



SNOWY VALLEYS COUNCIL ORDINARY MEETING

AGENDA

Thursday, 20 June 2024

THE MEETING WILL BE HELD AT 2:00 PM
IN THE COUNCIL CHAMBERS 76 CAPPER STREET TUMUT AND
VIA VIDEO LINK

Statement of Ethical Obligations

Councillors are reminded of the oath or affirmation of office they made under section 233A of the Local Government Act 1993 and the obligation under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Disclosure of Pecuniary Interests at meetings (extract from the Code of Conduct – Section 4)

- 4.28** Councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29** The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
- (a) at any time during which the matter is being considered or discussed by the council or committee, or
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30** In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31** Disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

Disclosure of Political Donations and Gifts

The *Environmental Planning and Assessment Act 1979* places obligations on Councillors, staff, applicants and any person who makes a public submission, to disclose information relating to political donations and gifts during the environmental plan making or development assessment process.

The fact that political donations or gifts have been made by applicants / proponents of a planning application should not affect whether an application is approved or refused. Political donations or gifts should not be relevant in making a determination. The matter should be determined on its merits. Nor do they provide grounds for challenging the determination of any applications.

For further information, visit www.planning.nsw.gov.au/donations

Furthermore, for each planning decision made at a Council or Committee Meeting, the names of Councillors who supported the decision and those that oppose the decision must be recorded. (Sec. 375A of the *Local Government Act 1993*)

**Use of mobile phones and the unauthorised recording of meetings
(extract from the Code of Meeting Practice – Section 15)**

- 15.21** Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.22** A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.23** Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.24** If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Livestreaming of Meetings (extract from the Code of Meeting Practice – Section 5)

This meeting is live streamed on Council's website to allow the community to follow Council debates and decisions without the need to attend meetings in person. Members of the public attending or speaking at a meeting agree to have their image, voice and personal information (including name and address) recorded and publicly broadcast. Snowy Valleys Council does not accept liability for any defamatory remarks or inappropriate comments that are made during the course of a meeting. Any part of the meeting that is held in closed session will not be streamed.

- 5.19** All meetings of the council and committees of the council are to be webcast on the council's website.

Photography

Flash photography is not permitted at a meeting of the Council or a Committee of the council without the consent of the General Manager.

Public Forum (extract from the Code of Meeting Practice – Section 4)

- 4.1** The Council may hold a public forum prior to each Ordinary Council meeting for the purpose of hearing oral submissions on items of business to be considered at the meeting. All public forums will be audio/visual recorded and live streamed as part of the Council meeting.
- 4.2** Public Forums may be held by audio-visual link.
- 4.3** Public forums are to be chaired by the mayor or their nominee.

Those attending must comply with the terms and conditions of the Code of Meeting Practice which can be viewed on Council's website;

<http://www.snowyvalleys.nsw.gov.au/Council/Governance/Policies>



Thursday, 20 June 2024

In the Council Chambers 76 Capper Street Tumut and Via Video Link

2:00 PM

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1. PUBLIC FORUM

2. ACKNOWLEDGEMENT OF COUNTRY

Snowy Valleys Council proudly acknowledges the traditional owners and custodians of this land and water and pay respects to their Elders past and present.

3. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

4. DECLARATIONS OF PECUNIARY INTEREST

Pursuant to Section 4 of the Code of Conduct, Councillors are required to declare any direct or indirect pecuniary interest in any matters being considered by Council.

<h2>5. CONFIRMATION OF MINUTES</h2>

5.1. MINUTES - ORDINARY COUNCIL - 16 MAY 2024

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on 16 May 2024 be received and confirmed as an accurate record.

Attachment 1 - 20240516 - DRAFT Minutes - Ordinary Council



ORDINARY MEETING

MINUTES

Thursday, 16 May 2024

THE MEETING WAS HELD AT 2:03 PM
IN THE COUNCIL CHAMBERS 76 CAPPER STREET TUMUT AND
VIA VIDEO LINK

Deputy Mayor

Interim General Manager



Thursday, 16 May 2024

In the Council Chambers 76 Capper Street Tumut and Via Video Link

2:03 PM

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Deputy Mayor

Interim General Manager

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Minutes of the Meeting of the Snowy Valleys Council Ordinary Meeting held in In the Council Chambers
76 Capper Street Tumut and Via Video Link on Thursday, 16 May 2024

Deputy Mayor

Interim General Manager

PRESENT: Cr Trina Thomson (Chair), Cr Johanna (Hansie) Armour, Cr Julia Ham, Cr James Hayes, Cr Sam Hughes, Cr Mick Ivill, Cr John Larter, Cr Brent Livermore

IN ATTENDANCE: Director Community & Corporate Jessica Quilty, Director Infrastructure & Works Duncan Mitchell, Manager Finance Parthiv Parekh, Executive Manager Growth & Development Nick Wilton

1. PUBLIC FORUM

Jim Cox, Deputy Chair, along with Jesse Price, Pat Devlin and Kevin Cheung from the Australian Energy Regulator addressed the meeting where the matter of a lasting legacy through a Community Enhancement Fund or similar was discussed in relation to HumeLink.

2. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by Cr Johanna (Hansie) Armour.

3. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

An apology has been received for today's meeting from Mayor Chaffey and Interim General Manager Steven Pinnuck, who are both in Sydney for meetings with Ministers.

Cr Hayes advised that he will leave the meeting at 3pm.

M87/24 RESOLVED that the apologies from the Mayor and Interim General Manager be received and accepted.

Cr Julia Ham/Cr Mick Ivill

CARRIED UNANIMOUSLY

4. DECLARATIONS OF PECUNIARY INTEREST

Cr Julia Ham declared a pecuniary/significant interest in relation to report 11.2 Tumbarumba Start Strong Preschool - request for Refund and Waiver of Development Fees due to being a committee member and will leave the room during discussion and voting.

Snowy Valleys Council Ordinary Meeting Minutes

Thursday, 16 May 2024

5. CONFIRMATION OF MINUTES

5.1. MINUTES - ORDINARY COUNCIL - 18 APRIL 2024

M88/24 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 18 April 2024 be received and confirmed as an accurate record.

Cr Mick Ivill/Cr James Hayes

CARRIED UNANIMOUSLY

5.2. MINUTES - EXTRAORDINARY COUNCIL - 2 MAY 2024

M89/24 RESOLVED:

That the Minutes of the Extraordinary Council Meeting held on 2 May 2024 be received and confirmed as an accurate record.

Cr Julia Ham/Cr Brent Livermore

CARRIED UNANIMOUSLY

6. CORRESPONDENCE/PETITIONS

Nil.

7. MAYORAL MINUTE

Nil.

8. NOTICE OF MOTION/NOTICE OF RESCISSION

8.1. NOTICE OF MOTION - ENDORSE AERODROME COMMITTEE MEMBERSHIP - CLRS ARMOUR & THOMSON

MOTION:

THAT COUNCIL endorse the Tumut Aerodrome Committee membership nomination submitted by Glenyce Francis.

Cr Johanna (Hansie) Armour/Cr Brent Livermore

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Deputy Mayor

Interim General Manager

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M90/24 RESOLVED to move into the Committee of the Whole.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

Cr Hayes left the meeting at 3.03pm.

M91/24 RESOLVED to move out of the Committee of the Whole

Cr Julia Ham/Cr Johanna (Hansie) Armour

CARRIED

MOTION OF DISSENT:

Cr John Larter

Lapsed

M92/24 RESOLVED:

THAT COUNCIL endorse the Tumut Aerodrome Committee membership nomination submitted by Glenyce Francis.

Cr Armour/Cr Livermore

For: Cr Armour, Cr Hughes, Cr Livermore, Cr Ivill, Cr Ham, Cr Thomson

Against: Cr Larter

CARRIED

6/1

8.2. NOTICE OF MOTION - ROAD MANAGEMENT POLICY AMENDMENT - CLRS ARMOUR & HAYES

M93/24 RESOLVED:

THAT COUNCIL investigate the possibility to amend the current Road Management Policy to allow for stock ramps to be installed on minor public roads, only if it improves safety.

Cr Johanna (Hansie) Armour/Cr Julia Ham

For: Cr Armour, Cr Hughes, Cr Thomson, Cr Ivill

Against: Cr Ham, Cr Livermore, Cr Larter

CARRIED

4/3

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Deputy Mayor

Interim General Manager

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS

10.1. DE-AMALGAMATION UPDATE**M94/24 RESOLVED:**

THAT COUNCIL:

1. Note the Report on the De-Amalgamation Update and endorse the use of the Boundaries Commission criteria to form part of the Council's presentation to the Local Government Boundaries Commission Public Hearing to be held at Tumbarumba on 29 May 2024 and Tumut on 30 May 2024.

Cr Julia Ham/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

10.2. AUDIT RISK AND IMPROVEMENT COMMITTEE MEMBERSHIP 2024**M95/24 RESOLVED:**

THAT COUNCIL:

1. Appoint Kylie McRae as the Chair of Audit Risk & Improvement Committee from 17 May 2024 until 17 May 2028;
2. Appoint Dennis Vaccher as Independent Member of Audit Risk & Improvement Committee from 17 May 2024 until 17 May 2028;
3. Appoint Carolyn Rosetta-Walsh as Independent Member of Audit Risk & Improvement Committee from 17 May 2024 until 17 May 2028; and
4. Appoint Councillor Julia Ham as a non-voting member of Audit Risk & Improvement Committee from 1 July 2024 until 1 July 2028.

Cr Julia Ham/Cr Brent Livermore

CARRIED UNANIMOUSLY

10.3. STATEMENT OF INVESTMENTS - APRIL 2024**M96/24 RESOLVED:**

THAT COUNCIL:

1. Note the report on Statement of Investments - April 2024.

Cr Brent Livermore/Cr Mick Ivill

CARRIED UNANIMOUSLY

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76 Capper Street Tumut and Via Video Link on Thursday, 16 May 2024

Deputy Mayor

Interim General Manager

10.4. QUARTERLY BUDGET REVIEW AS OF 31 MARCH 2024**MOTION:**

THAT COUNCIL:

1. Receive and adopt the Quarterly Budget Review as at 31 March 2024; and
2. Adopt the Revenue, Expenditure and Capital Budget adjustments as noted in the 31 March 2024 Quarterly Budget Review.

Cr Mick Ivill/Cr Julia Ham

M97/24 RESOLVED to move into Committee of the Whole.

Cr Julia Ham/Cr Sam Hughes

CARRIED UNANIMOUSLY

M98/24 RESOLVED to move out of Committee of the Whole.

Cr Julia Ham/Cr Sam Hughes

CARRIED UNANIMOUSLY

M99/24 RESOLVED:

THAT COUNCIL:

1. Receive and adopt the Quarterly Budget Review as at 31 March 2024; and
2. Adopt the Revenue, Expenditure and Capital Budget adjustments as noted in the 31 March 2024 Quarterly Budget Review.
3. Receive a further report on the budget overspends and associated remedial actions.

Cr Mick Ivill/Cr Julia Ham

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS**11.1. DISABILITY INCLUSION ACCESS REFERENCE GROUP DISSOLUTION****M100/24 RESOLVED:**

THAT COUNCIL:

1. Dissolve the Disability Inclusion Access Reference Group as a Section 355 Advisory Committee of Council; and
2. Create a Disability Inclusion Access Reference Group as a Consultative Working Group of Council.

Cr Sam Hughes/Cr Julia Ham

CARRIED UNANIMOUSLY

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Deputy Mayor

Interim General Manager

Snowy Valleys Council Ordinary Meeting Minutes

Thursday, 16 May 2024

Cr Ham left the meeting at 3.37pm.

11.2. TUMBARUMBA START STRONG PRESCHOOL - REQUEST FOR REFUND AND WAIVER OF DEVELOPMENT FEES

MOTION:

THAT COUNCIL:

1. Refund the related development application fee and notification costs of DA 2023/0155 (excluding state government levies being plan first levy and commissions and the planning portal lodgement fee). The total refundable amount being \$4,217.29 GST not applicable;
2. Waive the Construction Certificate application fee where Council is nominated as the Principal Certifier including inspection fees and Occupation Certificate application associated with DA 2023/0155 (excluding State Government statutory fees such as Long Service Levy and Long Service Levy Commissions). The total amount waived being \$8,678 Inc GST;
3. Waive the *Section 68 Local Government Act 1993* Approval fees associated with DA 2023/0155. The total amount waived being \$176 GST not applicable.
4. Waive the *Section 138 Roads Act 1993* application fees associated with DA 2023/0155, being \$352 GST not applicable; and
5. Record the donation of \$13,423.29 to the Tumbarumba Start Strong Preschool in the Snowy Valleys Council Annual Report for community donations.

Cr Sam Hughes/Cr John Larter

For: Cr Hughes, Cr Larter, Cr Ivill

Against: Cr Armour, Cr Livermore, Cr Thomson

The Chair used her casting vote against.

LOST

4/3

Cr Ham returned to the meeting at 3.46pm.

11.3. TUMUT AERODROME ACCESS POLICY - FOR PUBLIC EXHIBITION

M101/24 RESOLVED:

THAT COUNCIL:

1. Endorse the Aerodrome Access Policy - SVC-ENG-PO-089-02 for public exhibition for a period of no less than 28 days;
2. Note if submissions are received during the exhibition, a further report will be provided to council; and
3. Adopt the Aerodrome Access Policy if no submissions are received on the day after the completion of the public exhibition period.

Cr Mick Ivill/Cr John Larter

CARRIED UNANIMOUSLY

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Deputy Mayor

Interim General Manager

11.4. COMMUNITY GARDEN - SHEATHER ROAD KHANCOBAN - KUVA**M102/24 RESOLVED:**

THAT COUNCIL:

1. Approve the establishment of a Community Garden at Lot 1 DP 877188 at the intersection of Read Street and Sheather Road, Khancoban;
2. Approve that the Community Garden at Lot 1 DP 877 188 is managed under a Licence Agreement between Snowy Valleys Council and the Khancoban United Volunteers Association Inc (KUVA), a draft of which is attached to this report; and
3. Note that prior to any work commencing, community consultation on the establishment of the Community Garden will be undertaken which includes notifying all adjoining residents and property owners in Read Street and Sheather Road, Khancoban.

Cr Julia Ham/Cr Mick Ivill

CARRIED UNANIMOUSLY

12. MINUTES OF COMMITTEE MEETINGS**12.1. MINUTES - YOUTH COUNCIL COMMITTEE - 11 APRIL 2024****M103/24 RESOLVED:**

THAT COUNCIL:

1. Note the minutes of the Youth Council Committee held on 11 April 2024; and
2. Adopt the following recommendation/s from the minutes:
 - 2a. Adopt the Youth Council Committee Terms of Reference - SVC-TofR-008-03

Cr Sam Hughes/Cr Julia Ham

CARRIED UNANIMOUSLY

12.2. MINUTES - BATLOW CIDER RAIL TRAIL STEERING COMMITTEE - 17 APRIL 2024**M104/24 RESOLVED:**

THAT COUNCIL:

1. Note the Minutes of the Batlow Cider Rail Trail Steering Committee Meeting held on 17 April 2024;
2. Endorse the appointment of the following Committee members as voting members:
 - a. Tony Cross
 - b. Dave Purcell
 - c. Anne Hallard
3. Adopt the Batlow Cider Rail Trail Steering Committee Terms of Reference SVC-TofR-043-01;

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Thursday, 16 May 2024

4. Appoint Cr Sam Hughes as the Councillor delegate on the Batlow Cider Rail Trail Steering Committee; and
5. Appoint the Economic Development Officer as the Staff delegate on the Batlow Cider Rail Trail Steering Committee.

Cr Brent Livermore/Cr Julia Ham

CARRIED UNANIMOUSLY

13. CONFIDENTIAL

Nil.

14. MEETING CLOSURE

There being no further matters to discuss, the meeting closed at 3.56pm.

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Minutes of the Meeting of the Snowy Valleys Council Ordinary Meeting held in In the Council Chambers
76 Capper Street Tumut and Via Video Link on Thursday, 16 May 2024

Deputy Mayor

Interim General Manager

6. CORRESPONDENCE/PETITIONS

7. MAYORAL MINUTE

8. NOTICE OF MOTION/NOTICE OF RESCISSION

8.1. NOTICE OF MOTION - LOCATION FOR 18 JULY 2024 COUNCIL MEETING - CRS THOMSON/ARMOUR

COUNCILLORS: TRINA THOMSON AND JOHANNA (HANSIE) ARMOUR

SUMMARY:

Pursuant to Notice, Councillors Thomson and Armour have submitted the following Motion:

NOTICE OF MOTION:

THAT COUNCIL hold its 18 July 2024 Council meeting at the Batlow Rotary Interactive Centre (BRIC).

ATTACHMENTS

1. Notice of Motion - Location for 18 July 2024 Council meeting

Attachment 1 - 20240620 Notice of Motion - Location for 18 July 2024 Council Meeting - Cr Thomson - Cr Armour**NOTICE OF MOTION**

Under Clause 3.10 of Councils Code of Meeting Practice, I give notice that the following motion be placed on the Council Agenda for the Ordinary Meeting of Council, to be held on:

Day and Date of
Ordinary Meeting

20 June 2024

SUBJECT:

Location for 18 July 2024 Council Meeting

Motion –

THAT COUNCIL hold its 18 July 2024 Council meeting at the Batlow Rotary Interactive Centre (BRIC).

General Manager's Comment:

Councillor Name: Cr Trina Thomson

Signature

Handwritten signature of Cr Trina Thomson in black ink, written over a dotted line.

Date:

06/06/2024

Councillor Name: Cr Johanna (Hansie) Armour

Signature

Handwritten signature of Cr Johanna (Hansie) Armour in black ink, written over a dotted line.

Date:

06/06/2024

* * * * *

8.2. NOTICE OF MOTION - HUMELINK / TRANSGRID COMPENSATION - CRS ARMOUR/HAYES

COUNCILLORS: JOHANNA (HANSIE) ARMOUR AND JAMES HAYES

SUMMARY:

Pursuant to Notice, Councillors Armour and Hayes have submitted the following Motion:

NOTICE OF MOTION:

THAT COUNCIL officially request compensation from TransGrid for Snowy Valleys community to support the community residents and businesses from the impact of the Humelink overhead high voltage powerlines in the form of money held in trust funds so that the annual interest will compensate the community into the future.

ATTACHMENTS

1. NOTICE OF MOTION - Humelink / TransGrid Compensation

Attachment 1 - 20240620 NOTICE OF MOTION - Transgrid / Humelink Compensation - Cr Armour - Cr Hayes**NOTICE OF MOTION**

Under Clause 3.10 of Councils Code of Meeting Practice, I give notice that the following motion be placed on the Council Agenda for the Ordinary Meeting of Council, to be held on:

20 JUNE

Day and Date of Ordinary Meeting

16. May. 2024 Thursday.

SUBJECT:

Humelink / Transgrid Compensation

Motion -

Council officially requests compensation from Transgrid for S.V. community to support the community residents and businesses from the impact of the Humelink overhead high voltage powerlines in the form of money held in trust funds so that the annual interest will compensate the community into the future.

General Manager's Comment [Delete if not required]

Councillor Name: JOHANNA (HANSIE) ARMOUR

Signature

Johanna Armour

Date:

3.5.2024

Councillor Name:

James Hayes

Signature

James Hayes

Date:

3/5/2024

SVC-EXE-F-222-01
ID73852

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Approved: 01/12/2021

9. URGENT BUSINESS WITHOUT NOTICE

10. GOVERNANCE AND FINANCIAL REPORTS

10.1. DE-AMALGAMATION UPDATE

REPORT AUTHOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

At the 15 February 2024 meeting it was resolved to provide regular updates to Council in relation to the progress of ascertaining the feasibility of de-amalgamating Snowy Valleys Council into the two former Council areas of Tumut and Tumbarumba.

RECOMMENDATION:

THAT COUNCIL:

1. Note the Report on the De-Amalgamation Update.

BACKGROUND:

Since the February 2024 Council meeting, monthly reports have been submitted to provide an update on the progress of the de-amalgamation and any associated issues to be addressed by Council.

In this update, the following matters will be addressed:

- Meeting with the Minister for Local Government on 16 May 2024;
- Status of the preparation of the De-amalgamation Implementation Plan and Financial Sustainability Plan;
- Overview of the Local Government Boundaries Commission Public Hearings held on 29 and 30 May 2024.

REPORT:

Meeting with the Minister for Local Government on 16 May 2024

The Mayor and the Author were at Parliament House, Sydney for the May meeting of the Canberra Region Joint Organisation and coordinated a meeting with the Minister for Local Government, the Hon. Ron Hoenig MP, on the same day. The meeting was primarily to request a deferral of the 2024 Local Government elections for Snowy Valleys Council and also to lobby for a commitment to partially fund the development of Council's De-amalgamation Implementation Plan and Financial Sustainability Plan.

The Minister was unequivocal that the 2024 Local Government elections for Snowy Valleys Council would not be deferred. As a result, Council's Communications Team has developed a strategy to promote the upcoming elections.

Should the Local Government Boundaries Commission recommend a de-amalgamation of Snowy Valleys Council, the Minister will need to determine whether he approves for Council to conduct a binding Constitutional Referendum on the matter. The Minister made it quite clear that any Constitutional Referendum would need to be funded by Snowy Valleys Council.

A Constitutional Referendum is a requirement of recent amendments to the *Local Government Act 1993* and the relevant sections of 218CD are reproduced below for Councillor's information:

- (4) The Minister must ensure that the Boundaries Commission's report is publicly released within 48 hours after it is provided to the Minister.
- (5) The Minister must, after the Boundaries Commission's report is given to the Minister, give a written response to the amalgamated council setting out whether or not the Minister approves the holding of a referendum about—
 - (a) the de-amalgamation proposal, or
 - (b) a different de-amalgamation proposal recommended by the Boundaries Commission.
- (6) The Minister must consult with the following—
 - (a) the Electoral Commissioner, before approving the holding of a referendum,
 - (b) the amalgamated council, before making a decision about the holding of a referendum if the Boundaries Commission in its report has recommended that a different de-amalgamation proposal be supported.
- (7) An amalgamated council must not hold a referendum of any kind about a de-amalgamation proposal unless the Minister has approved the holding of a referendum under subsection (5).
- (8) If a de-amalgamation proposal—
 - (a) is supported in a referendum by the votes of a majority of the total number of enrolled electors of the amalgamated area as at the closing date (the **required majority**), the Minister may, at the Minister's discretion, make recommendations to the Governor for proclamations under Division 1 to give effect to the de-amalgamation proposal, or
Note— See Chapter 10, Part 1 and Chapter 10, Part 6, Division 2 about enrolment of electors for elections, council polls and constitutional referendums.
 - (b) is not supported in a referendum by the required majority, no further action on the business case given to the Minister may be undertaken.

On a more positive note, the Minister did commit to providing Council with \$45,000 (excl. GST) to assist in the preparation of a De-amalgamation Implementation Plan and Financial Sustainability Plan. The funding deed has been executed by Council and returned to the Office of Local Government.

Snowy Valleys Council De-amalgamation Implementation and Financial Sustainability Plan

Peter Tegart, Always Thinking Advisory, has been appointed to assist Council in the preparation of the De-amalgamation Implementation Plan and Financial Sustainability Plan.

Council staff have been working on completing a comprehensive data sheet since mid-May and the first tranche of data was provided to Mr Tegart on 3 June 2024.

It is anticipated that the De-amalgamation Implementation Plan and Financial Sustainability Plan will be completed late July/early August, and once approved by Council, will be forwarded to the Local Government Boundaries Commission, the Minister for Local Government and the Office of Local Government.

Preparation of the De-amalgamation Implementation Plan and the Financial Sustainability Plan will require several workshops with the Executive and Councillors. It is anticipated that dates for the workshops will be finalised in the coming weeks.

Local Government Boundaries Commission Public Hearings 29 and 30 May 2024

The Local Government Boundaries Commission conducted Public Hearings at Tumbarumba on Wednesday, 29 May and at Tumut on Thursday, 30 May.

The Public Hearing at Tumbarumba was well attended with 46 people presenting and 134 total in attendance, however, only 13 people presented at Tumut with 27 total in attendance.

The Chair of the Local Government Boundaries Commission, Mr Peter Duncan, confirmed at the Public Hearings that the Commission would allow Council the time to submit the De-amalgamation Implementation Plan and the Financial Sustainability Plan prior to making a recommendation to the

Minister. Mr Duncan also advised that, once received, it would be placed on public exhibition to enable Snowy Valleys Council residents the opportunity to comment.

Based on the time taken to examine the Inner West Council proposal and the requirement to public exhibit Council's De-amalgamation Implementation Plan and the Financial Sustainability Plan, it is unlikely that the Local Government Boundaries Commission will conclude its examination of our Council's submission prior to the Local Government elections on 14 September 2024.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

At this early stage in the de-amalgamation process, the feasibility and cost of de-amalgamating Snowy Valleys Council are unknown, however, Council has approved funding of up to \$70,000 to complete Stage 1 of the De-amalgamation Implementation Plan.

Funding of \$45,000 has been approved by the Office of Local Government with the balance being provided by Snowy Valleys Council.

Should Council be able to demonstrate the financial sustainability of two proposed new councils, and ultimately with the approval of the Minister, significant additional funding would then be required to complete the second stage of the De-amalgamation Implementation Plan along with the actual implementation costs.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Under section 218CD (1) of the *NSW Local Government Act 1993* (the Act), Snowy Valleys Council has submitted a business case for the dissolution of Snowy Valleys Council and the re-creation of its former areas of Tumut and Tumbarumba.

As required by section 218CD (2) of the Act, the Minister for Local Government has referred the Business Case to the Local Government Boundaries Commission to conduct an inquiry and report on the matter.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

The risk has been assessed as high, as at this stage, the De-amalgamation Business Case is before the Local Government Boundaries Commission for examination, and it is unknown whether the State Government will provide funding for Council's wish to de-amalgamate.

Changes to the Act, however, has given the Minister for Local Government the discretion to provide either a grant and/or a loan to assist with the de-amalgamation costs should a de-amalgamation be approved.

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the recommendations as referred to in this report.

3. Decline the recommendations set out in this report

COUNCIL SEAL REQUIRED:

No.

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil.

ATTACHMENTS

Nil.

10.2. 2024-2025 COMBINED DELIVERY PROGRAM & OPERATIONAL PLAN, REVENUE POLICY, BUDGET, FEES & CHARGES AND LONG-TERM FINANCIAL PLAN - FOR ADOPTION

REPORT AUTHOR: CORPORATE PLANNING OFFICER

RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY & CORPORATE

EXECUTIVE SUMMARY:

Council resolved (M3-M6/24) at its May 2024 Extraordinary Meeting to place the 2024-2025 Combined Delivery Program & Operational Plan, Budget, Revenue Policy, Fees & Charges and Long-Term Financial Plan on public exhibition for 28 days.

A total of four (4) public submissions and three (3) internal submissions were received during the public exhibition period. A summary of matters raised in the submissions is addressed in this report.

Some refinements have been made to the draft Fees & Charges to reflect matters raised in the submissions.

Legislation requires that Council's Integrated Planning & Reporting Documents must be adopted before 30 June 2024.

RECOMMENDATION:

THAT COUNCIL:

- 1. Adopt the following Integrated Planning & Reporting documents with suggested amendments as per attached feedback summary:**
 - a. Combined Delivery Program and 2024-2025 Operational Plan (Attachment 1) including:**
 - i. 2024-2025 Operational Budget**
 - ii. 2024-2025 Capital Budget**
 - b. 2023-2024 Revenue Policy (Attachment 2)**
 - c. 2024-2034 Long-Term Financial Plan (Attachment 3)**
 - d. 2024-2025 Fees & Charges (Attachment 4);**
- 2. Note the submissions received from the community and;**
- 3. Respond to community members who provided input into the draft plans and thank them for their input.**

BACKGROUND:

The Integrated Planning and Reporting (IP&R) framework was introduced by the Office of Local Government in 2009 and sets requirements for all councils to lead the development of long-term plans for their area, detailing community aspirations and strategic direction.

The IP&R process requires all NSW councils to have the following:

- **Community Strategic Plan (CSP) (minimum 10 years)** identifies the community's vision or the future, long-term outcomes, and strategies to get there. Although Council takes the lead in developing the plan on behalf of the community, many partners are required to achieve the vision. The CSP is reviewed after every council election.
- **Delivery Program (DP) (4 Years)** outlines Council's commitment to delivery the community's expectations as set out in the CSP, during the term of office.

- **Operational Plan (OP) (annually)** contains detailed actions for each financial year, detailing the activities and actions to be undertaken by Council during that year to achieve the Delivery Program commitments. The OP also includes a budget for the actions to be undertaken and a Statement of Revenue Policy for the year covered by the Operational Plan.
- **Fees & Charges** [resents the fees provided under relevant pieces of legislation, fees determined by Council and recommendations from the Local Government and Shires Association of NSW. Each year Council is required to determine fees & charges for services it provides.
- **Long-Term Financial Plan (LTFP)** which is part of the Resourcing Strategy and sets out the ten-year budget forecast, underlying assumptions, sensitivity analysis, financial modelling for possible scenarios and methods of monitoring financial performance. The LTFP is reviewed and updated annually.

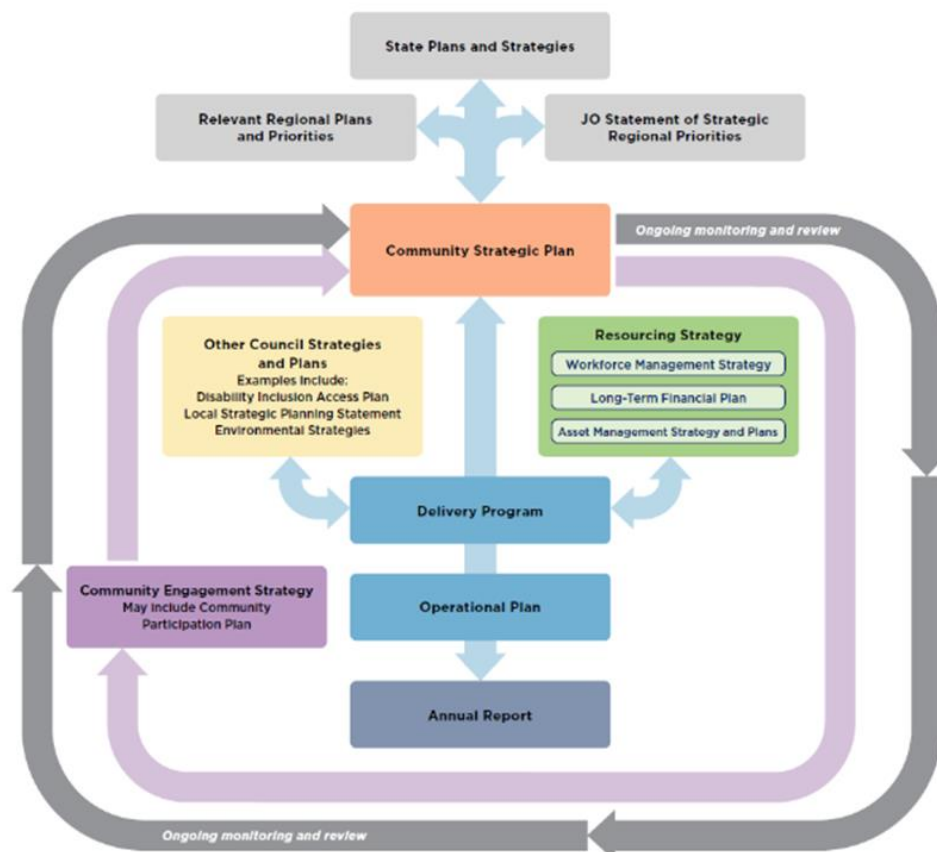


Diagram: Integrated Planning & Reporting Framework.

The purpose of this report is to provide Council with all submissions that were made concerning the Snowy Valleys Council Combined Delivery Program & 2024-2025 Operational Plan, 2024-2025 Revenue Policy, 2024-2025 Fees & Charges and 2024-2034 Long-Term Financial Plan and to recommend adoption following its mandatory public exhibition.

Council is required to adopt its Integrated Planning & Reporting documents for the next financial year by 30 June, annually.

REPORT:

The draft combined Delivery Program and 2024-2025 Operational Plan, Fees & Charges, Revenue Policy and Long-Term Financial Plan was endorsed for public exhibition by Council at its 2 May 2024 Extraordinary Meeting. The public exhibition period ran from 3 May to 31 May 2024.

A total of four (4) public submissions and three (3) internal submissions were received.

Public feedback has been collated, analysed, and responded to as shown in attachment 5.

Council's online engagement platform recorded the following activity:

- 204 visits to the Draft Planning and Reporting 'Have Your Say' page
- Number of downloads by document:
 - 64 - Draft 2024-2025 Delivery Program and Operational Plan
 - 41 - Draft 2024-2034 Long-Time Financial Plan
 - 34 - Draft Fees & Charges
- Reached 4,430 people on Council's Social Media platforms (Facebook and Instagram)
- Engaged 362 people on Council's Social Media platforms (Facebook and Instagram)

A full copy of public submissions have been provided to Councillors separately.

PROPOSED CHANGES

The following table outlines the major changes to the key IP&R documents. The changes arise from the community submissions and staff/councillors feedback:

1. 2024-2025 FEES & CHARGES		
Category	Page No.	Summary / Change Rational
Payment Options	8	Cheques have been added as a payment method.
All Halls	12	All Halls include chair & table hire (line added to reflect)
		New Item – 'Swipe Cards' Refundable Deposit - \$100 Access Charge - \$25 per booking
	12	Hall Fees – Price Change (decrease) Commercial / Private: \$200 per day \$125/half day Social/community groups (not for profit): \$100 per day \$62.50/half day
	12	Deposit Fee is referred to Full Day / Half Day fee only – line added to reflect this.
	12	Hall Hire –Commercial/Private - per hour rate to be added for Commercial/Private. Proposed to have an hourly rate for Commercial/Private \$25/hour
	13	Swipe Card fee added - \$40.00 Reactivation of Swipe Card fee added - \$20.00
Street Decorations	13	Street Banners – Exemption for Australia Day only
Children Services	13	<i>Khancoban Preschool</i> – Line added to separate Carcoola and Khancoban Preschool fees.
Aviation Facilities	50	Hangar Site Fee & Airpark Access Fee printed incorrectly. Pricing updated: 2023/2024 fee & charge was \$3.20 2024/2025 fee & charge is \$3.40
Cemeteries	51	'Interment Child / Infant (0-12yrs). Added to comments section- 'Weekdays only – for weekend burial rate see 'other charges.
	52	'Other Charges' -added 'CCNSW Interment Levy' at \$156 per burial, \$63 per ash interment.
Parks and Sportsgrounds – General	56	'Including kiosks and toilets' has been removed
	56	'Cyber key deposit' changed to "Cyber key and swipe card deposit" New line added- "Swipe Card access charge \$25 per booking"
	56	Cleaning Fee – Fee Error Fee changed to 'Cost Recovery'
	56	Cyber Key and Swipe Key Refundable - Removed
	56	Swipe Card fee added - \$40.00 Reactivation of Swipe Card fee added - \$20.00
	57	All Sporting Club Description updated to: 50% discount for Junior clubs not affiliated with any Senior club (e.g. AusKick)
	57	Tumbarumba Sport Stadium – Court Hire – Day (Per hour) price decrease from \$13.00 to \$12.50
Public Swimming Pools	55	Family Day Ticket price increased to \$11.00
	58	Pools – Swim Lessons Group lesson – Child and Swim lesson Private – add to fee description Excludes Pool Entry Fee
	58	Initial Swipe Card and Replacement Charge -\$40.00 Reactivation Swipe Card Fee added - \$20.00
Resource Recovery Centre	67	New Charge Added - Green Waste Charges Compost Sales (Gilmore Composting Facility – May contain unwanted seeds or contaminants (cost – POA)
	67	New Charge added – Green Waste Charges Other composted organic/mulch (Gilmore Composting Facility) – May contain unwanted seeds or contaminants (cost – POA)
2. 2025-2035 LONG TERM FINANCIAL PLAN		
Category	Page No.	Summary / Change Rational
Special Rate Variation	Throughout Document	Proposed Special Rate Variation (Not approved) – removed from document

3. 2024-2025 DELIVERY PROGRAM / OPERATIONAL PLAN		
Category	Page No.	Summary / Change Rational
'Other Income'	Throughout document	Identified what 'other income' consisted of
Income statement	68	Updated income statement
Income Statement (Water Fund)	69	Additional \$50k for 2024/2025 & 2025/2026 for Brungle Water Supply

Minor changes to correct font, spelling or punctuation will also be made where relevant.

SPECIAL RATE VARIATION (SRV)

Council resolved in February 2024 to apply for a special rate variation of 12.5% (incl. rate page) over three (3) years (total cumulated increase 42.38%). The SRV scenario was outlined in the Long-Term Financial Plan.

IPART's decision of Council's application was not approved. IPART's decision means that Council can only increase its general income by the rate peg of 5.0% in 2024-2025. This does not prevent Snowy Valleys Council from making a new application for a Special Rate Variation in subsequent years.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

- 5.1 Communicate with our community and provide opportunities for participation in decision making
- 5.4 Maintain and deliver a governance framework that guides good decision making, accountability and legislative compliance
- 5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

Council's financial position is discussed in detail in the initial report to Council (Item 4.1, 2 May 2024 Ordinary Meeting) prior to public exhibition and in the Integrated Planning & Reporting documents.

The cost of delivering these draft plans is outlined in the draft 2024-2025 budget.

These plans continue to deliver on Council's Integrated Planning & Reporting obligations and attempt to fulfil the expectations of the Community Strategic Plan and Delivery Program in these areas within Council's span of control and influence.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Under the *Local Government Act 1993*, Council must develop and publicly exhibit documents in the Integrated Planning & Reporting Framework for 28 days and consider submissions made. Section 402-406 of the Act outline the requirements of:

- 402 Community Strategic Plan
- 403 Resourcing Strategy

- 404 Delivery Program
- 405 Operational Plan
- 406 Integrated Planning & Reporting Guidelines (2021)

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

There is a risk that the draft plans provided with this report are not understood well by the community and therefore, a detailed communication and engagement approach will be applied as outlined below.

There is also a risk of unanticipated financial shocks.

Forward estimates in the Long-Term Financial Plan are particularly exposed to the changing economic conditions over the extended life of the Plan. Cash flow estimates are subject to timing of payments and receipts.

