private vehicle trips per day, 6 bus spaces potentially similar to having 6 employees on site. Pollution, noted in one of the representations, will increase over the level already generated in the vicinity. Buses do come and go from the site with any change likely to be particularly of them warming up each day.

With steel picket fencing, a condition to require landscaping and removal of the billboards the appearance of the site should improve.

The change of non-conforming use on the Relbia Road site should not increase the impact of a non-residential site in the area. Its use will be tied in to that at 435 Hobart Road. The access point on Relbia Road is a change but the number of buses to the site each day, as proposed above, should not have too great an impact. If used daily as a hall it is likely that a larger number of vehicles would be using the site.

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

- effect on adjoining development

The proposal will alter the use of the site, the actual effect is unknown. The number of movements per day is not great but the starting time of 6am is early in a residential area. The difference to the existing use of the turning area site is mainly being the arrival of drivers to the start and the warming up of buses.

- access, loading, carparking and manoeuvring

The road junction is difficult for vehicles exiting from Relbia Road. This is especially so given the angle that Relbia Road connects onto Hobart Road and the presence of the wide corner just to the south in Hobart Road where vehicles relatively suddenly may appear around.

Infrastructure Assets require an amended layout to the access point on Relbia Road. Possible changes shown on a plan prepared by them would mean that entry to the site is limited to only via Hobart Road with exit off Relbia Road. This is to reduce potential accidents in Relbia Road from buses require a wide turning circle to enter the site. A site distance over 45m along Hobart Road must also be maintained. In this regard the relocated position of the billboards would not be appropriate. If approved with the proposed conditions, particularly in relation to achievement of site distances of vehicles wishing to head north along Hobart Road from Relbia Road, it is not considered appropriate that the billboards remain.

- landscaping

A condition will be required for the site to be suitable landscaped. Planting to the corner of the site must be of low growing species to maintain site distances.

B. Internal Referrals

1. Infrastructure Assets.

Concern of traffic safety in Relbia Road requires an amendment to the proposal plans. The changes restrict the use of the full width of Relbia Road for entry/exit to the site.

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

2. Parks & Recreation

As caretakers of the Hall they have no objection to the current proposal. They have commented (21/2/2001) and further discussed the proposal, that they are still negotiating with other parties (including Mr Van Winden) about the sale site. Other purchasers may wish to retain the hall. Advice is being sought as to the sale/value of the hall.

In a memo in January they noted that the future sale of Franklin Village would be presented to Council for determination following processing of this application if Metro wish to pursue an approval if granted.

C. Representations

The representations question the appropriateness of the proposal where it is adjacent residential property and the potentially dangerous road junction. As the Hobart Road site is already used in conjunction with the public transport system the proposal is considered to be able to comply with the requirements of the 9.4 (3) (a) especially as the movements of the site are relatively small and the change to a more permanent type parking area not to great.

Conditions to reduce any impact are to be applied including a 'nuisance' control condition if the change is too dramatic to adjoining residential properties. Also given the necessity for '5-6' buses this is to be limited to 5, this one additional to that currently noted to utilize the site each day.

A benefit to the representor who owns the adjoining rear property will be a secure site.

The concern relating to an alternate use of the site, which while possibly being more appropriate, is not relevant to the considerations necessary to for this proposal.

BUDGET & FINANCIAL ASPECTS:

Nil

S.2 435 Hobart Road And 1 Relbia Road - Satellite Bus Park And Relocate Two Billboard Signs (Alteration To Non-Conforming Existing Use) ... (Cont'd)

DEVELOPMENT REVIEW COMMITTEE:

Catherine Goss confirmed that the concerns of objectors were the loss of the hall, traffic concerns and amenity. She confirmed that Mr van Winden also has serious concerns about the process followed by Council in respect to the sale of the hall.

Mr van Winden attended. He expressed concern about the use of Relbia Road by buses. He lives in the area and uses the road daily. He believes the safety of the already dangerous intersection with Hobart Road will be further compromised. He also said that he desires to see the hall retained for community use. In respect to the previous interest by a church group for the hall, he said that the church was still interested although it did acknowledge that any use of the hall was premature at this stage. Mr van Winden departed.

