



ORDINARY COUNCIL MEETING AGENDA

TUESDAY 23 JULY 2024

2:00 PM

Council Chambers, Triabunna

ACKNOWLEDGEMENT OF COUNTRY

The Glamorgan Spring Bay Council acknowledges the Traditional Owners of our region and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders past and present.

NOTICE OF MEETING

Notice is hereby given that the next Ordinary Council Meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday 23 July 2024, commencing at 2:00pm.

QUALIFIED PERSON CERTIFICATION

I hereby certify that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this Agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

Dated this Thursday 18 July 2024



Greg Ingham
GENERAL MANAGER

IMPORTANT INFORMATION

- As determined by Glamorgan Spring Bay Council in April 2017, all Ordinary and Special Meetings of Council are to be audio/visually recorded and streamed live.
- A recording of the meeting will be available via the link on the Glamorgan Spring Bay Council website following the meeting.

In accordance with the *Local Government Act 1993* and Regulation 33, these video/audio files will be retained by Council for at least 6 months and made available for viewing live, as well as online within 5 days of the scheduled meeting. The written minutes of a meeting, once confirmed, prevail over the video/audio recording of the meeting.

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1 OPENING OF MEETING

The Mayor to welcome Councillors and staff and declare the meeting open at [time].

1.1 Present

1.2 Apologies and Leave of Absence

1.3 In Attendance

1.4 Late Reports

(Motion to receive required)

1.5 Declaration of Interest or Conflict

The Mayor requests Elected Members to indicate whether they have:

- 1. any interest (personally or via a close associate) as defined in s.49 of the Local Government Act 1993; or*
- 2. any conflict as described in Council's Code of Conduct for Councillors, in any item included in the Agenda.*

2 CONFIRMATION OF MINUTES

2.1 Ordinary Meeting of Council - 25 June 2024

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 25 June 2024 at 2:00pm be confirmed as a true and correct record.

2.2 Special Meeting of Council - 9 July 2024

RECOMMENDATION

That the Minutes of the Special Meeting of Council held on 9 July 2024 at 12:00pm be confirmed as a true and correct record.

2.3 Date and Purpose of Workshop(s) Held

TUESDAY 2 JULY 2024

In accordance with the requirement of Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council Workshop was held from 1:30pm to 4.30pm on Tuesday 2 July 2024 at the Council Offices, Triabunna.

Present:

Mayor Cheryl Arnol
Clr Rob Churchill
Clr Neil Edwards
Clr Kenneth Gregson
Clr Carole McQueeney
Clr Jenny Woods
Clr Robert Young

Apologies:

Deputy Mayor Michael Symons

In Attendance:

Alex Woodward, Acting General Manager
Peter Porch, Director Works and Infrastructure
Elyse Blain, Director Corporate and Community

Guests

Nil.

Agenda

- 2024/25 Budget and Rates Resolution

TUESDAY 9 JULY 2024

In accordance with the requirement of Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council Workshop was held from 12:30pm to 4:40pm on Tuesday 9 July 2024 at the Council Offices, Triabunna.

Present:

Mayor Cheryl Arnol
Deputy Mayor Michael Symons
Clr Rob Churchill
Clr Neil Edwards
Clr Kenneth Gregson
Clr Carole McQueeney
Clr Jenny Woods
Clr Robert Young

Apologies:

Nil.

In Attendance:

Alex Woodward, Acting General Manager
Peter Porch, Director Works and Infrastructure
Elysse Blain, Director Corporate and Community
James Bonner, Senior Planner
Mick Purves, Planning Consultant

Guests

Adam Garrigan
Brendan Smith
Campbell Walker
John Padas
Jon Hughson
Michael Ball
Sarah Casey
Dominic Hughes
Marina Ladaniwskyj
Emma Riley
Connie Steers
Clair Hester

Agenda

- Bicheno Ambulance Station Briefing
- TasWater Briefing
- Structure Plans
- Request Approval for Buildings within Covenanted Area

RECOMMENDATION

That Council notes the information.

3 PUBLIC QUESTION TIME

Public Question Time gives any member of the public the opportunity to freely ask a question on any Council related matter.

Answers to questions will be given immediately if possible or taken “on notice” if an ‘on the spot’ answer is not available.

In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, Questions on Notice must be provided at least 7 days prior to the Ordinary Meeting of Council at which a member of the public would like a question answered.

3.1 Questions on Notice

Peter Coon

Q1. *We are some 9 months down the track from the rejection of the Cambria Green proposal by the TPC and the time for proponents to appeal the decision has passed.*

Can Council please advise the costs (of both internal and external resources) incurred by GSBC in relation to this matter over the 5+ years of the Cambria Green assessment. I do not expect a time-consuming, forensic analysis but rather a considered, sensible estimate so that there is transparency for the GSB rate-payers regarding the costs of Council’s original decision to support further consideration of the proposal.

Response from General Manager, Greg Ingham

A high-level analysis of Council’s financial management system indicates that approximately \$100k was spent on professional and legal advice/support for the Cambria Green Amendment since 2018. Internal costs are unable to be quantified as the system does not record breakdowns of projects.

3.2 Questions Without Notice

Glamorgan Spring Bay Council will allow questions to be provided by written notice by 12 noon the day before the Ordinary Council Meeting by either emailing general.manager@freycinet.tas.gov.au or alternatively left in the post box outside the Council Chambers located at 9 Melbourne Street, Triabunna.

4 PLANNING AUTHORITY SECTION

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2015, the Chairperson hereby declares that the Council is now acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 4 of the Agenda.

RECOMMENDATION

That Council now acts as a Planning Authority at [time].

4.1 SA2024/00018 - 11 Sunrise Drive, Bicheno - 2 Lot Subdivision

Proposal:	2 lot subdivision
Applicant:	PDA Surveyors, Engineers and Planners
Application Date:	13 May 2024
Statutory Date:	31 July 2024
Planning Instruments:	Tasmanian Planning Scheme - Glamorgan Spring Bay
Zone:	8.0 General Residential Zone
Codes:	C2.0 Parking and Sustainable Transport Code, C3.0 Road and Railway Access Code, 7.0 Natural Assets Code, 13.0 Bushfire Prone Areas Code
Specific Area Plans:	N/A
Use:	N/A
Development:	2 lot subdivision
Discretions:	8.6.1 Lot design – A1 minimum lot size 8.6.3 Services – A3 both lots cannot connect to the stormwater system C3.0 Road and Railway Assets Code - C3.5.1 – A1.2 new vehicle crossings C7.0 Natural Assets Code - C7.7.1 – A1 subdivision in priority vegetation area
Representations:	3
Attachments:	Nil
Author:	James Bonner, Senior Planner

Executive Summary

Planning approval is being sought for a 2 lot subdivision of a vacant lot. The application was advertised from 13th June to 27th June 2024. During the representation period three (3) submissions were received objecting to the proposal. The report assesses the proposal against the standards of the relevant zone, codes and considers the issues raised in the representations. The Planning Authority must consider the planner's recommendations and the matters raised in the representations and make a final determination by 31 July 2024

PART ONE

1. Statutory Requirements

The *Land Use Planning and Approvals Act 1993 (LUPAA)* requires the Planning Authority to take all reasonable steps to ensure compliance with the planning scheme.

The planning scheme provides the overriding considerations for this application. Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

The initial assessment of this application identified where the proposal met the relevant Acceptable Solutions under the planning scheme, and where a discretion was triggered. This report addresses only the discretions and the representations and makes a final recommendation for the proposed development.

The Planning Authority must consider the report but is not bound to it. It may:

1. Adopt the recommendation.
2. Vary the recommendation.
3. Replace an approval with a refusal (or vice versa).

The *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015* require a full statement of reasons if an alternative decision to the recommendation is made.

2. Approving applications under the planning scheme

A Development Application must meet every relevant standard in the planning scheme to be approved. In most cases, the standards can be met in one of two ways:

1. By Acceptable Solution, or if it cannot do this,
2. By Performance Criteria.

If a proposal meets an Acceptable Solution, it does not need to satisfy the Performance Criteria.

In assessing this application, the Planning Authority must exercise sound judgement to determine whether the proposal meets the relevant Performance Criterion and must consider the issues raised in the representations.

3. The Proposal

The proposal is to subdivide the existing 834m² lot into two lots comprising Lot 1 – 402m² and Lot 2 – 432m².

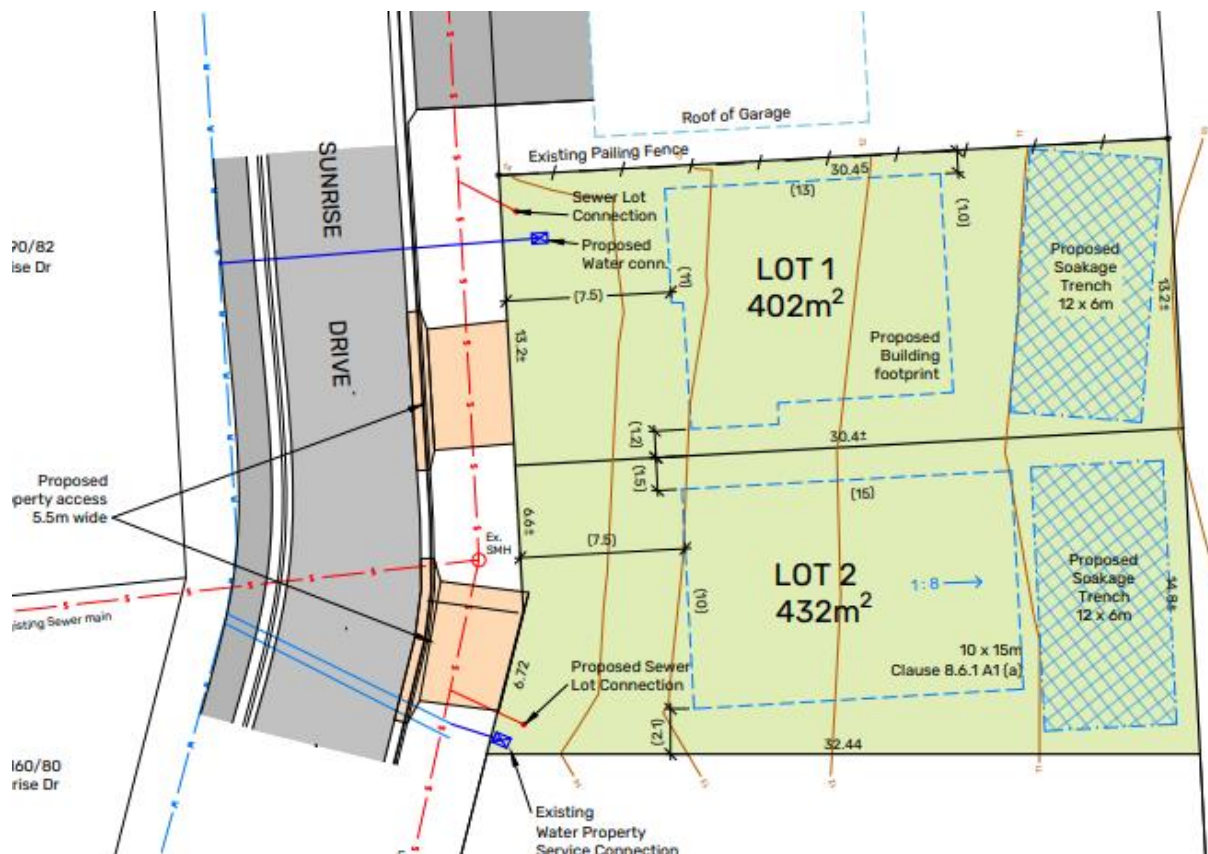


Figure 1 – Site Plan

4. Risk and implications

Approval or refusal of this application should have no direct financial risk for Council, in relation to planning matters, other than should an appeal against the Authority's decision be lodged or should the Planning Authority fail to determine the application within the statutory timeframe.

5. Background and past applications

The lot was created as part of a subdivision issued in 2008 that extended Lodi Court and Sunrise Drive. There have been two development applications for a dwelling over the lot.