OPTIONS:

1. Adopt the proposed documents including the proposed amendments.
2. Amend the proposed documents prior to adoption and communicate to the community the rationale and impacts of the charges.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

An engagement plan was implemented to ensure that the community was aware of the public exhibition and how they could make a submission. The output of engagement activities included:

- Have Your Say page (Council Website) - open from 3 May to midnight 31 May 2024 (Total visits: 204)
- Snowy Valleys Council Community eNewsletter (database of 550). Hard copies of newsletter were also available at SVC Customer Service Centres and Libraries.
- Social Media (Facebook & Instagram):
 - Posts (6); Engagement (362); Reach (4,430)
- Tumut & Adelong Times (19 May, 23 May)
- Tumbarumba Times (20 May, 30 May)
- Sounds of the Mountains Radio Station (22 May, 2 June & 15 June 2024)
- Hard copies of documents were made available at Batlow, Tumbarumba and Tumut Libraries and Tumut and Tumbarumba Customer Service Centres.

ATTACHMENTS

1. Combined Delivery Program and 2024-2025 Operational Plan (Under separate cover)
2. 2024-2025 Revenue Policy (Under separate cover)
3. 2024-2025 Long Term Financial Plan (Under separate cover)
4. 2024-2025 Fees & Charges (Under separate cover)
5. Council Officer Responses to Public Submissions (Under separate cover)

10.3. FEES FOR COUNCILLORS AND MAYOR 2024/2025 FINANCIAL YEAR

REPORT AUTHOR: GOVERNANCE OFFICER

RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY & CORPORATE

EXECUTIVE SUMMARY:

This report outlines the determination made by the Local Government Remuneration Tribunal (the Tribunal) relating to the fees payable to Mayors and Councillors from 1 July 2024 that was Gazetted (Number 169) on the 10 May 2024.

The report also makes recommendations in relation to annual remuneration for Snowy Valleys Council elected officials for 2024/2025 financial year.

RECOMMENDATION:

THAT COUNCIL:

1. **Note the Local Government Remuneration Tribunal's determination for a 3.75% increase in mayoral and councillor fees for the 2024/2025 financial year;**
2. **Set the annual Councillor Fee for the period 1 July 2024 to 30 June 2025 at the maximum amount \$18,340 under the 'Rural Large' Category rate in accordance with the provisions of section 248 of the *Local Government Act 1993*;**
3. **Set the annual addition Mayoral Fee for the period 1 July 2024 to 30 June 2025 at the maximum amount of \$39,350 under the 'Rural Large' Category rate in accordance with the provisions of section 249 of the *Local Government Act 1993*; and**
4. **Approve to pay the Deputy Mayor the proportion of the additional mayoral fee for such time as the Deputy Mayor acts in the Office of the Mayor, which is to be deducted from the Mayor's annual fee.**

BACKGROUND:

The 2024 Determination of the Tribunal has been released, setting the scale for fees payable to elected representatives for all Councils in NSW under sections 239 and 241 of the *Local Government Act 1993* (the LG Act).

REPORT:

Section 239 of the LG Act provides for the Tribunal to determine the categories of Councils and Mayoral Offices and allocates each Council and Mayoral Office into one of those categories. The categories are to be determined at least once every three (3) years.

Section 241 of the LG Act provides for the Tribunal to determine, not later than 1st May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils.

The Tribunal has determined that there will be a 3.75% increase in Mayoral or Councillor Fees for the 2024/2025 financial year.

On the 27 April 2023, the Tribunal reclassified Snowy Valleys Council as a 'Rural Large' Council.

The Report states that; councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1,200.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre.

- a limited range of services, facilities and employment opportunities compared to Regional Rural Councils.
- local economies based on agricultural/resource industries.

Pursuant to section 241 of the *Local Government Act 1993*, the Tribunal's 2024 annual determination has set the annual fees to be paid in each of the categories to Mayors and Councillors effective from 1 July 2024.

The LG Act states that if Council does not fix the fees for the Mayor and Councillors by resolution, the minimum rate is automatically applied.

Currently, the Councillor fees are paid at the maximum rate for the 2023/2024 determination \$17,680 (Resolution M72/23 - 18 May 2023) for the 'Rural Large' category. The additional Mayoral fees are also paid at the maximum rate for the 2023/2024 financial year being \$37,925 per annum.

The Tribunal has determined that the range of annual fees payable to Councillors and Mayors in the 'Rural Large' category for the 2024/2025 financial year is as follows:

Rural Large

COUNCILLOR ANNUAL FEE		MAYOR ADDITIONAL FEE*	
Minimum	Maximum	Minimum	Maximum
\$10,220	\$18,340	\$16,330	\$39,350

For comparison purposes, the range of fees applicable to the previous 'Rural' category is outlined below:

Rural

COUNCILLOR ANNUAL FEE		MAYOR ADDITIONAL FEE*	
Minimum	Maximum	Minimum	Maximum
\$10,220	\$13,520	\$10,880	\$29,500

*The Mayoral fee must be paid in addition to the fee paid to the Mayor as a Councillor in accordance with section 249(2) of the *Local Government Act 1993*.

In the event that Snowy Valleys Council is de-amalgamated, the former local government areas of Tumbarumba and Tumut are likely to revert to their 'Rural' categorisation.

The fee range for 'Rural Large' and 'Rural' categories overlap with the maximum fee of the 'Rural' range being close to the midpoint of the range for a 'Rural Large' Council. Option 2 (below) proposes that the fee be restrained to the maximum of the smaller Rural categorisation pending Councillor de-amalgamation considerations.

Setting aside de-amalgamation considerations:

- The substantial geographic size of the Local Government Area
- The responsibilities associated with the Delivery Plan, the Long-Term Financial Plan, and the annual Operational Plan and Budget
- The large variety and level of services delivered by Council
- The increased commitment of time required for the Mayor and Councillors to fulfil their civic duties effectively.

All the above suggest that the Councillors and Mayoral fees should be set at the maximum level for the 'Rural Large' category. This would establish the Councillors and Mayor annual fees commensurate with the current size and complexity of Snowy Valleys Council.

Additionally, Section 249(5) of the LG Act states that:

(5) A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.

This report recommends that Council approves payment from the Mayoral annual fee for any time that the Deputy Mayor acts in the Office of the Mayor.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.4 Maintain and deliver a governance framework that guides good decision making, accountability and legislative compliance

FINANCIAL AND RESOURCES IMPLICATIONS:

The 2024/2025 budget provided for an amount of \$205,000 for councillor fees based on the current 'Rural Large' categorisation and historic payments.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Section 248 of the *Local Government Act 1993* require councils to fix and pay an annual fee based on the Tribunal's determination for a 3.75% increase for the 2024/2025 financial year to councillors:

248 Fixing and payment of annual fees for councillors

- (1) A council must pay each councillor an annual fee.
- (2) A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.
- (3) The annual fee so fixed must be the same for each councillor.
- (4) A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.

Section 249 of the *Local Government Act 1993* require Councils to fix and pay an annual fee based on the Tribunal's determination for a 3.75% increase for the 2024/2025 financial year to Mayors and section 249(5) provides for payment to the Deputy Mayor from the Mayoral annual fee for such time spent acting in the Office of the Mayor.

Fixing and payment of annual fees for the mayor

249 Fixing and payment of annual fees for the mayor

- (1) A council must pay the mayor an annual fee.
- (2) The annual fee must be paid in addition to the fee paid to the mayor as a councillor.
- (3) A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.
- (4) A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.
- (5) A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

The costs associated with the payments to Councillors and the Mayor are included in the annual budget of Council.

In the event that the Deputy Mayor acts in the Office of the Mayor, a pro-rata amount of the mayoral fee will be paid from the Mayor's annual fee allocation in the annual budget.

OPTIONS:Option 1:**THAT COUNCIL:**

1. Note the Local Government Remuneration Tribunal's determination for a 3.75% increase in mayoral and councillor fees for the 2024/2025 financial year;
2. Set the annual Councillor Fee for the period 1 July 2024 to 30 June 2025 at the maximum amount \$18,340 under the 'Rural Large' Category rate in accordance with the provisions of section 248 of the *Local Government Act 1993*;
3. Set the annual addition Mayoral Fee for the period 1 July 2024 to 30 June 2025 at the maximum amount of \$39,350 under the 'Rural Large' Category rate in accordance with the provisions of section 249 of the *Local Government Act 1993*; and
4. Approve to pay the Deputy Mayor the proportion of the additional mayoral fee for such time as the Deputy Mayor acts in the Office of the Mayor, which is to be deducted from the Mayor's annual fee.

This option proposes that the Councillors and Mayor's fees be set at the maximum level for 'Rural Large' categorised Councils. This reflects Snowy Valleys Council's current categorisation and the scale and complexity of present organisational responsibilities.

Option 2:**THAT COUNCIL:**

1. Note the Local Government Remuneration Tribunal's determination for a 3.75% increase in mayoral and councillor fees for the 2024/2025 financial year;
2. Set the annual Councillor Fee for the period 1 July 2024 to 30 June 2025 at the maximum amount of \$13,520 under the 'Rural' Category rate in accordance with the provisions of section 248 of the *Local Government Act 1993*;
3. Set the annual addition Mayoral Fee for the period 1 July 2024 to 30 June 2025 at the maximum amount of \$29,500 under the 'Rural' Category rate in accordance with the provisions of section 249 of the *Local Government Act 1993*; and
4. Approve to pay the Deputy Mayor the proportion of the additional mayoral fee for such time as the Deputy Mayor acts in the Office of the Mayor, which is to be deducted from the Mayor's annual fee.

This option proposes that the Councillors and Mayor's fees for 2024/2025 be restrained to the top of the 'Rural' Council fee range or approximately the midpoint of the range for 'Rural Large' councils. This would ensure that Councillor and Mayor's fees remain at a comparative level to the previous two (2) smaller organisations.

Option 3:**THAT COUNCIL:**

1. Establish an alternative Councillor and additional Mayoral per annum fee within the range determined by the Local Government Remuneration Tribunal for Rural Large Councils.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

1. 2024 Annual Determination - Councillor Fees - LG Remuneration Tribunal (under separate cover)
2. Circular 24-08 - 2024/25 Determination of the Local Government Remuneration Tribunal - Office of Local Government (Under separate cover)

10.4. 2024 LGNSW ANNUAL CONFERENCE 17-19 NOVEMBER TAMWORTH**REPORT AUTHOR: ADMINISTRATION OFFICER - OFFICE OF THE GENERAL MANAGER****RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER**

EXECUTIVE SUMMARY:

Council has received correspondence from Local Government NSW (LGNSW) concerning their Annual Conference. In preparation for their conference, LGNSW have asked all councils to consider the key issues affecting their communities. These issues will be discussed and debated during the business sessions of the conference.

RECOMMENDATION:**THAT COUNCIL:**

1. **Authorise the attendance of the Mayor and Deputy Mayor and other Councillors wishing to attend;**
2. **Encourages Councillors to submit proposed motions to the Interim General Manager by Monday, 1 July 2024; and**
3. **Grant delegated authority to the Mayor to request the General Manager to submit any further proposed motions, after consulting with Councillors, after the 1 July deadline.**

BACKGROUND:

The LGNSW Annual Conference is the pre-eminent policy making event for the local government sector. At the conference, delegates vote on motions which help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and debate issues that shape the way the sector functions and is governed. The conference commences at 12.30pm on Sunday, 17 November and concludes at 1pm on Tuesday, 19 November 2024.

REPORT:

The LGNSW Annual Conference will be held from Sunday, 17 November to Tuesday, 19 November 2024 at the Tamworth Regional Entertainment and Conference Centre. A draft program outlining scheduled events at the conference is attached and can be found on their website at [Program | Local Government NSW | Annual Conference \(lgnswconference.org.au\)](https://www.lgnswconference.org.au).

Early bird registration opens on **Wednesday, 17 July 2024** and must be paid in full by **Wednesday, 25 September 2024**. Due to local elections being held in September 2024, it will be undetermined during the early bird registration period who will be attending the LGNSW Annual Conference as Mayor and Deputy Mayor. Council has been advised that registrations can be submitted within the early bird registration period and maybe updated with the registered details after the elections when they have been confirmed.

If registration is not paid by the early bird closing date, the standard member registration fee will apply. Registration fees have not yet been released. However, based on last year's fees, they will be approximately \$1,200 for the early bird registration and \$1,500 for the standard registration. The conference dinner will be an additional fee of approximately \$250.

As accommodation is quick to fill up for this annual event, adequate accommodation has been secured at the Ibis Styles Tamworth. The cost per room per night is approximately \$200.

Travel arrangements and the cost of travel arrangements from Tumut to Tamworth will also need to be considered.

Council motion submissions open via the online portal on **Wednesday, 17 July 2024** and will close on **Friday, 15 August 2024**. Members are encouraged to submit motions as soon as possible. Council recommends motions be submitted to the Interim General Manager by **Monday, 1 July** in preparation for when motions open. More detailed advice on motions will be provided in the coming months. This information will be accessible via the following link [Motions | Local Government NSW | Annual Conference \(lgnswconference.org.au\)](https://lgnswconference.org.au)

The Annual Conference Business Paper (which will include motions submitted by LGNSW members) will be emailed to members and posted online.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.6 Proactively support and advocate for the needs of the community to other level of government and organisations

FINANCIAL AND RESOURCES IMPLICATIONS:

Provision within Council's 2024/2025 Operations Budget will be made for the attendance of Councillors at conferences and training courses.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Council's *Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy* requires Council to make a resolution on training/conference attendance for those seeking Council's financial support to attend.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Councillors need to consider financial costs to attend, cancellation fees, and available Councillor funds to ensure Council stays within budget.

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the recommendations.
3. Decline the recommendations set out in this report.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Councillor's attendance at the conference requires a further report to Council which will document the learnings from the attendance in accordance with the *Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy*.

ATTACHMENTS

1. 20231221 - Invitation - 2024 Australian Local Government Association ALGA (Under separate cover)
2. Draft Program 2024 LGNSW Annual Conference (Under separate cover)

10.5. OPERATIONAL COST SAVINGS MEASURES

REPORT AUTHOR: DIRECTOR COMMUNITY & CORPORATE

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

Snowy Valley Council's (Council) financial position is currently unsustainable. While comparative data demonstrates that Council's operations are relatively efficient, rising prices, rate pegging, limited opportunities to raise own-source revenue and increased cost-shifting from other levels of government have resulted in Council being unable to deliver services from current revenue. IPART's decision not to grant SVC a further special rate variation only exacerbates Council's immediate financial sustainability issues. As a result, Council has undertaken an extensive review of its staffing and levels of services it provides to the community. This report recommends several areas of service and staff reductions to be implemented over the next 12 months.

RECOMMENDATION:

THAT COUNCIL:

1. Endorse the cost saving initiatives identified in table 1

Library Services	\$132,323
Swimming Pool's	\$80,000
Waste Recovery Centre's	\$50,000
Reduction in staff	\$801,345
Grants, Sponsorship & Donations	\$191,375
TOTAL	\$1,255,043

BACKGROUND:

Financial Position

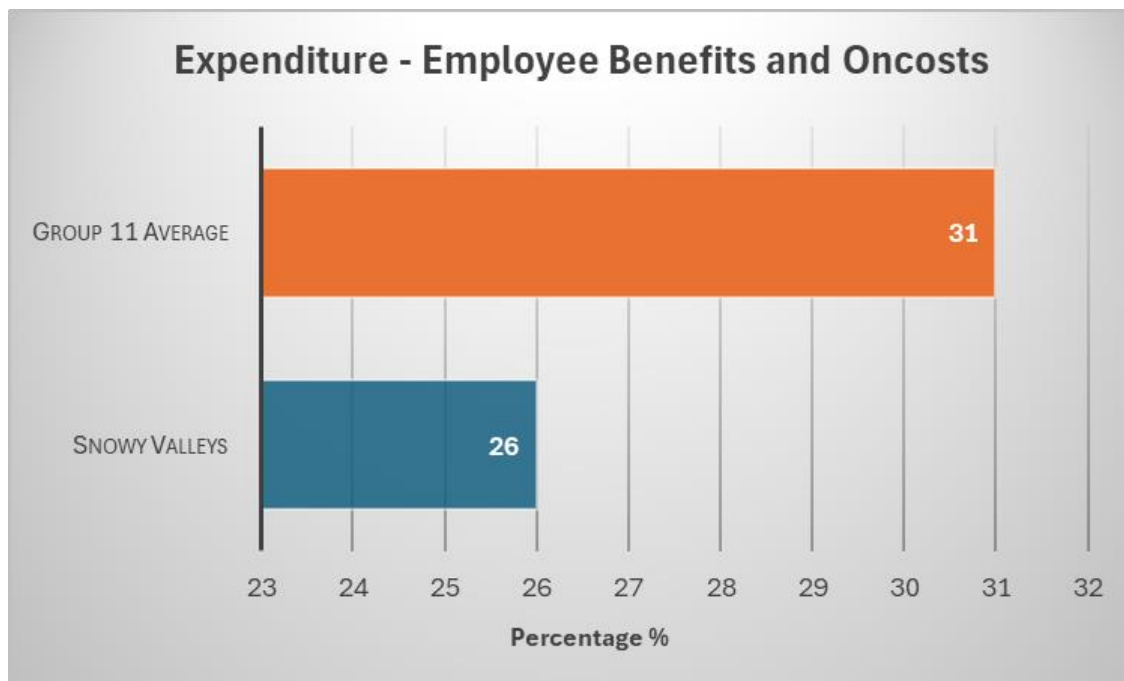
Like other NSW rural councils, Snowy Valleys Council's finances have been eroded by rising prices, rate pegging, limited opportunities to raise own-source revenue and increased cost-shifting from other levels of government. The creation of the Road to Sustainability Plan in 2020, aimed to establish financial sustainability in the medium-to-long term by aligning organisational actions that increased income and reduced expenditure.

Council has made productivity savings of \$1.4 million since 2020, however, due to the high inflationary environment and significant cost shifting, any savings realised have been outpaced by increases in expenditure.

The ramification of IPART's decision means that Council can only increase its general income by the rate peg of 5.0% in 2024/2025. The loss of additional income Council would have received if the application had been approved is \$945,011.

How do we know Council is efficient?

Comparative data demonstrates that Snowy Valleys Council is efficient in its operations and that employee costs are well below those of other similar councils. The graph below illustrates that Council's overall operating expenses (as a percentage) are less than other comparative councils.



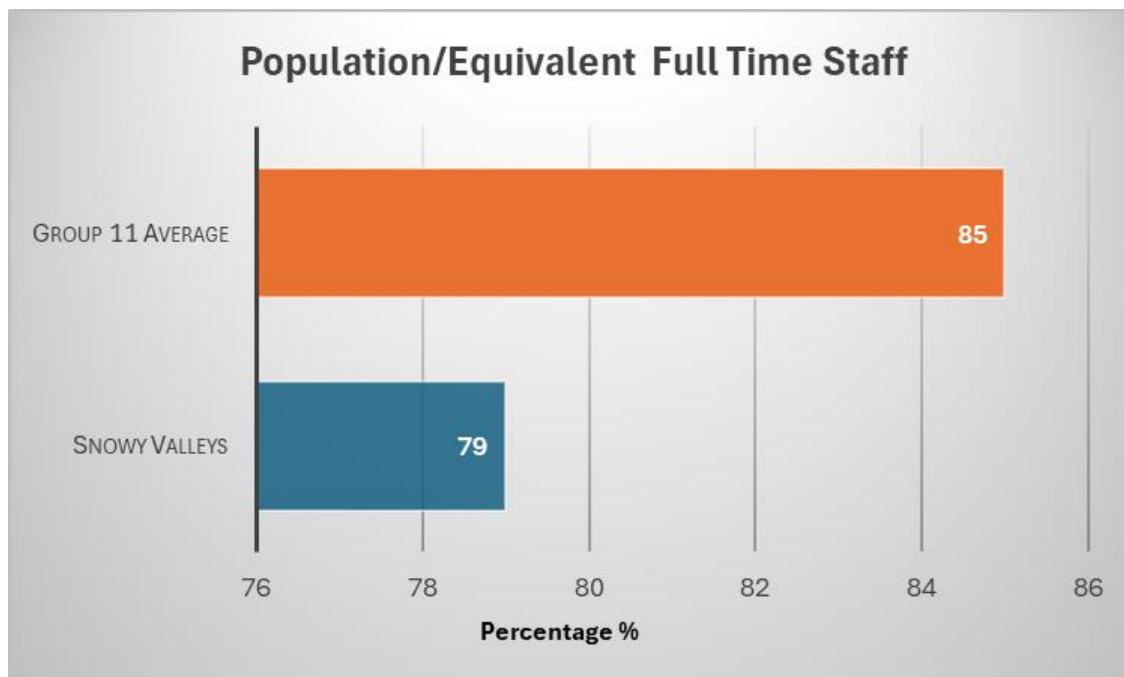
Source: OLG, Time Series Data 2021-22

Group 11 is a collection of councils throughout NSW – they are deemed comparable as large rural councils, with a population between 10,001 and 20,000.

Keeping Employee Costs Low

During 2023/2024, Council also concentrated its management strategies on efficiency gains in corporate systems, managing employee leave liability, injury management and overtime. Council has significantly reduced overtime and achieved a savings of \$350,000 compared to 2022/2023.

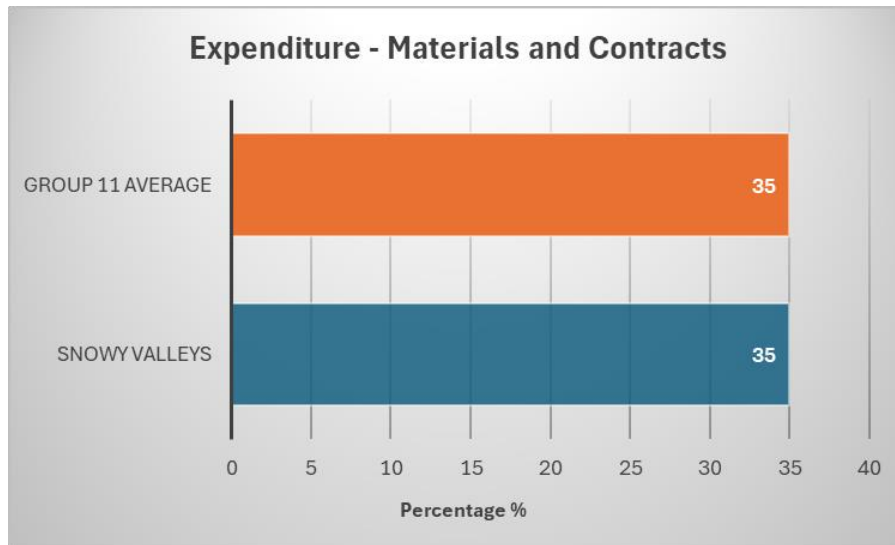
The graph below illustrates that there is 1 employee for every 79 residents. This is below the group 11 average of 85.



Source: OLG, Time Series Data 2021/2022

Containing Materials and Contracts Expenditure

Comparative data also illustrates Council's ability to manage its expenditure in relation to materials and contracts. Council's expenditure is comparable with other Group 11 council's.



Source: OLG, Time Series Data 2021/2022

REPORT:

Within the 2024/2025 Integrated Planning & Reporting Operational Plan, Long-Term Financial Plan, and Budget cycle process, Council determined that its Consolidated and General Fund baseline scenario would result in ongoing operating deficits prior to capital grants over a span of 10 years. In particular, Council's consolidated income statement was projected to lead to an estimated accumulated operating deficit of over \$22 million.

Current economic and legislative conditions—such as the cost of living increases, rate pegging, and cost shifting from other levels of government—have limited Council's ability to address existing and emerging community priorities with its current income. These rising costs have necessitated drawing on Council's financial reserves to achieve liquidity.

IPART's decision not to grant Council a further special rate variation exacerbates Council's immediate financial sustainability issues. In order to absorb the loss of this additional income Council would have received, Council has undertaken an extensive review of its staffing and levels of services it provides to the community. Although Councils' operations are relatively lean, service and staff reductions will now need to be implemented over the next 12 months. Areas identified for changes in service levels and associated savings include:

Library Services	\$132,323
Swimming Pool's	\$80,000
Waste Recovery Centre's	\$50,000
Reduction in staff	\$801,345
Grants, Sponsorship & Donations	\$191,375
TOTAL	\$1,255,043

Table 1: Cost Saving Initiatives

Services

It is proposed to reduce the Tumut Library hours of operation to five (5) days a week, Batlow to two (2) days a week, Tumbarumba four (4) days a week and cease libraries services in Adelong. It is also proposed to cease the mobile library service by the end of 2026 to Khancoban, Tooma and Jingellic.

It is also proposed to reduce the swimming pool season by two weeks (except for Tumut). It is also being recommended that Batlow and Khancoban pools reduce their hours of operations to Thursday to Sunday (closed Monday to Wednesday). The waste recovery centres will also reduce hours of operation - Adelong to two (2) days a week, Batlow three (3) days a week, Khancoban two (days) a week and Talbingo two (2) days a week.

Grants

It is also proposed to place the community grants, capital sports grants, event sponsorship and donations on hold for 12 months. Any community group within the donations category that has a lease or agreement with Council will still be honoured.

Staffing

Following the Council meeting, any staff directly impacted will need to be consulted with in accordance with provisions contained within the Local Government (State) Award 2023 clause 42 (iii) (a) - Employer's duty to notify a proposed workplace change.

This is the first stage of cost savings measures to be implemented in the over the next 12 months. Further reductions to services and staff will still need to occur in the 2025/2026 financial year.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****Community Strategic Plan Theme**

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability.

FINANCIAL AND RESOURCES IMPLICATIONS:

The cost saving initiatives identified in the report will reduce Council's expenditure in 2024/2025 by approximately \$1,255,043. Council's Delivery Program & Operational Plan (including budget) and Long-Term Financial Plan will be updated to include the above mentioned savings (if adopted) and report back to a Council meeting later on in the year.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Local Government Act 1993 - Section 8B

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

If the cost saving initiatives outlined in the report are not approved, Council will potentially be unable to hold sufficient cash reserves to fund its External Restriction obligations come 30 June 2025.

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.

2. Amend.

3. Decline the recommendations set out in this report

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Council will need to communicate and engage with the community on the proposed service reductions to ensure that impacts are kept as minimal as possible.

ATTACHMENTS

Nil.

10.6. PUBLIC SWIMMING POOLS 2023/2024 SEASON REPORT

REPORT AUTHOR: MANAGER UTILITIES, OPEN SPACE & FACILITIES

RESPONSIBLE DIRECTOR: DIRECTOR INFRASTRUCTURE & WORKS

EXECUTIVE SUMMARY:

The purpose of this report is to provide a summary of the performance of the Council's five (5) public swimming pools for the 2023/2024 pool season and to explore potential future operational cost savings and revenue opportunities. In spite of Council reintroducing entrance fees after six (6) seasons of free entry, attendance numbers over the past season were up by 27% on the previous season, whilst income saw a rise of 232% on the previous year. This past season also saw the completion of significant grant funded upgrade works to Batlow, Khancoban and Tumut pools to the value of \$3.822 million.

RECOMMENDATION:

THAT COUNCIL:

- 1. Note the Public Swimming Pools 2023/2024 Season Report;**
- 2. Explore the expansion of pool revenue streams including aqua aerobics, learn to swim and canteen sales; and**
- 3. Implement future pool operational cost savings by:**
 - a. opening Adelong, Batlow, Khancoban and Tumbarumba pools two weeks later than the traditional dates with an estimated saving of \$60,000 per season:**
 - i. Adelong – 26th October 2024 (swipe cards two weeks earlier)**
 - ii. Batlow, Khancoban and Tumbarumba – 23rd November 2024 (swipe cards two weeks earlier)**
 - b. reducing the operational open hours at Batlow and Khancoban pools to Thursday through to Sunday only (closed Monday to Wednesday) with an estimated saving of \$20,000 per season.**

BACKGROUND:

The Snowy Valleys pool season commenced for Adelong and Tumut on the 7 October 2023 and the 11 November 2023 for Batlow, Khancoban and Tumbarumba Pools. The season closed on 17 March 2024 for all pools which included a one week extension to the season due to hot weather. After hours swipe card access was available at Adelong and Tumut Pools from 23 September 2023 while Batlow, Khancoban and Tumbarumba was available from 28 October 2023. All Pool Swipe Card access closed on 24 March 2024.

This season also saw continued grant funded upgrades to the pools which included the successful completion of works under the Bushfire Local Economic Recovery Fund (BLERF) to Batlow, Khancoban and Tumut Pools. Batlow received a new amenity building, fencing, solar, shade and learn to swim pool for total value of \$1,977,044. Khancoban received a new amenity building, fencing, solar and electrical works valued at \$753,081, while Tumut received a new learn to swim pool, shade, solar and electrical works valued at \$1,091,926. In 2020 Tumbarumba also received a BLERF Grant of \$928,000 which saw the successful construction of a learn to swim pool and splashpad.

In March of this year Council undertook a community survey regarding the pools. This was on the back of the significant grant funded upgrade works to the pools. There were 205 responses with the overall satisfaction rating of the facilities from patrons being 3.5 out of 5 stars. The majority of users identified recreation as the reason for visiting the pool, followed by health and fitness and learn to swim. Interestingly, 82 respondents visit the pools 2-3 times per week while 77 noted they visit one (1) or less days per week. Pleasingly respondents were evenly spread on what recent upgrade feature they liked best.

REPORT:Attendance

Total attendance numbers across the five pools saw a significant increase this season compared to the previous season. This season saw an attendance of 57,247 compared with the previous season of 45,241 and the 2021-2022 season of 49,415. This increase was concentrated at the Tumut pool facility with an additional 10,473 attendees for the 2023 - 24 season with more modest increases in Adelong of 1,744 and Batlow of 387. Khancoban and Tumbarumba saw minor decreases in attendance for the season of 267 and 331 respectively.

Table 1. Pool attendance numbers over past three (3) seasons:

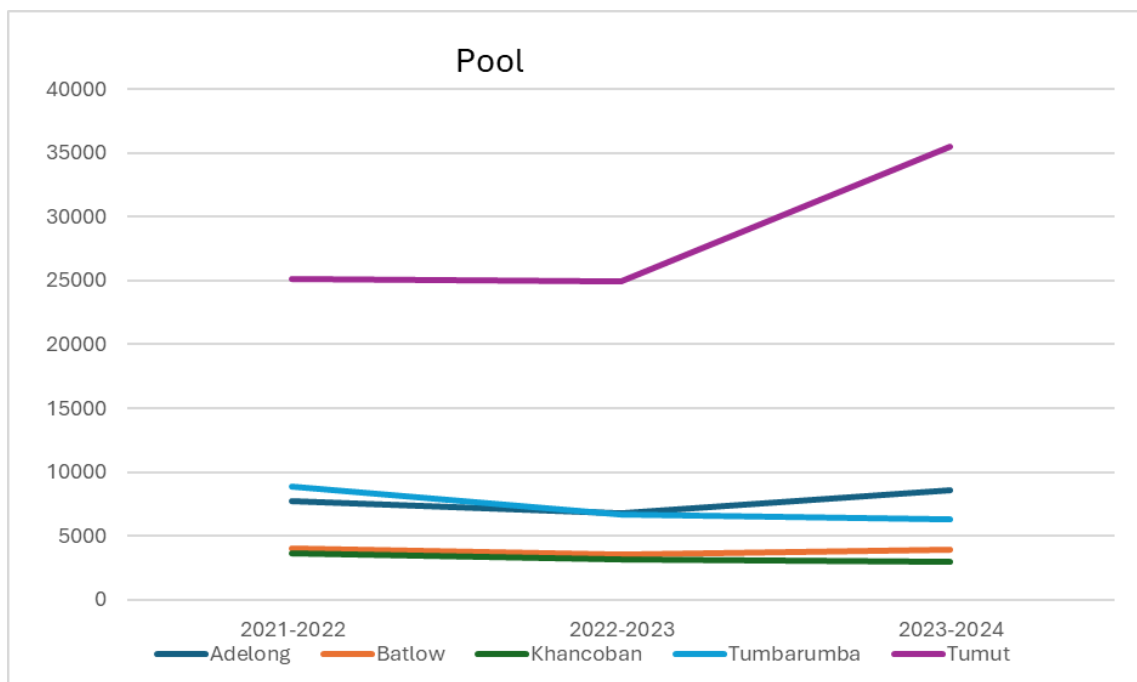
	2021-2022	2022-2023	2023-2024
Adelong	7,736	6,816	8,560
Batlow	4,071	3,571	3,958
Khancoban	3,680	3,215	2,948
Tumbarumba	8,842	6,661	6,330
Tumut	25,086	24,978	35,451
TOTAL	49,415	45,241	57,247

Anecdotal evidence from staff interactions with patrons suggests that the significant increase in Tumut numbers is as a result of the absence of antisocial behaviour, which was a regular occurrence when entry to the pools was free and mainly limited to the Tumut Pool. The introduction of entrance fees has meant that those individuals that participated in anti-social behaviours (bullying, stealing, assault etc) did not attend the Pool and so patrons felt safer. The fact that the other four (4) Pools attendance numbers were relatively similar to previous seasons and saw only minor occurrences of antisocial behaviour compared to the previous two seasons (free entry seasons), supports this anecdotal evidence.

Weather plays an important role in attendance numbers, however, cannot be attributed to the increase in numbers as the season was milder than average and similar to the previous season.

Below image - Batlow Pool new splash pad



Graph 1. Pool attendance numbers over past three (3) seasons:

When comparing the attendance numbers over the past three (3) seasons a worrying trend can be seen at Khancoban and Tumbarumba Pools with a steady decline each season whilst Batlow pool is consistently low. Tumut Pool is also consistently higher than the other four (4) pools combined, which is also reflective of Tumut's population being higher than the other four (4) towns combined.

Most disappointing and unexpected is the decline and lack of increase in numbers in Batlow, Khancoban and Tumbarumba Pools despite the significant upgrade works undertaken at these pools over the last two (2) years and the recent community survey showing the positive attitude towards these upgrades. Despite not receiving any upgrade, Adelong Pool patronage has increased and this is also despite the reintroduction of entry fees in the 2023/2024 season.

Below image - Adelong Pool party



LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****Community Strategic Plan Theme**

Theme 4 - Our Infrastructure

Community Strategic Plan Strategic Objectives

CSP4 Our infrastructure includes Council services that plan, manage, maintain and renew our community infrastructure and transport networks

Delivery Program Principal Activities

4.2 Manage and plan for affordable infrastructure to meet current and future community needs

FINANCIAL AND RESOURCES IMPLICATIONS:Revenue

The reintroduction of pool entry fees in the 2023-24 season has resulted in Council receiving \$269,077 in revenue from the five (5) pools. This is a \$153,309 increase from the previous season when entry was free. Total actual income was \$97,322 less than budgeted but given Council had not charged entrance fees for a number of seasons, this budgeted amount was an estimate based on previous year's attendance numbers and assumptions on what specific entrance fees may be purchased. Future years revenue budgets are expected to be more accurate as a result of this year's actual figures received.

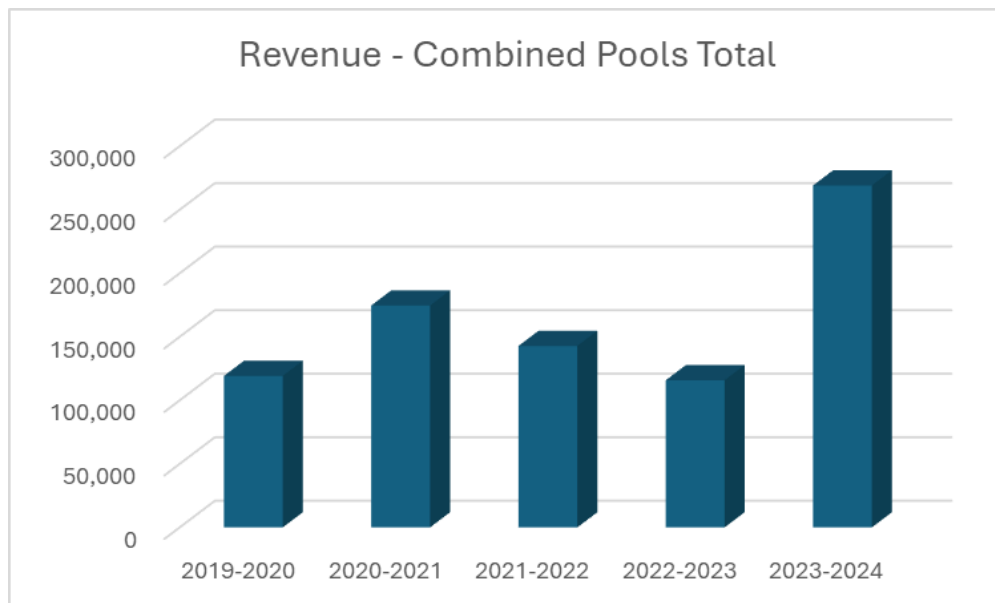
Table 2. Pool revenue over the past five (5) seasons

	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
Pools Totals					
Total Income Budget	\$ 130,000	\$140,000	\$139,900	\$139,900	\$366,400
Total Income Actual	\$119,189	\$174,596	\$142,788	\$115,768	\$269,078
Adelong					
Total Income Budget	0	0	\$28,900	\$28,900	\$60,400
Total Income Actual	\$29,450	\$35,468	\$24,236	\$22,717	\$43,751
Batlow					
Total Income Budget	0	0	7,500	7,500	20,500
Total Income Actual	5,670	9,219	6,137	691	15,290
Tumut					
Total Income Budget	0	0	\$77,000	\$77,000	\$221,000
Total Income Actual	\$66,358	\$99,211	\$87,690	\$76,353	\$143,407
Tumbarumba					
Total Income Budget	0	0	\$19,000	\$19,000	\$32,000
Total Income Actual	\$9,511	\$21,777	\$18,084	\$11,075	\$46,766

	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
Khancoban					
Total Income Budget	0	0	\$7,500	\$7,500	\$32,500
Total Income Actual	\$4,229	\$8,921	\$6,641	\$4,932	\$19,864

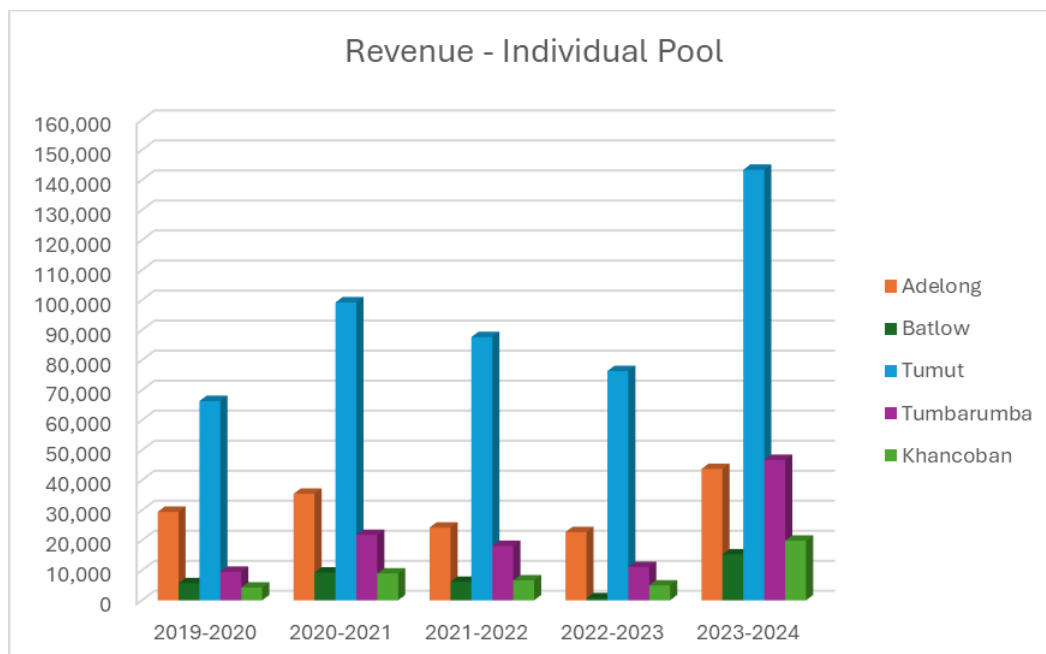
Note: Overall actual income for the 2023/2024 season was \$269,078 which was \$97,322 less than budgeted income of \$366,400. As Council had not charged entry fees for a number of seasons, this budgeted amount for 2023/2024 was an estimate based on previous years pool patronage numbers across all of Councils pools.