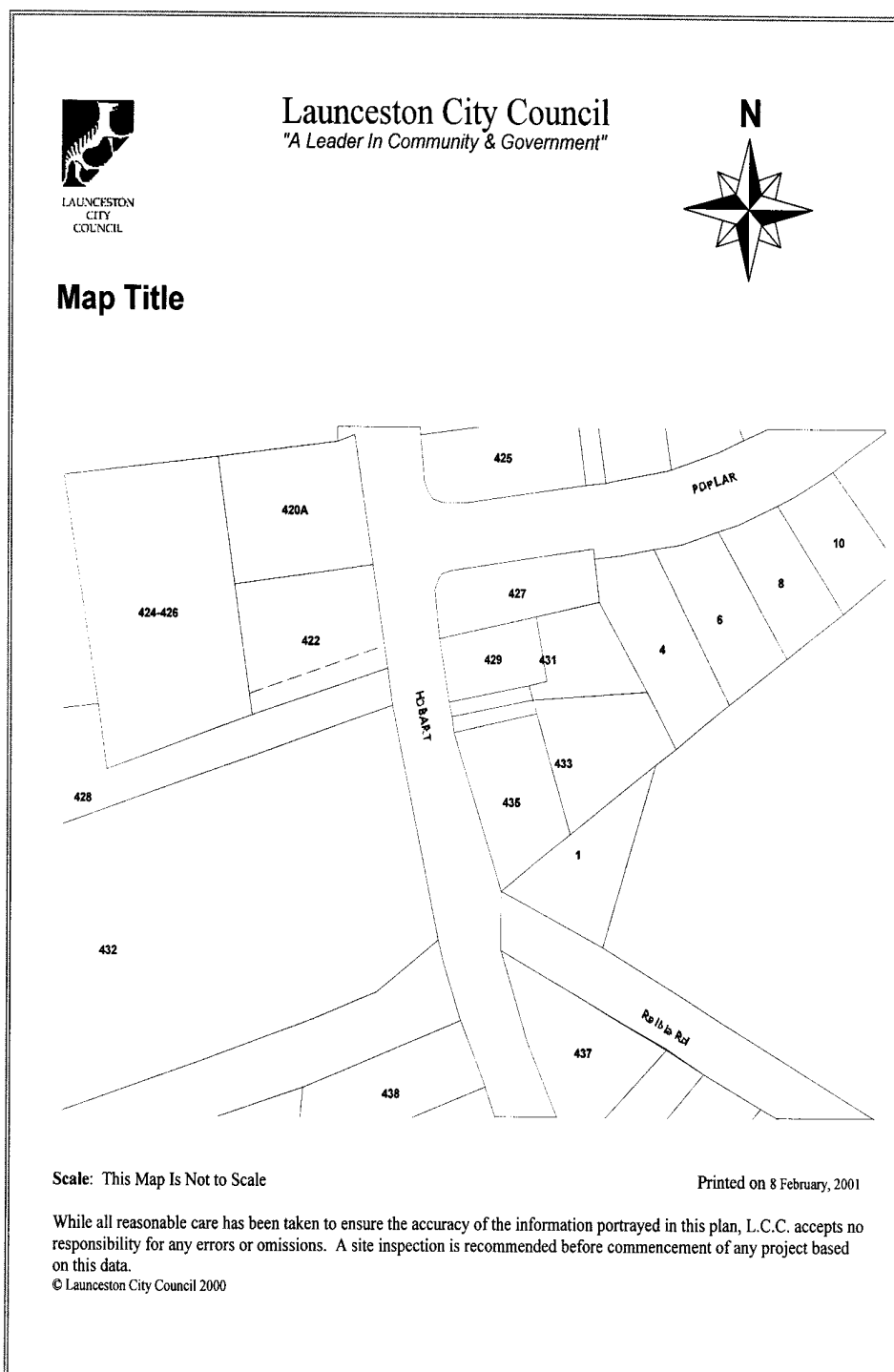
Discussion followed on the process followed within Council departments concerning the sale of the hall. The Mayor expressed surprise that a development application had preceded any decision by Council about the sale. The committee concluded that it would be more appropriate for Council to decide on the hall's future before the Metro development application. Mr Mickan explained that a further extension of time would be required.