- DA2020/00105 – Issued 31 July 2020 – considered to have lapsed
- DA2023/00061 – Issued 12 April 2023 – to date not acted upon

It is noted that the proposed building footprint shown on lot 1 in the subdivision plan is consistent with the footprint of the dwelling approved via DA2023/00061.

6. Site Description

The site is completely cleared of native vegetation with grass being the only vegetation. The site is level with the road for approximately the first 4m and then quickly drops about 1m with a subsequent gradual grade down towards the Crown foreshore reserve.



Figure 2 – Site Source: LIST Maps



Figure 3 – Looking from Sunrise Drive

7. Planning Instruments

Tasmanian Planning Scheme – Glamorgan Spring Bay

8. Easements and Services

The site is serviced by reticulated water, sewer and stormwater. There are no easements shown on the title documents.

9. Covenants

There are no covenants relevant to the proposal.

PART TWO

10. Meeting the Standards via Acceptable Solution

The proposal has been assessed against the Acceptable Solutions provided in:

- 8.0 General Residential Zone
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C7.0 Natural Assets Code
- C13.0 Bushfire-Prone Areas Code

All standards were met by acceptable solution excepting those identified below which were assessed against the applicable performance criteria

11. Meeting the Standards via Performance Criteria

The standards below could not meet the Acceptable Solution criteria and have been assessed against the relevant Performance Criteria.

- 8.0 General Residential Zone – 8.6.1 Lot design – A1 both lots less than 450m², and 8.6.3 Services – A3 both lots cannot connect to the stormwater system
- C3.0 Road and Railway Assets Code – C3.5.1 – A1.2 new vehicle crossing
- C7.0 Natural Assets Code - C7.7.1 A1 subdivision in priority vegetation area

PART THREE

12. Assessing the Proposal against the Performance Criteria

8.0 General Residential Zone

8.6.1 Lot design (A1) – The acceptable solution is that each lot has an area of not less than 450m². Both lots are under 450m² and as such must meet the following performance criteria.

Performance Criteria	Planner's Response
<p>P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area</p>	<p>Each lot has sufficient usable area in that:</p> <ul style="list-style-type: none"> • Both lots can provide a building envelope of 10m x 15m with a gradient not steeper than 1 in 5 that is clear of the acceptable solution setbacks of 1.5m to side and rear boundaries and 4.5m to the front boundary. • It is noted that the building footprint for lot 1 on the subdivision plan is based on the dwelling design approved by DA2023/00061. • The topography of the site does not overly restrict the development of each lot. • The bushfire report has identified that hazard management areas can be contained on each lot. • There is adequate area for the minimum private open space area of 24m². • The pattern of development in this instance relates to spacing between buildings, how they present to the street and the size of buildings. The pattern of development in Sunrise Dr is single dwellings on lots that have setbacks to the street of approx. 4-6m. The dwellings are generally on the larger size with side boundary setbacks of approximately 1.5m to 4m. Lot sizes vary considerably from around 600m² up 1900m² with the majority below 900m². While the lot sizes are smaller, the subdivision does not conflict with the existing pattern of development <p>Both lots are considered to have sufficient usable area and dimensions suitable for the intended use</p>

Performance Criteria	Planner's Response
	as single dwellings. It is considered that the performance criteria has been met.

8.0 General Residential Zone

8.6.3 Services (A3) – The acceptable solution is that each lot must be capable of connecting to a public stormwater system. Due to the slope of the land it is considered that each lot is not capable of fully connecting to the stormwater system. The acceptable solution cannot be met and the proposal must meet the following performance criteria.

Performance Criteria	Planner's Response
Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surfaces; and (f) any watercourse on the land	<p>The application includes a stormwater plan showing that hardstand areas, such as driveways, are unable to drain to the public stormwater system and are to be drained to a 72m² stormwater soakage trench at the rear of each lot.</p> <p>It is noted that the dwelling approved over proposed lot 1 is elevated and the building plans show that all stormwater from the roof of the dwelling is to be drained to the public stormwater system in Sunrise Drive. This substantially reduces the volume of water required to be disposed of on-site.</p> <p>Council's Infrastructure Department have recommended conditions be included in any permit requiring a stormwater report be provided that addresses the on-site disposal of stormwater.</p> <p>It is considered that the lots are capable of accommodating a limited on-site stormwater management system and that, subject to recommended conditions, the performance criteria is met.</p>

C3.0 Road and Railway Assets Code

C3.5.1 - vehicle crossing (A1.2) – The acceptable solution is that the written consent from the road authority has been provided for a new vehicle crossing. Written consent has not been provided and as such the acceptable solution has not been met and the proposal must meet the following performance criteria.

Performance Criteria	Planner's Response
P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or	The new accesses for the proposed lots is required to provide access to those lots for future dwellings. The access and increased traffic from the two lots will have minimal impact on Sunrise Drive. The road

Performance Criteria	Planner's Response
<p>safety or efficiency of the road or rail network, having regard to:</p> <p>(a) any increase in traffic caused by the use;</p> <p>(b) the nature of the traffic generated by the use;</p> <p>(c) the nature of the road;</p> <p>(d) the speed limit and traffic flow of the road;</p> <p>(e) any alternative access to a road;</p> <p>(f) the need for the use;</p> <p>(g) any traffic impact assessment; and</p> <p>(h) any advice received from the rail or road authority.</p>	<p>and local network have capacity to accommodate the additional traffic. Council's Infrastructure & Works Department have provided recommended conditions for the access. It is considered that, subject to recommended conditions, the performance criteria is met.</p>

C7.0 Natural Assets Code

C7.7.1 subdivision in priority vegetation area (A1) – The acceptable solution is that a plan of subdivision does not include any works, building area, bushfire hazard management area or vehicular access within a priority vegetation area. The subdivision plan requires works within the priority vegetation area and as such the acceptable solution has not been met and must meet the following performance criteria.

Performance Criteria	Planner's Response
<p>P1.1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <p>(c) subdivision in the General Residential Zone or Low Density Residential Zone.</p>	<p>P1.1 The subdivision is within the General Residential Zone and therefore the performance criteria is met.</p>
<p>P1.2 Works associated with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</p>	<p>P1.2 The subdivision minimises adverse impacts on priority vegetation in that the entire lot has already been cleared of native vegetation and the bushfire hazard management areas are contained wholly within the lot boundaries.</p> <p>It is considered that the performance criteria is met.</p>

Performance Criteria	Planner's Response
(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings; (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation; (e) any on-site biodiversity offsets; and (f) any existing cleared areas on the site.	

13. Referrals

The application was referred to TasWater and Council's Infrastructure and Works Department. Referral responses were received with advice and recommendations.

14. Representations

The application was advertised from 13th June to 27th June 2024. During the representation period three (3) submissions were received objecting to the proposal. A summary of concerns raised related to planning matters and responses, are included in the table below. The complete submissions are included in the attachments to the report with personal details redacted for privacy reasons.

Representation 1	Response
When purchased the area was marketed as low residential area. This a beautiful part of the municipality with homes on large parcels of land and it should stay this way.	The land is not a low density zone. It is zoned General Residential in which a medium density of dwellings is encouraged as evidenced by the ability to have smaller lot sizes than those allowed for in the Low Density Zone.
Representation 2	Response
1. The application has not demonstrated that the departure from the minimum lot size would provide a benefit to the community or would add to the amenity of the area. 2. The smaller lots are not consistent with the pattern of development in the area	1. The performance criteria standards do not require the proposal to demonstrate that it has a benefit to the community. The standards are concerned with the proposed lot size being sufficient for its intended use, which would likely be a single dwelling.

which consists of single dwellings on large lots.	2. The pattern of development is only one consideration in the assessment of the performance criteria in considering that each lot has sufficient usable area for the intended use.
Representation 3	Response
Concerned that this subdivision will create a precedent for subdividing blocks into much smaller blocks in Bicheno. The last subdivision has much larger blocks which is more in keeping with the costal lifestyle, i.e. no overshadowing, ample room between house, privacy etc.	The proposal has demonstrated that the proposed lots sizes provide sufficient usable area as required by the performance criteria. The planning scheme is a performance based document such that compliance with the acceptable solutions is generally not required and alternate approaches are available to meet the objectives of the standards and zone.

15. Conclusion

The assessment of the application taken in association with the representations received has identified that the proposal satisfies the relevant provisions of the Tasmanian Planning Scheme - Glamorgan Spring Bay and therefore the application is recommended to be approved subject to the recommended conditions.

16. Recommendation

That:

Pursuant to section 57 of the Land Use Planning and Approvals Act 1993 and the Tasmanian Planning Scheme – Glamorgan Spring Bay, SA2024/00018 at 11 Sunrise Drive, Bicheno (CT177160/81) for a 2 lot subdivision be approved with the following conditions:

CONDITIONS

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.

Advice: Any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.

2. Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWDA 2024/00657-GSB, dated 11/06/2024 and attached to this permit.

Final Plan

3. A final approved plan of survey and schedule of easements as necessary, must be submitted to Council for sealing. The final approved plan of survey must be

substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.

4. All land noted as roadway, footway, and open space or similar must be transferred to Council. Complete transfer documents that have been assessed for stamp duty, must be submitted with the final plan of survey.
5. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's Municipal Engineer.
6. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.

Public Open Space

7. Prior to sealing the final plan of survey, a cash contribution for public open space must be provided to Council that is equal to 5% of the value of the area of land as described by lot 2 as at the date of lodgment of the final plan of survey.

The value is to be determined by a Land Valuer within the meaning of the *Land Valuers Act 2001* and as agreed to by the Council's General Manager.

Advice: this condition is imposed pursuant to section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and Council policy.

Environment Management

8. All work must be generally in compliance with the Tasmanian Coastal Works Manual, available at. <https://dpiwwe.tas.gov.au/conservation/coastal-management/managing-the-coast/tasmanian-coastal-works-manual>
9. The developer must implement a soil and water management plan (SWMP) to ensure that soil and sediment does not leave the site during the construction process and must provide a copy of the SWMP to Council's General Manager prior to the commencement of works.
10. Erosion and sedimentation measures, such as sediment fences and settlement pits, are to be installed and maintained on the lower side of each lot during all works on the site. These works are to comply with the SWMP developed for the site.
11. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's General Manager.
12. All disturbed surfaces on the land, except those set aside for driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's General Manager.

Engineering

13. The subdivision must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's General Manager or required by conditions of this permit.
14. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, these drawings must be submitted to and approved by the Glamorgan Spring Bay Council before development of the land commences. The detailed engineering drawings must show the following:
 - a) all existing and proposed services required by this permit;
 - b) all proposed stormwater infrastructure.
 - c) all existing and proposed roadwork required by this permit;
 - d) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - e) measures to be taken to limit or control erosion and sedimentation;
 - f) any other work required by this permit.

Advice: Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.

15. A reinforced concrete vehicle access must be provided to each lot and located and constructed in accordance with the standards shown on standard drawings TSD-R09-v3, Urban Roads TSD-R06-v3 and TSD-RF01-v1 Guide to Intersection and Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division) and the satisfaction of Council's General Manager.

Advice: Prior to commencement of any works, the developer must obtain a Works in Road Reserve Permit for any works within the road reserve and for the connection into a Council stormwater network. <https://gsbc.tas.gov.au/wp-content/uploads/2016/06/Work-Within-Road-Reserve-Permit.pdf>

Drainage

16. A Stormwater Management Report must be submitted along with engineering drawings, and:
 - a) The report must demonstrate how the stormwater from each lot will be managed when each lot is fully developed;
 - b) The report must be prepared and certified by an experienced and licensed practicing Civil Engineer.
 - c) Any measures required by the report to ensure that a tolerable risk for the development from flooding is achieved and there is no increase in risk from flood for adjacent land must be included in the engineering design drawings and implemented prior to the sealing of the Plan of Survey for any stage of the subdivision; and

- d) To the satisfaction of Council's General Manager
- 17. Stormwater runoff is to be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
- 18. To the satisfaction of the Council's General Manager, the surface water runoff from any internal driveway must be controlled and drained to avoid unreasonable impact to adjoining lands.
- 19. Water Sensitive Urban Design Principles must be incorporated into the development. These Principles will be in accordance with, and meet the treatment targets specified within, the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's General Manager.