Graph 2. Combined five pools revenue over the past five (5) seasons:



A breakdown of revenue per pool over the past five (5) seasons reflects the attendance numbers with Tumut Pools' revenue being higher than the other four (4) Pools combined.

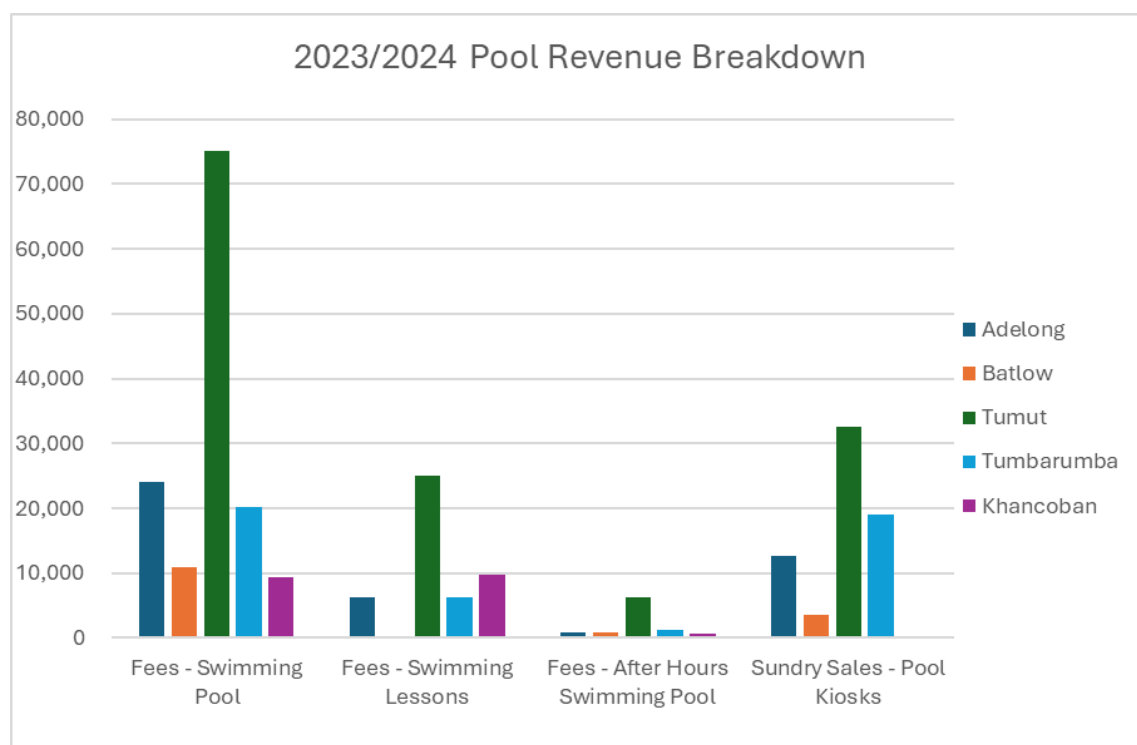
Graph 3. Individual pool revenue over the past five (5) seasons:



A breakdown of this season's revenue sees pool entry fees across the five (5) pools generating \$139,665, with kiosk sales generating \$67,610 and swim lessons generating \$47,297. Swipe card fees generated \$9,940.

Interestingly, Tumbarumba's revenue was significantly higher this past season due to approximately \$10,000 more in kiosk sales than what was expected despite attendance numbers being slightly less than last year. This is likely due to Tumbarumba having significantly more hot food options due to available staffing.

Graph 4. 2023/2024 pool season revenue breakdown:



The following table shows revenue generated per individual patron at each individual pool in relation to entry fees and kiosk sales. Entry fees per individual range from \$2.12 in Tumut to \$3.20 in Khancoban with the average being \$2.44. These differences between pools reflect the different entry fees paid but more importantly, the number of season pass uses and how often they use their passes at an individual pool. The greater the number of season passes used regularly at an individual pool, then the lower the revenue per attendee. The higher the revenue per attendee reflects less season passes being used. As such Tumut attracts more season pass uses in comparison to Khancoban and Tumbarumba.

The following table also shows revenue generated per individual patron at each individual pool in relation to kiosk sales. As noted previously Tumbarumba generated significant revenue in comparison to attendance numbers and therefore each attendee spent on average \$3. Adelong patrons spent on average \$1.47, while Tumut individuals averaged \$0.92 and Batlow \$0.88.

Table 3. Revenue breakdown per individual pool attendee:

	Pool fees revenue per attendee	Pool kiosk revenue per attendee
Adelong	\$ 2.80	\$1.47
Batlow	\$2.77	\$0.88
Khancoban	\$3.20	\$0.01
Tumbarumba	\$3.19	\$3.00
Tumut	\$2.12	\$0.92
Average	\$2.44	\$1.18

It is recommended that Council explore expansion of existing revenue streams in an effort to increase overall revenue generated through the pools. Specifically Aqua aerobics and Learn to Swim generated approximately 18% of the overall revenue this season. They are extremely popular and there is potential to increase the number of classes in all pools, however expansion of services is subject to staff availability which has in recent seasons limited the services that can be provided due to difficulty in recruiting. Should these services be expanded, there is potential for an additional \$2,000 to \$5,000 of revenue. Kiosk sales will also be investigated, but once again is subject to availability of staff and also limited by Food Safety Standards. This potentially could generate an additional \$5,000 to \$10,000 in revenue.

Below image - Khancoban Pool party



Expenditure

Expenditure over the past five (5) seasons has steadily increased despite service levels remaining the same, that is, operating hours have remained consistent. This steady increase each year is in line with rising staff, materials and utility costs and so is expected. Total expenditure this season was \$1,474,312, an increase from the previous season of \$116,093. Expenditure was also \$276,571 over budget, which is a result of \$340,000 **of unbudgeted internal recharges and overheads** that were added into the Pool Cost Centre's. The original budgeted amount for this was \$18,000 but actuals were \$358,836. If actuals were as budgeted the overall pool expenditure would have been under budget and also less than last years total actual expenditure of \$1,133,477. Last years internal recharges and overheads actuals were \$319,914 and budget \$357,624, however the 2021/2022 season internal recharges and overheads actuals were \$97,464 and budget \$36,361. Employee costs this season were \$56,475 under budget.

Table 4. Pool expenditure (operational costs) over the past five (5) seasons:

	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
Pools Totals					
Total Expenditure Budget	\$ 965,302	\$1,161,663	\$1,246,886	\$1,509,130	\$1,197,741
Total Expenditure Actual	\$787,758	\$1,156,458	\$1,194,029	\$1,358,219	\$1,474,312
Pools - Administration					
Total Expenditure Budget	\$445,302	\$505,087	\$336,495	\$8,979	\$5,051

	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
Total Expenditure Actual	0	\$7,434	\$8,499	\$14,607	\$25,191
Adelong					
Total Expenditure Budget	\$70,000	\$147,000	\$199,723	\$301,679	\$231,668
Total Expenditure Actual	\$189,601	\$224,405	\$224,027	\$285,485	\$283,684
Batlow					
Total Expenditure Budget	\$45,000	\$82,000	\$112,215	\$209,004	\$253,846
Total Expenditure Actual	\$114,066	\$197,085	\$210,381	\$188,345	\$253,513
Tumut					
Total Expenditure Budget	\$295,000	\$273,576	\$341,532	\$531,678	\$405,088
Total Expenditure Actual	\$269,355	\$432,204	\$468,065	\$575,007	\$551,260
Tumbarumba					
Total Expenditure Budget	\$55,000	\$77,000	\$93,388	\$191,400	\$201,752
Total Expenditure Actual	\$90,812	\$146,371	\$154,897	\$179,035	\$225,055
Khancoban					
Total Expenditure Budget	\$55,000	\$77,000	\$103,533	\$183,756	\$100,336
Total Expenditure Actual	\$84,625	\$103,549	\$87,272	\$83,335	\$135,610

Analysis of expenditure saw a minor reduction in expenditure in Tumut of \$23,747 and Adelong of \$1,802, however significant increases were seen at Khancoban, Batlow and Tumbarumba which were as a result of staffing related issues. Specifically, Khancoban Pool is operated by a full-time staff member, however, this staff member was unavailable for a significant part of the season and so casual pool lifeguard staff were required to backfill, which resulted in higher staffing costs. Batlow Pool had a full-time Pool Supervisor for the first time in a number of years, similar to the other pools, which resulted in higher staff costs. Batlow Pool also had a reduced season last year, due to insufficient staffing which resulted in a lower expenditure. Despite Tumbarumba seeing a minor reduction in patronage this season, additional staffing was required at the Kiosk and hence the higher expenditure.

Table 5. Operational cost breakdown for past five (5) seasons:

	Expenditure	Budget	Expenditure	Budget	Expenditure	Budget	Expenditure	Budget	Expenditure	Budget
	Season 19/20	Season 19/20	Season 20/21	Season 20/21	Season 21/22	Season 21/22	Season 22/23	Season 22/23	Season 23/24	Season 23/24
Employee Costs	\$ 389,206	\$123,713	\$464,706	\$167,218	\$505,574	\$569,077	\$380,212	\$536,928	\$442,254	\$498,730
Materials & Services	\$234,270	0	\$239,310	\$654,715	\$183,097	\$260,639	\$222,734	\$271,248	\$251,357	\$232,073
Depreciation & Impairment	0	\$270,000	\$284,544	\$270,000	\$314,872	\$330,000	\$353,678	\$284,544	\$368,126	\$351,305
Internal Recharges & Overheads	\$124,587	\$571,588	\$121,313	\$69,730	\$97,464	\$36,361	\$319,914	\$357,624	\$358,836	\$18,002*
Internal Rates	\$39,696	0	\$46,586	0	\$93,022	\$50,809	\$81,681	\$58,786	\$53,740	\$31,681
Internal User Charges									0	\$65,951
TOTAL	\$787,758	\$965,302	\$1,156,458	\$1,161,663	\$1,194,029	\$1,246,886	\$1,358,219	\$1,509,130	\$1,474,312	\$1,197,741

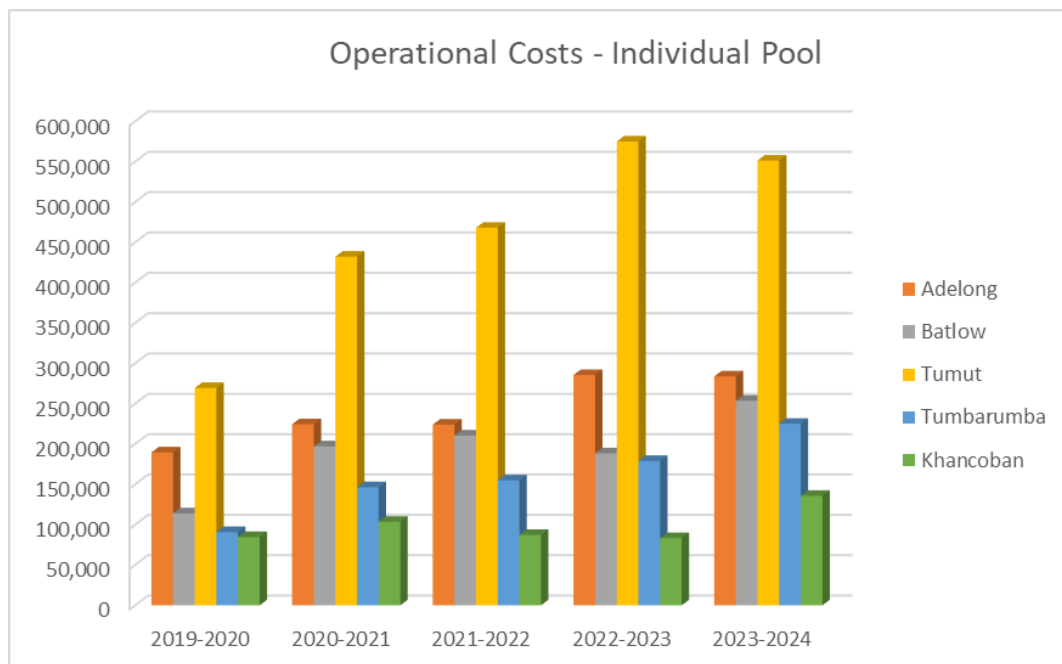
The following 2 graphs show expenditure totals and expenditure per Pool over the past five (5) seasons highlighting the steady rise in pool operational costs.

* Note - Insufficient Internal Recharges & Overheads budget set. Correct budgeting would have resulted in a \$64,263 underspend in total pool operations.

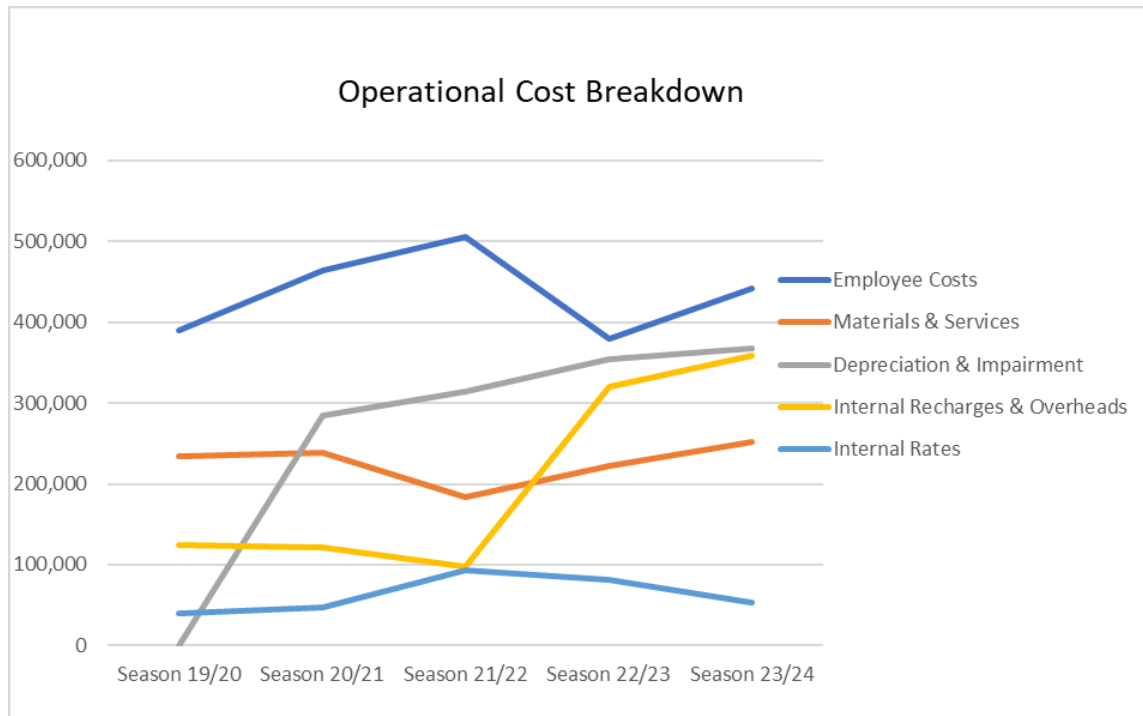
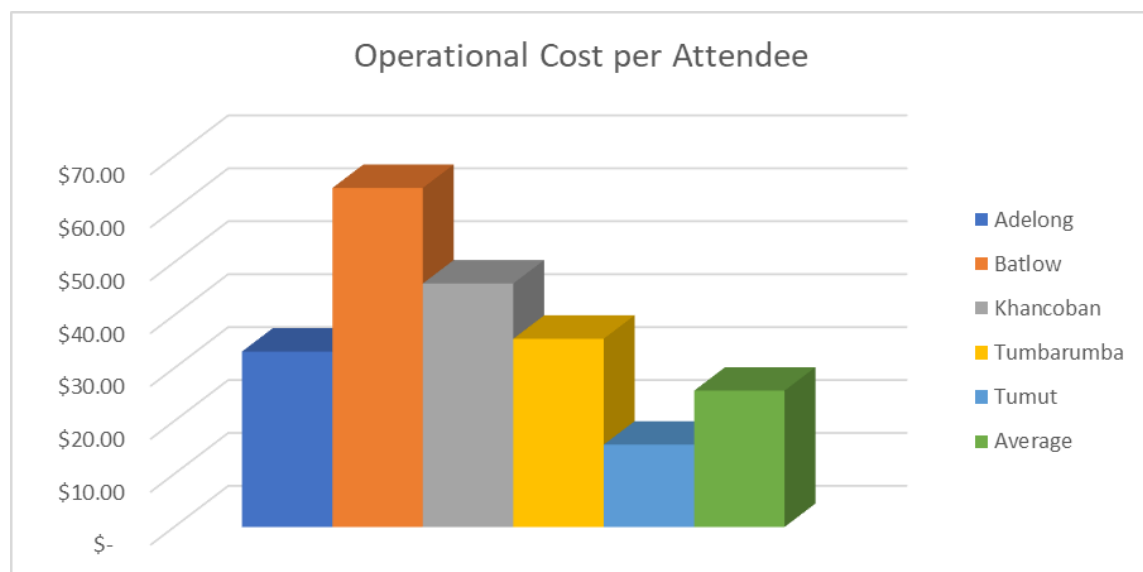
Graph 5. Combined pool operational costs over the past five (5) seasons:



Graph 6. Individual pool operational costs over the past five (5) seasons:



As noted previously, the following graph which plots the breakdown of expenditure shows a rise over the past five (5) seasons in employee costs and materials which is expected. The graph also shows the rise of depreciation and internal recharges and overheads. Internal rates have remained consistent.

Graph 7. Total operational cost breakdown for the five (5) Pools over the past five (5) seasons:**Graph 8. Operational cost per individual pool attendee for the season 2023/2024**

The above graph shows the operational cost per attendee for each of the pools for this 2023/2024 season. Batlow has the highest cost at \$64 per patron whilst Tumut cost four (4) times less per patron at \$15. Khancoban costs \$46, Tumbarumba is \$35 and Adelong is \$33 per patron. The average across all pools is \$26 per attendee.

Table 6. 2021/2022 individual pool expenditure, revenue and attendance percentages of season totals:

Pool	Actual Expenditure	Expenditure Percentage	Actual Revenue	Revenue Percentage	Attendance	Attendance Percentage
Adelong	\$ 224,027	19%	\$ 24,236	17%	7,736	15%
Batlow	\$ 210,381	18%	\$ 6,137	4%	4,071	8%
Khancoban	\$ 87,272	7%	\$ 6,641	5%	3,680	7%
Tumbarumba	\$ 154,897	13%	\$18,084	13%	8,842	18%

Pool	Actual Expenditure	Expenditure Percentage	Actual Revenue	Revenue Percentage	Attendance	Attendance Percentage
Tumut	\$ 468,065	39%	\$ 87,690	61%	25,086	51%
Other	\$ 49,387					
TOTAL	\$ 1,194,029		\$ 142,788		49,415	

Table 7. 2022/2023 individual pool expenditure, revenue and attendance percentages of season totals:

Pool	Actual Expenditure	Expenditure Percentage	Actual Revenue	Revenue Percentage	Attendance	Attendance Percentage
Adelong	\$ 285,485	21%	\$ 22,717	20%	6,816	15%
Batlow	\$ 188,345	14%	\$ 691	1%	3,571	8%
Khancoban	\$ 83,335	6%	\$ 4,932	4%	3,215	7%
Tumbarumba	\$ 179,035	13%	\$ 11,075	10%	6,661	15%
Tumut	\$ 575,007	42%	\$ 76,353	66%	24,978	55%
Other	\$ 47,011					
TOTAL	\$ 1,358,219		\$ 115,768		45,241	

Table 8. 2023/2024 individual pool expenditure, revenue and attendance percentages of season totals:

Pool	Actual Expenditure	Expenditure Percentage	Actual Revenue	Revenue Percentage	Attendance	Attendance Percentage
Adelong	\$ 283,684	19%	\$ 43,751	16%	8,560	15%
Batlow	\$ 253,513	17%	\$ 15,290	6%	3,958	7%
Khancoban	\$ 135,610	9%	\$ 19,864	7%	2,948	5%
Tumbarumba	\$ 225,055	15%	\$ 46,766	17%	6,330	11%
Tumut	\$551,260	37%	\$ 143,407	53%	35,451	62%
Other	\$25,191					
TOTAL	\$1,474,312		\$ 269,078		57,247	

The above tables (6,7 & 8) clearly highlight the inconsistencies across the five (5) pools over the past three (3) season in regards to the percentage of actual expenditure verse the percentage of actual revenue verse the percentage of attendance numbers. In 2023/2024 season, and representative of the previous two (2) seasons, Batlow's expenditure is 17% of the total five pools expenditure yet it only produced 6% of the overall revenue collected and only had 7% of the overall attendance. However, Tumut has been the reverse over the past three (3) seasons with this season seeing 37% of the overall five (5) pools actual expenditure, collected 53% of the overall revenue and had 62% of the five (5) pools total attendance. The other three (3) pools were reasonably consistent with their percentages meaning the operational costs, revenue received and patronage numbers were all on par.

Below image - Tumbarumba new learn to swim pool and splashpad



POLICY, LEGAL AND STATUTORY IMPLICATIONS:

N/A

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Public Swimming Pools by nature are expensive to operate due to the required compliance with relevant legislation, mitigation of risks and the associated energy and materials needed for day-to-day operations. Particularly in regional areas with limited populations, public swimming pools struggle to generate sufficient revenue to cover those operating costs, and therefore, require significant subsidy from the broader rate base and not just pool users. This can be said for many public assets including parks and sporting fields, libraries and a range of other Community facilities.

These assets provide important benefits to the community and are key attractions for visitors from outside of the Snowy Valleys Council LGA. Public Swimming pools also play a key role in teaching all members of our communities especially children, the vital skill of swimming and also enjoying all forms of aquatic recreation.

Therefore, Council and the community need to determine the ongoing amount of subsidy should it continue to operate all five (5) public swimming pools.

OPTIONS:

Council has a number of options in regards to the operation of its five (5) public swimming pools:

1. Retain current service levels and current entry fees and accept rising operating costs;
2. Reduce operating costs through the permanent closure of a pool/pools;
3. Reduce operating costs through the reduction of operational hours by way of shortening the season and/or hours per day;
4. Increase revenue by increasing entry fees;
5. Increase revenue through exploration of expansion of existing pool services.

Options Discussion

1. Given Council's current unsustainable financial situation, it would be prudent to explore opportunities to either reduce operational costs and/or increase revenue to offset operational costs. Council staff did explore the potential to outsource pool operations to a third-party operator last year. During these preliminary investigations, discussions were had with a well-known national operator, and it was clearly explained to Council staff that operational costs would in fact increase as revenue opportunities for a third-party organisation are limited (and hence potentially less attractive to businesses) and therefore costs would need to be borne by Council. They also advised that staff are paid on a lower rate under a different award to that of Local Government, and therefore staffing issues Council has faced over the past several seasons would likely be exacerbated by the lower pay rate. For these reasons, this option has not been considered.
2. Closure of a pool/pools would provide Council with significant ongoing savings in the order of \$150,000 to \$600,000 depending on how many pools were permanently closed, however this would be a highly unpopular option and would result in significant community angst and backlash. Though saving significant funds this option would also have detrimental effects on certain communities through the loss of the broad range of benefits that public swimming pools provide and so this option is not recommended.
3. Council's best option for reducing operational costs with the least amount of impact on patrons and communities is to explore service level reductions, i.e. reduction of operational hours. It must be remembered that Snowy Valleys Council is fortunate to operate a swipe card system that allows patrons (18 years and older) to utilise all five (5) pools outside of normal operational hours, and therefore any reduction in service levels, is offset by this out of operational hours service. This service is however not available to children unless they are part of a swim club.

Given the low and decreasing patronage at Batlow and Khancoban pools coupled with the high operational costs per patron at each of these pools there is justification to reduce service levels. Tumbarumba also has decreasing patronage, however costs per patron are similar to Adelong due in part to above average revenue. It is recommended that Council pursue operational savings through a reduction in service levels at Batlow and Khancoban pools by way of reducing operational hours. Specifically it is recommended to not operate the pools Monday, Tuesday and Wednesdays for the entire season, that is open Thursday to Sundays, therefore saving on staff lifeguarding costs. The pools would still be available for swipe card holders as well as for swim lessons, aqua aerobics etc and swim clubs during these days. The proposal would allow for weekend operations when the majority of patrons visit the pools. The potential savings to Council are approximately \$20,000. Implementing a similar proposal to Tumbarumba and Adelong could potentially save Council \$40,000 annually.

To further pursue reductions in operational costs it is recommended to delay the opening dates of Adelong, Batlow, Khancoban and Tumbarumba Pools by 2 weeks. Tumut has been excluded due to the significantly higher (and increasing) patronage which is almost double that of the other four (4) pools combined. Traditionally the first few weeks of each season have low patronage due to the low outside temperatures with the bulk of patrons being regular lap swimmers. This would mean opening Adelong towards the end of October to the public and two weeks earlier for swipe card users and opening Batlow, Khancoban and Tumbarumba towards the end of November, once again with swipe card users having access two weeks earlier. Adelong's warmer climate being the reason for opening earlier than the other three pools located at higher altitude. Pushing back the opening dates by two weeks, both swipe cards and public access will potentially save \$60,000.

4. Council also has the option of increasing entry fees. This season Council generated \$139,665 in entry fees. Pool attendance also increased this year even with entry fees, however it is likely that increasing fees may reduce future patronage. Additional revenue through entry fees is also limited due to the fee structure and number of patrons. An increase of a few dollars across all fees would likely only generate an additional \$10,000 - \$20,000 and given the risk of deterring people from using the pools this option is not recommended.
5. Council may also elect to increase revenue through expansion of existing revenue streams in an effort to increase overall revenue generated through the pools. Specifically aqua aerobics and learn to swim generated approximately 18% of the overall revenue this season. They are extremely popular and there is potential to increase the number of classes in all pools, however expansion of services is subject to staff

availability which has in recent seasons limited the services that can be provided due to difficulty in recruiting. Should these services be expanded there is potential for an additional \$2,000 to \$5,000 of revenue. Canteen sales will also be investigated, but once again is subject to availability of staff and also limited by Food Safety Standards. This potentially could generate an additional \$5,000 to \$10,000 in revenue.

Below image - Tumut Pool post upgrade works



COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

A community survey was undertaken in March 2024 with results published.

ATTACHMENTS

1. Community Survey and results for the 2023/2024 Season (Under separate cover)

10.7. PROPOSED DONATIONS FOR 2024-2025**REPORT AUTHOR: COORDINATOR GOVERNANCE****RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY & CORPORATE****EXECUTIVE SUMMARY:**

The purpose of this report is to present to Council the proposed donations for 2024/2025. Traditionally the donations Council provides to various community groups and organisations have been built over time based on individual and historic approvals. However, for 2024/2025 Council contacted with previous donation recipients to ensure that all monetary and in-kind support is still relevant and needed. Council also has donation agreements or arrangements that are subject to previous Council resolutions in place that must be adhered to. The donations form part of the overall community assistance program which totals \$221,049 and includes donations totalling \$69,749.

RECOMMENDATION:**THAT COUNCIL:**

1. Note the report on proposed donations for 2024/2025;
2. Endorse the donations recommended for funding in the 2024/2025 financial year of \$29,674 which have an agreement in place or are subject to a previous Council resolution:

Community Assistance Group	Grouping	Details	Proposed Donation 2024/2025
Montreal Theatre	Community Group	All Rates and Charges	\$4,535
Landcare	Business	2000 KL Allowance as per Resolution 2012	\$5,257.70
Tumbarumba Mens Shed	Community Group	Water 20MM and 20MM Sewer	\$880
Brungle Memorial Hall & Fire Service - Brungle Hall	RFS	Insurance	\$4,000
Tumut Rugby League Football Club	Sporting	400KL Domestic water Allowance - previous approval given via Council meeting for \$10,000 plus waiver of rates	\$15,000
TOTAL	-	-	\$29,674

3. Endorse the donations recommended for funding in the 2024/2025 financial year of \$40,075.

Community Assistance Group	Grouping	Details	Proposed Donation 2024/2025	Application Received
Adelong theatre Inc	Community Group	Rates recovered 23/24	\$1,573.00	Yes
Tumut Town Band	Community Group	All Rates & Charges	\$4,482.08	Yes
Adelong Men's Shed	Community Group	Annual Rates	\$1,573.00	Yes

Community Assistance Group	Grouping	Details	Proposed Donation 2024/2025	Application Received
Tumut Scouts	Community Group	Non rateable – all other charges	\$1,833.00	Yes
Men's Shed Tumut – Railway	Community Group	Rates and Water - User agreement is silent on who pays rates and charges	\$4,073.00	Yes
Batlow Rescue Squad Search and Rescue	Community Group	rates, water, fire extinguishes, checks and replacements	\$2,086.45	Yes
Gilmore Hall & Fire Services – Gilmore Hall	Community Group	All Rates and Charges	\$1,081.42	Yes
Khancoban Op Shop (KUVA)	Community Group	All Rates and Charges	\$1,888.93	Yes
Batlow Museum	Community Group	3 x town bins	\$1,000.00	Yes
Adelong Alive Museum	Community Group	Insurance	\$1,000.00	Yes
Tumut Museum	Community Group	Insurance	\$1,000.00	Yes
St Vincent De Paul – Tumut	Registered Charity	Annual Sewerage Charges 75% 20mm	\$2,280.00 – annual rates only	Yes
Brungle Memorial Hall & Fire Service – Brungle Hall	RFS	All Rates and Charges reduction in 40ml access in water supply plus rates waived	\$811.51 Rates	Yes
Adelong Community Enterprises Inc	Community	Recovery of rates 2023/2024	\$2,308.04	Yes
Tumbarumba Historical Society Inc	Community	Insurances and maintenance of Tumbarumba archives and property	\$1,252.20	Yes
Tumbarumba Race Course	Sporting	Water metre size donation (difference 20mm to 40mm)	\$1,630.00	Yes
Tumbarumba Tennis Club	Community	Rates and Water	\$1,828.00	Yes
Rural Doctor - Network Bush Bursary Placements	Rural Group	Placement of medical students in country NSW during their university holidays	\$6,000.00	Yes
Jingellic Hub Inc	Community	Exemption of waste removal	\$2,374.00	Yes

Community Assistance Group	Grouping	Details	Proposed Donation 2024/2025	Application Received
		charges for the showground - 3 x red bins and 1 x recycle		
TOTAL	-	-	\$40,075	-

BACKGROUND:

Snowy Valleys Council (SVC) recognises and values the strengths of the Snowy Valleys community, including the strong sense of belonging demonstrated through participation in a range of community and cultural events. Council provides support to assist the community in a number of ways, including assistance of a financial nature through donations, awards, scholarships and community, sport and heritage grants.

The *Community Assistance Policy* (SVC-FIN-PO-127-01) and the *Donations Procedure* (SVC-COR-PR-017-02) document Councils management of donations.

The Operational Budget 2024/2025 includes \$221,049 in community assistance, including \$69,749 in donations. A detailed list of donations is included in this report.

REPORT:

Snowy Valleys Council is committed to supporting community groups, organisations, projects, activities and events that reflect a vibrant community in the Snowy Valleys Local Government Area (LGA).

The *Community Assistance Policy* has been in effect since 23 March 2022. This policy establishes guidelines on how Council will provide assistance to the community through monetary and in-kind support. It aims to develop a robust, open and transparent decision-making process for requests of support from Council to ensure that finite public funds for community causes are allocated in a manner that achieves greatest public benefit.

Council provides support to many organisations and individuals each year. In adopting the annual budget, Council may approve the provision of community assistance that aligns with Council's strategic priorities as detailed in the Delivery Program. Council's community assistance is categorised as:

- Donations
- Grants
- Event Sponsorship
- Scholarships
- Street Banners.

A summary of the proposed budgets for grants, event sponsorship and scholarships is as follows:

Community Assistance Type	Budget 2023/2024	Proposed Budget 2024/2025
Charles Sturt Uni Scholarships	\$10,500	\$10,000
SVC Community Grants	\$50,000	\$50,000
SVC Capital Sports Grant	\$30,000	\$30,000
SVC Heritage Grants	\$0	\$0
Event Sponsorship	\$60,000	\$60,000
Donations by Agreement/Resolution	see below	\$29,674

Community Assistance Type	Budget 2023/2024	Proposed Budget 2024/2025
Donations	\$72,921.39	\$40,075
School Book Rewards	\$1,350.00	\$1,300
Total	\$224,771.39	\$221,049

Under the *Community Assistance policy*, donations are defined as Money, goods or services that are given to help a person or organisation. Categories available for submission under Council's donations program are as follows:

- Art prizes
- Fee waivers
- In-kind donations
- One-off donations
- Rates and charges payment relief
- School bursaries, awards and prizes
- Special purpose donations.

Council may resolve to make a continuing annual contribution to a relevant applicant to facilitate continuity of the provision of a community service or benefit or the staging of an event or festival that contributes significantly to the cultural, social, recreational or economic wellbeing or the general community, however, approval of ongoing annual contributions cannot exceed any given Council term.

The table below outlines the proposed donations for 2024/2025:

Owner/ Organisation Name	Grouping	Details	Donation Amount 2023/2024	Proposed Donation 2024/2025	Application Form received
Former S355 Committees	Community Group	Insurance assistance upon application	\$10,000	-	-
Adelong Men's Shed	Community Group	Annual Rates	\$1,634.43	\$1,573.00	Yes
CWA Batlow	Community Group	Annual Sewerage 75% 20mm	\$412.50	-	-
Batlow Community Hall	Community Group	All rates and Charges	\$3,530.65	-	-
Tumut Showground Trustees	Community Group	Annual Sewerage Charges 100% - 40mm	\$2,360.60	-	-
Adelong Theatre Inc	Community Group	Rates recovered 23/24	\$4,390	\$1,573	Yes
Tumut Town Band	Community Group	All Rates and Charges	\$4,666.63	\$4,482.08	Yes
Tumut Scouts	Community Group	Non ratable – all other charges	\$1,736.11	\$1,833.00	Yes

Owner/ Organisation Name	Grouping	Details	Donation Amount 2023/2024	Proposed Donation 2024/2025	Application Form received
CWA Tumut	Community Group	Annual Sewerage – Charges 75% - 20mm	\$442.61	-	-
SES Tumut	Community Group	All Rates and Charges	\$2,935.49	-	-
Men's Shed Tumut – Railway	Community Group	Rates and Water - User agreement is silent on who pays rates and charges	\$4,242.93	\$4,073.00	Yes
Batlow Rescue Squad Search and Rescue	Community Group	Rates water fire extinguishers checks and replacements	\$2,227.46	\$2,086.45	Yes
Gilmore Hall & Fire Services – Gilmore Hall	Community Group	All Rates and Charges	\$1,023.44	\$1,081.42	Yes
Khancoban Op Shop (KUVA)	Community Group	All Rates and Charges	\$1,950.54	\$1,888.93	Yes
Khancoban Country Club	Community Group	Difference between old rural club and new business and farm rating category upon rates harmonisation	\$849.69	-	-
Adelonia Theatre	Community Group	Insurance	\$1,000.00	-	-
Riding for the Disabled	Community Group	Towards feed for the horses	\$500.00	-	-
Adelong Progress Association	Community Group	Donation	\$1,650.00	-	-
Tumut Museum	Community Group	All Rates and Charges	\$2,386.84	-	-
Batlow Museum	Community Group	3 x town bins	\$1,379.40	\$1,000.00	Yes
Batlow Museum	Community Group	Insurance	\$1,000.00	-	-
Adelong Alive Museum	Community Group	Insurance	\$1,000.00	\$1,000.00	Yes
Tumut Museum	Community Group	Insurance	\$1,000.00	\$1,000.00	Yes

Owner/ Organisation Name	Grouping	Details	Donation Amount 2023/2024	Proposed Donation 2024/2025	Application Form received
Tumut Preschool	Preschool	One Garbage charge and waste access (rates are exempt)	\$658.82	-	-
Adelong Preschool	Preschool	One Garbage charge and waste access (rates are exempt)	\$658.82	-	-
St Vincent De Paul – Tumut	Registered Charity	Annual Sewerage Charges 75% 20mm	\$442.61	\$2,280.00 – annual rates only	Yes
St Vincent De Paul – Tumut	Registered Charity	Gate waste fees (12 loads)	\$840.00	-	-
Brungle Memorial Hall & Fire Service – Brungle Hall	RFS	All Rates and Charges reduction in 40ml access in water supply plus rates waived	\$793.64	\$811.51 Rates	Yes
Rural Doctor – Network Bush Bursary Placements	Rural Group	Former Tumbarumba initiative – SVC participated in 2021 without budget	\$3,000.00	\$6,000.00	Yes
Tumut Clay Club	Sporting	General Rates – difference between business and farmland	\$440.92	-	-
Tumut Racecourse	Sporting	All Rates and Charges	\$1,767.28	-	-
Tumut Netball Association	Sporting	Annual Sewerage charges	\$442.61	-	-
Tumut Turf Club	Sporting	Annual Sewerage Charges 100% - 50mm	\$3,691.12	-	-
Tumbarumba Race Course	Sporting	Water meter size donation (difference 20mm to 40mm)	\$802.53	\$1,630.00	Yes

Owner/ Organisation Name	Grouping	Details	Donation Amount 2023/2024	Proposed Donation 2024/2025	Application Form received
Tumbarumba Golf Club	Sporting	Difference between old rural club and new business rating category upon rates harmonisation	\$1,628.28	-	-
Rosewood Golf Club	Sporting	Difference between old rural club and new business rating category upon rates harmonisation	\$874.66	-	-
Adelong Community Enterprises Inc	Community	Recovery of rates 2023/2024	\$1,656.10	\$2,308.04	Yes
Tumbarumba Historical Society Inc	Community	Insurances and maintenance of Tumbarumba archives and property	\$1,000.00	\$1,252.20	Yes
Tumbarumba Tennis Club	Community	Rates and water	\$1,904.68	\$1,828.00	Yes
Jingellic Hub Inc	Community	Exemption of waste removal charges for the showground – 3 x bins red and 1 x recycle	\$0	\$2,374.00	Yes
TOTAL			\$72,921	\$40,075	

Church groups are exempt from paying rates under the *Local Government Act 1993* but are required to pay utilities.