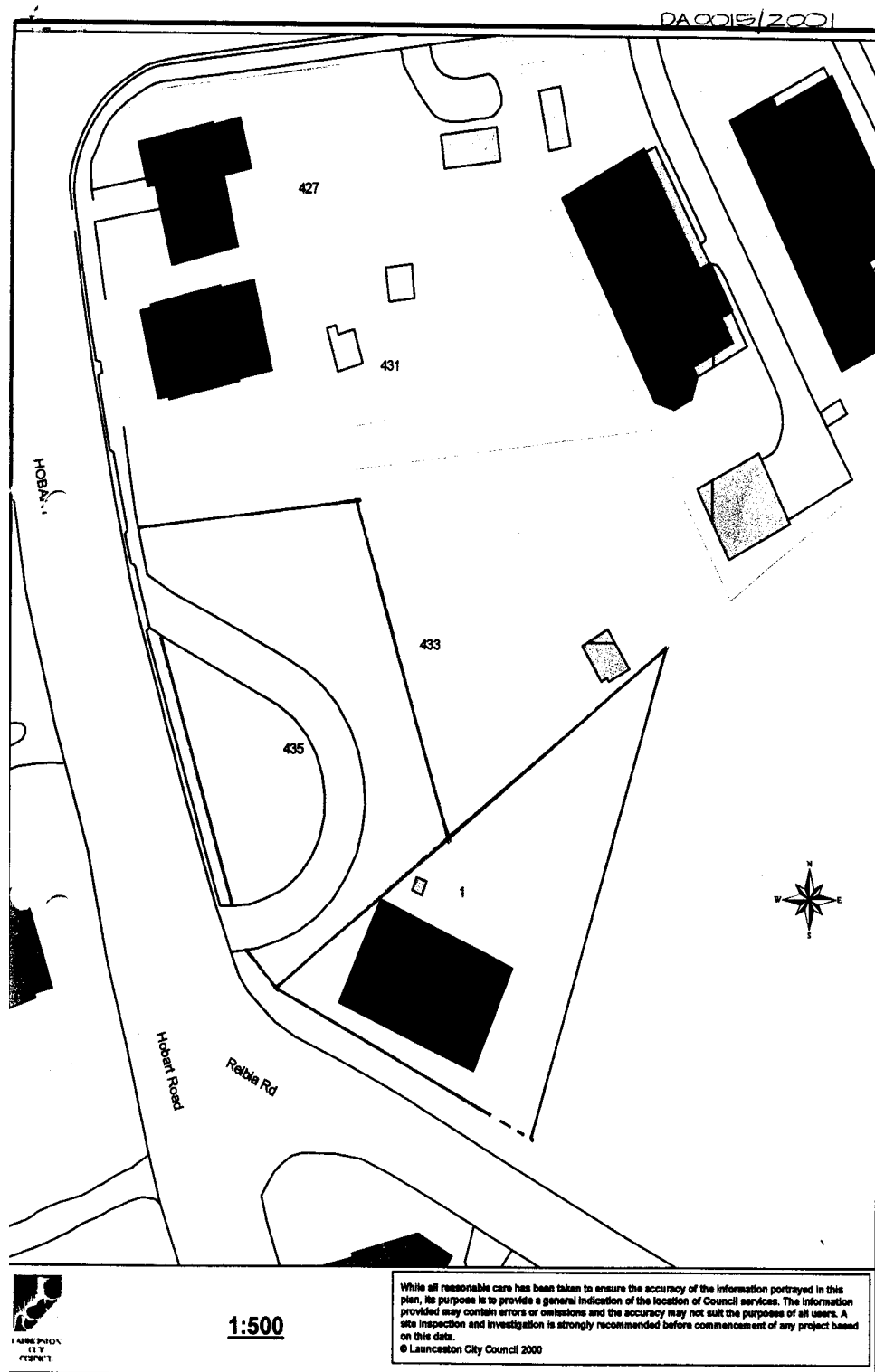
Mr Max Barrett and Mr Kevin Brown from Metro attended. The Mayor explained the situation in respect to the sale, and suggested a further extension of time would be appropriate. The Metro representatives said they would agree to a further extension.