Alternatively, the developer may, at the discretion of Council's General Manager, make a financial contribution to Glamorgan Spring Bay Council for the provision of stormwater treatment downstream of the proposed subdivision. The value of the contribution must be equal to the cost of implementing on-site treatment as agreed by Council's General Manager. Where partial treatment is provided on site a proportional contribution may be considered. The contribution must be paid prior to sealing the Final Plan of Survey.

Construction

- 20. The subdivider must provide not less than forty-eight (48) hours written notice to Council's General Manager before commencing construction works on-site or within a council roadway.
- 21. The subdivider must provide not less than forty-eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring hold point inspection by Council unless otherwise agreed by the Council's General Manager.
- 22. Subdivision works must be carried out under the direct supervision of an approved practising professional civil engineer engaged by the subdivider and approved by the Council's General Manager.
- 23. Through the construction process to the satisfaction of Council's General Manager, and unless otherwise noted on the endorsed plans or approved in writing by Council's General Manager, the developer must:
 - a) Ensure soil, building waste and debris does not leave the site other than in an orderly fashion and disposed of at an approved facility;
 - b) Not burn debris or waste on site;
 - c) Promptly pay the costs associated with any alteration, extension, reinstatement, and repair or cleaning of Council infrastructure, public land or private property;
 - d) Ensure public land, footpaths and roads are not unreasonably obstructed by vehicles, machinery or materials or used for storage;
 - e) Provide a commercial skip (or similar) for the storage of construction waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.

Sealing of Final Plan

24. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Glamorgan Spring Bay Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.

Advice: The minimum bond amount required during the maintenance and defects liability period is to be no less than 5% of the agreed value of the works. The developer is to enter into a formal Maintenance Bond Deed of Agreement with Council.

25. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
26. A Letter of Release from each authority confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed, must be submitted to Council prior to the sealing of the Final Plan of Survey.
27. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Telecommunications and Electrical Reticulation

28. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.

'As constructed' Drawings

29. Prior to the works being placed on the maintenance and defects liability period an 'as constructed' drawings with CCTV footage of all engineering works provided as part of this approval must be submitted to Council to the satisfaction of the Council's General Manager. These data must be prepared by a qualified and experienced civil engineer or other person approved by the General Manager in accordance with Council's *Guidelines for As Constructed Data*.

Maintenance and Defects Liability Period

30. Works within the road reserve are subject to a twelve-month maintenance and defects liability period commencing from the date of the submission of the notice of completion of works in accordance with the approved engineering plans and permit conditions.

31. If Water Sensitive Urban Design elements provided as part of the subdivision, then WSUD elements are to be placed on an extended maintenance and defects liability period to be determined at the detailed design stage, but not less than twenty-four (24) months.
32. Prior to placing the subdivision onto the twelve-month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.
33. Erosion and sedimentation measures, such as sediment fences and settlement pits, are to be installed and maintained on the lower side of each lot during all works on the site and for the entire Defects Liability Period. These works are to comply with the approved Soil and Water Management Plan developed for the site.

The following advice is provided for information and assistance only and imposes no direct obligation on the developer.

- a. Please read all conditions of this permit and contact the planner for clarification if required.
- b. All costs associated with acting on this permit are borne by the person(s) acting on it.
- c. The permit does not take effect until 15 days after the date that it was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- d. This permit is valid for two years from the date of approval and shall lapse unless it has been substantially commenced to the satisfaction of the Council Senior Planner or otherwise extended by written consent.
- e. The permit and conditions on it are based on the information submitted in the endorsed plans and documents. The Planning Authority is not responsible or liable for any errors or omissions. I encourage you to engage a land surveyor to accurately set out the location of buildings and works.
- f. The granting of this permit takes in no account of any civil covenants applicable to the land. The developer should make their own enquiries as to whether the proposed development is restricted or prohibited by any such covenant and what consequences may apply.
- g. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- h. The *Environmental Management & Pollution Control (Distributed Atmospheric Emissions) Regulations 2007* prohibit backyard burning in incinerators or in the open on lots less than 2000m² and the burning of plastics, and other non-wood or non-vegetative material.
- i. Sealing of a final plan of survey is subject to a prescribed Council fee. Please refer to www.gsbc.tas.gov.au for the fee current at the date of lodgement of the final plan or survey.
- j. Land Title Office fees must be paid directly to the Recorder of Titles.

- k. The developer is responsible to ensure that all necessary inspections are undertaken before proceeding past mandatory inspection points as detailed in the Tasmanian Subdivision Guidelines. A minimum of two full working days' notice must be provided to ensure Council can inspect at the requested time.
- l. The Final Plan of Survey will not be sealed until all works required by this permit are complete.
- m. The Final Plan of Survey is inclusive of any schedule of easement and Part 5 Agreement.
- n. Construction waste, other than of a quantity and size able to be enclosed within a standard 140 litre mobile garbage bin, will not be accepted at Council's Waste Management Centres.
- o. Through the act of granting this permit the Glamorgan Spring Bay Council is not and is in no way to be construed as making any representation, providing any advice, issuing any guarantee or giving any assurance to any person or entity regarding the impact or potential impact of the effects of climate change on the proposed use and/or development or the subject land generally. It is the sole responsibility of the applicant and/or the land owner to investigate and satisfy themselves as to the impact or potential impact of the effects of climate change on the proposed use and/or development and the subject land generally.
- p. The applicant is advised to contact Aurora Energy on 1300 137008 to ensure that the works do not impede on existing electricity easements and to ensure that proposed works are at a safe distance from powerlines.
- q. The applicant is advised to refer to the Tasmanian Coastal Works Manual while undertaking development. <https://dpipwe.tas.gov.au/conservation/coastal-management/managing-the-coast/tasmanian-coastal-works-manual>
- r. In the event that any suspected Aboriginal cultural material is encountered during surface or sub surface disturbances associated with development of the site, then the activity creating the disturbance should cease immediately, and Aboriginal Heritage Tasmania must be informed to enable further assessment of the situation. Go to <https://www.aboriginalheritage.tas.gov.au> for further assistance.

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2015, the Chairperson hereby declares that the Council is no longer acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 4 of the Agenda.

RECOMMENDATION

That Council no longer acts as a Planning Authority at [time].

5 FINANCIAL REPORTS

5.1 Financial Reports for June 2024

Author: Director Corporate & Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Group Financial Statements 2024-06 [5.1.1 - 5 pages]

BACKGROUND/OVERVIEW

The financial statements for the period ended June 2024 as attached to this report are presented for the information of Council. These are interim statements and are subject to adjusting transactions that occur at the end of each financial year.

These adjustments continue to occur up until the final statements are issued to the Auditor General per clause 17 part 4 of the Audit Act 2008.

An accountable authority other than the Auditor-General, as soon as possible and within 45 days after the end of each financial year, is to prepare and forward to the Auditor-General a copy of the financial statements for that financial year which are complete in all material respects.

STATUTORY IMPLICATIONS

- Australian Accounting Standards Board (AASB)
- International Financial Reporting Standards (IFRS)

BUDGET IMPLICATIONS

There are no budget implications recognised in the receipt and noting of these reports by Council.

RISK CONSIDERATIONS

Risk		Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation					
There are no material risks from adopting this recommendation.					
Do not adopt the recommendation					
By not receiving and reviewing the major financial reports on a regular basis, such as the Profit & Loss, Statement of Cash Flows, Capital Works and Balance Sheet, Council risks not meeting its financial management obligations.		Likely	Likely	High	By not adopting the recommendation Council is not endorsing the financial reports for the period ending June 2024. Council needs to endorse.

OFFICER'S RECOMMENDATION

That Council receives and notes the interim financial statements as attached to this report for the period ended June 2024.

6 SECTION 24 COMMITTEES

Nil.

7 INFORMATION REPORTS

7.1 Director Works and Infrastructure - Peter Porch

Asset Management; Roads, Bridges and Footpaths; Stormwater; Waste Management; Public Amenities; Buildings, Marine Infrastructure, Parks, Reserves and Walking Tracks; Cemeteries

ATTACHMENTS

Nil

PURPOSE

This report provides information on the ongoing tasks of the Department in relation to Asset Management; Roads, Bridges and Footpaths; Stormwater; Waste Management; Public Amenities; Buildings, Marine Infrastructure, Parks, Reserves and Walking Tracks; and Cemeteries.

OFFICER'S COMMENTS

ASSET MANAGEMENT

Asset Management practice is the strategic driver for the activities of the Department and is partnered by works that operate to maintain essential services to the community.

Activities dominating engineering and finance staff at end of financial year include:

- Complete financial records for capital works
- Identify assets renewed or replaced
- Assign capital values from work in progress accounts
- Create new assets in data management systems
- Reconcile balances
- Identify all donated assets from development
- Value all new assets and enter into database
- Geo-locate all new and found assets
- Provide details of found assets to database

The above tasks require the cooperation of all members of council's asset management team and the external consultants managing the data provided, to prepare the end of financial year financial statements.

CONSULTANT SERVICES

Consultant services are required to deliver specialised services to Council for a range of generally short-term requirements. Current consultant activities comprise:

- Hydraulic Engineering periodic advice and progressive development of Catchment plans
- Grant project delivery

- Consultant briefs are being developed for design works associated with the 2024-25 capital program with a view to engaging designers early in the new financial year.

OPERATIONAL WORKS

ROADS, BRIDGES, FOOTPATHS, KERBS

- Maintenance grade of Wielangta Rd- 95% completed.
- Old Coach Rd maintenance grade- 75% completed.
- Maintenance grade Earlham Road- completed.
- Maintenance grade Rheban Road- underway.
- Cold mixing of potholes across the municipality- Ongoing across municipality- approx. 6 ton of cold mix placed for June.
- West Shelly Rd cul-de-sac repairs/upgrade- completed.
- Wielangta Rd seal failures, box out, install geo-grid and re-seal- completed.
- 4 unsealed road inspections completed for June.
- Installation of traffic calming devices corner of Boyle St and Esplanade East, Triabunna- underway.
- Street sign survey of Buckland/Orford/Triabunna and surrounding areas- signs have arrived.
- Replacement of 3 failed sections of K & C in Swansea (Franklin St, Victoria St and Bridge St)- completed.
- Roadside spraying of sealed and unsealed roads- ongoing.
- Esplanade West, Triabunna. Construct one way traffic island- completed.
- Street Sweeping of all streets across the municipality with K & C- completed.

STORMWATER, DRAINAGE

- Open drain and culvert/cross over maintenance- ongoing across municipality.
- Refurb/modification of headwalls on Cutting Grass Rd unsealed section- completed.
- Freycinet Drive open draining cleaning- completed.
- Brockley Rd culvert/drain cleaning- completed.
- Franklin St, Triabunna safety rail around headwall/new 750mm SW pipe termination- completed.
- Cleanout of Raspin Beach waterway adjacent to caravan park- PWS and Cultural heritage approval has been requested/submitted.
- Open drain cleaning Manning Drive, Orford- completed.
- Diversion drain construction at East Shelly Rd, Pine Hills Crt, Orford- completed.

WASTE MANAGEMENT

- Slashing of Orford WTS land along highway frontage- completed.
- Removal of last dangerous bin flaps at Orford WTS and install new steel platform- completed.
- New green waste advisory signs for all WTS's- signs received yet to be installed.

- 561 Bin requests were received for the 2023-24 financial year. These are not included in the customer request figures and include requests for replacement lids and bins and new bin provision for new homes.