Council has reviewed the list of donations, and the *Donations Policy* was updated to include a clear set of principles/guidelines for organisations that wish to apply for donations.

Previous recipients were given sufficient opportunity to submit an application form and three reminders letters were sent out to the organisations as a courtesy.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.1 Communicate with our community and provide opportunities for participation in decision making

FINANCIAL AND RESOURCES IMPLICATIONS:

The Draft Operational Budget 2024/2025 includes \$221,049 in community assistance and donations.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Relevant SVC documents are the *Community Assistance Policy* (SVC-FIN-PO-127-01) and the *Donations Procedure* (SVC-COR-PR-017-02)

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	COST/RISK	BENEFIT/REWARD
Environmental & Public Health	Increased waste from events and impact on facilities being used.	Events utilise our parks and gardens, recreational facilities, and buildings.
Financial	Impact on budget. Financially supporting community organisations and events can limit the likelihood of them becoming financially sustainable.	Events provide an economic boost by bringing people to the region and utilising local businesses.
People	Some requests may be refused as they do not meet the criteria or the budget has already been exhausted.	Council providing financial support to local organisations enhances the external image of Council and shows that we support the local community. Events that bring people together and promote the region encourage volunteering and participation.

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the recommendation set out in this report.
3. Decline the recommendations set out in this report.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil.

ATTACHMENTS

Nil.

10.8. AUSTRALIA DAY 2025

REPORT AUTHOR: COORDINATOR PLACE ACTIVATION

RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY & CORPORATE

EXECUTIVE SUMMARY:

The purpose of this report is to provide guidance to Council on the delivery of Australia Day 2025 events in the Snowy Valleys.

RECOMMENDATION:

THAT COUNCIL:

- 1. Receive the report on Australia Day 2025;**
- 2. Continue with the Community-led model for the Australia Day events;**
- 3. Allow community groups to choose to select their own Ambassador or to be involved in the Australia Day Ambassador program with a financial contribution;**
- 4. Create an Award Nominations Portal on the Snowy Valleys Council website where all award category nominations for all towns be entered;**
- 5. Select winners of the Snowy Valleys Australia Day awards from the pool of all nominees from all towns within each category;**
- 6. Allocate \$12,000 to support the Community-led Australia Day events each year in Council's operational budget;**
- 7. Continue to apply to the National Australia Day Grants Program and utilise the funds in alignment with grant guidelines;**
- 8. Continue to partner with local Indigenous organisations to hold Cultural Celebrations;**
- 9. Hold a Civic Reception on the 25 January 2025 to deliver the Snowy Valleys Australia Day Awards and Citizenship Ceremony; and**
- 10. Select an appropriate location for the Australia Day 2025 Civic Reception.**

BACKGROUND:

Resolution M231/19 from the August 2019 Council Meeting determined that Snowy Valleys Council (SVC) deliver one formal Australia Day celebration that recognises the achievements of individuals in the region.

M231/19 RESOLVED**THAT COUNCIL:**

1. Receive the report on the Australia Day Celebrations and Procedures from Coordinator Community Development.
2. Consolidate the Australia Day Awards Ceremony into one event annually in Tumut, starting in 2020 and including:
 - a. The consolidation of award nominations and voting procedures and the management of this under one committee
 - b. The committee having increased membership of community representatives from across the council area
3. Encourage and provide support to the individual Australia Day events each year to local communities and community groups to conduct local

community Australia Day celebrations to recognise people in their communities as they wish with historical support.

Cr Margaret Isselmann/Cr John Larter

FOR: Cr Larter, Cr Cross, Cr Benjamin, Cr Isselmann, Cr Cor Smit,

AGAINST: Cr Bruce Wright, Cr Julia Ham, Cr James Hayes

This carried through until 2023 with the annual Snowy Valleys Council Australia Day awards ceremony held at Stockwell Gardens in Tumut. In 2023, Snowy Valleys Council presented its Australia Day awards at a dinner held at the Batlow Literary Institute on the evening of 25 January. Council then delivered the Citizenship Ceremony at the Stockwell Gardens event on 26 January.

Community celebrations continued to be held in each town (Adelong, Batlow, Talbingo and Tumbarumba) which Council supports. These events include awards selected by those communities and the communities host and organise their own events.

In May 2023, a report was then presented to Council which resolved:

10.1. AUSTRALIA DAY 2024**M79/23 RESOLVED:****THAT COUNCIL:**

1. Receive the report on Australia Day 2024.
2. Encourage and provide support to the community-led Australia Day events each year.
3. Award a Snowy Valleys Council Citizen of the Year from the pool of local Australia Day award winners in those categories.
4. Hold a Civic Reception after Australia Day to celebrate local Australia Day Award Winners, present the Snowy Valleys Council Award winners and conduct the Citizenship Ceremony.
5. Continue to apply for Australia Day grant funding and participate in the Ambassador program.

Cr Trina Thomson/Cr Julia Ham

CARRIED UNANIMOUSLY

From this determination, in 2024 each of the towns led their own events, including Tumut which was taken on by the Tumut Historical Society. Funding was supplied by Council via the National Australia Day Council Grant Program. Council then delivered a Civic Reception one week after the Australia Day events, on 2 February, inviting all winners from all towns across the Snowy Valleys. Two awards were administered,

being the Snowy Valleys Citizen of the Year and the Snowy Valleys Junior Citizen of the Year, who were selected from the winners of each town. No Citizenship Ceremony was held as there were no applicants for this period.

The Brungle-Tumut Local Aboriginal Land Council also held a Snowy Valleys Cultural Ceremony Event on Sunday, 28 January which was well-received in the community and the first Indigenous event of its kind in the Snowy Valleys.

REPORT:

The changes undertaken in the delivery of the 2024 Australia Day events from resolution M79/23 were a positive step forward to establish a suitable model for Australia Day in the Snowy Valleys, but there were still some difficulties faced which need to be addressed. Staff have assessed each of the issues and proposed some suitable solutions to be implemented; these have been presented to Councillors and the organisers of the local events who attended an online meeting on 27 May 2024. The considerations and solutions are outlined in the following Table:

Issue/Consideration	Solution	Feedback - Councillors and local event organisers
Confusion around 'Snowy Valleys' and 'Town' Events.	All local ceremonies to be led by community groups - Tumut, Adelong, Tumbarumba, Talbingo, Batlow.	Continue with all towns being Community led.
No Ambassador from the Australia Day Council program. Cost to fund the Ambassador program.	Each town will select their own Ambassador. Those community events wishing to take part in the official Ambassador program will contribute financially to the cost of this program.	Some towns like to select their own Ambassador. Some towns like the Ambassador program.
Nominations across the Snowy Valleys opening at different times when led by community groups. Short time period for submitting nominations. Staff difficulty to get copies of the nominations and contact details for nominees.	Create a nominations portal for all towns to be managed through SVC Website. Nominations to be open from 1 August to 30 November 2024. From 2025 onwards, this can be opened from February through to November (almost "year round"). Community groups will be given all of the nominations in all categories for their Town, they will then undertake their own voting and selection process to choose winners.	Ensure there are paper copies still available in each town, which can be uploaded to the online portal. Due to Christmas Holiday break, the awards need to be finalised before the end of the year. Some community event organisers enjoy their own process, others find this aspect a lot of work.
Nomination Categories are all slightly different.	Nomination categories to be consistent for all towns with an extra 'special award' for miscellaneous which can be decided by each community group.	

Issue/Consideration	Solution	Feedback - Councillors and local event organisers
	<p>Categories will be in alignment with the Australia Day Council categories:</p> <ul style="list-style-type: none"> • Citizen of the Year • Young Citizen of the Year • Sportsperson of the Year • Environmental Citizen of the Year <p>Plus a special award for community events specifically - not included in Snowy Valleys Awards.</p>	
<p>The voting process for the Snowy Valleys Awards was not clear.</p>	<p>Staff will have access to all nominations and contact details through the nominations portal which allows Council to undertake voting for the Snowy Valleys Awards from the entire pool of nominees from all towns in that category. All voting and winner selection will be completed before Christmas shutdown.</p> <p>Voting process for Snowy Valleys Awards – “packs” to be prepared and all Councillor’s (who want to be involved) will undertake scoring, this will be compiled and then a final meeting to select Snowy Valleys award winners.</p>	<p>Community have questioned why Council needs to have any Snowy Valleys Awards.</p> <p>Division around who is eligible for the 'Snowy Valleys' award - i.e. only from town winners or from all nominees in that category.</p> <p>If the Snowy Valleys award is selected from each town's winner then this makes the voting process more complicated with Council. Selecting the winner from all nominees allows Council to choose their own winner regardless of who each town chooses.</p>
<p>Budget allocated for Australia Day.</p>	<p>Proposed operational budget of \$12,000.</p> <p>This will be used to support the community events and managed through Council's 'usual' sponsorship processes and policies.</p> <p>Agreement and acquittal forms have been developed in 2024 so can be used again to administer 2025 funding support.</p>	
<p>Grant funding for the events must be held on Australia Day.</p> <p>Challenging administration process when proving grant funding to community groups.</p>	<p>National Australia Day Council Community Grants Program.</p> <p>\$15,000 was available in 2024, \$5,000 of this being solely for Indigenous activations.</p> <p>Recommend Council still apply and try to align any of the</p>	<p>Unsure of what funding is available for 2025 - this fund reduced by 50% from 2023 to 2024.</p>

Issue/Consideration	Solution	Feedback - Councillors and local event organisers
	<p>activities with the funding program if successful.</p> <p>Grant funding is meant to be Council-led, not administered to community for delivery.</p>	
Civic Reception in 2024 couldn't use grant funding as it was 7 days after Australia Day.	<p>Council to host civic reception on the day before Australia Day - 25 January.</p> <p>Possibility that grant funding could be used for this activity.</p>	Community have questioned why Council needs to undertake a Civic Reception at all.
Citizenship Ceremony must be held on Australia Day or the three days prior or the three days after.	Citizenship Ceremony to be included in the Civic Reception event on the 25 January to meet compliance requirements for eligible time period. This will also allow new citizens to mingle and engage with community leaders.	
<p>Winners from town awards were the only community members invited to the Civic Reception.</p> <p>Only one week of notice was given to winners to be invited to Civic Reception.</p>	<p>All nominees from all towns could be invited as SVC will have all contact details allowing for advance notice if using the Council portal option. Any guests would be required to purchase a ticket to cover catering expenses.</p> <p>Community group organisers will also get an invite to the reception.</p> <p>Invite will be sent out early January providing advance notice.</p>	<p>In 2023, it was only the 'Snowy Valleys' award nominees invited to the dinner function.</p> <p>Not enough notice given to 2024 attendees but they were unable to be told until the Australia Day event.</p> <p>Concern around the number of people who would be included.</p>
Location of Civic Reception.	<p>Change location where this is held each year:</p> <ul style="list-style-type: none"> • Tumbarumba 2022 • Batlow 2023 • Tumut 2024 	Consider if this should be moved each year or remain in a central location like Batlow.
Indigenous Event - Cultural Ceremony.	<p>Need to select a suitable date with the Indigenous organisers - if using grant funding this must be delivered within the guidelines.</p> <p>Provide an opportunity to hold events in Tumut and Tumbarumba.</p> <p>Marketing and promotion to grow exposure and awareness.</p>	

In summary, it is recommended that Council continue with the community-led model for the Australia Day events. Council staff will continue to provide guidance and support to facilitate the delivery of these events. Each community group is requested to select their own Ambassador, or if they choose to be involved in the Australia Day Ambassador program, they would be required to fund this activity.

It is recommended that Council create a 'Nominations Portal' on the SVC website where all award category nominations for all towns will be entered. This will be through a drop-down selection process. All categories will be the same for each town allowing for consistency across the region with the addition of a special award category specific to each town to capture the recognition for local recipients.

Community groups will be given copies of all of the award nominations for their town as collected by Council and manage the voting process for each of the respective town awards. Snowy Valleys Council will undertake voting for the Snowy Valleys awards from the pool of all nominees from all towns within each category.

Council is recommended to allocate \$12,000 to support the community events each year in the operational budget, while still applying for the National Australia Day Grants Program and align this funding with any eligible activities if successful.

It is recommended that an Indigenous Cultural Event is continued, in partnership with the Brungle-Tumut Local Aboriginal Land Council and an opportunity is provided for the Ngarigo Toomaroombah Kunama Namadgi Indigenous Corporation to host an event if desired.

It is recommended that the Civic Reception be held on 25 January, the day before Australia Day. At this event, the Snowy Valleys Awards can be administered. This will also allow the Citizenship Ceremonies to take place at this event, meeting regulations. It is suggested that all nominees from all towns are invited to this event for free, and any guests will be required to purchase a ticket to cover catering expenses.

This event would remain as a more informal gathering, as per 2024 delivery, with an opportunity for community members to engage socially while coming together and acknowledging the achievements of residents.

The location of the Civic Reception is also recommended to change each year, moving around the Snowy Valleys Council area.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 1 - Our Community

Theme 2 - Our Economy

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP1 Our communities are connected and inclusive. Supported by services that nurture health, wellbeing and identity

CSP2 Our diverse economy supports community longevity, vibrancy and a sustainable future

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

1.5 Value our heritage and promote civic pride

2.2 Promote our towns, villages and region

2.3 Provide and support a variety of events, festivals and visitor activities

5.1 Communicate with our community and provide opportunities for participation in decision making

FINANCIAL AND RESOURCES IMPLICATIONS:

Council has a proposed operational budget of \$12,000 for Australia Day. Under the current proposal, this budget would fund the Community Australia Day celebrations held in towns across the LGA. Council would continue to source additional funding through the annual National Australia Day Council Community Grants Program and utilise this where possible within the remit of the funding guidelines. This funding will also go towards a Civic Reception, should Council choose to undertake this activity, and it falls within the funding delivery period.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Nil.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Environmental & Public Health	Mental health considerations for issues around Australia Day date influences.	Indigenous community members aversion to Australia Day.	Hosting separate Indigenous specific events.
Financial	Operational budget allocation and opportunity for grant funding.	Cost associated with delivery of Australia Day events - \$12,000 plus Civic Reception minimum \$5,000.	Annual funding available through National Australia Day Council Community Grants Program.
People	Strong community support for Community events and recognition for Australia Day.	Failure to support local events has a reputational risk to Council.	Supporting events that build community capacity and bring communities together to celebrate.
Stakeholder	Volunteer community-led event organisers.	Community event organisers need to be included in decision making and impacts of delivery.	Council building productive working relationships with volunteers.
Service Delivery	Expectation of hosting Australia Day awards.	Failure to deliver events has a reputational risk to Council.	Acknowledgement of community members achievements.

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the recommendations set out in this report.
3. Decline the recommendations set out in this report.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Frequent communication was undertaken with all community event organisers for the Australia Day 2024 event, however, formal engagement was made on 31 August 2023, 19 September 2023, 11 October 2023, 10 November 2023, 20 December 2023, 9 January 2024, 18 January 2024, 25 January 2024, 2 February 2024, 14 February 2024.

A workshop was presented to Council on 16 May by staff to outline the proposal for Australia Day 2025.

Community event organisers were then contacted on 21 May and asked to join an online meeting to discuss Australia Day 2025 delivery. The online meeting was held on 27 May with attendance from Tumbarumba and Adelong representatives.

ATTACHMENTS

Nil.

10.9. ADMINISTRATIVE REVIEW OF ALCOHOL FREE ZONES POLICY AND RE-ESTABLISHMENT OF ALCOHOL FREE ZONES

REPORT AUTHOR: EXECUTIVE MANAGER GROWTH AND DEVELOPMENT

RESPONSIBLE OFFICER: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

Alcohol Free Zones and Alcohol Prohibited Areas are established under the *Local Government Act 1993* to help reduce alcohol related crime, violence and anti-social behaviour and ensure that the safety and wellbeing of the local community. Council has a number of Alcohol Free Zones within its town centres and remote areas which will expire on 30 June 2024.

The report seeks to undertake an administrative amendment to the *Alcohol Free Zones Policy* to re-establish the existing zones for a maximum period of 4 years from 1 July 2024 until 30 June 2028. The administrative amendment to re-establish the existing zones does not require any public participation beyond consultation with Council's Crime Prevention Committee, Council's Compliance Staff and also the New South Wales Police.

RECOMMENDATION:

THAT COUNCIL:

- 1. Adopt the minor administrative amendments to the Alcohol Free Zones Policy - SVC-HB-PO-080-02 and re-establish the existing zones;**
- 2. Proceed to amend the signage in the locations as outlined in the Policy to restrict alcohol use for the maximum period under the guidelines from 1 July 2024 to 30 June 2028; and**
- 3. Utilise funding for the signage amendments from the adopted 2023/2024 operational budget for Alcohol Free Zones.**

BACKGROUND:

Council had established an Alcohol Free Zones Policy by resolution on 30 July 2020 under resolution number OPS4/20, which prescribes a number of Alcohol Free Zones (AFZ) and Alcohol Prohibited Areas (APA) to help reduce alcohol-related crime, violence, anti-social behaviour and to ensure the safety and wellbeing of the local community. In accordance with the Policy, the AFZ remains in force until 1 July 2024 where the restrictions are shared between towns and villages throughout the Local Government Area including Tumut, Batlow, Adelong and Tumbarumba.

The establishment of the zones in accordance with section 644 of the *Local Government Act 1993*, makes it an offence to drink alcohol in an Alcohol Free Zone and Alcohol Prohibited Areas. The zones are enforced by Council's Rangers and also the New South Wales Police, and in the case of where a breach is identified, alcohol can be confiscated and disposed of. This includes roads, footpaths, carparks and public land.

An *Alcohol Free Zone* is an area where it is illegal to consume alcohol 24 hours a day, seven (7) days a week. Alcohol Free Zones are road-related public areas such as roads, car parks and footpaths.

Alcohol Free Zones are established under section 644 of the *Local Government Act 1993* in response to problems relating to anti-social behaviour and to discourage the public consumption of alcohol. Once established, each Alcohol Free Zone is in place for a maximum of four years. Any person observed drinking in an Alcohol Free Zone may have the alcohol in their possession immediately seized and emptied or otherwise disposed of by Police.

Alcohol Prohibited Areas are non-road related public places or part of a public place such as a park or reserve where the consumption of alcohol is also prohibited, and the police have the power to confiscate alcohol. Alcohol Prohibited Areas are established under section 632A of the *Local Government Act 1993*.

Alcohol Free Zones and Alcohol Prohibited Areas currently apply in the Snowy Valleys Local Government Area between 1 July, 2020 to 1 July, 2024 being for the maximum period of four years. Restricted areas in Adelong, Batlow, Tumut and Tumbarumba include:

- **Adelong** - Tumut Street, between Wyndham Street and Travers Street; and Campbell Street between Tumut Street and Lockhart Street. Victoria Hill Road, near the Caravan Park including the public car park. With the exclusion of the Section in front of the Adelong Hotel at specified times when alcohol is provided with meals in a dining environment.
- **Batlow** - Weemala Lookout (all of the Lookout area from the junction of the access road and carpark). Batlow Central Town area including the following roads – Batlow Road from Pioneer Street to Selwyn Street inclusive, Selwyn Street from Batlow Road to Pioneer Street, and Pioneer Street from Batlow Road to New Hospital Access.
- **Tumut** -Tumut CBD - Wynyard Street between Fitzroy and Capper Streets. Russell Street between Richmond and Merivale Streets. Note: Does not apply to the section in front of the Woolpack and Star Hotels at specified times when alcohol is provided with meals in a dining environment. Elm Drive from the racing stables to the Tumut Racecourse parking area and boat launch inclusive. Kell's Lane at the Little River Bridge. This area is no longer a car park or access.
- **Tumbarumba** -The area bounded by The Parade and Winton Street between Selwyn and Bridge Street and Winton Street between Bridge and Fleet Street Tumbarumba. Note: Excludes a 2 metres x 20 metres area of The Parade footpath along the façade of the Union Hotel.

Alcohol Prohibition Zones include the Tumut Skate Park, Pump Track, Basketball Court and children's playgrounds and associated car parks adjacent to Fitzroy Street. Public land adjoining Little River Bridge.

All restrictions under the existing policy expire on the 1 July 2024 unless the policy position is amended and the Alcohol Free Zones and Alcohol Prohibited Areas are re-established. This report seeks to amend the policy to re-establish the AFZs and APAs zones.

REPORT:

In accordance with section 644B of the *Local Government Act 1993* Council is able to re-establish an Alcohol Free Zone once the current restriction time period expires. There is no general provision for an Alcohol Free Zone to be automatically extended. However, the roads, footpaths or public carparks comprising a zone may be included in another alcohol free zones of the same or different configuration, immediately following the cessation of the existing zone or at any future time.

All the requirements for the valid establishment of a zone apply whether or not any of the roads, footpaths or carparks concerned have previously been zoned as alcohol free. Where a proposal for an Alcohol Free Zone includes roads, footpaths or public carparks that have previously been zoned as alcohol free, Council is required to consider or have regard to those zonings.

In consideration of the re-establishment of the Alcohol Free Zones, a number of factors which contributed to the establishment of the original zones including previous historical anti-social behaviour in the locations, the need for alcohol consumption restrictions outside of licensed premises, to deter loitering in the town centres particularly in the evenings and to promote safe, welcoming and vibrant town centres, remain relevant.

Council's compliance data has suggested that the current alcohol restrictions provide an important educational tool for the community in deterring liquor consumption and anti-social behaviour within the restricted areas. Council has not received any complaints during the statutory period of four (4) years that the current restrictions have been in place and Council compliance staff have not been required to confiscate or dispose of alcohol in these locations. The success of the current remote signage in educating the community can be measured through Council's compliance and enforcement data coupled with police crime statistics in these locations. As part of the re-establishment of the zones, Council will provide continued efforts to undertake community awareness and messaging through media releases, social media and updating of remote signage in the locations where the restrictions apply.

As part of the re-establishment of the AFZ and APA zones, Council has consulted with the Crime and Safety Committee, the New South Wales Police Services and Council's compliance staff. Further discussion on the outcomes of this consultation is included in the consultation section of this report.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 1 - Our Community

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP1 Our communities are connected and inclusive. Supported by services that nurture health, wellbeing and identity

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

1.2 Provide and maintain community spaces that encourage activity and wellbeing

5.4 Maintain and deliver a governance framework that guides good decision making, accountability and legislative compliance

FINANCIAL AND RESOURCES IMPLICATIONS:

Council has adopted an operational budget within the 2023/2024 financial year of \$2,500 for APZ and APAs within the Local Government Area. It is proposed to replace remote signage by way of adhesive commercial sticker as opposed to replacing street signage to reduce operational costs. It is expected that any amendments including staff time to install, audit the locations, purchase stickers and apply the stickers to existing signage can be undertaken within the allocated budget.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The report seeks to amend the current adopted policy position to reinstate Council's existing AFZ and APA locations and include an additional maximum four (4) year term for the restrictions until 30 June 2028. The re-instatement of the zones is proposed in accordance with the requirements of section 644B of the *Local Government Act 1993*.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Nil

OPTIONS:

Option 1

THAT COUNCIL:

1. Adopt the minor administrative amendments to the Draft Alcohol Free Zones Policy - SVC-HB-PO-080-02 and re-establish the existing zones;
2. Proceed to amend the signage in the locations as outlined in the Policy to restrict alcohol use for maximum period under the guidelines from 1 July 2024 to 30 June 2028; and
3. Utilise funding for the signage amendments from the adopted 2023/2024 operational budget for Alcohol Free Zones.

Option 2**THAT COUNCIL:**

1. Amend the Alcohol Free Zones to include additional areas / reduce the areas and make the required amendments to the Alcohol Free Zones Policy - SVC-HB-PO-080-02;
2. Endorse an amended Draft Alcohol Free Zone Policy - SVC-HB-PO-080-02 incorporating such amendments; and
3. Advertise the proposed Draft Alcohol Free Zone Policy - SVC-HB-PO-080-02 in accordance with the *Local Government Act 1993*.

Option 3**THAT COUNCIL:**

1. Not amend the Alcohol Free Zone Policy- SVC-HB-PO-080-01 and allow the existing AFZ and APA areas to lapse.

Option 1 is recommended.**COUNCIL SEAL REQUIRED:**

No.

COMMUNITY ENGAGEMENT AND COMMUNICATION:

As the report only seeks to re-instate the existing AFZ and APA zones, there is no requirement for the administrative amendments to the *Alcohol Free Zones Policy* to be publicly exhibited.

Internal Consultation:

Internal consultation was undertaken with Council's Rangers and also the Manager Technical Services and the Coordinator Survey and Design. No issues have been raised with regards to the current alcohol restrictions or the proposed re-instatement of the zones.

Place Activation was also consulted on the re-establishment of the AFZ and APA and some concerns were raised with respect to a number of events which may be held in a number of the locations where the restrictions apply, however, Council can, by resolution, approve a temporary suspension of the AFZ in accordance with the *Local Government Act 1993* in the case of Council and community-led events.

External Consultation:

External consultation was undertaken with the Crime Prevention Committee and also the New South Wales Police - Snowy Cluster. No issues have been raised by the Committee with respect to the current zones and the NSW Police have advised that they support the re-instatement of the zones and have experienced some additional alcohol-related crime in Bila Park, however, it is not at a level that would warrant the imposing of additional restrictions or further amendment of the policy.

ATTACHMENTS

1. Alcohol Free Zones Policy SVC-HB-PO-080-01 - Adopted by Council 30 July 2020 (Under separate cover)
2. DRAFT UPDATED Alcohol Free Zones Policy SVC-HB-PO-080-02 (Under separate cover)

10.10. MAKING AND LEVYING THE RATES AND ANNUAL CHARGES 2024-2025

REPORT AUTHOR: SENIOR RATES/WATER OFFICER

RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY & CORPORATE

EXECUTIVE SUMMARY:

The making of the rates and annual charges is a legislative requirement under sections 494 and 535 and related sections of the *Local Government Act 1993*.

In accordance with the *Local Government Act 1993* (the Act), Council will adopt four categories of ordinary rates, being Farmland, Residential, Business and Mining. Annual charges for Waste Management, Water Access, Sewer Access, Liquid Trade Waste and Stormwater Charges will be levied on the Rates Notice.

Council will increase rating income for 2024/2025, by 5% as per the rate peg.

In making the rates and annual charges for 2024/2025 Council is required to apply the NSW Valuer General's land values as of 1 July 2023.

RECOMMENDATION:

THAT COUNCIL:

1. Note the report on Making of the 2024/2025 Rates and Charges.
2. Approve the making of the rates and charges and levy the following Rates and Annual Charges for the year 1 July 2024 to 30 June 2025 pursuant to section 535 of the *Local Government Act 1993*;
3. In accordance with section 494 of the *Local Government Act 1993*, Council hereby makes the ordinary rates for the year 1 July 2024 to 30 June 2025 as follows, inclusive of the rate peg of 5%:
 - a) An ordinary rate on all rateable land categorised as FARMLAND in accordance with Section 515 of the *Local Government Act 1993* within Snowy Valleys Council LGA compromising of a base amount of \$484.30 in accordance with Section 537 of the *Local Government Act 1993* and estimated to realise 46% of the total yield of this rate, which is in conformity with section 500, and an ad valorem rate of 0.1761 cents in the dollar. In accordance with Section 543 (1) of the *Local Government Act 1993* this ad valorem rate be named Ordinary Farmland Rates and base be named Farmland Base.
 - b) An ordinary rate on all rateable land categorised as RESIDENTIAL in accordance with Section 516 of the *Local Government Act 1993* within Snowy Valleys Council LGA compromising of a base amount of \$472.08 in accordance with Section 537 of the *Local Government Act 1993* and estimated to realise 44% of the total yield of this rate, which is in conformity with section 500, and an ad valorem rate of the 0.4113 cents in the dollar. In accordance with Section 543 (1) of the *Local Government Act 1993*, this ad valorem rate be named Ordinary Residential Rates and base be names Residential Base.
 - c) An ordinary rate on all rateable land categorised as BUSINESS in accordance with Section 518 of the *Local Government Act 1993* within Snowy Valleys Council LGA compromising of a base amount of \$216.44 in accordance with Section 537 of the *Local Government Act 1993* and estimated to realise 10% of the total yield of this rate, and an ad valorem rate of 0.9429 cents in the dollar. In accordance with Section 543 (1) of the *Local Government Act 1993* this ad valorem rate be named Ordinary Business Rate and base be name Business Base.
 - d) An ordinary rate on all rateable land categorised as MINING in accordance with Section 517 of the *Local Government Act 1993* within Snowy Valleys Council LGA compromising of a base amount of \$355.16 in accordance with Section 537 of the *Local Government Act 1993* and estimated to realise 0% of the total yield of this rate, and ad valorem rates of

0.7746 cents in the dollar. In accordance with Section 543 (1) of the *Local Government Act 1993* the ad valorem rate be names Ordinary Mining Rates and base be named Mining Base.

4. Pursuant to sections 496 and 501 of the *Local Government Act 1993*, Council hereby make the following waste charges for the year 1 July 2024 to 30 June 2025:

- a) A domestic waste management 1 x waste 140L, 1 x recycle 240L and 1 x FOGO 240L annual charge of \$550.00 per annum be made for the provision of domestic waste removal services for each rateable parcel of land for which the service can be supplied and contains a dwelling, whether occupied or vacant. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Domestic Waste Service.**
- b) A non-domestic waste management 1 x waste 140L, 1 x recycle 240L and 1 x FOGO 240L annual charge of \$625.00 per annum be made for the provision of commercial waste and recycling waste removal services for each rateable parcel of land for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Business Waste Service.**
- c) A non-domestic waste management - 1 x waste 240L, 1 x recycle 240L and 1 x FOGO 240L bins charge of \$790.00 per annum be made for the provision of commercial waste removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Non-Standard Com 3 x Waste 240L.**
- d) A school waste management 1 x waste 140L, 1 x recycle 240L and 1 x FOGO 240L annual charge of \$550.00 per annum be made for the provision of business waste and recycling waste removal services for each parcel of land for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named School Waste Service.**
- e) A waste access management annual charge of \$68.00 per annum be made for each rateable parcel of land within the LGA, other than Brindabella and vacant farmland. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Waste Access Charge and Waste Access Vacant Land.**
- f) A domestic 1 x recycling 240L fortnightly (additional bin) charge of \$125.00 per annum be made for the provision of additional recycling waste removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be name Special Recycling Only - Domestic (additional bin).**
- g) A domestic 1 x waste 140L fortnightly (additional bin) charge of \$210.00 per annum be made for the provision of additional domestic waste removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Waste Only - Domestic (additional bin).**
- h) A domestic 1 x FOGO 240L weekly (additional bin) charge of \$142.00 per annum be made for the provision of additional FOGO removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named FOGO Only - Domestic (additional bin).**
- i) A non-domestic 1 x FOGO 240L weekly (additional bin) charge of \$200.00 per annum be made for the provision of additional FOGO removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Non-Standard Com 1 x 240L FOGO Weekly (additional bin).**
- j) A non-domestic 1 x waste 240L fortnightly (additional bin) charge of \$440.00 per annum be made for the provision of additional waste removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Non-Standard Com 1 x Water 240L Fortnightly (additional bin).**

- k) A non-domestic 1 x waste 240L weekly (additional bin) charge of \$880.00 per annum be made for the provision of additional waste removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Non-Standard Com 1 x Waste 240L Weekly (additional bin).
- l) A non-domestic 1 x recycle 240L fortnightly (additional bin) charge of \$175.00 per annum be made for the provision of additional waste removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Non-Standard Com 1 x 240L Recycle Fortnightly (additional bin).
- m) A non-domestic 1 x waste 140L fortnightly (additional bin) charge of \$250.00 per annum be made for the provision of additional waste removal services for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Non-Standard Com 1 x Waste 140L Fortnightly (additional bin).
- n) A non-domestic 1 x waste 140L weekly (additional bin) charge of \$500.00 per annum be made for the provision of additional waste removal service for which the service can be supplied and requested. In accordance with Section 543 (3) of the *Local Government Act 1993*, this charge be named Non-Standard Com 1 x Waste 140L Weekly (additional bin).

5. In accordance with Section 501 of the *Local Government Act 1993*, Council hereby make the following annual Liquid Trade Waste Charges for where the program exists:

Category 1 Charge	\$199.00
Category 2 Charge	\$430.00
Category 3 Charge	\$785.00

6. In accordance with Section 496A of the *Local Government Act 1993* and the LG Circular 05/69, Council levy an annual Stormwater Management Charge of \$25.00 for each residential property excluding vacant land in the Tumbarumba area and a maximum of \$75.00 for commercial properties excluding vacant land in the Tumbarumba area.

7. Council pursuant to Sections 501,552 and 535 of the *Local Government Act 1993*, hereby make the following sewer charges for the year 1 July 2024 to 30 June 2025:

Residential Access Charge	\$875.00
Unoccupied Sewerage Charge	\$875.00
Commercial Access Charge - 20mm	\$620.00
Commercial Access Charge - 25mm	\$970.00
Commercial Access Charge - 32mm	\$1,590.00
Commercial Access Charge - 40mm	\$2,480.00
Commercial Access Charge - 50mm	\$3,880.00
Commercial Access Charge - 65mm	\$6,550.00
Commercial Access Charge - 80mm	\$9,920.00
Commercial Access Charge - 100mm	\$15,500.00
Sewer Access Charge - 50mm + 100mm	\$19,380.00

8. Council pursuant to Sections 501,552 and 535 of the *Local Government Act 1993*, hereby make the following water charges for the year 1 July 2024 to 30 June 2025:

Vacant Land within Access water charge area	\$260.00
Water Access Charge - 20mm	\$260.00
Water Access Charge - 25mm	\$410.00
Water Access Charge - 32mm	\$670.00

Water Access Charge - 40mm	\$1,040.00
Water Access Charge - 50mm	\$1,630.00
Water Access Charge - 65mm	\$2,750.00
Water Access Charge - 80mm	\$4,160.00
Water Access Charge - 100mm	\$6,500.00
Water Access Charge - 150mm and above	\$14,630.00
Raw Water Access Charge - 20mm	\$260.00
Raw Water Access Charge - 25mm	\$410.00
Raw Water Access Charge - 32mm	\$670.00
Raw Water Access Charge - 40mm	\$1,040.00
Raw Water Access Charge - 50mm	\$1,630.00
Raw Water Access Charge - 65mm	\$2,750.00
Raw Water Access Charge - 80mm	\$4,160.00
Raw Water Access Charge - 100mm	\$6,500.00
Raw Water Access Charge - 150mm and above	\$14,630.00

9. That the rates as made be levied for the 2024/2025 year by service of a Rates and Charges Notice pursuant to Section 546 of the *Local Government Act 1993*.

10. Adopts an interest rate of 10.5% on overdue rates and charges for period 1 July 2024 to 30 June 2025 as determined as the maximum interest rate in accordance with Section 566 (3) of the *Local Government Act 1993*.

BACKGROUND:

Council is required to adopt the rates and charges as per Sections 494 and 535 and related sections of the *Local Government Act 1993*. The rating structure is effective 1 July 2024 for the entire Snowy Valleys Council Local Government Area (LGA).

REPORT:

In accordance with the *Local Government Act 1993* (The Act), Council will continue its adopted four categories of ordinary rate, being Farmland, Residential, Business and Mining. Please note the figures below have been rounded.

Residential - 44% base rates (base rate and ad valorem under s497(b) *Local Government Act 1993*)

Business - 10% base rate (base rate and ad valorem under s497(b) *Local Government Act 1993*)

Farmland - 46% base rate (base rate and ad valorem under s497(b) *Local Government Act 1993*)

Mining - 0% (less than 1%) base rate (base rate and ad valorem under s497(b) *Local Government Act 1993*)

The rating structure for Snowy Valleys Council uses a base rate to which ad valorem is added. Under section 500 of the Act, the amount specified as the base amount of a rate (or the base amount of the rate for a category or sub-category of an ordinary rate) must not be such as to produce more than 50 percent of the total amount payable by the levying rate (or of the rate for the category or sub-category concerned) on all rateable land subject to the rate (or the rate for the category or sub-category concerned).

IPART has set the rate peg under Section 506 of the *Local Government Act 1993* under delegation from the Minister for Local Government since 2010. The rate peg is the maximum percentage amount by which Council may increase its general income for the year. Section 506 of the Act enables different rate pegs to be set for different councils. Snowy Valleys Council's rate peg for 2024/2025 is set at 5%.

The rates as made will be levied for the 2024/2025 year by service of a Rates and Charges Notice pursuant to Section 546 of the *Local Government Act 1993*.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

Levying Ordinary Rates provides approximately \$13.2M of revenue including the rate peg and go towards the provision of services to the Snowy Valleys community.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The making of the rates and charges complies with legislative requirements. In addition to the adoption of the annual Operational Plan, Council must resolve to 'make' the rates and charges as per the Statement of *Revenue Policy* before those rates and charges can be levied in accordance with s535 of the *Local Government Act 1993*.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Legislative regulations are being fulfilled by setting and levying annual rates and charges.

OPTIONS:

N/A

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Council's Draft *Revenue Policy* has been put on public exhibition following Council's 16 May 2024 meeting for a minimum of 28 days as part of the public exhibition of Council's Integrated, Planning & Reporting documents.

ATTACHMENTS

1. Final rate pegs for all councils 2024/2025 (Under separate cover)
2. Office of Local Government Circular - 24-05 - 19 April 2024 - A894200 (Under separate cover)

10.11. ROADS EXPENDITURE REPORT 2023/2024

REPORT AUTHOR: MANAGER TECHNICAL SERVICES

RESPONSIBLE DIRECTOR: DIRECTOR INFRASTRUCTURE & WORKS

EXECUTIVE SUMMARY:

The Roads Expenditure Report 2023/24 will be submitted to Council as a late report.

10.12. STATEMENT OF INVESTMENTS - MAY 2024**REPORT AUTHOR: FINANCE OFFICER****RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY & CORPORATE****EXECUTIVE SUMMARY:**

This report provides an overview of Council's cash and investment portfolio performance as at 31 May 2024.