Mr Mickan and Ms Goss were asked to meet with Parks and Recreation staff (the land manager) to prepare a future agenda item.

ATTACHMENTS:

1. Locality Plan
2. Site plan of proposal
3. Amendments required by Infrastructure assets





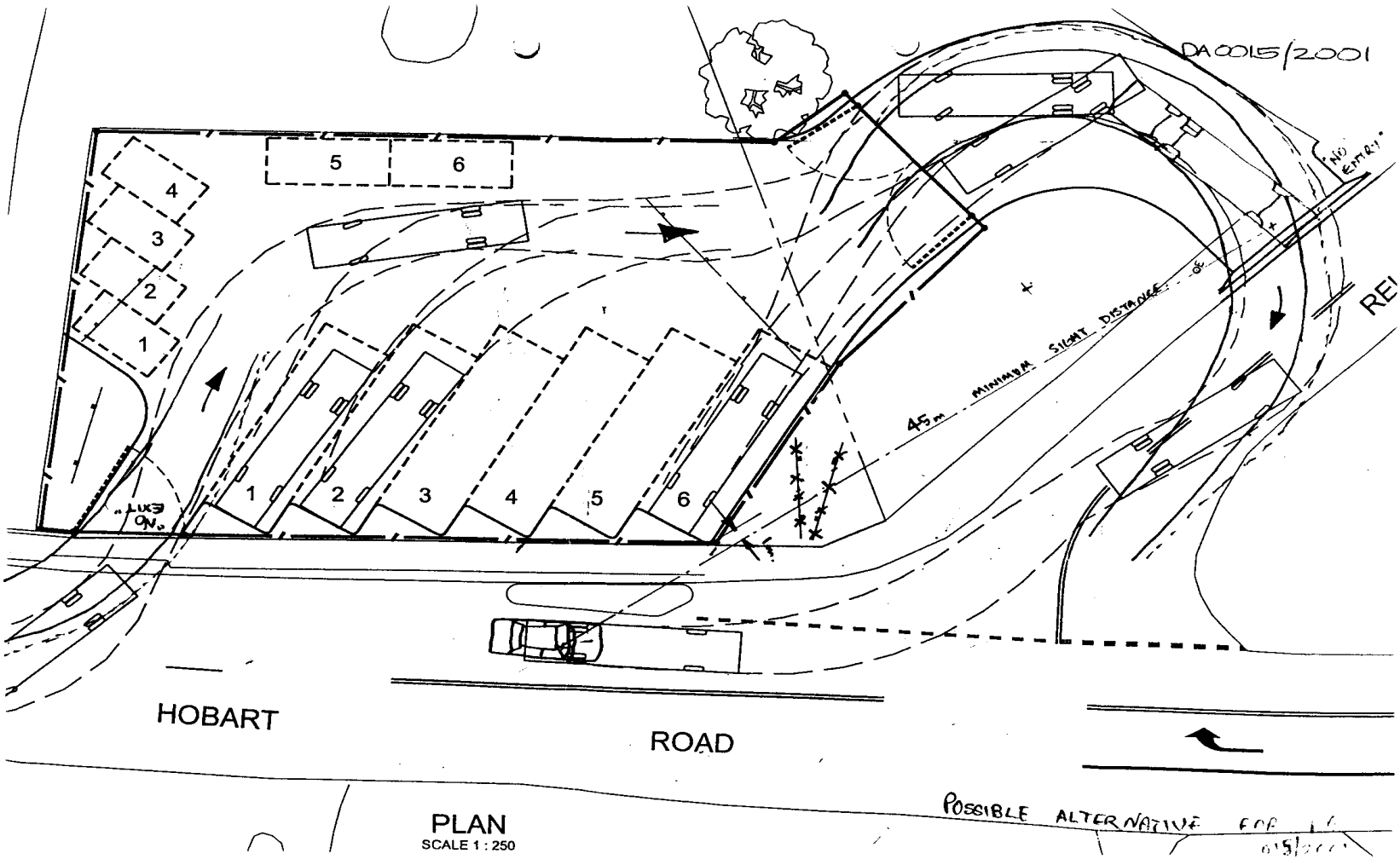
MEETING BOOK PAGE NUMBER:

CHAIRMAN:

LAUNCESTON CITY COUNCIL
A Leader in Community & Government

SUPPLEMENTARY COUNCIL AGENDA

Monday 9 April 2001



MEETING BOOK PAGE NUMBER:

CHAIRMAN:

S.3 Procurement of goods and services below \$50,000

FILE NO: SF0009

AUTHOR: R G Campbell (General Manager)

DECISION STATEMENT:

To commission a review into Council's procedures for the procurement of goods and services below \$50,000 in value.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

1. The attached guidelines be accepted for a review of Council's procedures for the procurement of goods and services below \$50,000 in value.
2. Council's internal auditor, Garrotts, be commissioned to conduct the review.

REPORT:

Council's Internal Audit Committee, following consultation with Aldermen, has prepared the attached guidelines for a review into Council's procedures for the procurement of goods and services below \$50,000 in value. They need to be confirmed.

Council's externally appointed internal auditor, Garrotts, has provided a confidential quote and timetable for the review. It is attached.

Council needs to decide to commission the review on the terms offered.

BUDGET & FINANCIAL ASPECTS:

Nil.

ATTACHMENTS:

1. Draft Guidelines for an internal audit review of procurement procedures for goods and services.
2. Garrotts timetable and quote for internal review.

MEETING BOOK PAGE NUMBER:

CHAIRMAN:

DRAFT GUIDELINES FOR AN INTERNAL AUDIT REVIEW OF PROCUREMENT PROCEDURES FOR GOODS & SERVICES

Background

- Section 346 of the Local Government Act requires Councils in Tasmania to call tenders for goods and services over \$50,000 in value. Council has comprehensive tendering procedures.
- Council does not have a policy on procurement for goods and services below \$50,000. Council's tendering procedures refer to the calling of three quotations in section 5.4 and a preferred supplier's list in 6.1.3.
- Current practice for obtaining goods and services below \$50,000 in value includes tendering for periodic supplies of construction and maintenance materials, calling of quotes, calling for expressions of interest, use of preferred suppliers and procurement from government supply listings.
- **The Local Government Act provides for "contracts for the supply and purchase of goods and services" to be discussed in closed session to enable the interests of Council and suppliers to be commercially managed.**
- Council has approved supplier listings in its quality system. However there is no clear process for the inclusion and exclusion of suppliers or for work allocation.
- Council has a policy TSD 23 dated October 26th 1998 called "Dealings with related parties". It was developed to provide a process for staff compliance with part 5 "Interests" of the Local Government Act. A registrar of pecuniary interests declared at Council meetings is also maintained.
- Council procures many different goods and services from a wide range of suppliers.
- There is community concern with Council's procurement of goods and services below \$50,000 in value. A request has been made to review current policy and procedures.

SUPPLEMENTARY COUNCIL AGENDA

Monday 9 April 2001

- Council has an Internal Audit Committee and internal auditors to provide independent advice on Council procedures. The internal auditors are externally sourced by tender. Garrott & Garrott are currently appointed.
- The Internal Audit Committee recommends the internal auditors conduct a review into Councils procurement procedures for goods and services above and below \$50,000 in value. The review is to focus on developing a best practice approach.

Review Components

- 1) Overview of current practice - this will require analysis of the creditors ledger to identify the types of goods and services obtained, total and average transaction values, suppliers involved and procurement approaches.
Categories will be needed to group the various goods and services – e.g. professional services, consulting services, construction and maintenance, consumables, advertising, travel, subscriptions, equipment, utilities etc. Quotations to be obtained for a one year, two year and three year analysis.
- 2) A desktop review of Government procurement protocols in Tasmania and other States.
- 3) A professional opinion on the balance between public disclosure and the commercial interests of suppliers.
- 4) A suggested procurement policy taking account of;
 - i) Categories of goods and services
 - ii) Dollar values, individual transactions and accumulated values over a period.
 - iii) Skills, specific knowledge and competence required versus price
 - iv) Timeliness and administrative efficiency
 - v) Monopoly providers
 - vi) Trade practices
 - vii) Management prerogative versus political involvement
 - viii) Public disclosure of commercial interests
 - ix) Administrative support
 - x) Related parties and interests
 - xi) Duration of agreements
 - xii) Management delegations
 - xiii) Requirement for quality assurance