During 2023-24 the following recycling volumes were recorded:

- Car batteries 5.09t
- 9104 regular batteries
- 7300 litres of oil
- 115 skip bins of cardboard
- 1.53 tonnes of gas bottles

PARKS, PLAYGROUNDS, RESERVES, WALKING TRACKS, CEMETERIES

- Re-planting of garden beds along Esplanade, Orford- completed.
- Refurb of Gate House gardens, Triabunna- completed.
- Pelican Walk walkway handrail over waterway- completed.
- Raspin Beach garden mulching- completed.
- 11 playground inspections completed for the month.
- Removal of dangerous trees and stumps in Tram Rd, Bicheno- completed.
- Removal of dangerous tree at 1 Gordon St, Bicheno- completed.
- Park bench at Garnett Ave near toilets (Coles Bay)- old bench removed as dangerous, new bench/table installed.
- Sourcing contractor with fit for purpose equipment to high pressure clean boat ramps- underway.

BUILDINGS AND MARINE

- New leases developed for 2024-25 for issue to berth holders.
- Public amenity waste-water issues at Harold St have been diagnosed and plans to improve the system are in train. The filtration system will be upgraded in conjunction with the Annex extension, being critical to the building permit process.
- The Marina is presently fully subscribed.
- Replacement of hand driers in public amenities underway with alternative more robust units where existing units have been subject to vandalism.
- All facilities power board audit commenced.
- Maintenance check of defibrillators commenced following recall advice for particular models.
- Halls checked for compliance with fire code and confirmed compliant.
- Building alarm system contractor changed over.
- Bespoke high flow Systems being installed.
- Liaising with Courthouse committee Swansea to discuss improvement plans for the building.
- Items identified for maintenance from the diver's report on the marine infrastructure: Freeman's and Swansea jetties \$9840, Jubilee Beach \$4320 and Prosser Jetty \$7427. Works will be scheduled this year.

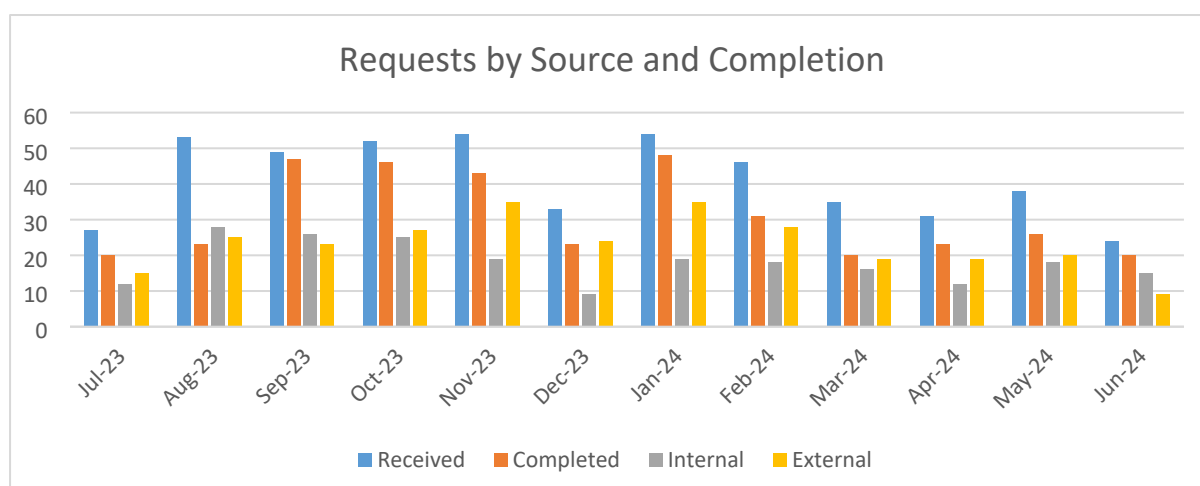
EMERGENCY MANAGEMENT

After hours rostering carried out as scheduled.

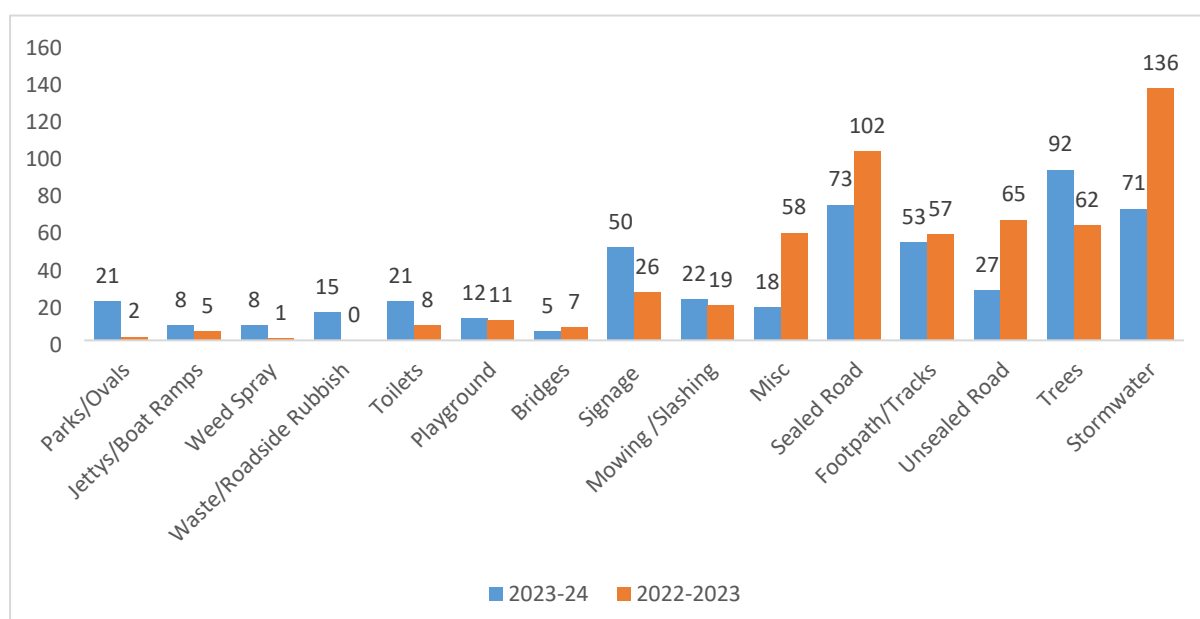
Attendance and participation at East Coast Fire Management Area Committee meeting in Sorell.

CUSTOMER REQUESTS

The chart below summarises the requests received year to date by the total numbers received; the number completed; those generated by the public and those generated by officers.



The requests are sorted into categories to provide an overview of the areas showing the most interest or greatest need for attention as per the bar chart below which also shows the change in demand over two years:



The bar chart above has some anomalies with a couple of categories removed and others included between the two years in the lower number categories. We sought to gather more information from works of a kind previously lumped under miscellaneous.

With a dry year this year stormwater requests have halved. Tree requests have increased by half. Unsealed road requests have more than halved. Signage requests have doubled although this is due in part to a proactive signage audit within Orford and a program of replacing missing street blades and renewing faded cautionary signs.

CAPITAL WORKS

- Wielangta Road resheet segment completed.
- Minor seal failures on Rosedale Rd and Freycinet Drive - completed by contractor under maintenance
- East Shelly Rd Ag drain installation due to water ingress to road pavement- underway
- Franklin St, Triabunna - extension of 750mm SW pipe x 60m long in conjunction with developer works - completed
- Install new SW pipe, headwall, reshape drain and rock line and re-sheet Eastern entry to One Tree Point, Triabunna - completed
- Triabunna Depot Facilities upgrade and asbestos removal completed.

Grant funded

Generally the grant funded projects are experiencing delays as consultation with major stakeholders is slower to progress than anticipated:

- Bicheno Gulch Main Civil works substantially complete. Bitumen seal delayed until warmer weather. Walking Track contractor scheduling work within next few months. Project completion scheduled for October 2024.
- Coles Bay Foreshore Track – Lease adjustments now resolved to enable installation of remaining path and elevated walkway to complete linkage to Garnet Avenue. Project completion expected before end of 2024.
- Bicheno Triangle – awaiting confirmation advice from funding manager of variation dates.
- Coles Bay Hall Annex – building permit application lodged. Negotiating a start date with the preferred contractor.

GENERAL

- Council has a role as a road authority which includes determinations associated with the Heavy Vehicle National Law. This includes approval, conditioning or rejection of permit applications from heavy vehicle operators through the National Heavy Vehicle Regulator Portal. The majority of these permits are associated with logging operations, heavy plant movement for quarrying or over width and over length permits for new prefabricated houses. 23 permits have been processed in the 2023-24 year and a couple of other notices have been updated as notified by the regulator.
- Correspondence has commenced with the State Fire Commission regarding potential transfer of the titles of the Orford Fire Station situated in Our Park. The transfer would enable improved outcomes in the development of a plan for the park which is included in the 2024-25 capital program.

RESERVE BOOKINGS AND ROAD CLOSURES

Road closures for the events noted will be carried out under section 19.1(a) of the *Local Government Highways Act 1982* requiring consultation with the Commissioner of Police:

- Bookings are being processed for a number of events with approvals pending.

RECOMMENDATION

That Council notes the information.

7.2 Director Planning and Development - Alex Woodward

Animal Control and Compliance; Building and Plumbing; Environmental Health; Natural Resource Management; Planning and Property

ATTACHMENT/S

1. Reps received May to July 2024 [7.2.1 - 1 page]
2. Attachment 2 Planning Appeals July [7.2.2 - 1 page]

PURPOSE

The purpose of this report is to provide an update on the activities of the Planning and Development Directorate and to specifically report on the development approvals issued under delegation.

BACKGROUND/OVERVIEW

Animal Control and Compliance:

Dog registration and kennel licence renewals have been sent out and are currently being processed. Officers will now begin the process of following up any outstanding renewals.

Due to staff shortages in the compliance section, the Dog Management policy has been somewhat delayed. The working group met recently, and the draft will be presented to Council soon once approval is granted from Parks and Wildlife Service (PWS). This is due to the majority of areas being declared are on PWS land.

Council will shortly commence the implementation of a new customer request module. This system will ensure that all requests/complaints are logged in a more efficient manner and will provide a significant improvement in reporting functions.

Building and Plumbing:

For the 2023/24 financial year there was 147 building approvals with a total value of \$47,877,537.00.

There continues to be a number of building non-compliance matters that are currently being managed. The Permit Authority has issued 7 Building Notices and 6 Building Orders for the 2023/2024 period, and ongoing matters are still being dealt with from the previous period. The Permit Authority continues to work with the owners to rectify these matters.

Environmental Health:

Council's new Senior Environmental Health Officer commences in early August and will be working two days per week.

Other matters currently being dealt with by staff include nuisance investigations, failing onsite wastewater systems and assessment of environmental health related development applications.

All food business and public health licence renewals have now been sent out and will be followed up shortly.

Natural Resource Management:

Close to 900 native plants and grasses have been planted on Council reserves and roadways by Council's outdoor crew. It is hoped that the recent rain will assist the plants to establish themselves.

Following concerns by some community members about contaminated mulch being used by Council, an article was published in SeaSpeak to encourage responsible disposal of green waste.

A Weed Management Plan for the municipality is being developed to guide weed management across tenure. An article encouraging landholders to inspect and control serrated tussock on their property has also been published in Great Oyster Bay News.

The NRM Officer has been busy developing new content for the NRM pages of the Council's website in an attempt to make information about GSB's natural values and responsible NRM easier to access for members of the community and visitors. The new pages are expected to be published in the coming weeks.

The NRM Officer has also begun actively posting on Facebook about topical NRM and environmental matters. Weekly posts have been scheduled and will continue indefinitely.

The NRM Officer attended a field trip to Moulting Lagoon organised by NRM South. The visit provided an opportunity for the NRM Officer to meet key stakeholders in the NRM space, learn more about the natural values of Moulting Lagoon, and learn about NRM South's work to rehabilitate the wetland in collaboration with adjacent landholders.

Planning:

Council's Planning section continues to see a steady flow of Development Applications submitted, however this has declined somewhat likely due to economic pressures at present. Year to date 257 Development Applications have been approved with a total value of \$109,528,521.00.