RECOMMENDATION:**THAT COUNCIL:**

1. Note the report on Statement of Investments - May 2024.

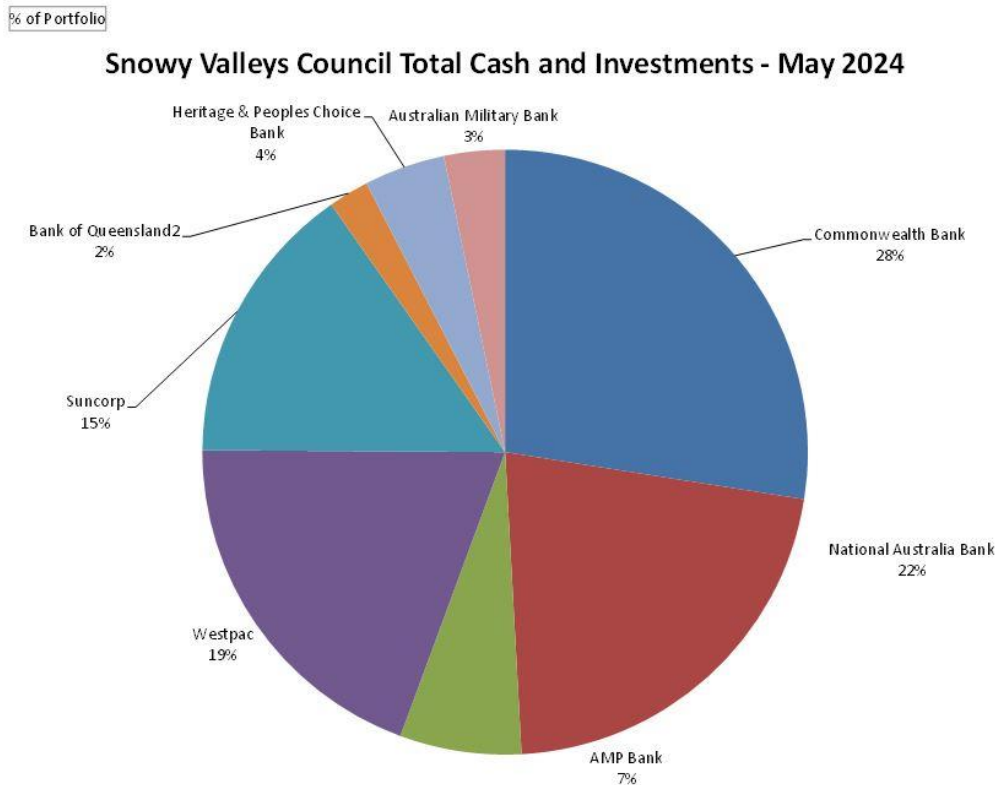
BACKGROUND:

In accordance with section 212 of the Local Government (General) Regulation 2021, a monthly report is required to be submitted to Council detailing all investments of the Council.

REPORT:

The following table contains a list of cash, at call investments and term deposits held by Council as at 31 May 2024.

Combined Cash & Investments Table		31/05/2024					
Cash & 11am at call Accounts	Branch	Current Month	Last Month	Movement	Type	Interest Rate%	Maturity Date
Commonwealth Bank	Tumut	\$ 7,766,174	\$ 5,139,756	\$ 2,626,418	W/Acct	4.35%	
Commonwealth Bank	Tumut	\$ 4,911,455	\$ 4,893,757	\$ 17,698	At Call (BOS)	4.40%	
Commonwealth Bank	Tumut	\$ 20,356	\$ 19,607	\$ 750	Gen-Roth	4.35%	
Sub Total Cash & 11 am at Call Accounts		\$ 12,697,985	\$ 10,053,119	\$ 2,644,866		4.37%	
Total Cash & At Call Investments		\$ 12,697,985	\$ 10,053,119	\$ 2,644,866		4.37%	
	Branch	Current Month	Last Month	Movement	Lodgement Date	Interest Rate%	Maturity Date
Westpac	916	\$ -	\$ 1,500,000	-\$ 1,500,000	07/09/2021	0.78%	13/05/2024
AMP Bank	544	\$ 2,000,000	\$ 2,000,000	\$ -	30/06/2023	5.70%	28/06/2024
AMP Bank	556	\$ 1,000,000	\$ 1,000,000	\$ -	18/07/2023	5.75%	18/07/2024
Heritage & Peoples Choice Bank	140	\$ 2,000,000	\$ 2,000,000	\$ -	01/08/2023	5.50%	31/07/2024
National Australia Bank	375	\$ 1,000,000	\$ 1,000,000	\$ -	15/02/2024	5.16%	15/08/2024
Westpac	916	\$ 1,000,000	\$ 1,000,000	\$ -	29/02/2024	5.05%	28/08/2024
National Australia Bank	375	\$ 2,000,000	\$ 2,000,000	\$ -	07/09/2023	5.23%	09/09/2024
Bank of Queensland	001	\$ 1,000,000	\$ 1,000,000	\$ -	15/03/2024	5.16%	16/09/2024
National Australia Bank	601	\$ 1,500,000	\$ 1,500,000	\$ -	31/01/2024	5.14%	31/10/2024
Suncorp	580	\$ 1,000,000	\$ 1,000,000	\$ -	28/11/2023	5.47%	28/11/2024
Suncorp	581	\$ 1,000,000	\$ 1,000,000	\$ -	28/11/2023	5.45%	28/11/2024
National Australia Bank	591	\$ 1,000,000	\$ 1,000,000	\$ -	22/12/2023	5.13%	23/12/2024
Suncorp	588	\$ 1,000,000	\$ 1,000,000	\$ -	22/12/2023	5.15%	23/12/2024
Suncorp	589	\$ 1,000,000	\$ 1,000,000	\$ -	22/12/2023	5.15%	23/12/2024
Suncorp	597	\$ 1,000,000	\$ 1,000,000	\$ -	18/01/2024	5.20%	20/01/2025
National Australia Bank	598	\$ 1,000,000	\$ 1,000,000	\$ -	29/01/2024	5.20%	29/01/2025
National Australia Bank	599	\$ 1,500,000	\$ 1,500,000	\$ -	30/01/2024	5.19%	30/01/2025
National Australia Bank	602	\$ 1,000,000	\$ 1,000,000	\$ -	31/01/2024	5.15%	31/01/2025
National Australia Bank	603	\$ 1,000,000	\$ 1,000,000	\$ -	31/01/2024	5.15%	31/01/2025
Westpac	916	\$ 2,000,000	\$ 2,000,000	\$ -	03/04/2024	5.07%	03/04/2025
Westpac	916	\$ 1,000,000	\$ 1,000,000	\$ -	03/04/2024	5.07%	03/04/2025
Westpac	916	\$ 2,000,000	\$ 2,000,000	\$ -	11/04/2024	5.13%	11/04/2025
Australian Military Bank	564	\$ 1,500,000	\$ 1,500,000	\$ -	01/08/2023	5.35%	01/08/2025
Westpac	916	\$ 2,000,000	\$ 2,000,000	\$ -	29/09/2023	5.21%	29/09/2025
Westpac	916	\$ 1,000,000	\$ 1,000,000	\$ -	03/04/2024	4.95%	15/10/2025
Suncorp	590	\$ 2,000,000	\$ 2,000,000	\$ -	22/12/2023	4.93%	22/12/2025
Total TD's		\$ 33,500,000	\$ 35,000,000	-\$ 1,500,000		5.23%	
Total Cash & Investments		\$ 46,197,985	\$ 45,053,119	\$ 1,144,866		4.99%	



It is hereby certified that the above investments have been made in accordance with section 625 of the *Local Government Act 1993* and the regulations thereunder, and in accordance with the Snowy Valleys Council's *Investment Policy*. Cash and Investments increased by \$1.1M in May 2024.

Major cash receipts received during May 2024 included:

- Transport NSW - Fixing Local Roads 3 - Brindabella Road - \$900K
- Transport NSW - Road Maintenance Council Contract (RMCC) - \$580K
- JJ Waste & Recycling - User Fees and Charges (Septic/Sullage) - \$154K
- Department of Regional NSW - Stronger Country Communities Fund - Bull Paddock - Female Change Rooms - Milestone 2 - \$120K
- Department of Planning Housing & Infrastructure - Financial Assistance Grant - Quarter 4 - \$104K
- Transgrid - Monthly Maintenance Contribution - Snowy 2.0 Transmission Connection Project - \$97K
- Rural Fire Service - Brigade Station - Talbingo NSW & 2022/2023 Flood damage Insurance Claim - \$89K
- Office of Local Government - Grant Funding - Financial Sustainability Plan - \$49K

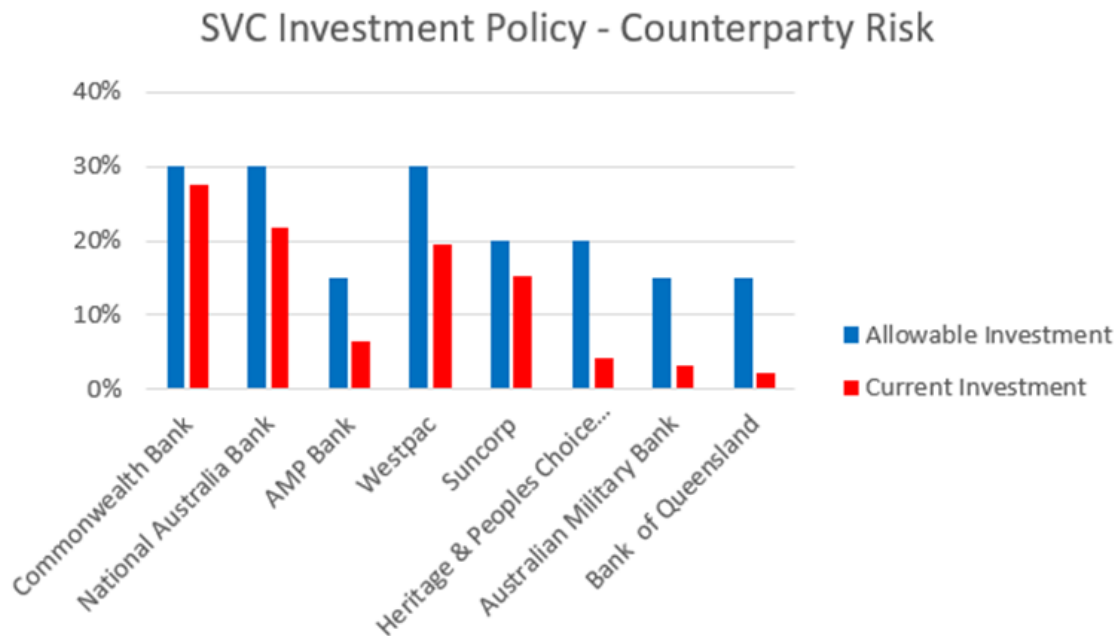
Main cash disbursements (excluding employee costs) during the month included:

- Tumut Region - Visitors Information Centre - Quarterly Contribution x 3 Quarters - \$184K
- Tumbarumba Basketball Stadium Flooring - \$148K
- Fixing Country Bridges - Brungle Creek - \$99K
- 2023/2024 Upgrade - Yaven Creek Road - Segment 35 - \$62K

Council's *Investment Policy* requires Council officers to minimise investment risk by spreading investments across several institutions (Institutional credit framework) as well as within its investment portfolio (overall

portfolio credit framework). These risk minimisation measures impact the achievable rate of return. Council officers continue to monitor the investment market and regularly receive updates from Council's financial advisors.

This month the report includes a focus on counterparty risk. As at the end of August, applying long-term ratings only, all individual banks were within the policy limits. Overall, the portfolio is lightly diversified across the investment grade credit spectrum, with no exposure to unrated institutions.



LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

Investments are undertaken based upon the best rate on the day and after consideration on spreading Council's Investment risk across various institutions as per the *Investment Policy* and section 625 of the *Local Government Act 1993*.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The information provided complies with Council's *Investment Policy* and section 625 of the *Local Government Act 1993*.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Monthly reporting of investments keeps Council informed of current cash holdings and return on investments.

OPTIONS:

Nil.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Matters arising from this report that require further communication will be addressed at the meeting or taken on notice and a response will be provided.

ATTACHMENTS

Nil.

10.13. WATER AND WASTEWATER CHARGING POLICY REVIEW

REPORT AUTHOR: MANAGER UTILITIES AND WASTE BUSINESS

RESPONSIBLE DIRECTOR: DIRECTOR INFRASTRUCTURE & WORKS

EXECUTIVE SUMMARY:

Snowy Valleys Council provides water supply and wastewater collection services to the community; these services are funded by users through annual access and quarterly usage charges. Access and usage charges are set to recover the cost of providing water and wastewater services, including operations and maintenance activities, and to raise the income necessary for the long-term financial sustainability of the water supply and wastewater businesses, including investment in new and replacement infrastructure.

Council policies are intended to be workable and relatively simple, such that Council has the ability to provide acceptable and efficient customer service. This report follows a Notice of Motion (M15/24) at the 15 February 2024 Ordinary Council Meeting to review the *Water and Wastewater Charging Policy*, in particular the sections related to undetected water leak rebates. The existing Policy has been reviewed with some minor edits to several sections and changes to the water leak rebate criteria.

The amended Policy is attached to this report.

RECOMMENDATION:

THAT COUNCIL:

1. **Endorse the AMENDED *Water and Wastewater Charging Policy* - SVC-ENG-PO-105-03 for public exhibition for a period of no less than 28 days;**
2. **Note if submissions are received during the exhibition, a further report will be provided to Council; and**
3. **Adopt the AMENDED *Water and Wastewater Charging Policy* - SVC-ENG-PO-105-03 if no submissions are received on the day after the completion of the public exhibition period.**

BACKGROUND:

Snowy Valleys Council provides water supply and wastewater collection services to the community. These services are funded by users through annual access and quarterly usage charges.

Access and usage charges are set to recover the cost of providing water and wastewater services and to raise the income necessary for the long-term financial sustainability of the water supply and wastewater businesses.

Infrastructure required to service developments is funded by developers through construction costs and headworks (developer) charges, as is necessary to ensure that ratepayers are not funding the impact of development on the existing infrastructure.

Council policies are intended to be workable and relatively simple, such that Council has the ability to provide acceptable and efficient customer service, including resolution of water billing disputes. The need to respond quickly to customer enquiries is a Key Performance Indicator (KPI) and this policy enables staff to appropriately respond within set criteria.

This Water and Wastewater Charging policy has been in place from 2013 and underwent a major review in 2020.

REPORT:

The purpose of the proposed *Water and Wastewater Charging Policy* is to improve customer service through addressing key issues, as briefly summarised in the table below:

Issue	Comments
Responsibilities	The policy introduces specific sections covering responsibilities for both customers and Council.
Description of Access and Usage Charges	Provides clarity around the different charges applicable.
Water Billing Disputes	Mainly relates to how Council can handle a faulty water meter.
Undetected Water Leaks	Provide some ability to give relief to customer for significant water leaks and assist staff in providing quick and efficient resolution.
Special Meter Reads	Relates to special meter reads for property sales or other requests to read a water meter outside the normal schedule.
Fire Service Access and Usage Charges	Provides clarification around fire services.
Non-Residential Wastewater Charges with Water Usage	Clarifies how wastewater charges may be adjusted in conjunction with an adjustment of water usage charges.

The proposed changes to the Policy include updates in the following sections:

Section	Changes
4.1.1	Minor updates to owner responsibilities to ensure clear access to water meters and signage for dogs.
4.1.2	Minor update to replacement of meters.
4.7.5	Wording changes to pensioner rebates and donations including detail of application forms. No substantive change to this clause.
4.8	Wording changes to special meter reading including details of application forms. No substantive change to this clause.
4.10	Changes to leak rebates. Discussed below.
6	Addition of associated documents.

The main change to the document relates to the criteria defining an undetected water leak and how significant the water leak should be when considering a rebate.

The purpose of this section is to provide some relief to customers should a leak be undetected between quarterly meter reads. This relief was intended to be for significant leaks. Through the review, it was considered that the significance of a leak may not be great enough.

In the last three years, Council has received 58 applications for a leak rebate with 31 applications approved (53% approved). The approved leak rebates equal under \$30,000, being less than 0.3% of annual usage charges.

When considering what should be considered exceptional or significant, half to double the normal usage could be considered a fluctuation of normal usage, i.e. between winter and summer.

The current rebate criteria of 1.5 times higher than normal is considered too low and has been increased to 3 times the average usage. From water usage data, more than 50% of connections have a quarterly

water usage of less than 50kL or less than \$130. This would mean an average usage of 30kL would not be considered for a rebate when usage is under 90kL or around \$240.

When investigating eligibility for a rebate, it is also considered that non-residential (commercial or industrial) customers should be managing water usage closer and would normally have resources available to monitor usage and repair any leaks much faster than in a residential user. It is also more likely that a non-residential customer will be regularly on the premises. It is therefore considered that non-residential customers should not be considered for leak rebates.

Councils policy should be workable and relatively simple to ensure acceptable and prompt resolution of issues; the need to respond quickly must be supported and enabled by Council at a policy level. The amended *Water and Wastewater Charging Policy* is to be placed on public exhibition for the purpose of seeking feedback from the community to ensure that any concerns or suggestions are considered for inclusion.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 3 - Our Environment

Community Strategic Plan Strategic Objectives

CSP3 Our natural environment is cared for and protected to ensure future generations can experience and enjoy its beauty

Delivery Program Principal Activities

3.2 Deliver best practice water and wastewater services

FINANCIAL AND RESOURCES IMPLICATIONS:

This Policy has the potential for a minor loss of income from water usage charges depending upon the number of customers seeking concessions for undetected water leaks. While this income loss is minor, applications for leak rebates consume a large amount of staff time, in particular when applications are not complete or not correctly filled out.

The application process requires written evidence from a licensed plumber and sets a time limit on the number of requests within a given period (3 years); as such, there is reduced scope for misuse of the concession process.

The adoption of a streamlined method of applying concessions for undetected leaks enables the efficient processing of applications by Council staff.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

This policy complies with the following legislation, including specific subsections, as appropriate:

- *Local Government Act 1993*;
- Local Government (General) Regulation 2021; not limited to Part 6 Water Services.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Environmental & Public Health	Ensuring appropriate water tariff and recovery measures are in place to minimise water abstracted from water sources.	Water usage is closely monitored to minimise leaks or avoid misuse.	Improved environmental outcomes by minimising abstraction.
Financial	Providing water supply and wastewater services to as many areas of our community as possible at an appropriate cost.	Potential for a reduced revenue from usage charges where rebate applications are approved.	Customers are provided efficient and affordable services .
People	Ensuring adequate water supply and wastewater services are provided to the community, with due consideration to circumstances which may reasonably be outside of a customer's control, such as undetected leaks.	Not all areas of the community are able to be serviced by water supply and wastewater collection systems.	Services are provided to all areas of the community where sustainable, efficient and affordable.
Technology	Billing systems are accurate and continual improvements meter usage data capture are considered.	Annual access and usage charges are not reviewed or the systems are inaccurate resulting in charging issues, complaints or lost revenue.	Systems operate efficiently and accurately and keep customers informed as early as possible.
Stakeholder	Plumbers are well informed on the Policy.	Plumbers advise customers incorrect information resulting in complaints.	Plumbers support Council Policy and inform customers with accurate information while completing works.
Service Delivery	Services are provided and maintained in an efficient manner.	The Policy causes increased disruption of service delivery by responding to customer queries or complaints.	The Policy supports delivery of services in an efficient manner and limits the need to respond to unnecessary customer queries or complaints.

OPTIONS:

As the main changes relate to the rebate section of the Policy, these options are focused on this section.

Council is not obligated to provide concessions for undetected water leaks; however, this is considered to be good customer service and reduces conflict between staff and customers by setting specific rules and criteria for rebate applications.

Option 1:

No changes to the current Policy. This option could be considered.

Option 2:

The changes in the draft Policy are around the consumption criteria and what is considered significant. The criteria has been changed from 1.5 times to 3 times average usage with the minimum of 50 kilolitres being increased to 150 kilolitres. The maximum rebate remains at 1000 kilolitres. Applications for non-residential customers will not be considered. **This option is recommended.**

Option 3:

Adjust the rebate criteria to be more flexible or increase the criteria and place more emphasis on "significant". Include or exclude non-residential customers. This option could be considered.

This option could consider:

The amount of excess that is considered to be significant. 3 times average usage.

The minimum excess required. 150 kilolitres.

The amount of excess covered by Council. 100% of excess covered by Council.

The maximum amount of excess that Council will consider. 1000 kilolitres.

The timeframe between leak rebate applications. Three (3) years between applications.

Option 4:

Remove the ability to apply for water leak rebates. This option is not recommended.

Council can choose to:

- endorse the proposed *Water and Wastewater Charging Policy*, without amendment, for public exhibition;
- endorse the proposed *Water and Wastewater Charging Policy*, with amendment, for public exhibition;
- require further changes to the Policy and protocols presented, relevant feedback can be incorporated and the Policy and resubmitted for consideration at a future meeting.
- adopt the proposed *Water and Wastewater Charging Policy* (with or without amendment) and following public exhibition, where no submissions are made and/or no further changes are required.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

The Policy, as per recommendation, shall be advertised for a minimum of 28 days seeking community comment. Any response or submission received will be considered in a future report to Council.

ATTACHMENTS

1. Amended Water and Wastewater Charging Policy - SVC-ENG-PO-105-03 (Under separate cover)

11. MANAGEMENT REPORTS

11.1. PLANNING PROPOSAL PP2023/0002 - BAGO FOREST ROAD, TUMBARUMBA

REPORT AUTHOR: CONSULTING STRATEGIC PLANNER

RESPONSIBLE OFFICER: EXECUTIVE MANAGER GROWTH AND DEVELOPMENT

EXECUTIVE SUMMARY:

Council has received a request to make an amendment to the *Tumbarumba Local Environmental Plan (LEP) 2010* via a 'Planning Proposal' submitted by EMM Consulting Pty Limited.

The planning proposal seeks to include an exception to the minimum lot size controls for land used for the purpose of biodiversity conservation at Bago Forest Road, Tumbarumba known legally as Lot 2 in DP 556593. Specifically, The Planning Proposal seeks to include an additional clause within Part 4 of the *Tumbarumba Local Environmental Plan 2010*.

RECOMMENDATION:

THAT COUNCIL:

1. **Support the planning proposal PP2023/0002 prepared to amend the *Tumbarumba Local Environmental Plan (LEP) 2010* subject to the following:**
 - a. **The Draft Planning Proposal is updated to incorporate details provided within the RFI Response Letter, dated 4 April 2024, within 21 days; and**
2. **Forward the planning proposal to the Department of Planning and Environment for a Gateway Determination.**

BACKGROUND:

Council is in receipt of a planning proposal PP2023/0002 to include an additional clause within Part 4 of the *Tumbarumba Local Environmental Plan 2010*. This clause would allow for an exception to the minimum lot size control for land used for the purpose of biodiversity conservation at Bago Forest Road, Tumbarumba known legally as Lot 2 in DP 556593 (the site). The applicant has demonstrated that the above amendments would facilitate the subdivision of the site into two lots where one lot is below the minimum lot size requirement under the LEP. These amendments would allow for the suitable use and preservation of the site for the purpose of biodiversity conservation.

The applicant has initiated a planning proposal primarily in response to the Snowy 2.0 Transmission Connection Project which was approved by the NSW Minister for Planning on 2 September 2022. As part of the approval, Snowy Hydro is required to offset impacts to biodiversity as a result of clearing required for the project. This includes a monetary payment to the NSW National Parks and Wildlife Service (NPWS) for impacts of the project in the Kosciuszko National Park (KNP) and offsetting impacts outside of KNP in accordance with the requirements of the NSW Biodiversity Offsets Scheme (BOS).

The subject site identified by the applicant contains a split zoning. The eastern portion of the site is zoned C3 Environmental Management and the western portion zoned RU1 Primary Production under the Tumbarumba LEP 2010. The eastern portion of the site has been identified as being capable of meeting a significant proportion of the offset requirements for impacts of the Snowy 2.0 Transmission Connection Project outside of KNP. Accordingly, the applicant seeks to establish a biodiversity stewardship site (BSS) under the BOS on the eastern part of the site to offset impacts of the Snowy 2.0 Transmission Connection Project. To do this, it is proposed to subdivide the site into two lots where the eastern C3 zoned land would be used as the BSS.

The indicative future subdivision of the site is intended to align with the split zoning of the site. The subdivision would result in the eastern part (C3 Environmental Management) having an area of 92.07 ha

and the western part (RU1 Primary Production) having an area of 161.65 ha. Based on the intended subdivision layout, the eastern portion of the site would not comply with the minimum of 160ha prescribed under Clause 4.1 of the *Tumbarumba Local Environmental Plan 2010*.

Exceptions to the minimum lot sizes are generally provided under Clause 4.6 Exceptions to development standards. However, the intended subdivision layout is identified as being prohibited under Clause 4.6(6). Specifically, this clause prohibits the subdivision of land zoned C3 Environmental Management where one lot is less than 90% of the minimum area specified. The subdivision of the eastern portion site would only contain 57% of the minimum area specified. As such, a Planning Proposal to amend the Tumbarumba LEP 2010 would be required to facilitate any such exception.

The proposed amendments to Part 4 of the Tumbarumba LEP 2010 would allow for exceptions to the minimum lot size controls prescribed under Clause 4.1 of the LEP of the Tumbarumba LEP 2010. This amendment is considered acceptable as such exceptions would be site-specific and would represent an opportunity to ensure the long-term conservation of biodiversity lands within the LGA.

A development application has been lodged with Council for the purposes of subdivision of the land to excise the area proposed for the stewardship agreement however Council is unable to approve the development application until such time as there is certainty around the support for the Local Environment Plan amendment by the elected Council and certainty around the Department of Planning Housing and Infrastructure issuing a gateway determination for the amendment and associated community consultation being undertaken.

Site and Locality

The site is located approximately 10 km north-east of Tumbarumba in the Snowy Valleys Local Government Area (LGA). The site is located at Bago Forest Road being approximately 100m south west of the intersection with Perkins Road and 2.8km north east intersection with Batlow Road. The site is legally described as Lot 2 in DP 556593.

The site is partly zoned RU1 Primary Production and C3 Environmental Management under the Tumbarumba LEP. The eastern part of the site is zoned C3 Environmental Management, and the western part is zoned RU1 Primary Production.

The site has an area of 253.72 hectares (ha). The eastern part of the site zoned C3 Environmental Management has an area of 92.07 ha and the western part of the site zoned RU1 Primary Production has an area of 161.65 ha.

The eastern part of the site is heavily vegetated by a tall forest dominated by Narrow-leaved Peppermint (*Eucalyptus radiata*) and Mountain Gum (*E. dalrympleana*) with Silver Wattle (*Acacia dealbata*) – see photographs below. The western part of the site zoned RU1 is predominantly cleared and used for agriculture.

Figures 1 to 5 below provides a regional context, locality map, site arial, zoning, applicable lot sizes, and plant community types present on site.

Figure 1 – Regional Context Map (Source: EMM Consulting)

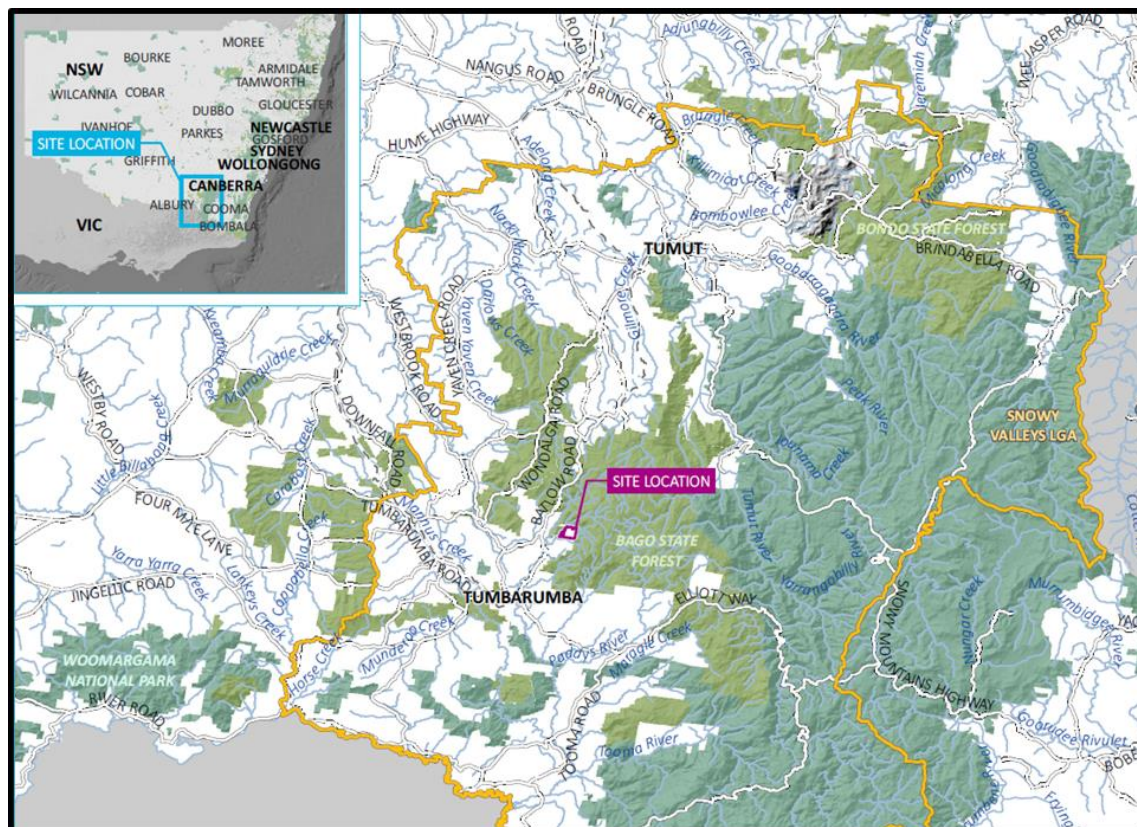


Figure 2: Local context map (Source: EMM Consulting)

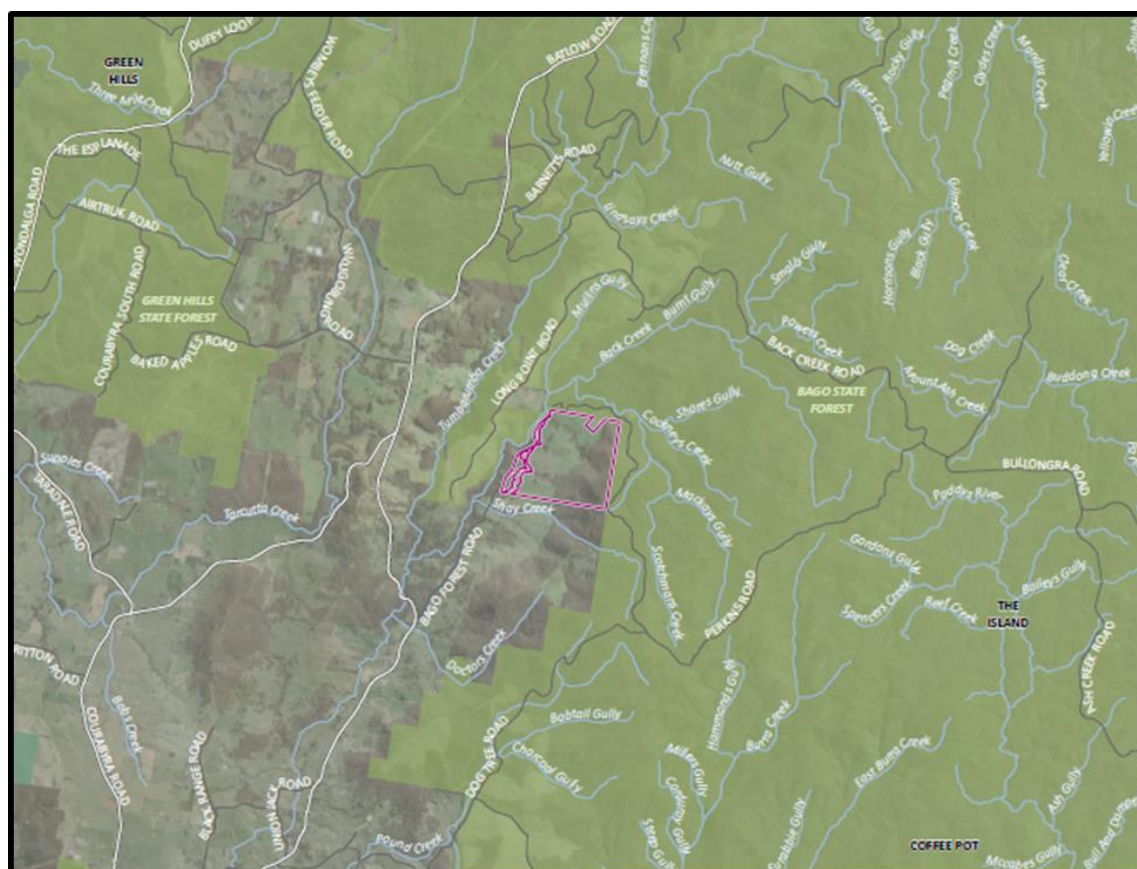


Figure 3: Zoning Map (Source: EMM Consulting)

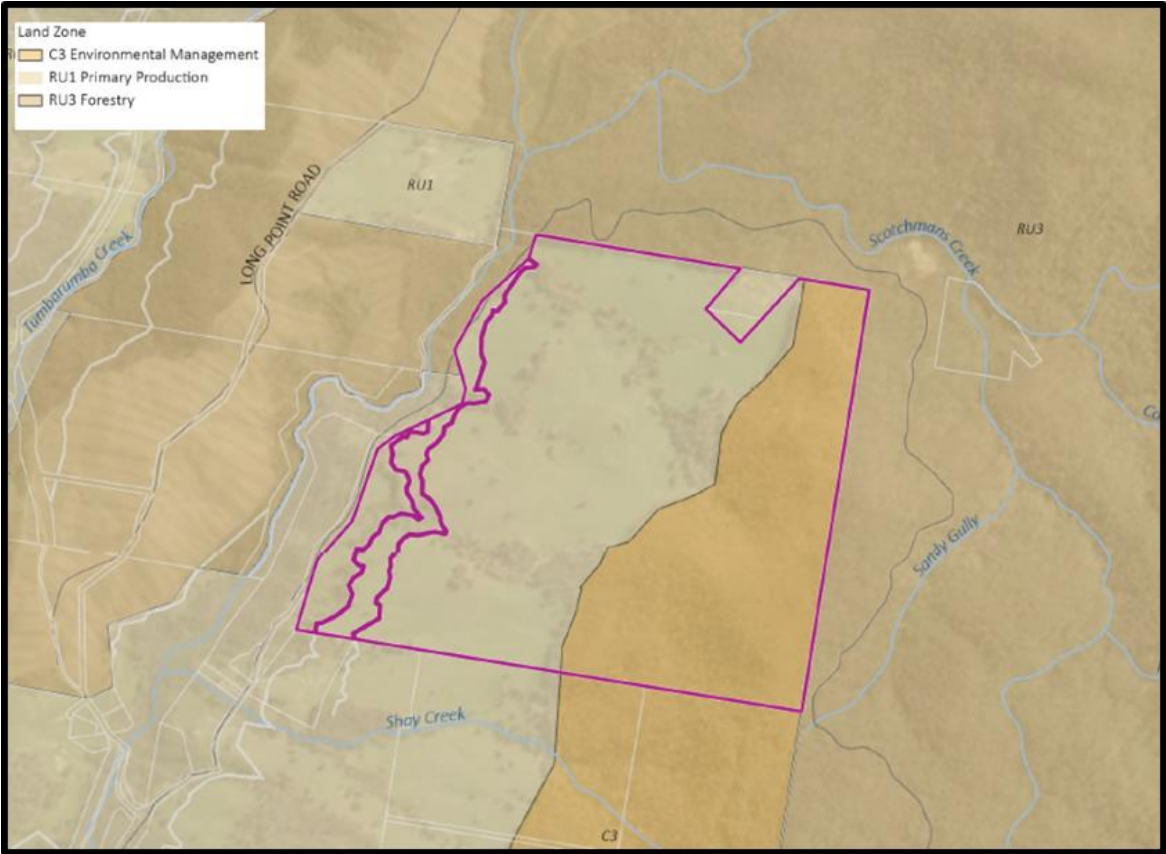


Figure 4: Lot Size Map (Source: EMM Consulting)