Suggested Process

- 1) The Internal Audit Committee prepares the draft review guidelines for distribution to Aldermen and management for comment.
- 2) The Internal Audit Committee considers comments and finalises the review guidelines.
- 3) The Internal Audit Committee discusses the guidelines with Council's internal auditors and obtains a quotation and timetable for the work required.
- 4) The General Manager submits the review guideline and quotation to Council for decision.
- 5) The Internal Audit Committee commissions the review.
- 6) The internal auditors conduct the review and report to the Internal Audit Committee on a regular basis.
- 7) The Internal Audit Committee accepts the report and prepares a draft policy for discussion at the Strategic Planning and Policy Committee.
- 8) The General Manager submits the policy to Council for decision.
- 9) Management prepares the necessary administrative procedure to implement the policy.

29/3/2001



IRW:BC

3 April, 2001

Mr Mike Tidey
Manager Corporate Services
Launceston City Council
DX 70127
LAUNCESTON

GF0009

MTIDEY

Dear Mike,

Tendering Review

Further to our meeting last week with yourself and Rod Fraser, we have reviewed the Draft Guidelines For An Internal Audit Review Of Procurement Procedures For Goods And Services.

Our understanding of this document is that the key tasks to be performed by ourselves in performing the review are as follows:

- Analyse the creditors ledger to identify:
 - types of goods and services obtained;
 - total transactions and average transactions by supplier
 - determine the procurement procedures adopted in respect of each supplier identified above
- Review and advise on best practice procurement protocols;
- Recommend policies and procedures to be adopted

We would anticipate that the outcome of this would be a report to Council detailing the work undertaken, the results and findings of that work, and recommendations for potential improvements in the procurement process. As part of the reporting process, we would be available for meetings with Council to discuss any aspects of the report.

Our estimated fees for undertaking this review would be as follows:

1 years worth of transactions:	\$12,500 to \$15,000
2 years worth of transactions:	\$17,500 to \$20,000
3 years worth of transactions:	\$20,000 to \$22,500

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Telephone (03) 6323 1222 Fax (03) 6331 2820 Ausdoc DX 70166 Email firm@garrotts.com.au
Partners: Rodney J Loone FCA - Robert J Eastoe ACA - Ian R Wright FCA - Anthony J Loone CA

- 2 -

As you would appreciate, it is difficult to accurately quantify a cost for such an assignment. The above amounts represent our best estimate however should our costs be less we will advise you accordingly. In the unlikely event that our costs look like exceeding the above amounts we will discuss the situation with you prior to proceeding further.

We advise that we are in a position to commence the review immediately and look forward to your advice as to which alternative you wish to pursue.

Should you have any queries in respect to this matter, please do not hesitate to contact the writer.

Yours faithfully



Ian Wright
Audit Partner

S.4 Two Part Water Pricing

FILE NO: SF0332/SF0723

AUTHOR: Michael Tidey (Manager Corporate Services)

DECISION STATEMENT:

To determine whether Council will implement a Two Part Pricing model for the supply of water in compliance with State Government direction. To determine the water pricing model for the year ending 30 June, 2002.

PREVIOUS COUNCIL CONSIDERATION:

Strategic Planning and Policy Committee – 5 February, 2001.

Council Meeting 26 February, 2001.

Council Meeting 13 March, 2001.

Council Meeting 26 March, 2001.

Strategic Planning and Policy Committee – 2 April, 2001

RECOMMENDATION:

That this item be dealt with in Closed Council as it concerns the health or financial position of any person/company.

S.5 Transit Centre / Harvey Norman Development**DECISION STATEMENT:**

To make arrangements for the land sale needed for the Transit Centre and Harvey Norman Development.

PREVIOUS COUNCIL CONSIDERATION:

Nil.

RECOMMENDATION:

That this item be dealt with in Closed Council as it concerns proposals for the acquisition of land or disposal of land, which is not public land.