The consultation period for the draft structure plans for the townships of Bicheno, Coles Bay, Swansea and Triabunna/Orford has now closed. The community and stakeholder engagement period ran from Monday 10 May until Monday 17 June 2024 which included a weeklong extension at the request of community members and Council. A range of engagement methods were used to provide the community and stakeholders with opportunities for input. Council will be presented with the final Draft versions of the plans in August for final endorsement.

Presently, Council have provided delegation to the General Manager to approve an application, with or without conditions, where no more than two representations are lodged against the application. A report on these approvals is provided in Attachment 1.

A report on current planning appeals and recently resolved appeals is also provided in Attachment 2.

Property:

The majority of commercial lease arrangements have now been finalised with existing tenants. Officers are now progressing through the remainder of the outstanding leases within the scope of Council's policy.

The property at Spencer Street, Triabunna is currently on the market for sale. Whilst an offer is yet to be made, there continues to be interest in the site.

STATUTORY IMPLICATIONS

Given this report is for information only, there are no statutory implications.

BUDGET IMPLICATIONS

Given this report is for information only, there are no budgetary implications.

RISK CONSIDERATION/S

No risk associated with receiving an information report.

OFFICER'S RECOMMENDATION

That Council receives and notes the report on the activities of the Planning and Development Directorate.

8 OFFICERS' REPORT REQUIRING A DECISION

8.1 2024/25 Annual Plan

Author: General Manager (Greg Ingham)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. Draft Annual Plan 2024-25 [**8.1.1** - 8 pages]

PURPOSE

The purpose of this report is to submit the Glamorgan Spring Bay Council 2024/25 Annual Plan to Council for review, consideration, and adoption.

BACKGROUND/OVERVIEW

The Annual Plan is one of Council's main reporting documents and provides specific information about the services and projects Council will undertake during the financial year in order to achieve the objectives and goals outlined in the Glamorgan Spring Bay Council's 10-year Strategic Plan 2020-2029.

Key actions are set out in this Plan that will enable Council to meet Community needs and achieve the Goals of the Strategic Plan.

The Annual Plan also includes a summary of the Budget Estimates for 2024/25 which were adopted by Council at a Special Meeting on the 9 July 2024.

STRATEGIC PLAN REFERENCE

Guiding Principles

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundations

1. Our Governance and Finance

What we plan to do

- Set realistic budgets and monitor income and expenditure closely.

STATUTORY IMPLICATIONS

Section 71 of the *Local Government Act 1993*

BUDGET IMPLICATIONS

The actions contained within the 2024/25 Annual Plan are consistent with the summary of estimates previously adopted by Council under section 82 of the Local Government Act.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation Risk associated with the adoption of the Annual Plan is considered minimal as the initiatives identified within the Annual Plan are consistent with Council's Strategic Plan and Council's 2024/25 budget estimates.	Minor	Possible	Low	There are no material risks associated with adopting the recommendation.
Do not adopt the recommendation An alternative or updated version of the Annual Plan would need to be developed and endorsed, resulting in delayed implementation and reporting for the 2024/25 year.	Possible	Moderate	Moderate	Prepare an alternative Annual Plan for adoption with consequent duplication of resources.

OFFICER'S COMMENTS

The Annual Plan meets Council's statutory and strategic obligations and establishes the key actions for the organisation for the year 2024/25.

OFFICER'S RECOMMENDATION

That Council adopts the 2024/25 Annual Plan as attached to this report.

8.2 Request Approval for Buildings Within Covenanted Area (284 Rheban Road, Orford)

Author: James Bonner – Senior Planner

Responsible Officer: Director Planning and Development (Alex Woodward)

ATTACHMENT/S

1. Cover letter buildings in covenanted area - 284 Rheban Road, Spring Beach [8.2.1 - 10 pages]
2. Natural Values Assessment - 284 Rheban Road, Spring Beach [8.2.2 - 13 pages]
3. Natural Values Atlas - 284 Rheban Road, Spring Beach [8.2.3 - 50 pages]

PURPOSE

A request has been received seeking approval for buildings to be located within the covenant area on the folio plan at 284 Rheban Road, Orford (CT169414/1). The covenant binds the owner and benefits every other lot on the plan by restricting development of a portion of the land by the following stipulation:

Not to build any building or structure south of the line marked A-B on the plan, unless approved by the Glamorgan Spring Bay Council.

The applicant states that the covenant is superfluous to the primary instruments, being the *Tasmanian Planning Scheme* and the *Land Use Planning and Approvals Act, 1993* which regulate the development of land.

It is noted that a development approval by the Planning Authority under the *Tasmanian Planning Scheme* would not satisfy the terms of the covenant as covenants are not matters that are regulated under the *Tasmanian Planning Scheme* or the *Land Use Planning and Approvals Act, 1993*.

As the Planning Authority cannot make a determination in relation to the covenant this report has been prepared for Councils consideration.

BACKGROUND/OVERVIEW

Previous Application to Amend the Sealed Plan

In April 2024 the owner of 284 Rheban Road submitted a petition to amend the sealed plan. The petition was requesting the removal of the covenanted area in accordance with section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* to allow future development of the lot. In accordance with the provisions of the Act Council notified landowners the subject of the covenant and received two submissions objecting to the removal of the covenant.

The applicant has since determined that the petition to amend the sealed plan is not required as the terms of the covenant states that a building or structure cannot be built within the covenanted area unless approved by the Glamorgan Spring Bay Council. Hence the current

request for Council to approve future buildings in the covenanted area, which does not require the sealed plan to be amended.

Background to Covenant

The three lots the subject of the sealed plan were created by a subdivision of the parent lot under SA2013/00017 dated 10 December 2013. A review of the Natural Values Assessment (NVA) submitted with the subdivision application did not find any threatened flora or fauna species on the subject site, though the subdivision occurred within a vegetation community (*Eucalyptus amygdalina* forest and woodland) listed as “vulnerable” under Schedule 3A of the Nature Conservation Act 2002. The NVA recommended that building envelopes on the lots be provided to minimise vegetation removal and that all vegetation outside of the building envelopes be retained.

During Council’s assessment the application was referred to the then Department of Primary Industries, Parks, Water and Environment for advice on the NVA. The Department responded by advising that the recommendations of the NVA to minimise impacts to the threatened vegetation community were supported by the department. However, the department concluded “...that the threatened vegetation community DAS is reasonably well reserved at both the State and Regional level. One of the key threats to threatened vegetation communities is fragmentation of existing areas. In this instance it is concluded that the loss of most, or all, of the DAS community on the two properties will not reduce the connectivity of the larger, contiguous area of DAS in the general area.”

Council’s then Natural Resources Manager recommended conditions be included in any permit that the vegetation be retained and the development footprint be contained within the building envelope.

The subdivision permit (SA2013/00017) included the following conditions.

15. Building envelopes as designated in the Environmental Values Assessment (Welling Consulting October 2013) be specified in the schedule of easements on each title. All of the development footprint including accesses and bushfire protection must be maintained within the building envelopes.
16. All vegetation within the *Eucalyptus amygdalina* forest and woodland (a threatened forest community under Schedule 3A of the Nature Conservation Act 2002) outside of the building envelopes must be retained in its current condition.

Even though the permit did not include a condition requiring a restriction on title, the schedule of easements subsequently included the following covenant over lot 1, the subject of the current request.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 3 PAGES 4	Registered Number SP 169414
SUBDIVIDER: L & I WRIGHT FOLIO REFERENCE: CT 27494-12	

Covenants

The Owner of lot 1 on the Plan covenants with the subdivider, and the owners for the time being of every other lot shown on the plan to the intent that the burden of this covenant may run and bind the covenantor's lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every lot shown on the plan to observe the following stipulation: Not to build any building or structure south of the line A-B marked on the plan unless approved by the Glamorgan Spring Bay Council.

The Owner of lot 2 on the Plan covenants with the subdivider, and the owners for the time being of every other lot shown on the plan to the intent that the burden of this covenant may run and bind the covenantor's lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every lot shown on the plan to observe the following stipulation: Not to build any building or structure south of the line C-D marked on the plan unless approved by the Glamorgan Spring Bay Council.


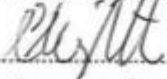
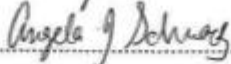
The Owner of lot 3 on the Plan covenants with the subdivider, and the owners for the time being of every other lot shown on the plan to the intent that the burden of this covenant may run and bind the covenantor's lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every lot shown on the plan to observe the following stipulation: Not to build any building or structure south of the line E-F marked on the plan unless approved by the Glamorgan Spring Bay Council.

Signed by the Registered Proprietors

Leanne Wright and

Christopher Ian Wright

In the presence of witness (sign)

Witness Name ANGELA SCHWARTZ
 Address 7 HARRIS ROAD BRIGHTON TAS 7030
 occupation TEACHER ASSISTANT

Figure 1 – Extract of Schedule of Easements with covenant highlighted



Figure 2 - Extract of Folio Plan with covenanted area highlighted

It is noted that Lot 3 was further subdivided into 2 lots in 2015 by SA2015/10 and while the restrictive covenant applies to both the lots created by that subdivision in effect it only affects Lot 102 located to the rear.



Figure 3 – Extract of folio plan for Lots 101 and 102 (previously Lot 3)

APPLICANT SUBMISSION

The applicant states that in a general sense the covenant seeks to manage dwelling development, for the purpose of retaining natural values, when these values are not considered to be sufficient to be included in the TASVEG overlay in the LIST or be included as a priority vegetation overlay in the Glamorgan Spring Bay Local Provisions Schedule.

As such, the applicant has requested Council approval for building within the covenanted area, as allowed for in the covenant, and has suggested the following terms:

That the Glamorgan Spring Bay Council resolve to approve the development of any building or structure at 284 Rheban Road, Spring Beach insofar as that building or structure may otherwise proceed where in accordance with a permit issued under the *Land Use Planning and Approval Act, 1993*, or where no permit is required, in accordance with a design which is endorsed by the planning authority as being one which does not require an application for a permit.

The applicant states that the above is proposed to provide certainty that future dwelling development will be subject to the requirements of the *Land Use Planning and Approval Act, 1993* and planning scheme in force at that time.

STRATEGIC PLAN REFERENCE

Key Foundations

1. Our Governance and Finance

This means

Best practice governance, risk, and financial management.

STATUTORY IMPLICATIONS

Section 103 of the *Local Government (Building and Miscellaneous Provisions) Act, 1993* (the Act) states a sealed plan may be amended by the council on application of any person having an interest in land subject to the plan. However, as the applicant is not proposing to amend the sealed plan the provisions of section 103 do not apply to the current request.

BUDGET IMPLICATIONS

There are no budget considerations.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation			Low	Future development could occur in accordance with any permit issued.
This will allow future development to occur as envisaged by the planning scheme				
Do not adopt the recommendation	Possible	Moderate	Moderate	A planning permit may still be issued for development however this would conflict with the covenant on title.
The covenanted restriction will remain.				

OFFICER'S COMMENTS

The 2013 subdivision application was assessed under the Glamorgan Spring Bay Planning Scheme 1994 which was in force at that time. The land was identified in that scheme as containing priority vegetation and an assessment of potential impacts was required to be undertaken and subsequently conditions were imposed.

Under the current Tasmanian Planning Scheme the lot and surrounding land is zoned Low Density Residential, is not identified as containing priority vegetation and the Natural Assets Code does not apply to the property. It is noted that there is no priority vegetation overlay within 100m of the property, as indicated below in figure 4 where the red border shows the extent of the priority vegetation overlay. The removal of the priority vegetation overlay in the current scheme may be due to surrounding land being developed after the subdivision in 2013 occurred.

It is noted that Council is not a party to the covenant



Figure 4 – Proximity of priority vegetation to property

The applicant has provided a Natural Values Assessment (NVA) which found that the site has been extensively cleared in the past and has regenerated over time, though the surrounding landscape is highly disturbed. The NVA states that no threatened flora or fauna is known on the site and while the site supports a very small patch of what may be considered to represent a threatened vegetation community this should be subsumed into the wider vegetation type of Urban Miscellaneous. The NVA concluded that there is no direct benefit to environmental values from continued constraint on building within the covenanted area.