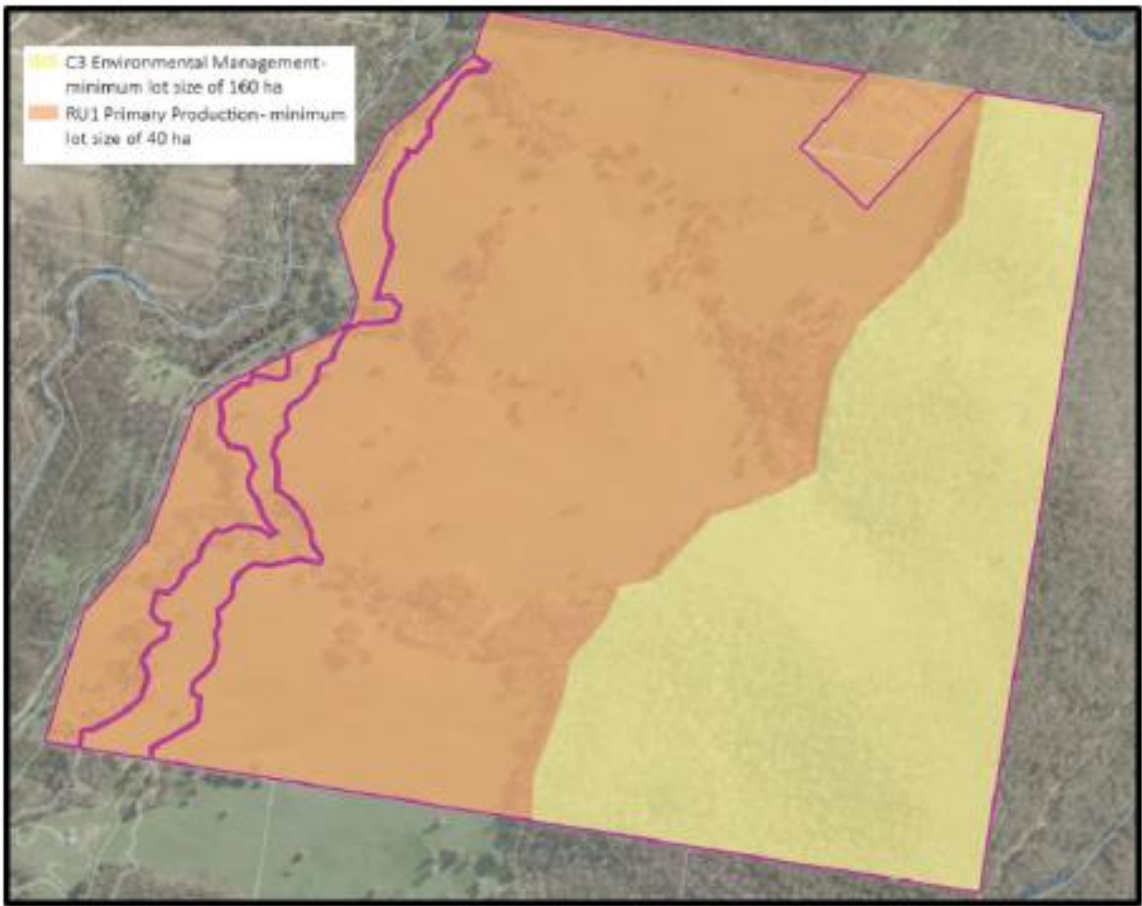
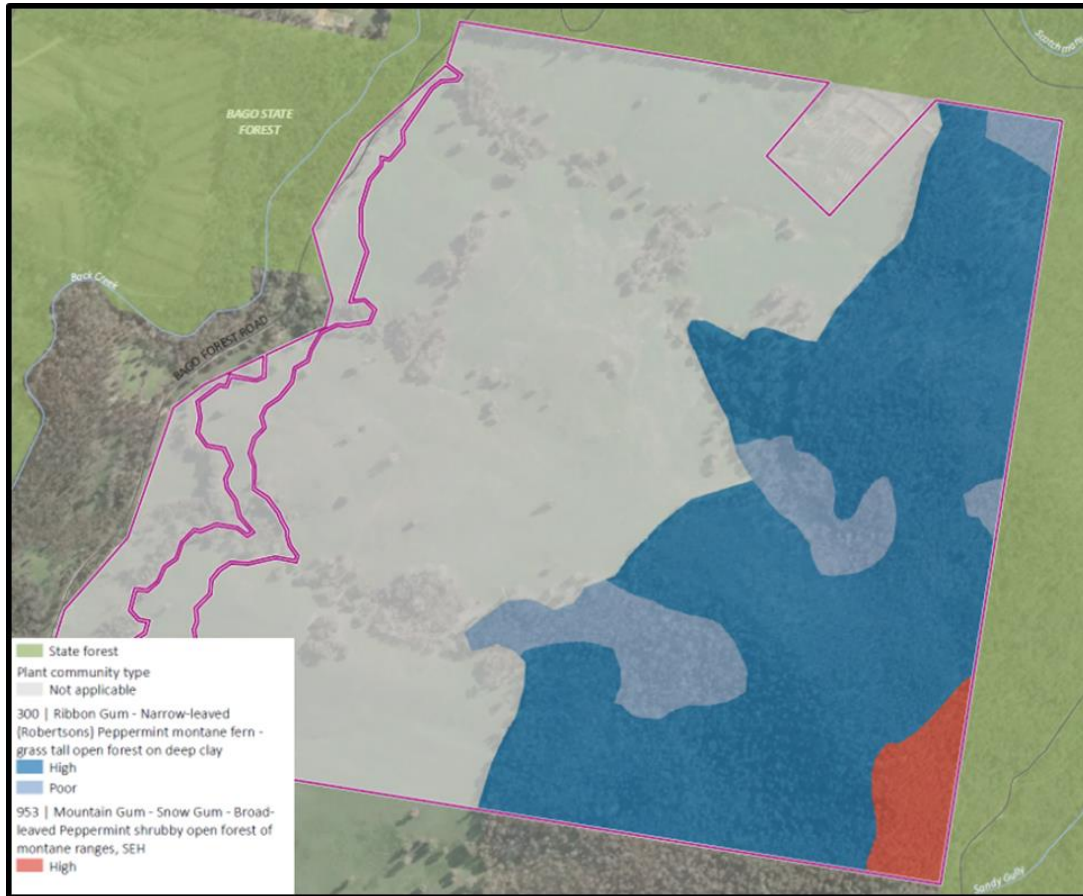
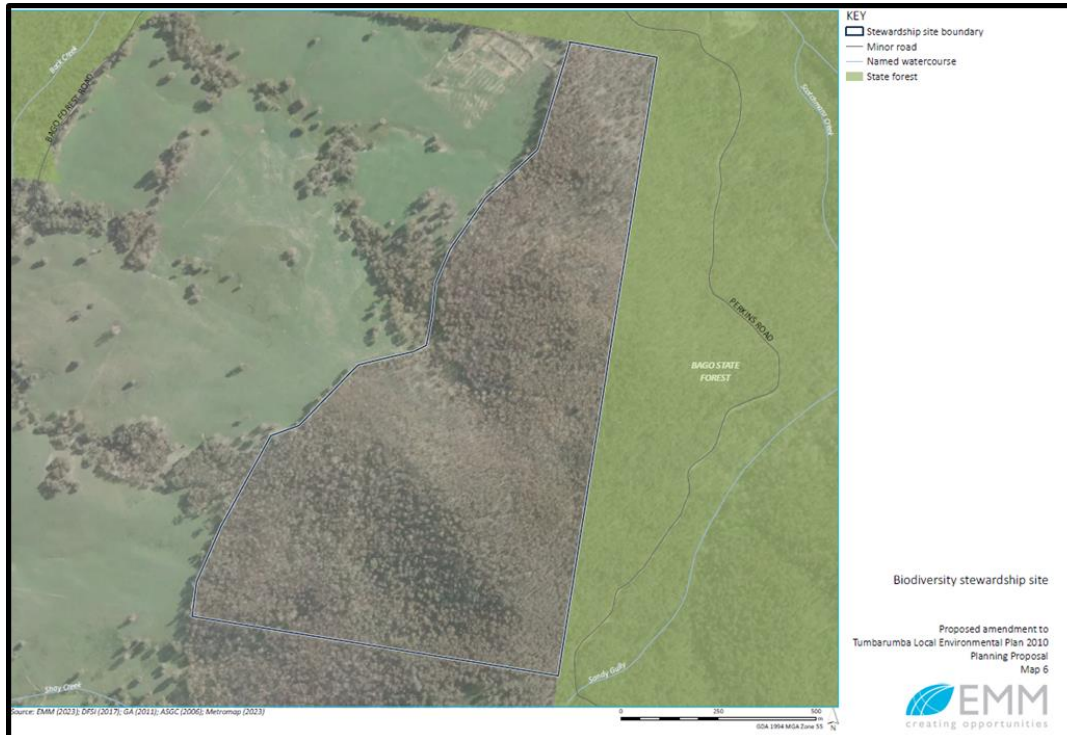


Figure 5: Plant Community Type (Source: EMM Consulting)**REPORT:**

Council is in receipt of a planning proposal PP2023/0002 to include an additional clause within Part 4 of the *Tumbarumba Local Environmental Plan 2010*. This clause would allow for an exception to the minimum lot size control for land used for the purpose of biodiversity conservation at Bago Forest Road, Tumbarumba known legally as Lot 2 in DP 556593. The applicant has demonstrated that the above amendments would facilitate the subdivision of the site into two lots where one lot is below the minimum lot size requirement under the LEP. These amendments would allow for the suitable use and preservation of the site for the purpose of biodiversity conservation.

Figure 6 below shows the intended future subdivision of the site which aligns with the spilt zoning. Specifically, the subdivision would result in the eastern part (C3 Environmental Management) having an area of 92.07 ha and the western part (RU1 Primary Production) having an area of 161.65 ha.

Figure 6 – Likely subdivision of the site (Source: EMM Consulting)

Clause 4.1 of the Tumbarumba LEP 2010 details the following:

- *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*

Based on the intended subdivision layout, the eastern portion of the site would not comply with the minimum of 160ha prescribed under Clause 4.1 of the Tumbarumba LEP 2010. Exceptions to the minimum lot sizes are generally provided under Clause 4.6 Exceptions to development standards.

In this instance, the intended subdivision layout is identified as being prohibited under clause 4.6(6). Specifically, this clause is as follows:

- *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—*
- *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
 - *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*
 - *As previously stated, the eastern part (C3 Environmental Management) having an area of 92.07 ha and the western part (RU1 Primary Production) having an area of 161.65 ha. Based on the intended subdivision layout, the eastern portion of the site would be the only allotment that would not comply with the minimum lot size specified and therefore subclause (b) applies. This clause prohibits the subdivision of land zoned C3 Environmental Management where one lot is less than 90% of the minimum area specified. The subdivision of the eastern portion site would only contain 57% of the minimum area specified.*

Therefore, the proposal seeks to amend the Tumbarumba LEP 2010 to include an additional clause within Part 4 of the *Tumbarumba Local Environmental Plan 2010*. The additional clause would be site specific

and would allow for a unique exception to the minimum lot size controls for land used for the purpose of biodiversity conservation.

A copy of the additional clause is provided below:

Clause 4.1AB Exception to minimum lot size for biodiversity conservation

- *The objectives of this clause are as follows—*
- *provide flexibility in the application of standards for subdivision of land to be used for the purpose of long-term biodiversity conservation management,*
- *to ensure subdivision occurs in an economical and orderly way,*
- *to ensure rural lands are not fragmented in a manner that threatens their future use for agricultural production,*
- *to ensure subdivision does not have inappropriate impacts on the natural environment.*
- *This clause applies to land at Bago Forest Road, Tumbarumba, being Lot 2 in DP 556593.*
- *Despite any other provision of this Plan, development consent may be granted to the subdivision of the land to which this clause applies to create a lot that is less than the minimum size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that—*
- *the subdivision will facilitate the long-term biodiversity conservation management of the lot, and*
- *suitable arrangements have been, or will be, made for the long-term protection, conservation and management of the lot, and*
- *the subdivision will not create the opportunity for additional dwellings on the lot.*

The proposed amendments to the Tumbarumba LEP would allow a site-specific exception to the minimum lot size controls for land used for the purpose of biodiversity conservation.

Technical Studies

The proposal is accompanied by concept plans and studies listed in Table 1 and **attached** to this report.

Appendices	Author	Date
Biodiversity Stewardship Site Assessment Report	EMM Consulting	29 January 2024

Key Issues

Objectives

In determining the strategic and site-specific merits of the proposal, consideration must be given to the objectives of the Minimum Lot Size Control and the C3 Environmental Management Zone.

Objectives of the Minimum Lot Size Control:

- *to ensure subdivision of land occurs in a manner that promotes suitable land uses and development,*
- *to ensure subdivision occurs in an economical and orderly way,*
- *to ensure rural lands are not fragmented in a manner that threatens their future use for agricultural production,*
- *to ensure subdivision does not have inappropriate impacts on the natural environment.*

The proposed amendment to the LEP represents a unique case where exceptions to the minimum lot size control may be required for the purpose of long-term biodiversity conservation management. It is noted that each development application would be assessed on a case-to-case basis to ensure subdivision of

land occurs in a manner that promotes suitable land uses, is undertaken in an economical and orderly way, does not fragmentate rural lands or threaten agricultural production and/or result in adverse impacts on the natural environment.

The applicant has demonstrated such a case where these objectives could be achieved.

Objectives of the C3 Environmental Management Zone:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To identify land of high conservation value and apply appropriate planning controls.
- To protect native vegetation and existing landforms for their scenic values and to maintain the unique visual identity of the landscape.
- To recognise and protect conservation reserves and sub-regional linkages to maintain viable ecosystems.

The proposed amendments to the LEP for the purpose of long-term biodiversity conservation management is consistent with the objectives of the C3 Environmental Management Zone. Specifically, the use of the site for these purposes supports in protecting, managing and restoring areas with special ecological, scientific, cultural, aesthetic values, or land of high conservation value and will apply appropriate planning controls to such land. The intended use is unlikely to impact on native vegetation, existing landforms, conservation reserves or sub-regional linkages.

Site Suitability

The Biodiversity Stewardship Site Assessment Report submitted with the Draft Planning Proposal concluded with the following:

- *The proposed Stewardship site is 101.2 hectares in size and generates credits over 89.13 hectares, containing remnant native vegetation in moderate to good condition, with some areas of Blackberry (*Rubus fruticosus* sp. agg.) infestation.*
- *Two PCTs occur within the site but neither are associated with any threatened ecological communities.*
- *The site provides habitat for the Yellow-bellied Glider (*Petaurus australis*), which is part of an Endangered Population on the Bago Plateau listed under the NSW BC Act 2016.*
- *The site is potential habitat for a range of other threatened fauna species that were not subject to targeted survey as part of this assessment or were not recorded during targeted surveys.*
- *Management actions for the site include required management actions only, and these are detailed in the Biodiversity Stewardship Site Management Plan.*

Subject to the implementation of required management actions, the use of the site for the purpose of long-term biodiversity conservation is considered to be suitable noting the subdivision would align with the existing C3 zoning of the site.

Assessment Against Key Strategic Documents

The proposal has been assessed against the relevant Local and State provisions, guidelines and regional strategies, including the Department of Planning and Environment's (DPE) Local Environmental Plan Making Guidelines 2023 - Section 2 that outlines the required content for planning proposals. The planning proposal is considered to be consistent with these requirements.

The draft Planning Proposal has been assessed against key strategic documents, including the Riverina Murray Regional Plan 2041, Snowy Valleys Local Strategic Planning Statement (LSPS) 2020-2040, Snowy Valleys Community Strategic Plan 2028, Snowy Valley Community Strategic Plan 2042, Snowy Valleys

Council Region Economic Development Strategy, 2018-2022. It is generally consistent with these plans and strategies and their key objectives. A detailed assessment is provided as an attachment to this report.

From this assessment, the following conclusions are able to be drawn:

- The proposed amendment to the LEP would be site-specific and would relate to specific circumstances.
- The planning proposal demonstrates a particular case where such exceptions can be deemed acceptable and in a manner that does not result in any negative impacts on existing land uses and/or the environment.
- The amendments to the LEP are considered to be accepted in principle by council, by proxy of the pre-lodgement discussions.
- The proposal is considered to be consistent with the policy provisions and intent of the relevant regional strategies.
- The proposal is not considered to impact adversely on any surrounding receiving environment and any perceived impacts can be managed through appropriate environmental management measures demonstrated at development application stage. On the basis of the above, it is considered sufficient planning grounds exist to warrant the proposal and the application is recommended for Council approval.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 3 - Our Environment

Community Strategic Plan Strategic Objectives

CSP3 Our natural environment is cared for and protected to ensure future generations can experience and enjoy its beauty

Delivery Program Principal Activities

3.3 Provide a planning and development framework that enhances local amenity through sustainable growth

FINANCIAL AND RESOURCES IMPLICATIONS:

There are no expected financial implications as a result of this report.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Legislative framework for amending the *Tumbarumba Local Environmental Plan 2010* is covered under the *Environmental Planning and Assessment Act 1979* and associated Regulation 2021 and the Plan making guidelines.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

N/A

OPTIONS:

THAT COUNCIL:

1. Support the planning proposal PP2023/0002 prepared to amend the Tumut Local Environmental Plan (LEP) 2012 subject to the following:

- a. The Draft Planning Proposal is updated to incorporate details provided within the RFI Response Letter, dated 4 April 2024 within 21 days.
- b. Forward the planning proposal to the Department of Planning and Environment for a Gateway Determination.

2. Not support the Planning Proposal.

Option 1 is recommended.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

On 18 August 2022, Council endorsed the Snowy Valley Community Participation Plan (CPP). The CPP identifies that where a draft Planning Proposal demonstrates strategic merit, the Gateway report to Council will recommend the community participation methods for the public exhibition period.

Subject to Council endorsement and a Gateway Determination, it is recommended that engagement be undertaken at public exhibition in accordance with that identified by the NSW Department of Planning and Environment through a gateway determination if the planning proposal is supported by Council.

ATTACHMENTS

1. Assessment against key strategic directions (Under separate cover)
2. E220057_planning proposal_v0.1_v1_PP-2023-1865 (Under separate cover)
3. Request for further information- Bago Forest Road Tumbarumba 25-01-24_PP-2023-1865 (Under separate cover)
4. E220057_Response to RFI_04Apr24_PP-2023-1865 (Under separate cover)

11.2. TUMUT MULTI-PURPOSE CENTRE SITE OPTIONS ANALYSIS

REPORT AUTHOR: DIRECTOR INFRASTRUCTURE & WORKS

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

This report provides an update on the outcome of the “reject and negotiate” process for RFT 2023/01 for the construction of the Tumut Multi-Purpose Centre and the next steps for the progression of the project.

This project is to be undertaken by Snowy Valleys Council (SVC) under grant funding received from the State and Federal Government Bushfire Local Economic Recovery Fund (BLERF) for the construction of an Evacuation and Multi-Purpose Centre in Tumut.

Council at its meeting on 14 December 2023 resolved to enter into a “reject and negotiate” process for the Tumut Multi-Purpose Centre due to all tenders for RFT 2023/01 exceeding the available budget. Council approached five (5) building contractors as part of that process with instructions to identify cost savings for the project to bring it within the available budget.

Two (2) of the five (5) building contractors had previously priced the project as part of the original tender. Council after numerous discussions and clarifications with a number of the building contractors as at 30 May has not received any revised price for the Tumut Multi-Purpose Centre.

This report recommends that Council cease any further “reject and negotiate” process on the project and explore alternative site options as the existing proposed site has a number of significant constraints which are impacting on the overall costs and buildability of the project.

RECOMMENDATION:

THAT COUNCIL:

- 1. Cease the current “reject and negotiate” process for the Tumut Multi-Purpose Centre as resolved by Council at its 14 December 2023 meeting;**
- 2. Consider the options analysis for the three (3) alternative site options for the Tumut Multi-Purpose Centre as outlined in this report;**
- 3. Adopt the preferred site option recommended by staff being the Tumut Netball Courts and Boys Club Hall site located on Fitzroy Street, for further feasibility and Geotech investigation;**
- 4. Undertake consultation with the Community and key stakeholders such as the Tumut Netball Association, Tumut Basketball Association and all user groups that are interested in using the new facility in relation to the preferred site option on Fitzroy Street, Tumut; and**
- 5. Note that a report will be brought back to Council on the outcome of the consultation with the Community and key stakeholders on the preferred site before any further feasibility studies such as geotech investigations, environmental testing and design work are undertaken with a recommendation to proceed or not proceed with the recommended (preferred) site option.**

BACKGROUND:

On 29 June 2021, Snowy Valleys Council received a grant of \$10,685,333 from the Federal Government Bushfire Local Economic Recovery Fund (BLERF) for the development, design and construction of the Tumut Multi-Purpose Centre. The project has seen significant investment in design development over the past 3 years. Council has received several reports on the project since May 2020 with the following resolutions made:

Council Meeting 28 May 2020:**Report 5.1 – Advocacy Priorities - (resolution with excerpt of relevant entry in table below)****5.1 2020-2021 ADVOCACY PRIORITIES****M116/20 RESOLVED:
THAT COUNCIL:**

1. Receive the report on the 2020-2021 Advocacy Priorities
2. Adopts the priority list of advocacy projects and initiatives for 2020-2021 for the purpose of lobbying for funding support
3. Endorse the referral of the priority Council projects to Council's Project Management Framework for development to 'shovel ready' status
4. Adopts the complete list of projects as per Appendix 1 of the minutes for government policy support and/or funding should the opportunity arise

Priority List		Short - < 12 months Medium - 12 - 24 months Long - >24 months
Project Description	Estimated Project Value	Estimated Timeframe for completion
Emergency Evacuation Centre and Tumut Basketball Centre – business case revision, Design & Construct	\$20m	Medium

Council Meeting 17 March 2022:**7.1 NOTICE OF MOTION - TUMUT MULTI-PURPOSE CENTRE AND TUMUT AERODROME UPGRADE PROJECTS - CR HANSIE ARMOUR****M74/22 RESOLVED:
THAT COUNCIL:**

1. Is committed to support both the Tumut Multi-purpose Centre and Tumut Aerodrome upgrade project.

The amendment became the motion and was put and carried. The original motion moved by Cr Armour and seconded by Cr Thomson therefore lapsed.

Cr James Hayes/Cr Julia Ham

CARRIED UNANIMOUSLY

Council Meeting 19 May 2022:**L.1.1 TUMUT EVACUATION AND MULTI-PURPOSE FACILITY DUE DILIGENCE OUTCOMES REPORT****M159/22 RESOLVED:
THAT COUNCIL:**

1. Receive the report on Tumut Evacuation and Multi-Purpose Facility Due Diligence Outcomes;
2. Review the Business Case and report back to Council following the review;
3. Continue discussions with Regional NSW in relation to cost escalation issues being faced by the project with a request that the cost escalations be funded by the State.

Cr John Larter/Cr Mick Ivill

CARRIED UNANIMOUSLY

Council Meeting 18 August 2022:**11.2. TUMUT EVACUATION AND MULTI-PURPOSE FACILITY SITE LOCATION****MOTION:**

THAT COUNCIL no longer considers the Saleyards for the purpose of the evacuation centre and that urgent consultation be entered into with Member for Wagga Wagga Dr Joe McGirr MP and Member for Albury Justin Clancy MP to secure an extension for the grant and that consultation occur immediately with a user group committee as agreed by this Council to facilitate the evacuation centre being located to another appropriate site.

Cr John Larter/Cr James Hayes

M222/22 RESOLVED to move into Committee of the Whole.

Cr Trina Thomson/Cr Julia Ham

CARRIED UNANIMOUSLY

M223/22 RESOLVED to move out of Committee of the Whole.

Cr Trina Thomson/Cr Brent Livermore

CARRIED UNANIMOUSLY

M224/22 RESOLVED:

THAT COUNCIL no longer considers the Saleyards for the purpose of the evacuation centre and that urgent consultation be entered into with Member for Wagga Wagga Dr Joe McGirr MP and Member for Albury Justin Clancy MP to secure an extension for the grant and that consultation occur immediately with a user group committee as agreed by this Council to facilitate the evacuation centre being located to another appropriate site.

Cr John Larter/Cr James Hayes

CARRIED UNANIMOUSLY

Council Meeting 15 September 2022:

The Report that was brought to the 15 September 2022 Council meeting outlined a number of sites that had been considered and then ruled out for a variety of reasons.

The report also identified that the original concept site of the Tumut Bull Paddock, off Fitzroy Street, has been found to be unsuitable for development due to a number of reasons, including but not limited to, site access and size of the site, budget constraints and overall footprint needs. A suggested alternative site of the Saleyards at Tumut was also dismissed at the 18 August 2022 Ordinary Meeting of Council following community feedback. Refer to the resolution of Council 18 August 2022.

This report outlined how Council had engaged with a number of community user groups and stakeholders over the past three (3) weeks to review various sites as potential options. The assessment in the report concluded, that the following locations are not suitable for various reasons including but not limited to, land access, land tenure, footprint limitations and expansion opportunities:

1. Bull Paddock off Fitzroy Street
2. Tumut Saleyards
3. Tumut Railway Precinct
4. Bonner Fields
5. Tumut High School
6. Riverglade Oval
7. Boonderoo (next to Riding for the Disabled Australia)
8. Tumut Golf Club
9. McAuley School
10. Tumut Showgrounds

11. Gilmore Industrial land
12. Forestry Land, Sydney Street
13. Jarrah Oval
14. Pioneer Park (area behind the pool)
15. Boys Club Hall/ old Ambulance Station / Netball Courts

The report outlined that Council had further engaged a suitably experienced architect for site assessment of the two (2) preferred (recommended) locations identified as Lockeridge Park and Richmond Park.

A site assessment occurred on Wednesday 7 September with Community User Groups, Council and the architect and identified that the Lockeridge Park site, on preliminary assessment was the preferred option.

The report outlined that acceptance of the recommendation or identification and ranking of preferred sites would enable progression of the project to meet with the current funding deed requirements for the project which was to be completed by June 2024. This additional work would include Geotech investigations, site survey, footprint evaluation and traffic impact assessments.

Lockeridge Park, when compared to Richmond Park, was considered to have the least overall impacts to the community. This assessment included the impact of traffic and parking, removal of structures both in use and not in use, relocation of other facilities for users and current site conditions.

Council at its 15 September 2022 meeting resolved the following:

11.2. TUMUT EVACUATION AND MULTI-PURPOSE FACILITY SITE LOCATION

MOTION:

THAT COUNCIL no longer considers the Saleyards for the purpose of the evacuation centre and that urgent consultation be entered into with Member for Wagga Wagga Dr Joe McGirr MP and Member for Albury Justin Clancy MP to secure an extension for the grant and that consultation occur immediately with a user group committee as agreed by this Council to facilitate the evacuation centre being located to another appropriate site.

Cr John Larter/Cr James Hayes

M222/22 RESOLVED to move into Committee of the Whole.

Cr Trina Thomson/Cr Julia Ham

CARRIED UNANIMOUSLY

M223/22 RESOLVED to move out of Committee of the Whole.

Cr Trina Thomson/Cr Brent Livermore

CARRIED UNANIMOUSLY

M224/22 RESOLVED:

THAT COUNCIL no longer considers the Saleyards for the purpose of the evacuation centre and that urgent consultation be entered into with Member for Wagga Wagga Dr Joe McGirr MP and Member for Albury Justin Clancy MP to secure an extension for the grant and that consultation occur immediately with a user group committee as agreed by this Council to facilitate the evacuation centre being located to another appropriate site.

Cr John Larter/Cr James Hayes

CARRIED UNANIMOUSLY

Council Meeting 22 June 2023:**12.1. CONFIDENTIAL - TUMUT MULTI-PURPOSE CENTRE TENDER 2023-01
ASSESSMENT****M110/23 RESOLVED:****THAT COUNCIL:**

1. Receive this report as an update on the progress of the Tumut Multi-Purpose Centre Project
2. Note the deferral in determination of tenders pending response from the funding body
3. Write to the tenderers, communicating the ongoing negotiation for grant funding Council is undertaking
4. Advise the community working group in writing of the current position of the project.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY**Council Meeting 14 December 2023:****13.1. CONFIDENTIAL - RFT 2023/01 - TUMUT MULTI-PURPOSE CENTRE ASSESSMENT****M277/23 RESOLVED:****THAT COUNCIL:**

1. In accordance with Section 178 (3)(e) Local Government (General) Regulation 2021:
 - Reject all offers for Request for Tender (RFT) 2023/01 for the Tumut Multi-Purpose Centre due to all tenders exceeding the available budget;
 - Not invite fresh tenders, because it is considered that re-tendering, rather than negotiating, will not attract additional suitable submissions;

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Tumut and Via Video Link on Thursday, 14 December 2023 Page 17

Mayor_____
Interim General Manager

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Thursday, 14 December 2023

2. Authorise the Interim General Manager or delegate to enter into direct negotiation with all the original tenderers and other suitable contractors for the delivery of Tumut Multi-Purpose Centre using a new price and non-price tender evaluation process to ensure value for money can be achieved.
3. Authorise the Interim General Manager at the end of successful negotiations to enter into a contract with suitably qualified contractors for the Tumut Multi-Purpose Centre and that the outcome of the Reject and Negotiate process is reported back to Council.
4. Upon execution of the Contract, advertise information relating to the successful award of the contract in accordance with the *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts with Private Sector*.
5. Notes the current budget for the project and grant funding that has been approved by the Federal Government Bushfire Local Economic Recovery Fund (BLERF) to date.
6. Council undertakes consultation with all user groups that are interested in using the new facility and formulates a draft Occupation Agreement with user groups that will be brought back to Council for adoption prior to construction of the project commencing.

Cr Trina Thomson/Cr Mick Ivill

For: Cr Armour, Cr Chaffey, Cr Ham, Cr Hughes, Cr Ivill, Cr Livermore, Cr Thomson**Against:** Cr Larter, Cr Hayes**CARRIED**

7/2

Council has been briefed on the existing site constraints in Lockeridge Park and the Options Analysis that has identified a preferred site at the Tumut Netball Courts on Fitzroy Street at the Council Workshop held on Thursday 6 June 2024.

REPORT:

Council at its meeting on 14 December 2023 resolved to enter into a “reject and negotiate” process for the Tumut Multi-Purpose Centre due to all tenders for RFT 2023/01 exceeding the available budget.

Council approached five (5) building contractors as part of that process with instructions to identify cost savings for the project to bring it within the available budget. Two (2) of the five (5) building contractors had previously priced the project as part of the original tender. Council after numerous discussions and clarifications with a number of the building contractors as at 30 May has not received any revised price for the Tumut Multi-Purpose Centre.

The five (5) contractors that Council approached as part of the “reject and negotiate” process were as follows:

1. Dalski Construction's (Sydney based) (previously tendered on the project as part of RFT 2023/01
2. Joss Constructions (Albury) tendered on the project as part of RFT 2023/01
3. Premier Building and Construction (Albury)
4. Dezin Building Contractors (Albury)
5. Zauners Construction (Orange)

During the discussion and clarification process with a number of the building contractors that Council has approached it was raised by the builders that one of the key project constraints was the site selection in Lockeridge Park.

Lockeridge Park – Site constraints

The first key constraint that the builders identified for this location was that the site is located on the top section of an easterly facing hill amidst moderate to steep sloping terrain at approximately 10-17% slope in an east/north east direction. This equates to an average of 10m of fall across the building envelope of the proposed development area.

From a buildability, site establishment, working heavy machinery and maintaining environmental controls perspective across such a steeply sloping site, this constraint is considered significant in terms of the projects budget and program.

The second significant constraint the builders identified was in the geotechnical investigations that Council has undertaken through ASCT (Specialist Geotechnical consultants) on 24 June 2022, which indicates that the site contains material of bearing capacities inadequate for the support of footing systems to a depth of 0.8m below surface level.

Furthermore, the Geotechnical investigations showed weathered rock was encountered from depths of 0.8m below surface level and auger refusal was experienced as shallow as 1.2m below surface level which likely indicates hard rock of a high density will be encountered across the site.

To place the building on the current site as shown on the architectural plans would require a significant amount of the earthworks to create a level site and would involve excavation within rock material of high density and strength to depths that average three (3) metres.

In summary the excavation metrics for the current site as set out in the Architectural Plans is as follows:

- Maximum excavation depth of 6 metre
- Average excavation depth of 3 metre
- Estimation of total excavation required 9,720 cubic metre
- Estimation of weathered rock requiring excavation (rippable) 5,500 cubic metre

- Estimation of hard rock requiring excavation (non-rippable) 2,600 cubic metre

The estimated excavation volume of weathered rock and hard rock material would be in the order of **8,100** cubic metres which is a significant amount of rock excavation. This amount of rock excavation is time consuming, noisy and expensive to undertake.

OPTIONS ANALYSIS

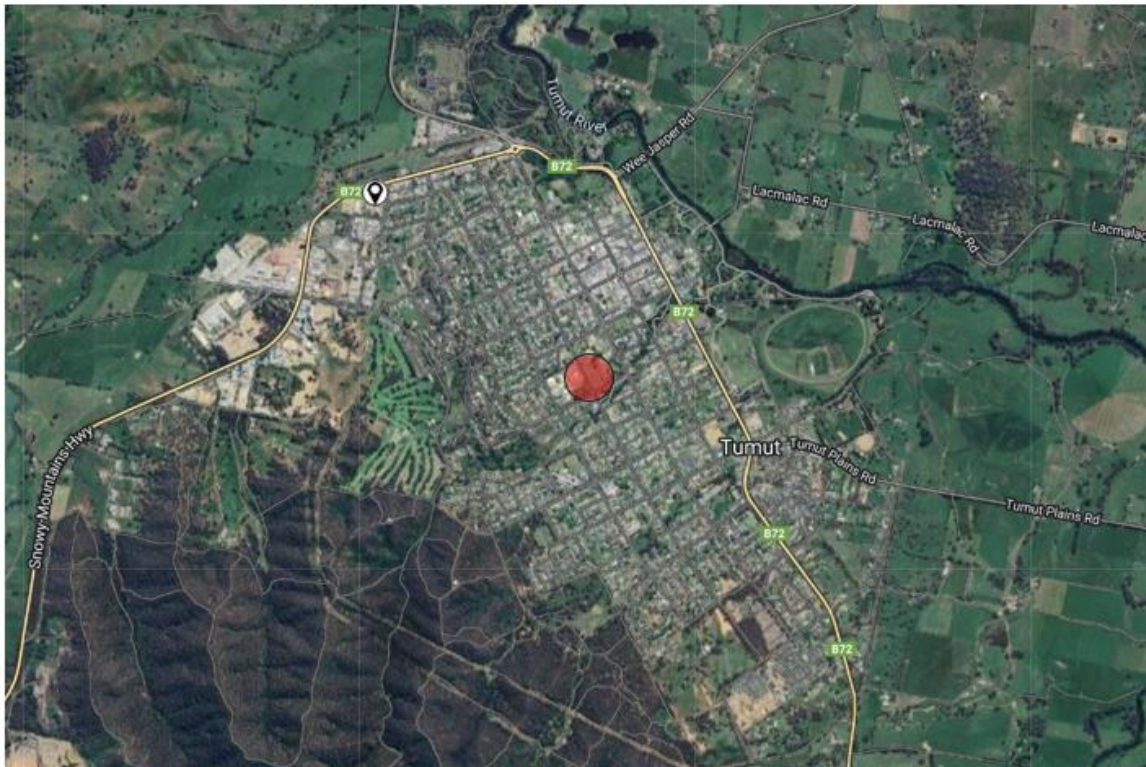
As a result of the current site constraints at Lockeridge Park and the lack of response to Councils' "reject and negotiate" process with five (5) builders, this report is proposing that Council investigate a number of alternative sites. Some of these sites have been considered previously by Council and for one reason or another not pursued.

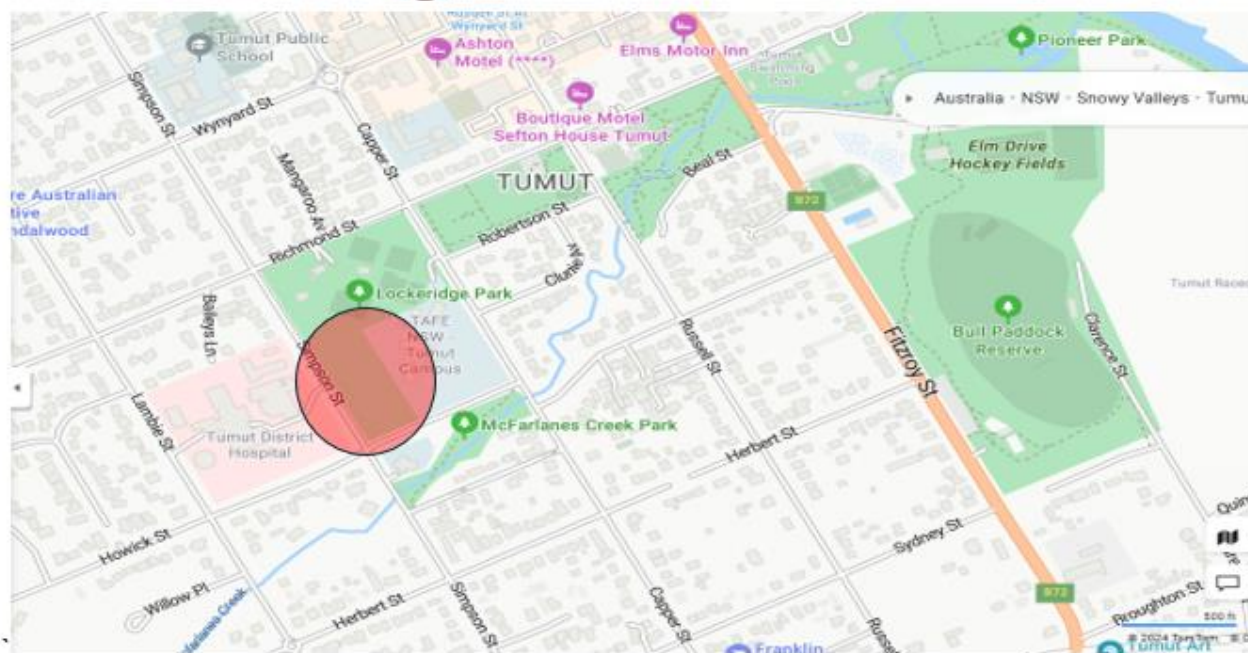
The alternative site "Options Analysis" outlined in this report revisits some of those sites to enable a thorough comparison of the constraints and opportunities of each site. All sites are located within the township of Tumut.

Site 1. Lockeridge Park – current site

The current site for the Tumut Multi-Purpose Centre is Lockeridge Park Tumut, which is located to the east of the Tumut District Hospital and is bounded by Richmond, Simpson and Howick Streets. The TAFE NSW Tumut Campus is located immediately adjacent to the site.

Site Map – Lockeridge Park – Preferred site as resolved on by Council – 15 September 2022



Site Map 2 – Lockeridge Park**Site Selection.**

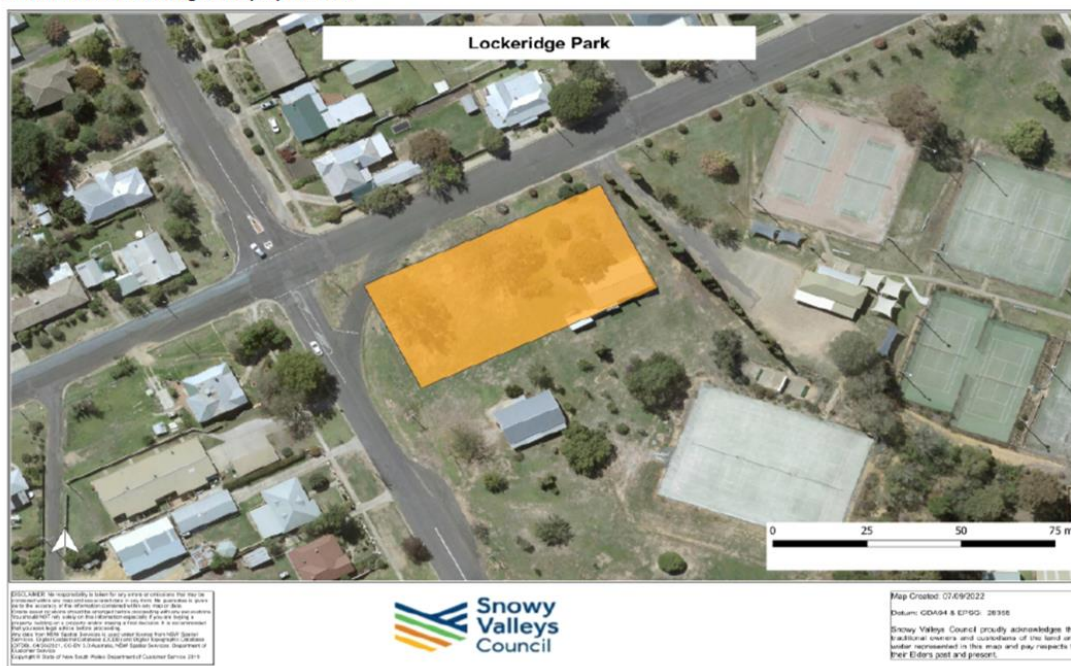
This site was selected by Council resolution as a first preference at the Council meeting held on 15 September 2022. Refer to the background section of this report.

Note, the original site selected as a first preference in Lockeridge Park is not the current site but another site closer to Richmond Street. Refer to Figure 1 below which shows the original site that was proposed at the Council meeting held on 15 September 2022.

Figure 1. Extract from the Council Report attachment to item 11.4 Tumut Evacuation and Multi-Purpose Centre Location – Council Meeting 15 September 2022. Site located at Western end of Lockeridge Park at the intersection of Richmond and Simpson Streets adjacent to the Scout Hall and Tennis Courts.

Snowy Valleys Council Ordinary Meeting - Attachments Agenda

Thursday, 15 September 2022

Attachment 1 - Lockeridge Park proposed site

This original Multi-Purpose Centre site in Lockeridge Park identified as a first preference by Council was changed to the current site after Council received feedback from NSW Scouts and the Tumut Tennis club.

A site walk around with key stakeholders was undertaken on 7 September 2022 with Council staff and the Architect engaged for the Project to evaluate both the sites that had been identified as being preferred (Richmond Park and Lockeridge Park).

Council had received correspondence from the 1st Tumut Scout Group on 2 September 2022 expressing support for the selection of the Lockeridge Park site and the new Multi-Purpose Centre being located near the existing Scout Hall. The letter identified that the two activities would complement each other.

A letter was subsequently received by Council addressed to the Interim General Manager from Scouts NSW on 14 September raising concerns about the site selected in Lockeridge Park and discussions held between staff and representatives from Tumut 1st Scout Group.

Scouts NSW flagged with Council that they were the appointed Crown Lands Manager for the proposed site in Lockeridge Park and no formal engagement had been undertaken with Scouts NSW. Scouts NSW as Crown Lands Manager were not supportive of the selected site.

The site was subsequently changed to the other end of Lockeridge Park at the intersection of Simpson Street and Howick Streets Tumut.

An email as part of the weekly Newsletter sent to all Councillors on 12 October 2022 by the Interim General Manager informed Councillors on the following (Extract below):

Evacuation and Multi-Purpose Centre

- *At the September Council meeting, Council approved to commence site investigations and progress planning for the Tumut Evacuation and Multi-Purpose Centre to be located at Lockeridge Park or Richmond Park*
- *The Richmond Park site would require relocation of existing infrastructure and a change of use and management to proceed*
- *The Lockeridge Park site, located along Richmond Street, includes two parcels of land that would require a change of use and management to proceed*
- *Following consultation with user groups who currently manage and use the parcels of land in Lockeridge Park, this area was ruled out, however the open space area within the park on Simpson Street (opposite the Hospital) remained an option*
- *Geotechnical analysis was carried out at the two remaining site options, Lockeridge Park (opposite Hospital) and Richmond Park*
- *Lockeridge Park will progress to detailed site survey and sectional studies due to:*
 - *Favourable geotechnical analysis*
 - *No requirement to change land use and management*
 - *No requirement to remove and replace existing community infrastructure*
 - *Potential for expansion*
 - *The concept design should be available at the end of this month*

Refer to Figure 3 which shows the current site location at the intersection of Simpson Street and Howick Streets.

This site was selected for the reasons outlined above.

Figure 2. Area of Lockeridge Park – owned by Crown Lands and controlled by Council.



Note: The land with the Girl Guides and Tumut 1st Scout Hall building located on it, is owned by Crown Lands and controlled by NSW Scouts (Land Manager).

Figure 3. Current site at eastern end of Lockeridge Park. The land required for this development is 11,512 m² which includes two large outdoor parking areas for 126 car spaces. The land is Council managed Crown Reserve and is zoned RE1 Public Recreation.

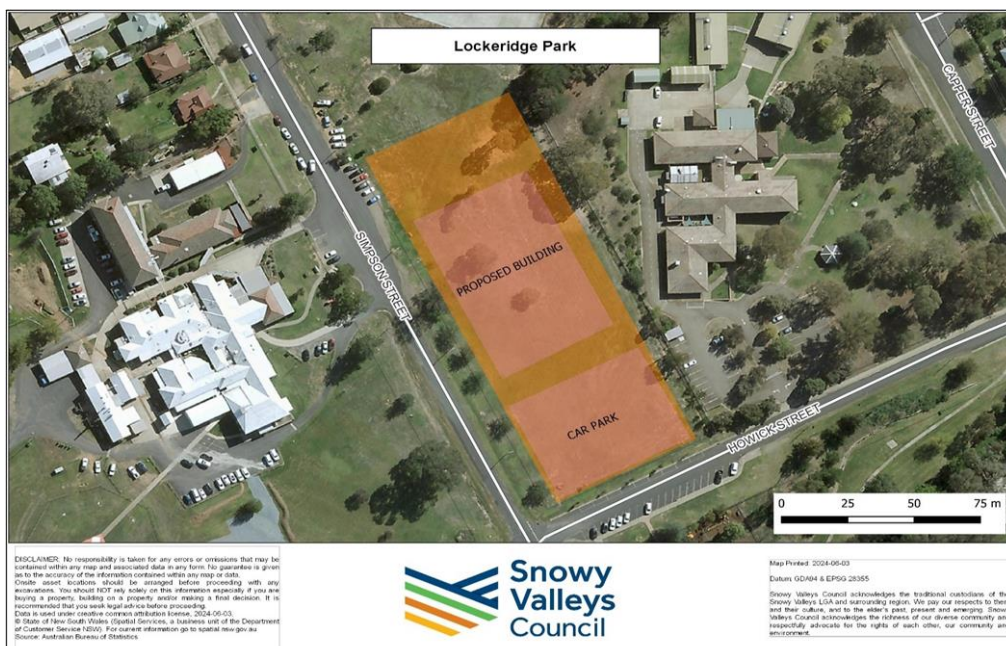


Figure 4. Detail site plan for the eastern end of Lockeridge Park at the intersection of Howick and Simpson Streets, adjacent to Tumut District Hospital and TAFE NSW. The plan shows two outdoor carparking areas for 126 car spaces.

Photo 1. Lockeridge Park site – looking East



Photo 2. Lockeridge Park site – looking East



Photo 3&4. Lockeridge Park site – showing steepness of the site – 10-17% slope in a North and East direction



Photo 5&6. Lockeridge Park site – showing steepness of the site – and proximity to NSW TAFE]



Photo 6&7. Lockeridge Park site – showing proximity to NSW TAFE and Tumut District Hospital



Artists Impression of the Tumut Multi-Purpose Centre at Lockeridge Park



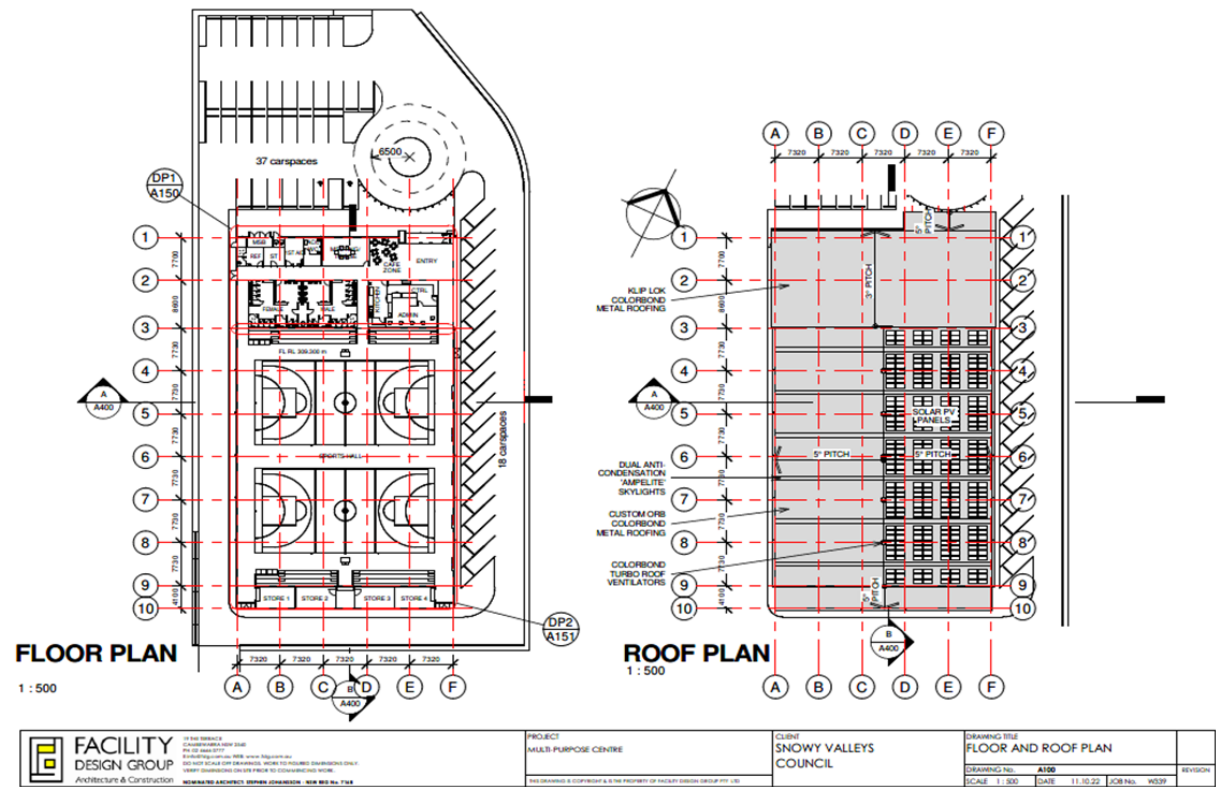
Artists Impression of the Tumut Multi-Purpose Centre at Lockeridge Park



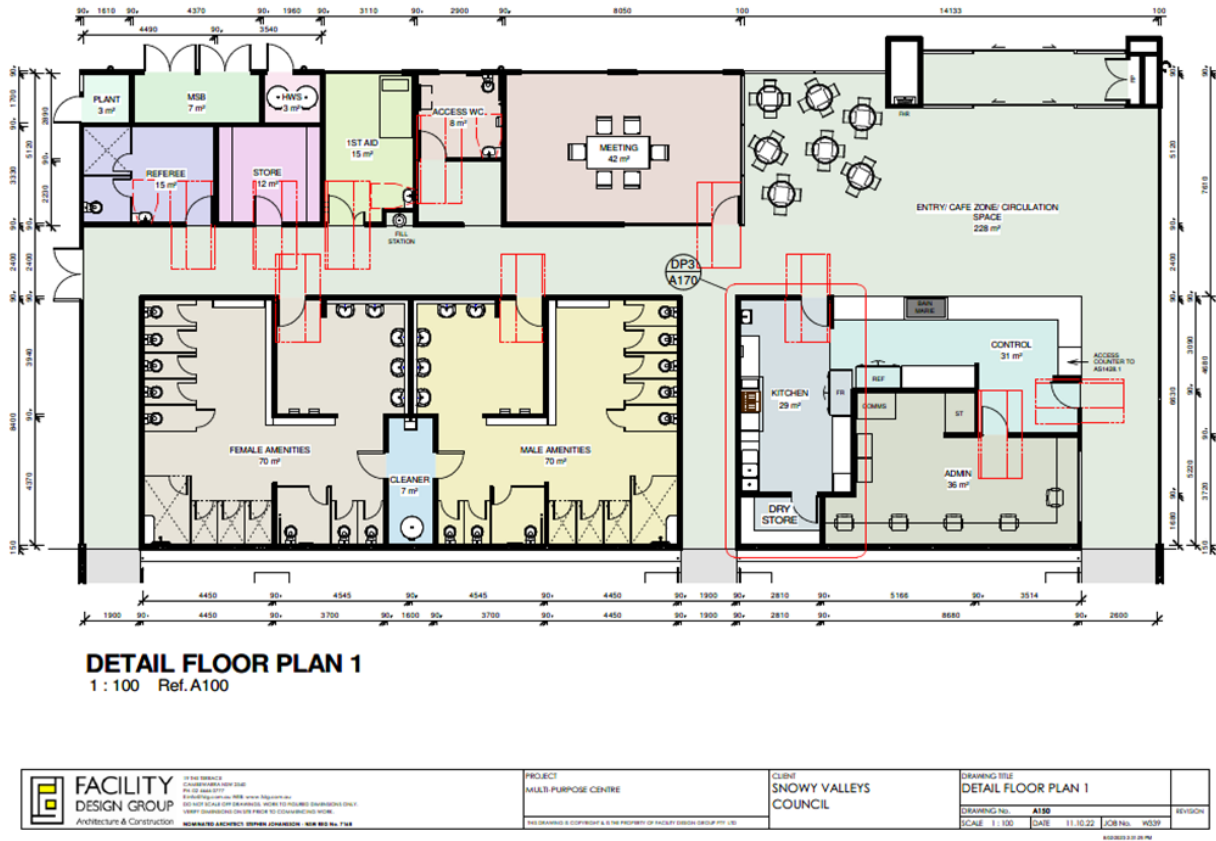
Artists Impression of the Tumut Multi-Purpose Centre at Lockeridge Park



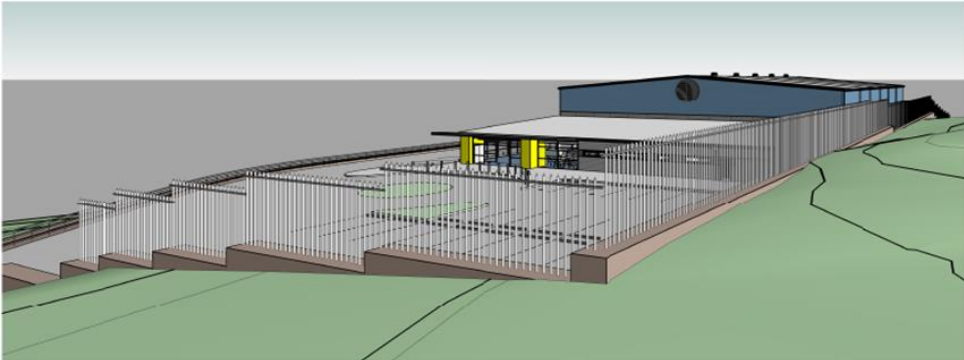
Concept Design - Floor Plan and Roof plan for the Tumut Multi-Purpose Centre at Lockeridge Park



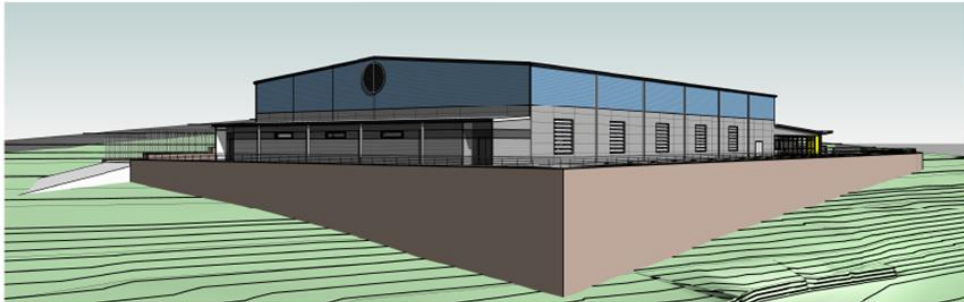
Concept Design - Detail Floor Plan for the Tumut Multi-Purpose Centre at Lockeridge Park



Concept Design – Elevation showing cut & Fill for the Tumut Multi-Purpose Centre at Lockeridge



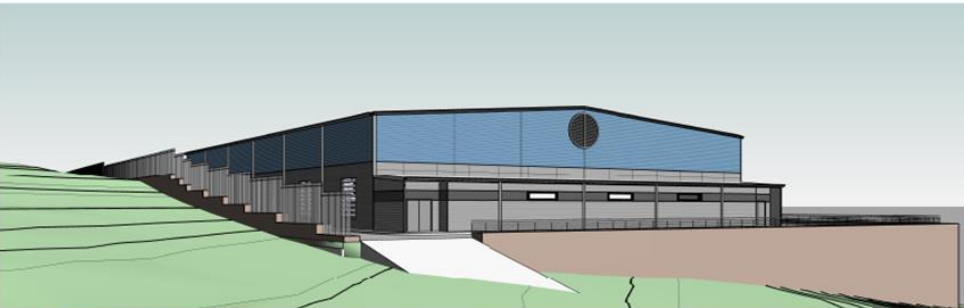
NORTH WESTERN VIEW



SOUTH EASTERN VIEW

 FACILITY DESIGN GROUP Architecture & Construction	<small>TO THE DIRECTOR COUNCIL/STAKEHOLDER DATE: 11/10/2023 DRAWING NO: #1 SCALE: 1:100 DATE: 11/10/23 JOB NO: 1033P REVISION</small>	<small>PROJECT MULTI-PURPOSE CENTRE</small>	<small>CLIENT SNOWY VALLEYS COUNCIL</small>	<small>DRAWING TITLE PERSPECTIVE 1</small>	

Concept Design – Elevation showing cut & fill for the Tumut Multi-Purpose Centre at Lockeridge Park



SOUTHERN VIEW



NORTHERN VIEW

 FACILITY DESIGN GROUP Architecture & Construction	<small>TO THE DIRECTOR COUNCIL/STAKEHOLDER DATE: 11/10/2023 DRAWING NO: #2 SCALE: 1:100 DATE: 11/10/23 JOB NO: 1033P REVISION</small>	<small>PROJECT MULTI-PURPOSE CENTRE</small>	<small>CLIENT SNOWY VALLEYS COUNCIL</small>	<small>DRAWING TITLE PERSPECTIVE 2</small>	

Table 1. Constraints and Opportunities of the Lockeridge Park Site

Opportunities	Constraints
<p>1. Land ownership status is considered as “Good”</p> <p>The Land that the project is currently situated on is Crown Land – Managed by Council.</p> <p>Council does need to gain permission from Crown Lands to re-develop this site as part of a Development Application Process.</p>	<p>1. Prevailing site conditions are considered to be “Poor”</p> <p>The site is located in the top section of an easterly facing hill amidst moderate to steep sloping terrain at approximately 10-17% slope in a east/north east direction. This equates to an average of 10 metres of fall across the building envelope of the proposed development area. The site is quite exposed on all sides to all weather conditions and prevailing winds.</p>
<p>2. Building Permissibility status is considered as “Good”</p> <p>Building Permissibility – Land is zoned RE1 Public Recreation, and this activity is permissible under Councils current LEP.</p>	<p>2. Buildability conditions are considered to be “Poor”</p> <p>From a buildability, site establishment, working heavy machinery, storage of materials and maintaining environmental controls on this site is considered very difficult. These buildability issues on such a steeply sloping site are considered to be significant project cost and time constraints that will impact upon the projects overall budget and program.</p>
<p>3. Site Area is considered as “Good”</p> <p>The site area is 11,512 m2 which is large enough to incorporate the proposed facility, car parking and future expansion, however expansion opportunities are limited by the sites prevailing conditions, Buildability and Geotechnical issues identified in the site constraints.</p>	<p>3. Geotechnical conditions are considered to be “Poor”</p> <p>Geotechnical investigations indicate that the site contains material of bearing capacities inadequate for the support of footing systems to a depth of 0.8 metres below surface level.</p> <p>Geotechnical investigations also showed weathered rock was encountered from depths of 0.8m below surface level and auger refusal was experienced as shallow as 1.2 metres below surface level which likely indicates hard rock of a high density will be encountered across the site.</p> <p>To place the building on the current site as shown on the architectural plans would require a significant amount of the earthworks to create a level site and would involve excavation within rock material of high density and strength to depths that average three (3) metres.</p> <p>In summary the excavation metrics for the current site as set out in the Architectural Plans is as follows:</p> <ul style="list-style-type: none"> • Maximum excavation depth of 6 metres • Average excavation depth of 3 metres • Estimation of total excavation required 9,720 cubic metres • Estimation of weathered rock requiring excavation (rippable) 5,500 cubic metres

Opportunities	Constraints
	<ul style="list-style-type: none"> Estimation of hard rock requiring excavation (non-rippable) 2,600 cubic metres <p>The estimated excavation volume of weathered rock and hard rock material would be in the order of 8,100 cubic metres which is a significant amount of rock excavation. This amount of rock excavation is also time consuming, noisy and expensive.</p>
<p>4. Impact on adjoining Land uses is considered to be “Low”</p> <p>No immediate residential properties adjoin the site and the other major land uses are the Tumut District Hospital which is located some distance from the site and TAFE NSW which physically separated from the site by a large change in ground level.</p>	<p>4. Likelihood of achieving the Project Budget and Program milestones is considered “Poor”</p> <p>Due to the slope and geotechnical constraints of the site, the likelihood of the project running over time and over budget if construction was to commence is highly likely.</p> <p>Council under the grant funding deed would be responsible for paying for any budget overruns which is currently cannot afford to do.</p>
<p>5. Site location and access is considered “Good”</p> <p>The Site is centrally located in the township of Tumut and is not on a main road which from a public safety and user perspective is beneficial.</p>	<p>5. Access to existing utility and services infrastructure is considered “Poor”</p> <p>There are limited existing services infrastructure in the proximity of this site such as electricity, water, sewer, gas telecommunications and stormwater supply services.</p> <p>The site requires significant utilities infrastructure to be brought to the new facility.</p>
<p>6. Traffic and Parking Impacts are considered as “Low”</p> <p>Minimal Traffic and Parking impacts around the site due to the lack of surrounding building density and high traffic volume generating land uses such as schools and commercial / retail areas.</p>	<p>6. Synergy with complementary Sport and Recreation Facilities is considered to be “Poor to Moderate”</p> <p>The only other sport and recreation facilities in close proximity is the Tumut Tennis Courts.</p>
<p>7. Infrastructure Impacts are considered as “Low”</p> <p>Minimal impacts on existing infrastructure to be either removed or re-located from this site.</p>	<p>7. Activity impacts are considered to be “Moderate”</p> <p>Noise generated by activities on the site could be an issue with the nearby Tumut Hospital, TAFE NSW and the nearby Childcare Centre both during construction and through ongoing operations.</p>
<p>8. Environmental Impacts are considered as “Low”</p> <p>Minimal Environmental Impacts around the site – only a small number of non-indigenous trees to be removed and no native fauna or habitat impacts.</p> <p>The site is also not flood or bushfire prone.</p>	<p>8. Access to Public Transport and the existing road and transport network is considered “Poor to Moderate”</p> <p>There are no direct public transport connections to this site. Access to and from the site from a pedestrian and cycling perspective is relatively difficult because of the sites location on the side of a steep hill and the steep footpath and road gradients leading to and from the site.</p> <p>Users of the Facility as either a Multi-Purpose Sports Facility or Emergency Evacuation Centre</p>

Opportunities	Constraints
	would mostly have to drive to the site due to these prevailing topographical conditions of the site.
9. As an Evacuation Centre the sites proximity to other Emergency Services such as Tumut Hospital is considered “Good”	9. Future expansion opportunities on the site are considered to be “Poor to Moderate” . Future expansion opportunities on the site are limited by the prevailing topographical conditions, buildability and geotechnical issues already identified. Also, the site is not owned by Council, Council manages the site on behalf of Crown Lands and any expansion would need to go through a development application process and be approved by Crown Lands.
	10. Visual Impacts of the development is considered to be “Moderate to High” The new facility is located in a prominent elevated position on a hill and will be clearly visible from many vantage points across Tumut. No visual impacts analysis has been completed for the project on this site and may be a requirement as part of a Development Application process
	11. Proximity to supporting services is “Moderate to Poor” The site is located in an area where there are few supporting or ancillary services for a Sport and Recreation Facility and or Evacuation Centre, such as retail shops and food and beverage facilities. Retail, food and beverage facilities are not within walking distance of this site.
	12. Stakeholder Feedback - unknown Feedback from surrounding residences and stakeholders is unknown as Council has not undertaken any formal community engagement with stakeholders on this site. This would be undertaken as part of a Development Application – Notification Process

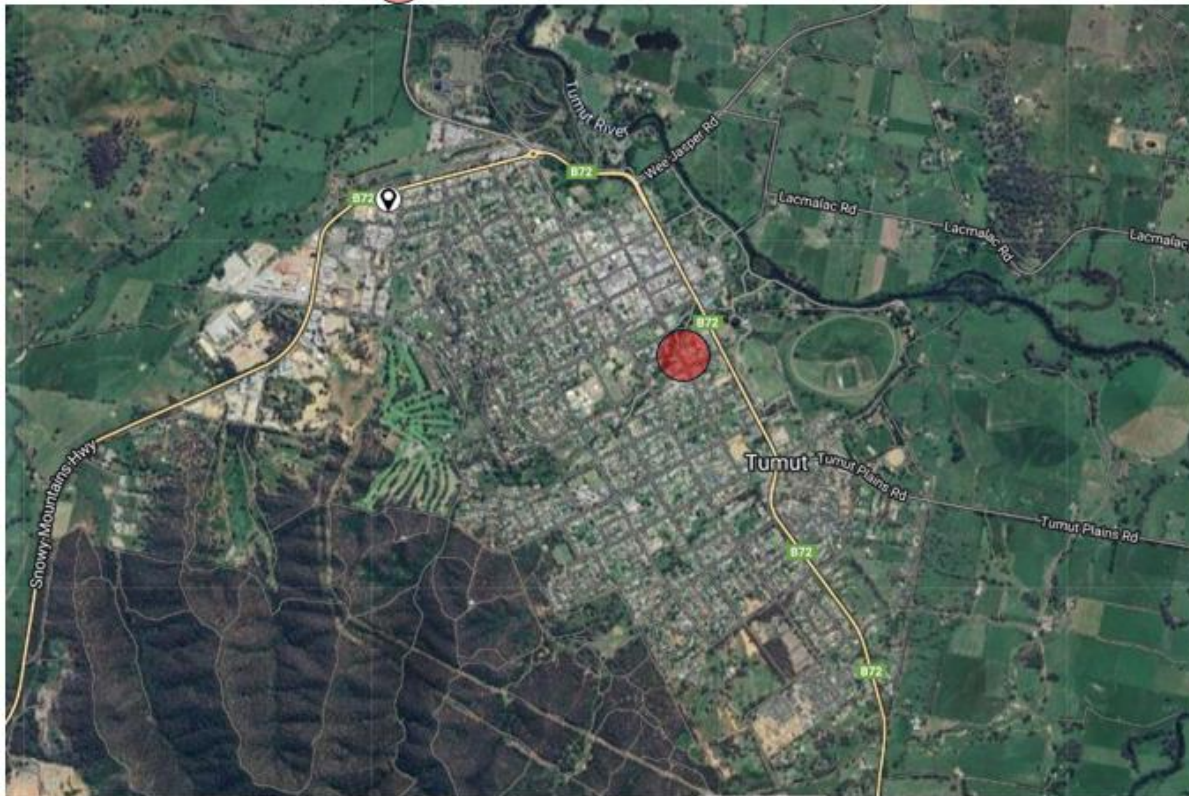
RECOMMENDATION:

Due to the significant constraints on this site it is not recommended to proceed with any further work on the Lockeridge Site for the Tumut Multi-Purpose Centre.

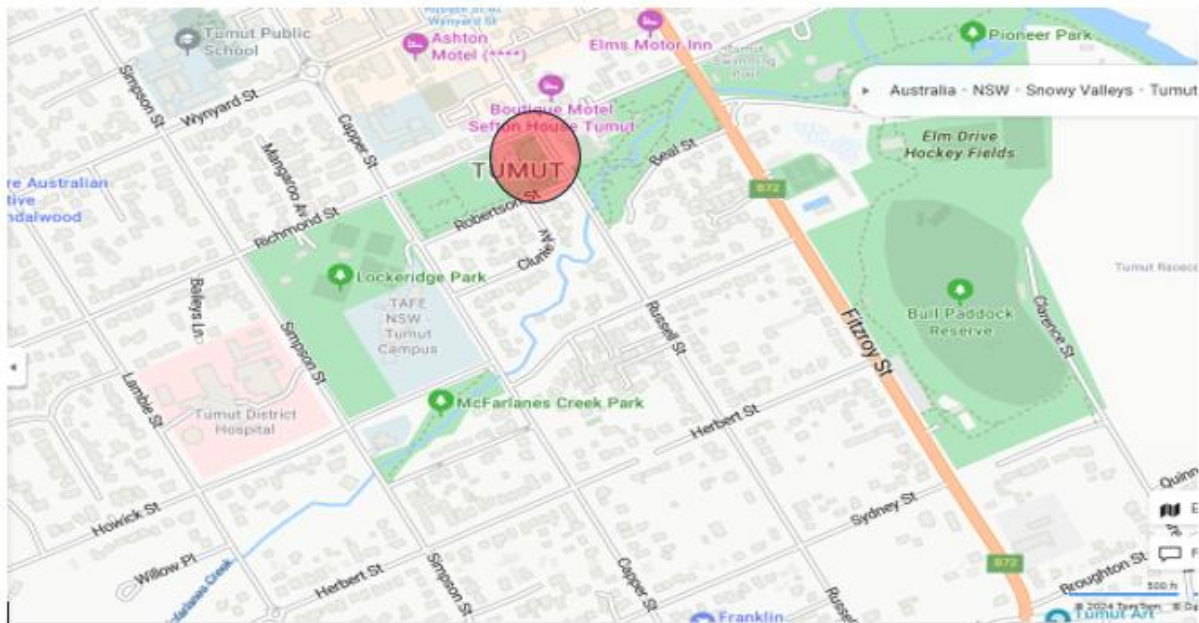
Site 2. Richmond Park – Unused Bowling Greens

The second preferred site nominated by Council at its 15 September 2022 meeting was the unused Bowling Greens located in Richmond Park. The majority of this site is leased by Crown Lands to the Tumut Bowling Club and Recreation Club Ltd. The area on which the Playground is situated is also Crown Land – managed by Council.

Site Map – Richmond Park – un-used Bowling Greens – one of the preferred sites as resolved on by Council – 15 September 2022



Site Map 2 – Tumut Bowling Club Site – Richmond Park



Site Selection.

This site was selected by Council resolution as a second preference back on 15 September 2022 at the Council meeting. Refer to the background section of this report.

Figure 5 – Tumut Bowling Club Site – Richmond Park – showing the Bowling Green that is currently leased by Crown Lands to the Tumut Bowling and Recreation Club Ltd. That site Area is 1,619 m². The land zoning is RE1 Public Recreation.



Figure 6 – Tumut Bowling Club Site – Richmond Park – showing the extent of land required to facilitate the current Multi-Purpose design footprint. The current design area for this site is 2,784 m² – excluding car parking which is proposed to be on street - 90-degree angle parking.



Figure 7. Tumut Multi-Purpose Centre and Carpark at Richmond Street Bowling Club Site – Scale 1:1000 @A3



Figure 8. Tumut Multi-Purpose Centre and Carpark at Richmond Street Bowling Club Site including 35-40 car on street spaces in Russell Street – angled parking - Scale 1:500 @A3

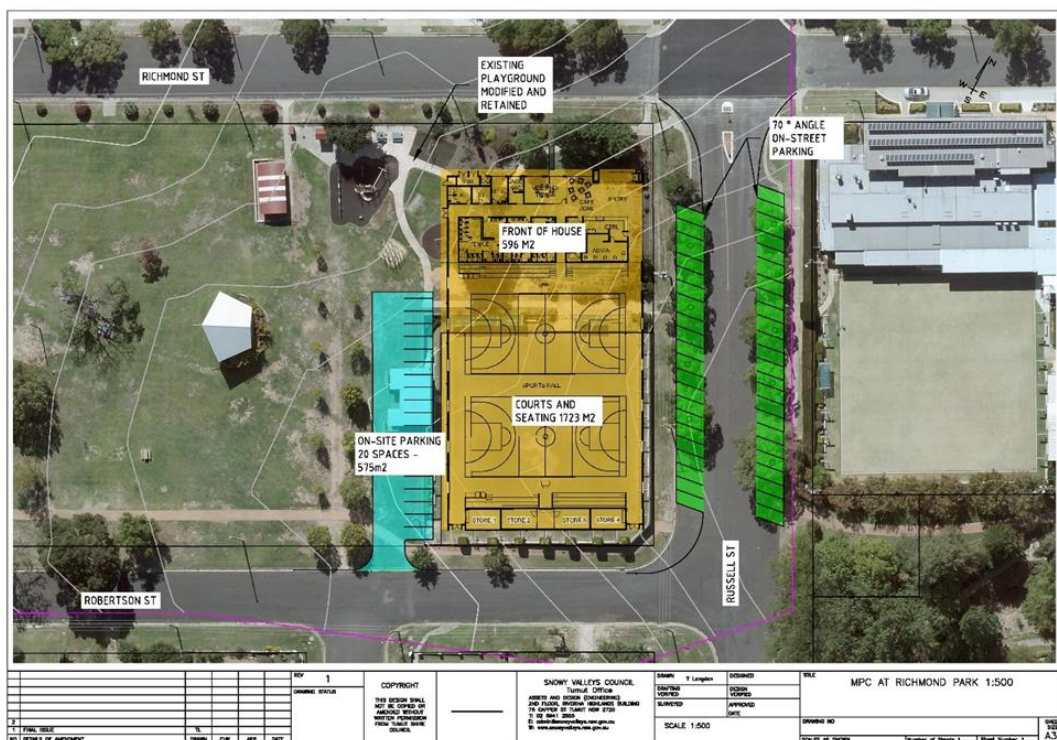


Photo 8&9. Richmond Street – Bowling Club Site – located at the intersections of Richmond, Russell and Robertsons Streets.



Photo 10&11. View looking west along Robertson Street – View looking south up Richmond Street

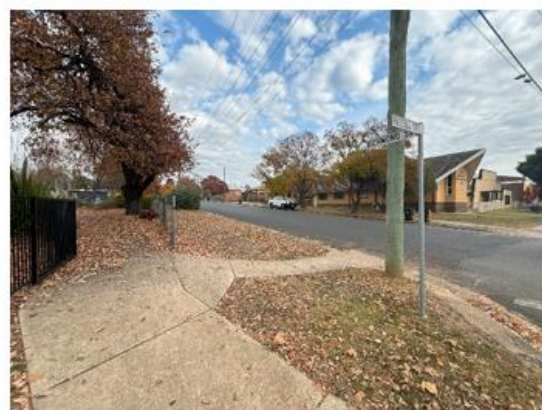


Photo 12&13. View looking at the boundary fence between the Bowling Green and Richmond Park



Photo 14&15. Richmond Street – Bowling Club Site – and Photos of the adjoining Council playground.



Photo 16&17. Richmond Street – Bowling Club Site – and Photos of the adjoining Council playground and new public amenities block.

**Table 2. Constraints and Opportunities of the Richmond Street Bowling Club Site**

Opportunities	Constraints
<p>1. Site Area is considered as “Good”</p> <p>The overall site area is 2,784 m² which is large enough to incorporate the proposed facility, however the development would rely on parking to be on-street and the potential for future expansion of more sport and recreation facilities on the site is low because of the adjoining Memorial Park and surrounding residential streets.</p> <p>On-street parking could accommodate 35-40 spaces if parking was converted from parallel parking to angled parking in Russell Street.</p> <p>Russell street is wide enough to accommodate angle parking both sides.</p> <p>The site is also relatively flat.</p>	<p>1. Land ownership status is considered as “Poor”</p> <p>The majority of the Land at the Bowling Club site is currently leased by Crown Lands to the Tumut Bowling and Recreation Club Ltd. Council has no control over this land.</p>
<p>2. Synergy with complementary Sport and Recreation facilities is considered to be “Moderate to Good”</p> <p>Other nearby complementary sport and or recreation facilities include the Bowling Club,</p>	<p>2. Building Permissibility status is considered as “Poor”</p> <p>Building Permissibility – the Land is zoned RE 1 Public Recreation under Councils current LEP. Development is permissible with Council consent,</p>

Opportunities	Constraints
<p>Richmond Street Tennis Courts and Tumut Bull Paddock and existing Basketball Centre are all within walking distance to this site.</p>	<p>however the existing lease that the Tumut Bowling Club has over the majority of the site with Crown Lands would need to be extinguished which is unlikely to happen within the project / grant funding time frames. A Development Application is also required.</p>
<p>3. Site access is considered “Good”</p> <p>The Site is located centrally in the township and access by public transport and car is considered to be good. The site is also located in a relatively flat area of Tumut so pedestrian and cycling access to and from the site is considered good.</p>	<p>3. Impact on adjoining Land uses is considered to be “High”</p> <p>There are residential properties that immediately adjoin the site in Russell and Richmond Streets. The new Multi-Purpose Centre would generate noise, traffic and parking impacts to these residential streets.</p>
<p>4. Site location is considered “Good”</p> <p>The site is located in an area where there are plenty of supporting and/or ancillary services for a sport and recreation facility such as retail shops and food and beverage facilities.</p> <p>Retail, food and beverage facilities are a short walk (less than 200m) from this site.</p> <p>The site is centrally located to the majority of users who would use this facility.</p>	<p>4. Activity impacts are considered to be “High”</p> <p>Sport and Recreational activities mixed with residential areas are generally not considered a good mix in terms of noise, traffic, amenity and community interaction.</p>
<p>5. Environmental Impacts are considered as “Low to Moderate”</p> <p>Minimal Environmental Impacts around the site – only a small number of non-indigenous trees to be removed and no native fauna or habitat impacts.</p> <p>There is potential for the site to contain in-ground contaminants due to the site being built up on unclassified landfill.</p> <p>The site is also not flood or bushfire prone.</p>	<p>5. Traffic and Parking Impacts are considered as “High”</p> <p>There would be significant Traffic and Parking impacts around the site due to the lack of onsite parking available.</p> <p>There are also high traffic volume generating land uses such as schools and commercial / retail areas in close proximity to the site.</p> <p>A Traffic Study and Road Safety audit would need to be completed for this site as part of any future Development Application for the site to be used as a Multi-Purpose Sport and Recreation facility.</p>
<p>6. Access to Existing services is “Good”</p> <p>There are existing services infrastructure in the immediate proximity of this site such as electricity, water, sewer, gas telecommunications and stormwater supply services.</p>	<p>6. Impact of existing infrastructure is considered “high”</p> <p>The demolition and relocation of parts of Councils playground and possible compensation to Crown Lands for extinguishment of the lease over the site is a minor cost constraint but a significant time constraint.</p> <p>Council may also have to compensate Crown Lands or the Bowling Club for taking over the site in one form or another.</p> <p>Due to these constraints the likelihood of the project running over time and over budget is highly likely.</p>

Opportunities	Constraints
	Demolition works of the Bowling Greens themselves, associated buildings and infrastructure are required which add time and cost to the project.
7. As an Evacuation Centre the sites proximity to other Emergency and Ancillary Services is considered “Good”	7. Stakeholder Feedback – Is unknown Council has not undertaken any formal community engagement on the proposed Multi-Purpose Centre at this site.
8. Prevailing site conditions are considered to be “Good” The site is located in a flat, well developed area, protected from most prevailing weather conditions.	
9. Buildability conditions are considered to be “Good” From buildability, site establishment, working heavy machinery, storage of materials and maintaining environmental controls on this site is considered to be good.	
10. Geotechnical conditions of the site when it was previously investigated did not encounter rock. However, the geotechnical investigations identified material of unsuitable bearing capacity up to 1m of depth – requires increased footing size.	