OFFICER'S RECOMMENDATION

It is recommended that Council approves buildings within in the covenanted area as follows:

That the Glamorgan Spring Bay Council resolve to approve the development of any building or structure located within the covenanted area contained with the schedule of easements in SP169414 on 284 Rheban Road, Spring Beach, subject to the buildings being in accordance with the requirements of the *Land Use Planning and Approval Act, 1993* and *Tasmanian Planning Scheme – Glamorgan Spring Bay*.

8.3 Southern Regional Land Use Strategy - State of Play Report

Author: Senior Planning Consultant, Town Planning Solutions Pty Ltd

Responsible Officer: Director Planning and Development

ATTACHMENT/S

1. Southern Tasmania Regional Land Use Strategy, State of Play Report

PURPOSE

The purpose of this report is for the Council to note the *State of Play Report* for the comprehensive review of the *Southern Tasmania Regional Land Use Strategy* (STRLUS), and the beginning of the stakeholder consultation period. It details work undertaken to develop the *State of Play Report*, the first step in updating the STRLUS.

The *State of Play Report* summarises available data and information on a range of issues to understand the key issues and influences in the Region and the causes of growth and change. It addresses what we know from experience, what is currently happening, and (for some issues) projections of what may occur over the next 25-30 years.

Each Council in the region is required to note the State of Play Report.

BACKGROUND/OVERVIEW

The STRLUS is a long-term plan to facilitate and manage change, growth, and development, whilst protecting our natural values, within Southern Tasmania to 2035. Section 5A of the *Land Use Planning and Approvals Act 1993* (Act) provides for the making the review of the Regional Land Use Strategies.

Since the preparation of the STRLUS, the Southern Tasmanian region has experienced population growth, and new economic and social conditions are driving change. There have also been changes to the Tasmanian planning framework including the introduction of the Tasmanian Planning Scheme. Draft Tasmanian Planning Policies (TPPs) are currently under consideration. The STRLUS must be consistent with the TPPs.

In the context of this change, the 12 southern region councils committed to conduct a comprehensive review and update of the STRLUS. The comprehensive review and update program is co-funded by the 12 councils and the State government.

In February 2023, a steering committee was established to manage the project. The steering committee is made up of the following:

Chair Robert Higgins, General Manager, Sorell Council
Cr Daniel Hulme, Clarence
Mayor Rod MacDonald, Tasman
Mayor Leigh Bray, Brighton
James Dryburgh, General Manager, Brighton Council
Tony McMullen, General Manager Glenorchy City Council

Neil Noye, Director City Futures, Hobart City Council

The role of the steering committee is to:

- ensure Project outcomes and deliverables are achieved;
- approve the release of Project deliverables; and
- establish communication channels and maintain regular project updates with the elected members and executives of the Councils.

In August 2024, a Regional Planning Coordinator was appointed. The Regional Planning Coordinator is responsible for working with the southern councils and the State Planning Office to coordinate the comprehensive review and development of the updated STRLUS. In December 2023, to support the delivery of the project, a working group was established. The working group comprises of the regional planning coordinator, one senior planning advisor from the State Planning Office, two state agency/authority representatives and 12 council planners. The role of the working group is to provide advice to the Regional Planning Coordinator on regional planning matters relevant to the review and provide advice on technical planning issues as relevant.

ETHOS Urban, a leading consultancy comprising of planners, economists, social strategists, and designers, has been engaged to support the delivery of the State of Play and updates to the STRLUS.

Capire Consulting Group, a specialist community engagement consultancy with expertise in regional planning, community development and social impact, and public policy has been engaged to support with communication and engagement.

Cooee Communities, palawa consultants, reviewed the State of Play and are currently being engaged to support palawa engagement.

STRATEGIC PLAN REFERENCE

Noting the State of Play Report and participation in the Southern Tasmanian Regional Planning Project is consistent with the following aspects of the Strategic Plan 2020-2029:

Core Purpose

3. Planning and creation recreational spaces and facilities
6. Encouraging investment from individuals and business in development that fits with the values and character of our region
7. Protecting the environmental values and amenity of the east coast.

Key Foundations

1. Our governance and finance
 - advocating and lobbying effectively on behalf of the community
4. Our environment
 - Implementing strategies to respond to climate change
 - Undertaking Planning functions, including development engineering, to support and manage growth in our municipality including effective future development facilitation.

STATUTORY IMPLICATIONS

Participation in the regional planning projects form part of the Council's obligations as a Planning Authority under the *Land Use Planning and Approvals Act 1993*.

BUDGET IMPLICATIONS

Participation in the regional planning projects forms part of the 2024/25 Council budget in delivering its role as a Planning Authority under the Act.

There are no current or proposed budget implications for Council associated with noting the State of Play Report for the STRLUS.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				None required
None				
Do not adopt the recommendation	Possible	Moderate	Moderate	Resubmit report to following Council meeting for consideration
Failure to note the State of Play Report				

OFFICER'S COMMENTS

The State of Play report is the first step in updating the STRLUS. It summarises available data and information on a range of issues to understand the key issues and influences in the Region and the causes of growth and change. It addresses what we know from experience, what is currently happening, and (for some issues) projections of what may occur over the next 25-30 years.

Southern Tasmania is unique, complex, and diverse. The State of Play report documents the things that make parts of the Region unique, that the community values, and that are important to address for the benefit of people, the economy, and the climate and landscape that shapes the region.

The document is designed to be a community facing document enabling initial conversations around:

- How our region is changing and will continue to change.
- Changes we need to make to create a more equitable and resilient region for future generations.
- How planners determine where and how we accommodate growth.
- What great outcomes could look like and how the STRLUS can support this.
- Why it is important people are involved.

Data for the State of Play report has been gathered from several sources including, but not limited to:

- Residential demand and supply study
- Economic profile
- ABS data
- State data including LISTmap and plans such as Tasmania's Climate Change Action Plan 2023-25
- Local planning provisions
- Council input through the working group.

During background analysis key themes emerged which have informed the contents of the State of Play, namely:

- Country, climate, landscape, and environmental values
- Economic activity and infrastructure
- People, communities, and growth.

In drafting the State of Play some key principles for shaping the region have emerged. The principles seek to respond to the diversity of our region and are informed by the draft Tasmanian Planning Policies. Following input from stakeholders they may set key principles in developing the STRLUS. Shaping the region:

- Planning for the Region is grounded in understanding of, respect for, and connections to culture, history, and Country.
- Land use and economic activity respect, respond sustainably to and protect the Region's unique natural environment.
- Communities across Southern Tasmania are safe and resilient to natural hazards and climate change.
- Communities in the Region are sustainable, connected, and diverse.
- Social services and infrastructure are planned and delivered to support a growing and changing community.
- Employment and economic clusters are accessible and transport networks support how, where, and why people and goods move within, to and from the Region.
- The Region's economy leverages its unique strengths and provides a stable base for employment growth and diversification.

Communications strategy

The Tasmanian Government, State Planning Office is preparing a communications plan for Regional Land Use Strategies.

The State of Play and associated materials will be made publicly accessible via a project website.

Councils are requested to promote project engagement activities via their own engagement channels.

Community engagement

The STRLUS steering committee is preparing an engagement plan for the southern region.

It is anticipated that the State of Play will be placed on the project website mid-September. It will act as a catalyst for community engagement, a series of engagement activities are planned to seek input into the STRLUS.

Councils are requested to support to support the dissemination and collating feedback on the State of Play report through your normal engagement channels.

Next steps

Following noting by Councils and the Tasmanian Government Minister for Housing and Planning, the State of Play report will be placed on a project website where it will be used to begin consultation with stakeholders around updates to the STRLUS. Feedback gathered through consultation will be used to inform the STRLUS review.

ETHOS Urban in consultation with the working group is currently reviewing the current STRLUS. It is anticipated that a draft revised STRLUS will be provided to Council for endorsement late 2024 – early 2025. Following which it will be placed on formal public exhibition. It is anticipated the final STRLUS will be provided to the Minister for consideration mid-2025.

It is anticipated that the *State of Play* report will be placed on the project website mid-September 2024. It will be used to begin consultation around updates to the STRLUS. Feedback gathered through consultation will be used to inform the STRLUS review.

OFFICER'S RECOMMENDATION

That Council note the State of Play Report and the beginning of stakeholder consultation on the comprehensive review and update to the STRLUS.

8.4 Request for Event Support - Freycinet Challenge 2024

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Request for Event Assistance - Freycinet Challenge 2024 [8.4.1 - 14 pages]

PURPOSE

To request for Council to provide Event Funding of \$2,000 to Jamset Pty Ltd for the Freycinet Challenge 2024 event.

BACKGROUND/OVERVIEW

Council periodically provides a level of financial and or in-kind assistance to community events that aim to involve, engage and provide benefit to community groups within the Glamorgan Spring Bay municipality. Events supported by Glamorgan Spring Bay Council celebrate and engage local communities and promote tourism to our region. Councils ongoing support to organisations and groups assists in the delivery of events in the Glamorgan Spring Bay municipal area that have creative, community and economic outcomes.

About the event and organiser

The Freycinet Challenge event is run by a private company Jamset Pty Ltd (ABN 82 659 528 524) who took over the event in 2022 following its absence during the Covid period. Freycinet Challenge sources its funding through entry fees, sponsorship, grants and donations to support the cost of the event. The event is a two-day multi-sport event hosted at Coles Bay, Tasmania, within the Freycinet National Park. The 2024 Freycinet Challenge is scheduled to run on Saturday 5th and Sunday 6th October 2024.

The event offers participants a local opportunity to engage in four different sports over two days, including road cycling on Coles Bay Road, mountain biking on trails near Friendly Beaches, running along the Hazards-Wineglass Bay loop and Muir's Beach, and paddling along the coastline off Muirs and Richardsons beaches.

The event will start and finish at the Village Green in Coles Bay, where all leg transitions occur, and where spectators gather during the two days.

Benefits/impact on the Glamorgan Spring Bay Community

Last year, the Freycinet Challenge welcomed 343 athletes and an estimated 350 spectators. The majority of participants engaged in the comprehensive two-day challenge, leading to many individuals seeking accommodation for the two nights in and around Coles Bay and the neighboring East Coast towns.

This year, Freycinet Challenge is expanding its reach by targeting mainland athletes, hoping to attract competitors from different states, thus enhancing exposure for local businesses and showcasing the awe-inspiring beauty of the East Coast.

The Village Green in Coles Bay is a terrific central location where participants and spectators come together fostering a sense of community and camaraderie, and encouraging excitement throughout the two-day event.

There will be a requirement for road closures. Private operators do not have authority to close a road and are required to apply to the road owner, for a permit. Most of the impacted area is for State Growth roads, however two Council managed areas, Coles Bay Esplanade intersection and the Village Green will required a Council Permit. The cost incurred for the permit is administrative coordination and the requirement to advertise.

Ticket Costs:

1-DAY CHALLENGE	
\$140.00	Solo competitor (18+ years)
\$110.00	Part of a 2 person senior team (18+ years)
\$85.00	Part of a 3- or 4-person senior team (18+ year)
\$85.00	Part of a 2-person junior team (14-17 years)
\$55.00	Part of a 3- or 4-person junior team (14-17 years)
2-DAY CHALLENGE	
\$220.00	Solo competitor (18+ years)
\$185.00	Part of a 2 person senior team (18+ years)
\$155.00	Part of a 3 or 4 person senior team (18+ years)
\$115.00	Part of a 2 person junior team (14-17 years)
\$85.00	Part of a 3 or 4 person junior team (14-17 years)

Request for support from Council

Jamset Pty Ltd has applied for sponsorship from Council for \$2,000 and in-kind support to assist with:

- Costs towards provision of the three safety boats for the event.
- Social media and marketing support through Councils communication channels to help promote the event and encourage people to compete and or/spectate .
- Provision of extra wheelie bins positioned in locations primarily where spectators and competitors will be congregating throughout the two days i.e., the Village Green) and removal of bins at the conclusion of the event.
- Assistance in informing Coles Bay residents about the event and associated road closures.

Previous Council Support:

2023	<ul style="list-style-type: none"> • \$1,500 cash contribution towards the cost of three safety boats • Provision of additional wheelie bins and kerbside collection • Social media and marketing support through Council's existing channels to help promote the event.
2022	<ul style="list-style-type: none"> • \$509 Cash contribution of towards road traffic signs procurement • Provision of additional wheelie bins and kerbside collection • Social media and marketing support through Council's existing channels to help promote the event.
2021	<ul style="list-style-type: none"> • No record
2020	<ul style="list-style-type: none"> • No record
2019	<ul style="list-style-type: none"> • \$2,000 Cash contribution (No record of in-kind assistance)
2018	<ul style="list-style-type: none"> • \$2,000 Cash contribution (No record of in-kind assistance)

STRATEGIC PLAN REFERENCE

Key Foundations

2. Our Community

This means

- Support for the arts, cultural activities, programs and events.

STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

a. in-kind assistance; and

b. fully or partially reduced fees, rates or charges; and

c. remission of rates or charges under Part 9.

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

BUDGET IMPLICATIONS

Council has an allocation of \$27,000 for events and programs in the 2024/25 budget. As at 1 July 2024 there is \$27,000 available from this budget.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Nil	Nil	Nil	Nil
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council offers an explanation for the non-approval of the request.
Not approving this may result in missed opportunities for community development.				

OFFICER'S COMMENTS

For this amount of sponsorship plus in-kind support by Council, this event is an effective way of bringing people together during the winter period, boosting visitors to the Coles Bay area

during the quieter season. The event is a great motivation to encourage exercise outdoors where people can congregate in groups, socialize, and improve their physical well-being and mental health and support of local businesses.

Provision of the \$2,000 cash support is recommended on the basis that it aligns with our key foundations to facilitate social and community events that promote community health and wellbeing. The value is also consistent with prior years sponsorship levels, and similar to other events in the region.

In terms of in-kind assistance, Council will provide support for provision of:

- Wheelie bin supply and pickup through kerbside collection as resources permit, quantity to be coordinated with the applicant.
- Waive of permit costs (\$136 + advertising) for the road closure of Council roads shall be coordinated through councils permit process and public notices will be communicated in accordance with necessary road closure legislation, using the local newspaper Bicheno Forward as well as Councils' usual communication channels.
- Social media and marketing support through existing Council channels to promote the event and encourage people to compete and or/spectate over the course of the event.

Council will request that the event acknowledge this support through displaying the Council logo at the event and include Council as a sponsor on the Freycinet Challenge website.

OFFICER'S RECOMMENDATION

That Council approves the application for event support from Jamset Pty Ltd for the Freycinet Challenge event, to be held on 5 and 6 October 2024, of \$2,000 cash towards the costs of three safety boats for the event, and in-kind support as recourses permit.

8.5 Request for Event Support - Winter Challenge

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Event support application - Winter Challenge [8.5.1 - 5 pages]

PURPOSE

To request for Council to provide Event Funding of \$2,000 to Birota Pty for The Smitten Merino Winter Challenge, a multi-sport event.

BACKGROUND/OVERVIEW

Council periodically provides a level of financial and in-kind assistance to community events that aim to involve, engage and provide benefit to community groups within the Glamorgan Spring Bay municipality. Events supported by Glamorgan Spring Bay Council celebrate and engage local communities and promote tourism to our region. Council's ongoing support to organisations and groups assists in the delivery of events in the Glamorgan Spring Bay municipal area that have creative, community and economic outcomes.

Council has received a request from Birota Pty Ltd regarding The Smitten Merino Winter Challenge, a multi-sport event for financial support and in-kind assistance from the Council for their event scheduled to take place on August 17 and 18, 2024, in Orford.

About the event and organiser:

The Smitten Merino Winter Challenge event is run by a private company Birota Pty Ltd (ABN 60 164 819 283).

After a four-year hiatus, the Multi-Sport Challenge returns to Orford, Tasmania, hosted at Our Park. This dynamic relay-style event allows participants to compete individually, in pairs, or teams of four across four challenging activities: kayak, road cycle, mountain bike, and trail run.

Starting with a 10km kayak leg in Prosser Bay, participants navigate a marked course around buoys, showcasing scenic coastal views. The road cycle leg spans 32km with 525m elevation gain, featuring two laps along Rheban road's rolling coastal terrain, ideal for road bikes. The mountain bike leg covers 15km with approximately 445m elevation gain, winding through singletrack, 4WD tracks, and fire trails in the hills behind Orford. The final leg, a 10km trail run along the Orford foreshore trail to Spring Beach and back, concludes the challenge amidst picturesque coastal landscapes.

Additionally, the event includes separate challenges: the Kayak Challenge, a 10km race hosted by Next Level Kayaking, and the Hill Climb Challenge, a 5.4km race with 410m elevation gain on mixed terrain roads.

Benefits/impact on the Glamorgan Spring Bay Community

The event provides an economic boost during the quiet winter season with participants requiring local accommodation, restaurants, and shops whilst in the area. The event serves as a platform to showcase the municipality's natural attractions and amenities, potentially attracting future visitors and tourism.

Ticket Costs:

MULTI-SPORT CHALLENGE PRICING	
Early Bird Pricing (Closes 30 June)	
\$365	Team of 3 /4 (\$89 per competitor)
\$238	Team of 2 (\$119 per competitor)
\$149	Individual competitor
Late Entry Pricing (Closes 10 August)	
\$399	Team of 3 /4 (\$99.75 per competitor)
\$279	Team of 2 (139.50 per competitor)
\$169	Individual Competitor
Hill Club Challenge Pricing	
\$45	Early Bird – Closes 30 June
\$60	Late Entry – Closes 10 August

Request for support from Council:

Birota Pty Ltd has applied to Council for \$2,000 of financial support and the following in-kind support:

- Waste Bins
- Supply of permit for the use of Our Park, Orford
- Supply of permit and waiver of permit costs (\$136 + advertising) for the road closure of Council roads shall be coordinated through councils permit process and public notices will be communicated in accordance with necessary road closure legislation, using the local newspaper Bicheno Forward as well as Councils' usual communication channels.

The financial contribution would go towards marketing, traffic management, safety equipment and implementation.

STRATEGIC PLAN REFERENCE

Key Foundations

2. Our Community

This means

Support for the arts, cultural activities, programs and events.

STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

- a. in-kind assistance; and
- b. fully or partially reduced fees, rates or charges; and
- c. remission of rates or charges under Part 9.

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

BUDGET IMPLICATIONS

Council has an allocation of \$27,000 for events and programs in the 2024/25 budget for events that Council conducts with any excess being available for other events such as this one. As at 1 July 2024 there is \$27,000 from this budget.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Nil	Nil	Nil	Nil
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council offers an explanation for the non-approval of the request.
Not approving this may result in missed opportunities for community development.				

OFFICER'S COMMENTS

This Winter Challenge multi-sport event will be held in the southern part of our municipality during the quieter winter season. This event promises to bring economic benefits from the participants and visitors to the area supporting local accommodation, restaurants, and shops, providing a welcome boost to the local economy.

Provision of the \$2,000 cash support is recommended on the basis that it aligns with our key foundations to facilitate social and community events that promote community health and wellbeing. The value is also consistent with other similar style events held in the region.

Integrity Assessment:

Birota Pty is a registered business ABN 60 164 819 283.

OFFICER'S RECOMMENDATION

That Council approve the application from Birota Pty Ltd for the The Smitten Merino Winter Challenge 2024 in the form of \$2,000 cash contribution and in-kind support to deliver and collect waste bins as resources permit.

8.6 Request for Event Support - Bicheno Food and Wine Festival 2024

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. Bicheno Food & Wine Festival - Event Support Grant Application Form [8.6.1 - 6 pages]
2. Bicheno Food & Wine Festival 2023 [8.6.2 - 2 pages]

PURPOSE

To request Council provision of Event Support through in-kind services and funding of \$4,500, for Bicheno Food and Wine Festival.

BACKGROUND/OVERVIEW

Council has received a request from Bicheno Food and Wine Festival seeking financial support and in-kind assistance from Council for their event to be held on 16 November 2024.

About the Festival:

The Bicheno Food & Wine Festival is a family friendly, foodie themed event that features a selection of fresh seafood, produce, wine and other beverages locally grown, harvested, and produced in the area. This outdoor festival has a holiday atmosphere with live music from local bands, kids activities, cooking demonstrations, food and wine tastings, and much more. The event will be conducted at the Bicheno Lions Park on Council land in Bicheno and aims to celebrate the East Coast's culture, produce and passionate gourmet creators. The festival showcases the beautiful East Coast Waubs Bay waterfront and surrounds.

Request for support from Council:

The festival organiser's request for assistance as follows;

- Waste Management
 - Transfers: trucks and drivers for managing transfers to the waste station. Ideally provide one truck for each stream but can manage with one.
 - Bins: Council to provide as many bins as feasible for the event and bin liners.
- Financial Contribution of \$4,500 towards:
 - Supplementary wheelie bins and transport (\$750)
 - Hire of skip bins and waste collection (\$1,000)
 - Contribution to cleaning contractor for waste separation \$(1,000)
 - Traffic Management Implementation (\$1,000)
 - Staffing and consumables (\$750)

STRATEGIC PLAN REFERENCE

Key Foundations

2. Our Community

This means

Support for the arts, cultural activities, programs and events.

STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councilor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

- a. in-kind assistance; and
- b. fully or partially reduced fees, rates or charges; and
- c. remission of rates or charges under Part 9.

(2) The details of any grant made or benefit provided are to be included in the annual report of the council

BUDGET IMPLICATIONS

Council has an allocation of \$27,000 for events and programs in the 2024/25 budget for events conducted by Council with any excess being available for other events such as this one. As at 1 July 2024 there is a full budget allocation with no events yet funded.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Possible	Moderate	Medium	Organiser's insurance and risk management plan actions implemented to address risks.
Risks to road users and event participants				
Do not adopt the recommendation	Possible	Moderate	Medium	Develop alternative motion to express the will of council.
Risks to event viability and council reputation				

OFFICER'S COMMENTS

Bicheno Food and Wine Festival operate under the association name **Bicheno Festival Committee Inc**, registration number: IA11157

Festivals bring many benefits to our communities, such as boosting the local economy and attracting more tourists. Retail and tourism businesses can benefit from the increased visitor numbers. This event will have a positive economic effect for the area.

The Bicheno Food and Wine Festival organisers have asked for a high level of support from Council, compared to other events. On the other hand, the Bicheno Food and Wine Festival provides community funding to assist with infrastructure provision in Bicheno.

Council is prepared to offer limited services of support that are within the usual range of operational works but is not prepared to coordinate on behalf of others, third party services, such as arranging for traffic management, which is not a Council service. The Council has been a valuable partner of the Bicheno Food and Wine Festival, providing various services over the years. Commensurate with resource and staffing constraints, the Council officers suggest the following options:

- Council will supply, deliver and collect, 12 rubbish bins (red lid) and 12 recycling bins (yellow lid) for the event. Council will provide a supply of bin liners to be used for each bin, with any unused bin liners returned to the Council at the end of the event. The bins must be emptied regularly by the event organisers and returned in the same condition they were provided. Damaged bins are to be repaired/replaced at the cost to the organiser;
- Provide a financial contribution to cover the costs of supplementary wheelie bins and transport, skip bin hire and waste collection, cleaning contractor services for waste separation, traffic management implementation, as well as staffing and consumables.
- Waive the cost of the permit for the use of Council land.

OFFICER'S RECOMMENDATION

That Council provides to Bicheno Food and Wine Festival association for the Bicheno Food and Wine Festival to be held on 16 November 2024 the following event grant funding and support:

1. The provision, delivery and collection of 12 rubbish bins (red lid) and 12 recycling bins (yellow lid) and bin liners for the event, and
2. The collection of any recycle bags for disposal from the event location, on Monday 18 November 2024, and provision of a lifting machine to transport these to the Bicheno Waste Transfer Station for recycling, and
3. Provide a \$4,500 cash contribution towards the costs of supplementary wheelie bins and transport, skip bin hire and waste collection, cleaning contractor services for waste separation, traffic management implementation, as well as staffing and consumables for the event.

8.7 Community Small Grant Application - Bicheno Helping Hands

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Community Small Grant Application - Bicheno Helping Hands [8.7.1 - 3 pages]
2. Bicheno Community Development Association - Auspice Authority Email [8.7.2 - 1 page]

PURPOSE

Recommendation for Council to approve a Community Small Grant application for \$1,000 to Helping Hand Fund (auspiced by Bicheno Community Development Association) for a contribution towards Christmas decorations and a Santa Claus meet-and-greet event.

BACKGROUND/OVERVIEW

Small Grant funding is available to assist the undertaking of programs and activities within the Glamorgan Spring Bay municipal area. The assessment criteria is outlined in the Community Small Grants Fund policy, including:

- Grants are restricted to \$1,000, with exceptions up to \$1,500 at Councils discretion.
- Grants are available to not for profit individuals, community organisations and groups.
- Grants are intended to assist projects that (1) address relevant community issues of significance (2) are initiated within the community and actively involve local people and (3) improve access and encourage wider use of facilities.

Helping Hands is a community-led service dedicated to supporting vulnerable members of our community. The service extends a helping hand by offering vouchers for fuel to help individuals reach medical appointments, or providing essential wood for heating, or making medical equipment accessible for individuals. Bicheno Helping Hands Fund primarily generates the majority of their program funds through a combination of raffles, donations, and their annual September dinner event. During this special occasion, local businesses generously contribute items and services, which are subsequently auctioned to further support their cause.

This application from the Bicheno Helping Hands Fund (auspiced by Bicheno Community Development Association) requests a cash contribution to decorate the township of Bicheno during the festive period of December 2024 and to support the Santa meet-and-greet event at Bicheno Lions Park.

STRATEGIC PLAN REFERENCE

Key Foundations

2. Our Community

This means

- Support and facilitation of social activities that promote community wellbeing.

STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

- a. in-kind assistance; and*
- b. fully or partially reduced fees, rates or charges; and*
- c. remission of rates or charges under Part 9.*

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$15,000 Community Small Grants Program provision in the 2024/25 budget. As at 1 July 2024 there is \$15,000 of the budget available to support this application.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Low	Low	Low	Nil
Approval of this funding might set a precedent, leading to future expectations for similar funding requests, potentially creating ongoing financial commitments for the Council.				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council provide alternative funding options for Bicheno Helping Hands.
The program may run out of funding and be unable to continue providing the Bicheno Helping Hands service.				

OFFICER'S COMMENTS

This initiative aims to foster community spirit and create a welcoming atmosphere during the Christmas season, aligning with our commitment to enhancing public engagement and local celebrations.

This application satisfies the necessary criteria of the relevant policy.

Criteria Assessment:

Funding value is within the acceptable allowance	Yes
Applicant is a not-for-profit community organisations and groups or individual	Yes
Grant is to assist projects that: 1. address relevant community issues of significance – 2. are initiated within the community and actively involve local people (3) improve access and encourage wider use of facilities	Yes

The Bicheno Helping Hands Fund project is grassroots, community-led effort, demonstrating the power of local individuals coming together to address a critical need. It showcases the community's commitment to taking care of its own.

Integrity Assessment:

The **Bicheno Helping Hands Fund** are not a registered incorporated association, and are not a registered not for profit organisation. Bicheno Community Development Association (Incorporation No. 02958C) have agreed to auspice the funds on behalf of this group.

OFFICER'S RECOMMENDATION

That Council approve the application for Community Small Grant funding of \$1,000 to Bicheno Helping Hands Fund (auspiced by Bicheno Community Development Association Inc) for a contribution towards Christmas decorations in Bicheno and a Santa Claus meet-and-greet event in December 2024.

8.8 Community Small Grant Application - Spring Bay Suicide Prevention Network

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Community Small Grant Application - Spring Bay Suicide Prevention Network [8.8.1 - 7 pages]

PURPOSE

Recommendation for Council to approve a Small Grant application for \$1,000 for to Spring Bay Suicide Prevention Network Inc for a contribution towards 12 LiveLife alarms.

BACKGROUND/OVERVIEW

Small Grant funding is available to assist the undertaking of programs and activities within the Glamorgan Spring Bay municipal area. The assessment criteria is outlined in the Community Small Grants Fund policy, including:

- Grants are restricted to \$1,000, with exceptions up to \$1,500 at Councils discretion.
- Grants are available to not for profit individuals, community organisations and groups.
- Grants are intended to assist projects that (1) address relevant community issues of significance (2) are initiated within the community and actively involve local people and (3) improve access and encourage wider use of facilities.

The Spring Bay Suicide Prevention Network (SBSPN) Inc. is an incorporated organization operating within the Spring Bay area (Buckland to Little Swanport) and is comprised of dedicated volunteers. SBSPN is focused on prevention and awareness rather than intervention and is open to all community members concerned about the welfare and mental health of their family, friends, neighbours, colleagues and teammates.

The primary purposes of the network are to:

- Provide appropriate treatment and pathways to assist individuals at risk of self-harm and suicide.
- Disseminate information and resources related to suicide and mental health.
- Offer suicide and mental health awareness training to community members.
- Help reduce the stigma surrounding suicide and mental illness.
- Promote social inclusion in the Spring Bay community through various events and activities organized throughout the year.

To promote mental health and wellbeing in the community, SBSPN hosts numerous events throughout the year. These include a Bi-Annual Quiz Night, Wear a Hat Day, Morning Tea, R.U.Ok Day BBQ, Mental Health Week, World Suicide Prevention Day, the Annual Suicide Memorial Day, and the Solstice Swim. Additionally, SBSPN runs various programs such as the LiveLife alarm program.

The LiveLife alarm is an SOS device (new 4GX 2024 model) that operates using available mobile network coverage, ensuring functionality not just at home but anywhere with signal. When the button is pressed, it sends the user's location and begins calling up to six contacts (including the option to call 000). The alarm features inbuilt fall detection and includes a speakerphone and microphone in the pendant, providing real-time communication throughout an emergency.

Since its inception in late 2018, the network has distributed over 100 alarms in the community. SBSNP now seeks funding to purchase an additional 12 LiveLife alarms for the community. The network collaborates with various health and support services, including GPs, Lifeline, Relationships Australia, Wesley Mission, ambulance personnel, and social workers.

Hydro Tasmania is also supporting this project by providing \$5,250 towards its implementation.

Estimated costs for event activities to be covered by Community Small Grant funding:

Item	
X12 LiveLife Personal Mobile Alarms (\$547ea)	\$6,564
Total	\$6,564

STRATEGIC PLAN REFERENCE

Key Foundations

2. Our Community

This means

Developing our facilities to be accessible and inclusive for all.

STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

a. in-kind assistance; and

b. fully or partially reduced fees, rates or charges; and

c. remission of rates or charges under Part 9.

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$15,000 Community Small Grants Program provision in the 2024/25 budget. As at 1 July 2024 there is \$15,000 of the budget available to support this application.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				Nil
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council explains why funding was not provided to the group and suggests alternative options they can explore.
Spring Bay Suicide Prevention Network may be required to find alternate funding.				

OFFICER'S COMMENTS

The LiveLife Personal Mobile Alarms are lifesaving device designed to enhance personal safety and provide peace of mind, particularly for vulnerable individuals such as the elderly, those with medical conditions, or individuals living alone. The distribution of these alarms contributes to the overall safety and well-being of our community.

The SBSPN have provided a service in the form of the LiveLife device to vulnerable members of our community that may not have had the means to procure themselves.

This application satisfies the necessary criteria of the relevant policy.

Integrity Assessment:

The 'Spring Bay Suicide Prevention Network are a registered incorporated association
Registration Number: # IA12964

Criteria Assessment:

Funding value is within the acceptable allowance	Yes
Applicant is a not-for-profit community organisations and groups or individual	Yes
Grant is to assist projects that: 1. address relevant community issues of significance – 2. are initiated within the community and actively involve local people (3) improve access and encourage wider use of facilities	Yes

OFFICER'S RECOMMENDATION

That Council approve the application for Community Small Grant funding of \$1,000 to Spring Bay Suicide Prevention Network Inc for a contribution towards x12 LiveLife mobile alarms.

8.9 Community Small Grant Application - Spring Bay Community Food Hub

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. Community Small Grant Application - Spring Bay Community Food Hub Inc [8.9.1 - 9 pages]

PURPOSE

Recommendation for Council to approve a Small Grant application for \$1,000 to the Spring Bay Community Food Hub to support their insurance costs.

BACKGROUND/OVERVIEW

Small Grant funding is available to assist the undertaking of programs and activities within the Glamorgan Spring Bay municipal area. The assessment criteria is outlined in the Community Small Grants Fund policy, including:

- Grants are restricted to \$1,000, with exceptions up to \$1,500 at Councils discretion.
- Grants are available to not for profit individuals, community organisations and groups.
- Grants are intended to assist projects that (1) address relevant community issues of significance (2) are initiated within the community and actively involve local people and (3) improve access and encourage wider use of facilities.

The Spring Bay Community Food Hub is a newly established incorporated body of dedicated volunteers working to alleviate food insecurity in the Glamorgan Spring Bay community. The group has an arrangement to utilise the Triabunna Trade Centre one day per week as an avenue to distribute food hampers to the community. However, prior to commencing operations, the Food Hub must secure volunteer and public liability insurance.

The group was formed by concerned community members who united to address local issues and explore collaborative solutions for food insecurity. The group consulted with the Brighton Food Hub to learn how to establish a new hub, using their successful model as a foundation.

The Spring Bay Community Food Hub is seeking assistance from Council, in hopes to cover mandatory insurance costs for volunteers and public liability, ensuring sustainable operations.

The Food Hub is expected to bring benefits to the community, including reduced food insecurity by providing access to affordable food and strengthened social connections through community support.

STRATEGIC PLAN REFERENCE

Key Foundations

2. Our Community

This means

Developing our facilities to be accessible and inclusive for all.

STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

a. in-kind assistance; and

b. fully or partially reduced fees, rates or charges; and

c. remission of rates or charges under Part 9.

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$15,000 Community Small Grants Program provision in the 2024/25 budget. As at 1 July 2024 there is \$15,000 of the budget available to support this application.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Nil	Nil	Nil	Nil
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council provide alternative funding opportunities to the Spring Bay Community Food Hub.
Not approving the recommended grant may result in a missed opportunity in the community				

OFFICER'S COMMENTS

Council supporting the grant will help the Spring Bay Community Food Hub provide essential food support to community members facing food insecurity, directly addressing a critical local need.

Integrity Assessment:

The **Spring Bay Community Food Hub** are a registered incorporated association **Registration Number: #IA13226**

Criteria Assessment:

Funding value is within the acceptable allowance	Yes
Applicant is a not-for-profit community organisations and groups or individual	Yes
Grant is to assist projects that: 1. address relevant community issues of significance – 2. are initiated within the community and actively involve local people (3) improve access and encourage wider use of facilities	Yes

This application satisfies the necessary criteria of the relevant policy.

OFFICER'S RECOMMENDATION

That Council approve the application for Community Small Grant funding of \$1,000 to Spring Bay Community Food Hub to support their insurance costs.

9 NOTICES OF MOTION

Nil.

10 PETITIONS

Nil.

11 COUNCILLORS

11.1 Questions on Notice by Councillors

Nil.

11.2 Comments/statements

12 CLOSE

The Mayor to declare the meeting closed at [time].

CONFIRMED as a true and correct record.

Date:

Mayor Cheryl Arnol