RECOMMENDATION:

Due to the significant constraints on this site it is not recommended to proceed with any further re-investigation work on the Richmond Street Bowling Club site for the Multi-Purpose Centre.

Site 3. Tumut Saleyards

The Tumut Saleyards site was considered by Council at its meeting held on 18 August 2022 whereby Council resolved to no longer pursue this site. Refer to Council resolution below:

11.2. TUMUT EVACUATION AND MULTI-PURPOSE FACILITY SITE LOCATION**MOTION:**

THAT COUNCIL no longer considers the Saleyards for the purpose of the evacuation centre and that urgent consultation be entered into with Member for Wagga Wagga Dr Joe McGirr MP and Member for Albury Justin Clancy MP to secure an extension for the grant and that consultation occur immediately with a user group committee as agreed by this Council to facilitate the evacuation centre being located to another appropriate site.

Cr John Larter/Cr James Hayes

M222/22 RESOLVED to move into Committee of the Whole.

Cr Trina Thomson/Cr Julia Ham

CARRIED UNANIMOUSLY

M223/22 RESOLVED to move out of Committee of the Whole.

Cr Trina Thomson/Cr Brent Livermore

CARRIED UNANIMOUSLY

M224/22 RESOLVED:

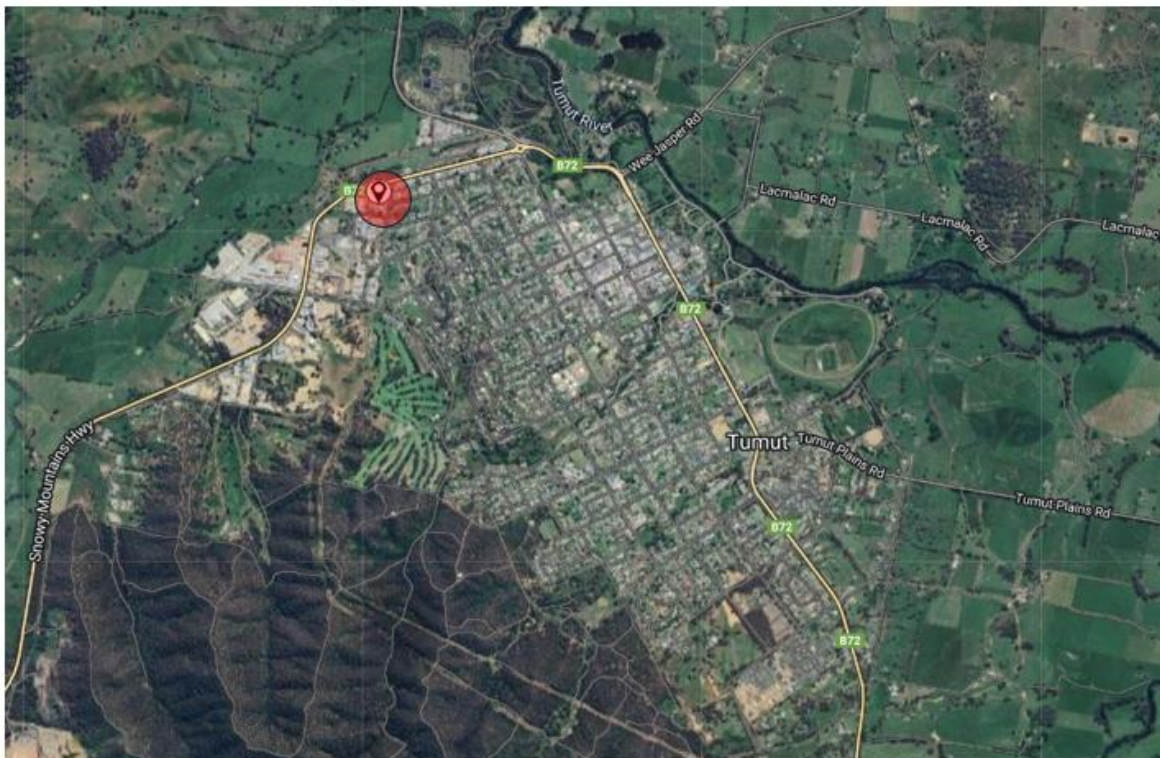
THAT COUNCIL no longer considers the Saleyards for the purpose of the evacuation centre and that urgent consultation be entered into with Member for Wagga Wagga Dr Joe McGirr MP and Member for Albury Justin Clancy MP to secure an extension for the grant and that consultation occur immediately with a user group committee as agreed by this Council to facilitate the evacuation centre being located to another appropriate site.

Cr John Larter/Cr James Hayes

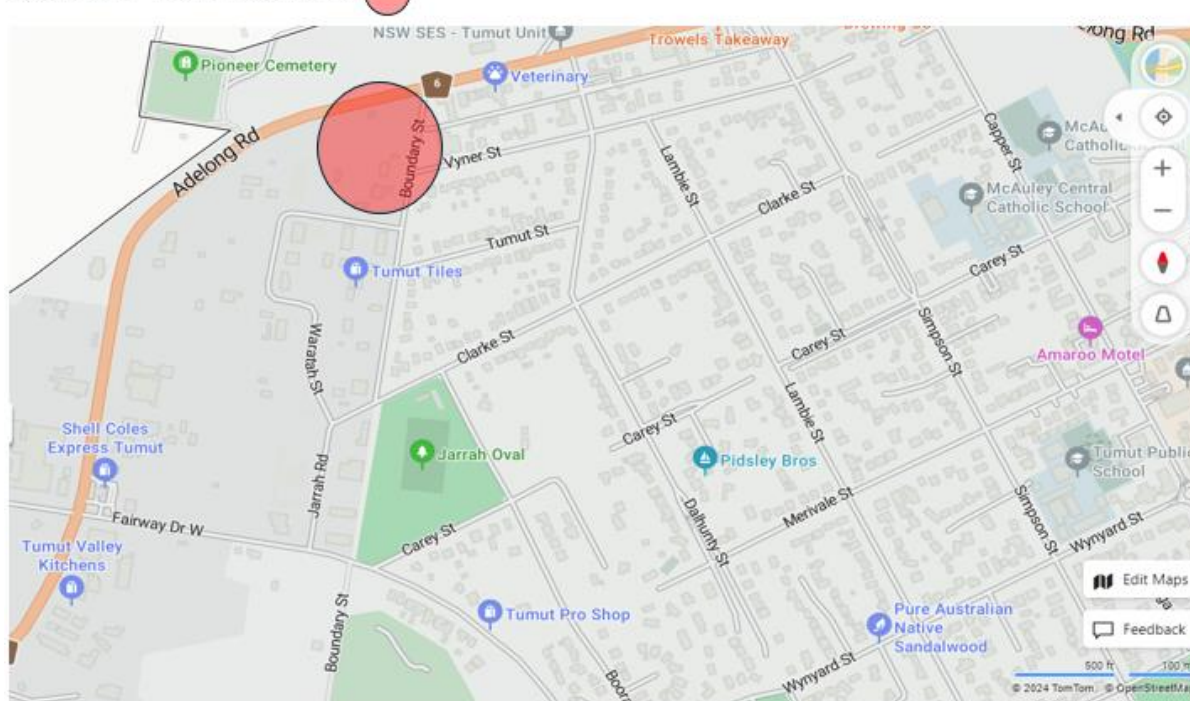
CARRIED UNANIMOUSLY

The site is located at the intersection of the Snowy Mountains Highway (Adelong Road) and Boundary Streets.

Site Map – Tumut Saleyards

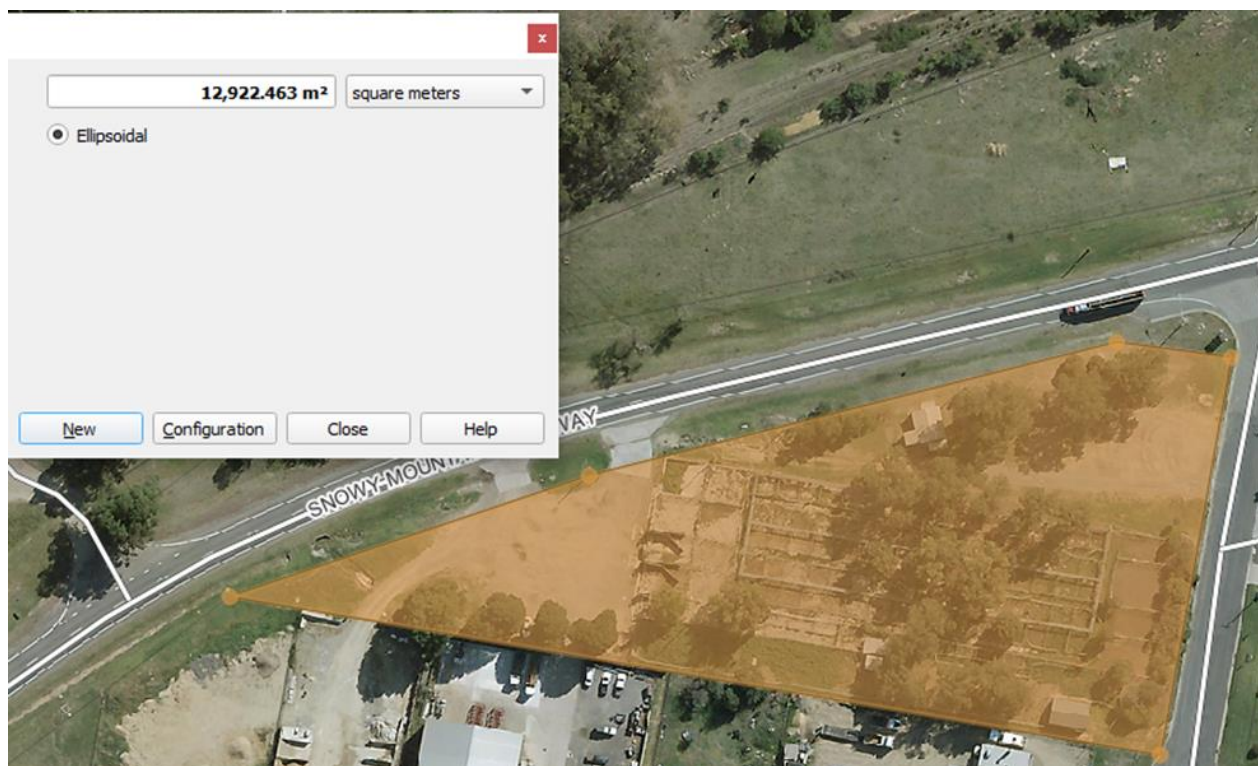


Site Map 2 – Tumut Sale Yards

**Site Selection.**

This site was originally proposed by Council in 2022, but after the resolution of Council on 18 August 2022 was rejected after feedback from local stakeholders in particular the stock and station agents who currently manage the saleyards under a license agreement with Council.

Figure 9 – Tumut Saleyards land is 12,922 m² and is Council owned Operational Land - Zoned E4 General Industrial



6,239.406 m² square meters

☒ Ellipsoidal

New Configuration Close Help

Potential MPC Site
6239 Sqm

ADELON
VYNER-L
VYNER-STREET
STREET

The map shows an aerial view of the Tumut Saleyards area. A green shaded area indicates the 'POTENTIAL MPC LOCATION'. A yellow shaded area indicates the 'POTENTIAL MPC LOCATION'. The map includes labels for Snowy Mountains Hwy, Boundary St, Vyner St, Waratah St, and Tumut Saleyards.

NO. 1	COPYRIGHT	SNOWY MOUNTAINS COUNCIL	DRAWN	T. Langdon	DESIGNED	T. Langdon	TITLE	MPC AT TUMUT SALEYARDS 1:1000
OWNING BODY	THIS DESIGN SHALL NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN PERMISSION FROM SNOWY MOUNTAINS COUNCIL	SNOWY MOUNTAINS COUNCIL	DATE	1/1/2010	DATE	1/1/2010	DATE	1/1/2010
DATE	1/1/2010	DATE	1/1/2010	DATE	1/1/2010	DATE	1/1/2010	DATE
SCALE	1:1000	SCALE	1:1000	SCALE	1:1000	SCALE	1:1000	SCALE

Figure 12. Tumut Multi-Purpose Centre and Carpark at Tumut Saleyards site includes 45-50 car spaces – Scale 1:500 @A3

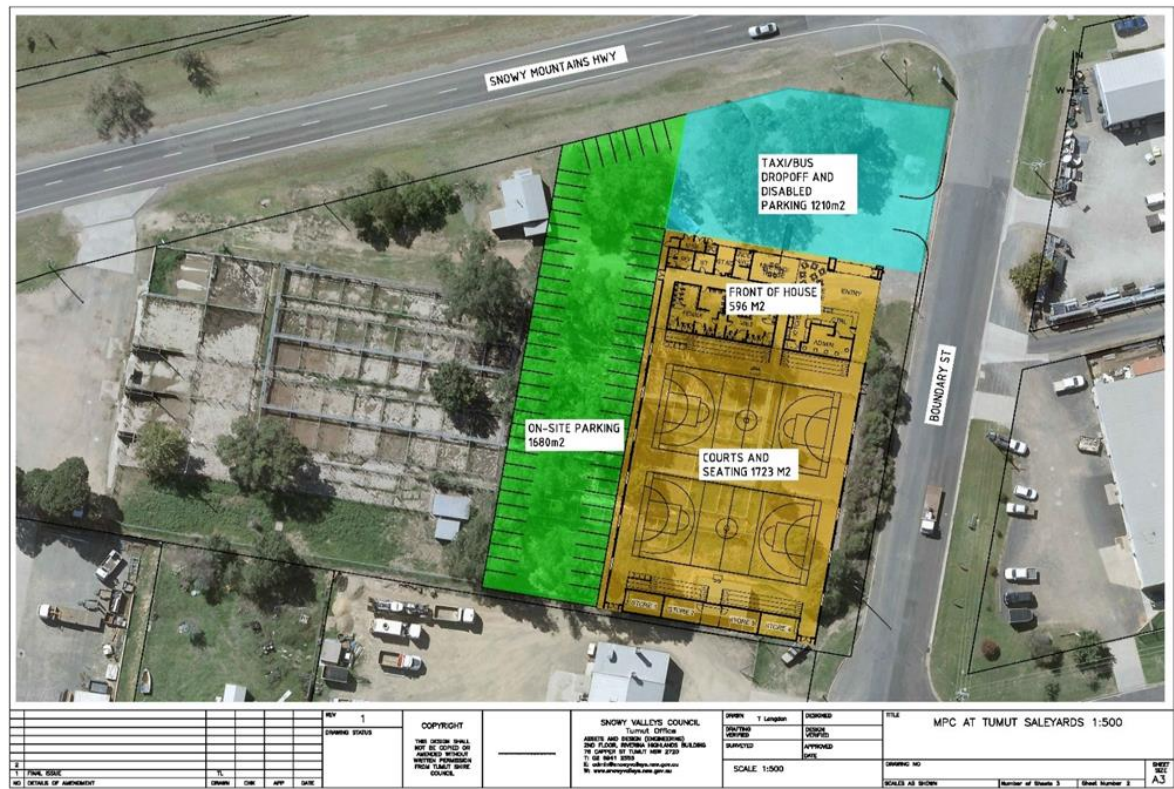


Photo 16&17. Tumut Saleyards site – showing area in front of Boundary Street



Photo 18&19. Tumut Saleyards site – showing area in front off Adelong Road

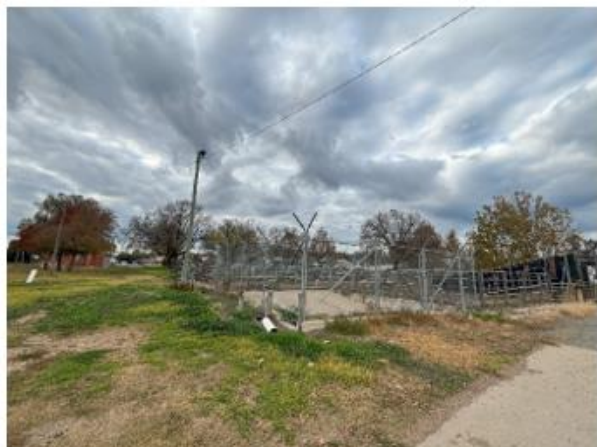


Photo 20&21. Tumut Saleyards site



Photo 22&23. Tumut Saleyards site – showing area in front of Boundary



Photo 24&25. Tumut Saleyards site – is located primarily in an existing Industrial estate



Table 3. Constraints and Opportunities of the Tumut Saleyards Site

Opportunities	Constraints
<p>1. Land ownership status is considered as “Good”</p> <p>The Land is Council owned and classified as Operational Land.</p>	<p>1. Council support for the use of this site is considered “Poor”</p> <p>The Council resolution (18 August 2022) that the Saleyards are no longer considered for the purpose of the Multi-Purpose Centre was a resolution of Council and would need to be rescinded if this site was chosen to progress as a suitable site.</p>
<p>2. Building Permissibility status is considered as “Good”</p> <p>Building Permissibility – Land is zoned E4 General Industrial is permissible under Councils current LEP with Council consent. A Development Application is required.</p>	<p>2. Likelihood of achieving the Project Budget and Program milestones is considered “Poor”</p> <p>Due to the impacts on the existing infrastructure and re-location of the existing livestock saleyards to another site which Council would be required to purchase and develop, the likelihood of the project running over time and over budget is highly likely.</p> <p>Council under the grant funding deed would be responsible for paying for any budget overruns which is currently cannot afford to do.</p>
<p>3. Site Area is considered as “Good”</p> <p>The overall site area is 12,922 m2 which is large enough to incorporate the proposed facility, car parking and future expansion. The current area required for the building and carpark is only 6,239 m2.</p> <p>The ability for the site to increase parking capacity and/or future expansion of outdoor multi-purpose courts (Basketball – Netball Tennis) and the like is good.</p> <p>The site is also large and flat enough to easily accommodate temporary facilities during emergency events.</p>	<p>3. Synergy with complementary Sport and Recreation facilities is considered to be “Poor to Moderate”</p> <p>There are no other complementary sport and/or recreation facilities in close proximity to this site.</p> <p>The site is located in an Industrial area with poor amenities for children and families.</p>

Opportunities	Constraints
<p>4. Impact on adjoining Land Uses is considered to be “Low”</p> <p>No immediate residential properties adjoin the site and the other major land uses are a number of Industrial complexes.</p> <p>Minor impacts on parts of the site currently utilised as an access and car park for a local business.</p>	<p>4. Site location is considered “Poor to Moderate”</p> <p>The site is located in an area where there are few supporting or ancillary services for a sport and recreation facility such as retail shops and food and beverage facilities.</p> <p>Retail, food and beverage facilities are not within walking distance of this site.</p> <p>The site is quite isolated from the majority of users who would use this facility.</p>
<p>5. Site access is considered “Moderate to Good”</p> <p>The Site is located on the western periphery of the Tumut Township adjacent to a major highway.</p> <p>Access by car and or public transport is Moderate to Good.</p>	<p>5. Activity impacts are considered to be “Moderate”</p> <p>Sport and Recreational activities mixed with Industrial activities are generally not considered a good mix in terms of site safety, amenity and community interaction.</p>
<p>6. Traffic and Parking Impacts are considered as “Low to Moderate”</p> <p>There would be minimal Traffic and Parking impacts around the site due to the lack of surrounding building density and high traffic volume generating land uses such as schools and commercial / retail areas.</p> <p>There will be some traffic and parking impacts with truck and small vehicle traffic coming to and from the industrial sites in the area during normal weekday working hours.</p>	<p>6. Site safety for intended use is considered “Moderate”</p> <p>The site has potential pedestrian safety issues due to the truck and vehicular traffic that utilise the surrounding industrial complexes.</p> <p>A Traffic Study and Road Safety audit would need to be completed for this site as part of any future Development Application for the site to be used as a Multi-Purpose sport and recreation facility.</p> <p>The site may have higher disposition to vandalism due to lack of passive surveillance.</p>
<p>8. Environmental Impacts are considered as “Low to Moderate”</p> <p>Minimal Environmental Impacts around the site – only a small number of non-indigenous trees to be removed and no native fauna or habitat impacts.</p> <p>There is potential for the site to contain in-ground contaminants due to the history of the site being used as livestock yards.</p> <p>When previously investigated, the site was deemed to have low possibility for Naturally Occurring Asbestos (NOA) and low potential for agricultural contamination (Robson Environmental Report, August 2022) – unlikely to require soil remediation.</p> <p>The site is also not flood or bushfire prone.</p>	<p>7. Financial Impacts to SVC are considered “Moderate to High”</p> <p>Snowy Valleys Council would lose the annual income it receives from the saleyards site which is around \$15,000 per annum.</p> <p>Snowy Valleys Council would have to find an alternative site for the saleyards which would have a large initial capital outlay. The purchase and development of suitable land for the establishment of a replacement livestock sales yard is a significant cost constraint for the budget that has been allocated to the project.</p>
<p>9. Access to Existing services is “Good”</p> <p>There are existing services infrastructure in the immediate proximity of this site such as electricity, water, sewer, gas, telecommunications and stormwater supply services.</p>	<p>8. Impact of existing infrastructure is considered “high”</p> <p>The demolition and relocation of existing livestock saleyards is a significant and expensive disruption to these activities which Council would have to</p>

Opportunities	Constraints
	<p>compensate user groups and stakeholders in one form or another.</p> <p>Due to these impacts on the existing infrastructure and re-location of the existing livestock saleyards to another site which Council would be required to purchase and develop, the likelihood of the project running over time and over budget is highly likely.</p>
10. As an Evacuation Centre the sites proximity to other Emergency and Ancillary Services is considered “Moderate”	<p>9. Stakeholder Feedback – Not Supportive</p> <p>Initial feedback from key stakeholders such as the stock and station agents who operate the site on behalf of Council under a license agreement was not supportive of the proposal back in August 2022.</p> <p>Council has not undertaken any broader formal community engagement on the proposed Multi-Purpose Centre at this site.</p>
<p>11. Prevailing site conditions are considered to be “Good”</p> <p>The site is located in a flat, well developed area, protected from most prevailing weather conditions.</p>	10. Geotechnical conditions of the site are unknown
<p>12. Buildability conditions are considered to be “Good”</p> <p>From buildability, site establishment, working heavy machinery, storage of materials and maintaining environmental controls - the site is considered to be good.</p>	

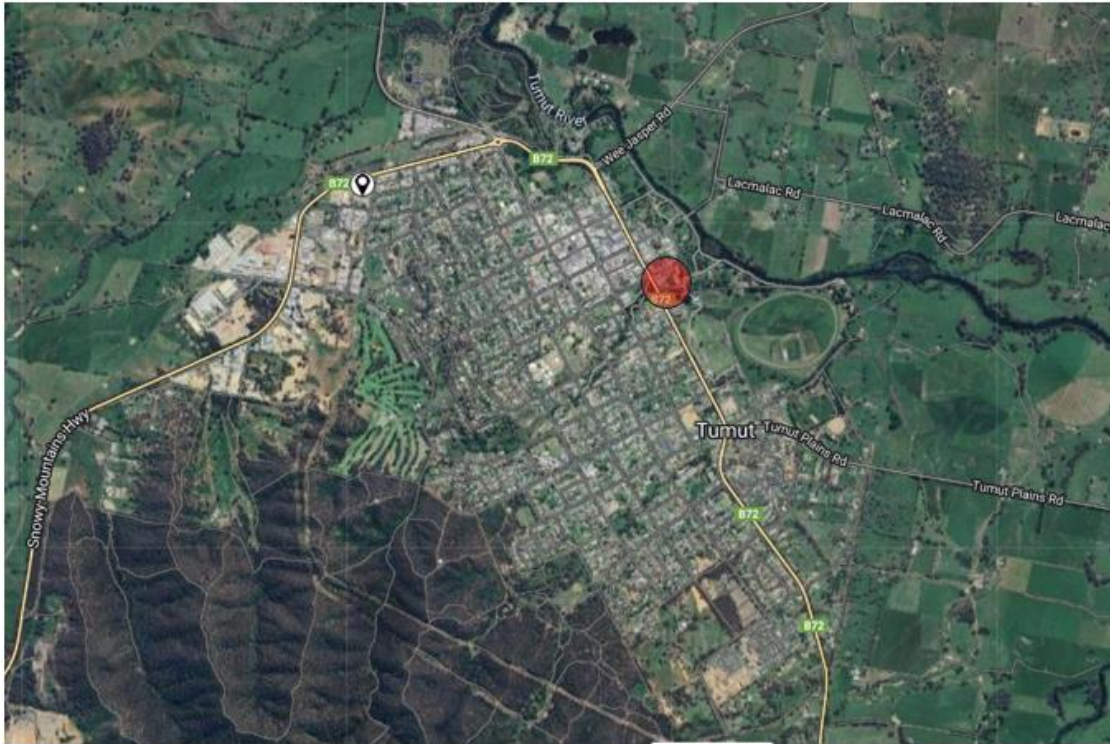
RECOMMENDATION:

Due to the significant constraints on this site it is not recommended to proceed with any further re-investigation work on the Tumut Saleyards Site for the Multi-Purpose Centre.

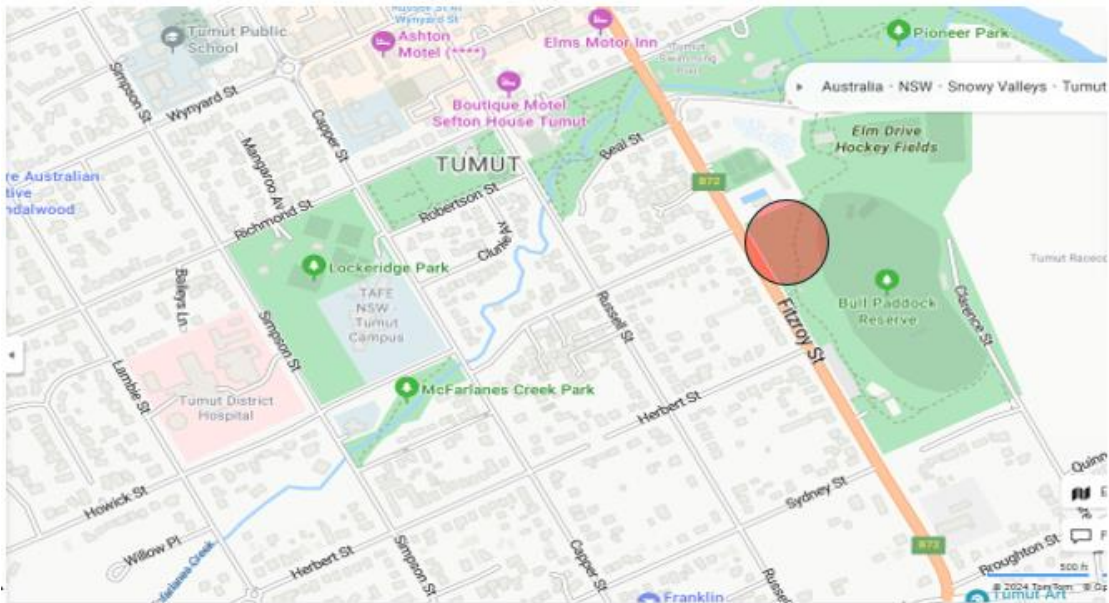
Site 4. Boys Club Hall – Netball Courts Fitzroy Street

This site has been previously considered by Council in the report of 15 September 2022, but not recommended as a preferred site. The site is Crown Land – managed by Council and is zoned RE 1 Public Recreation.

Site Map – Netball Courts Fitzroy Street



Site Map 2 – Netball Courts – Fitzroy Street

**Site Selection.**

This site is listed as No 15 site in the list of sites not recommended in the report that went to Council on 15 September 2022.

Figure 15. Tumut Multi-Purpose Centre and Carpark at Fitzroy Street – Netball Courts – can incorporate up to 20 x on site car spaces in front of the facility – Scale 1:1000 @A3



Photo 26&27 Fitzroy Street Netball Courts – Tumut – view from Fitzroy Street



Photo 28&29 Fitzroy Street Netball Courts – Tumut – view at rear of courts looking at holding dams adjacent to Pioneer Park



Photo 29&30 Fitzroy Street Netball Courts – Tumut – view towards Fitzroy Street and Boys Club Hall



Photo 31&32 Fitzroy Street Netball Courts – Tumut – view looking at front and rear of the “Boys Club Hall”



Photo 33&34 Fitzroy Street Netball Courts – Tumut – looking at the vacant land adjacent to the “Boys Club Hall” – Land currently owned by NSW Health (NSW Ambulance)



Photo 34&35 Fitzroy Street Netball Courts – Tumut – looking at Buildings currently owned by NSW Health (NSW Ambulance) on Fitzroy Street, Tumut.



Table 4. Constraints and Opportunities of the Fitzroy Street Netball Courts Site

Opportunities	Constraints
<p>1. Land ownership status is considered as “Good”</p> <p>The Land is Council managed – Crown Reserve</p>	<p>1. Impact of existing infrastructure is considered “Moderate to High”</p> <p>The demolition of the existing Netball Courts and “Boys Club” Building would mean that the existing Netball Courts are out of action for the duration of the construction period.</p> <p>Alternative temporary netball sites would have to be found during the building works.</p> <p>The demolition of the “Boys Club” building would reduce the size of Councils community facilities portfolio by one building.</p> <p>The building is over 50 years old and is reaching the end of its useful life which is 75 years. The building currently requires significant maintenance</p>

Opportunities	Constraints
	<p>and capital works in the next 5-10 years (\$250-\$300K) to keep it fit for purpose.</p> <p>Building works required include:</p> <ul style="list-style-type: none"> • Complete plumbing and electrical services overall • Fire services overall to meet current standards • Upgraded amenities including DDA compliance • Repair termite damaged timbers inside the building • Repair water damaged floor • Repair damaged eaves <p>The building is structurally sound but requires significant upgrading internally.</p> <p>The current utilisation of the building is poor.</p> <p>Hiring of the building is ad-hoc and there are few permanent bookings. Currently a dance studio / dance teacher hires the building from Council for a few months of the year.</p> <p>Annual Revenue received by Council via hiring fees for 2021/2022 was \$3,374.99 with operating expenses for the building being \$3,709.84 resulting in a net loss to Council of \$334.85.</p> <p>2022/2023 was \$3,213.65 with operating expenses for the building being \$8,445.57 resulting in a net loss to Council of \$5,231.92 for the 2022/2023 Financial year.</p> <p>On average each year Council receives less than \$4,000 in income from the hiring of this building.</p> <p>Council last year spent \$8,445.57 on maintaining the building with building maintenance costs likely to escalate due to the age of the building.</p>
<p>2. Building Permissibility status is considered as “Good”</p> <p>Building Permissibility – Land is zoned RE1 Public Recreation under Councils LEP. This type of development is permissible under Councils LEP.</p>	<p>2. Likelihood of achieving the Project Program milestones is considered “Moderate”</p> <p>There would be potential impacts on the project program due to the additional site investigation and demolition works required.</p> <p>Due to the flat nature of the site and easy access, the construction of a Multi-Purpose Centre on this site could be achieved within the existing budget.</p> <p>There would be additional costs for the demolition of the “Boys Club” building and potential purchase of the adjoining land from NSW Health for future expansion.</p>

Opportunities	Constraints
	These would be offset against reduced excavation and earthworks compared to the existing site at Lockeridge Park.
<p>3. Site Area is considered as “Good”</p> <p>The overall site area is 5,700m² which is large enough to incorporate the proposed Multi-Purpose Sport / Evacuation Centre facility, car parking and future expansion.</p> <p>Future expansion of the site could also include the vacant land adjoining the “Boys Club” building which could be utilised for addition carparking.</p> <p>The ability for the site to increase parking capacity and/or future expansion of outdoor multi-purpose courts (Basketball – Netball, Tennis) and the like is good.</p> <p>The proposed reconfiguration of the Netball Courts on this site for a multi-purpose sports facility would allow for two (2) full size Indoor multi-purpose Netball / Basketball Courts and two (2) Full size outdoor multi-purpose Netball / Basketball courts.</p> <p>The Multi-Purpose Courts would meet the required National Design Standards for both Netball and Basketball.</p> <p>This is a significant increase in the overall indoor / outdoor sporting facilities in a single location in Tumut.</p> <p>The site is also large and flat enough to easily accommodate temporary facilities during emergency events.</p>	<p>3.The impact on existing stakeholders and users of the site is considered “Moderate”</p> <p>Total number of courts available to Netball Club will decrease from 5 to 4.</p> <p>The current Courts are non-compliant with National Standards due to the lack of overrun space around the courts.</p> <p>The compensation of losing one (1) outdoor netball courts is that the proposed reconfiguration of the Netball Courts on this site for a Multi-Purpose Sports Facility would allow for two (2) full size Indoor multi-purpose Netball / Basketball Courts and two (2) Full size outdoor multi-purpose Netball / Basketball courts.</p> <p>This is a significant increase in the overall indoor / outdoor sporting facilities in a single location in Tumut.</p> <p>Tumut Netball has also received a grant to upgrade the surface of the existing courts. The grant conditions would need to be considered as part of any future development of netball courts on this site.</p>
<p>4. Impact on adjoining Land uses is considered to be “Low to Moderate”</p> <p>No immediate residential properties adjoin the site and the other major land uses include a Water Treatment Plant owned by Council and currently vacant properties owned by NSW Health – NSW Ambulance.</p> <p>There are a mixture of commercial and residential properties located across the Highway from the site. These properties are separated from the site by the Snowy Mountains highway.</p>	<p>4.Expansion opportunities for future sport and recreation facilities on the site are considered “Moderate”</p> <p>The use of adjoining NSW Health (Ambulance) lot requires agreement and potential sale of the lot from NSW Health to Council.</p>
<p>5. Site access is considered “Good”</p> <p>The Site is located centrally within the township of Tumut and is easily accessible by all forms of transport - car, bike, public transport or pedestrian (Walking).</p>	<p>5. Site safety for intended use is considered “Moderate”</p> <p>The site has potential traffic and pedestrian safety issues because of the large volume of vehicular movements along the Snowy Mountains Highway.</p> <p>A Traffic Study and Road Safety audit would need to be completed for this site as part of any future</p>

Opportunities	Constraints
	<p>Development Application for the site to be used as a Multi-Purpose sport and recreation facility.</p> <p>The existing speed limit on the Snowy Mountains Highway in this location may have to be reviewed to come down from 50km to 40km.</p>
<p>6. Site location is considered “Good”</p> <p>The site is located in an area where there are a number of supporting or ancillary services for a sport and recreation facility such as retail shops, food and beverage facilities.</p> <p>Retail, food and beverage facilities are located within walking distance of this site.</p> <p>The site is conveniently located close to the majority of users who would use this facility.</p>	<p>6. Stakeholder Feedback – Unknown</p> <p>Council has not undertaken any formal community engagement on the proposed Multi-Purpose Centre at this site.</p>
<p>7. Synergy with complementary Sport and Recreation facilities is considered to be “Good”</p> <p>There are a number of other complementary sport and/or recreation facilities in close proximity to this site. These include – existing netball courts, the existing indoor basketball court, the bull paddock sporting fields and facilities, Tumut Racecourse, Pioneer Park Playground and the Tumut Pool (Aquatic Facility). All these sport and recreation facilities are within 200m of the site.</p> <p>Other passive recreation facilities in the area include Pioneer Park BBQ and Picnic Areas and the Tumut Riverwalk.</p> <p>The proposed reconfiguration of the Netball Courts on this site for a multi-purpose sports facility would allow for two (2) full size Indoor multi-purpose Netball / Basketball Courts and two (2) Full size outdoor multi-purpose Netball / Basketball courts.</p> <p>This is a significant increase in the overall indoor / outdoor sporting facilities in a single location in Tumut.</p> <p>The site has strong existing ties to the local community as a sports and recreation area for both active and passive activities.</p>	<p>7. Geotechnical conditions of the site are unknown</p> <p>Currently no Geotech investigation performed to date. Will require one.</p> <p>The site is likely to contain ‘uncontrolled fill’ and/or material of unsuitable bearing capacity – if so, site will require remediation or deep piles/footings to obtain suitable bearing capacity. Based on geotechnical investigations performed at Bull Paddock site and other surrounding locations. To be confirmed</p>
<p>8. Activity impacts are considered to be “Moderate to Good”</p> <p>Sport and Recreational activities already exist in this location – the area is an established Sport and Recreation Precinct, therefore increased activity impacts on adjoining land uses and stakeholders is considered to be moderate.</p>	<p>8. A Small portion of the site is affected by the Flood Planning Area requirements, but design layout options exist to avoid that area.</p>
<p>9. Access to Existing services is “Good”</p>	

Opportunities	Constraints
<p>There are existing services infrastructure in the immediate proximity of this site such as electricity, water, sewer, gas, telecommunications and stormwater supply services.</p>	
<p>10. Traffic and Parking Impacts are considered as “Low to Moderate”</p> <p>There would be minimal additional Traffic and Parking impacts around the site due to the site currently being used for active sports activities such as netball basketball and aquatic activities. Spill over parking is available further along Fitzroy Street at the Bull Paddock and also in Pioneer Park and the Tumut Pool facility. Spillover Parking areas are within 200m of the site.</p> <p>The existing speed limit on the Snowy Mountains Highway in this location may have to be reviewed to come down from 50km to 40km.</p>	
<p>11.Likelihood of achieving the Project Budget and Program milestones is considered “Moderate to Good”</p> <p>Due to the flat nature of the site and easy access, the construction of a Multi-Purpose Centre on this site could be achieved within the existing budget.</p> <p>There would be additional costs for the demolition of the “Boys Club” building and potential purchase of the adjoining land from NSW Health for future expansion. These would be offset against reduced excavation and earthworks compared to the existing site at Lockeridge Park.</p> <p>There would be potential impacts on the project program due to the additional site investigation and demolition works required.</p>	
<p>12. Environmental Impacts are considered as “Low to Moderate”</p> <p>Minimal Environmental Impacts around the site.</p> <p>There are no significant trees on the site and or any no foreseen native fauna or habitat impacts.</p> <p>There is potential for the site to contain in-ground contaminants due to the history of the site being built up on unclassified fill used to construct the netball courts which is likely to contain contaminants.</p> <p>The site is also not flood or bushfire prone.</p> <p>The proposed Building can be positioned on the site clear of the Flood Planning Area.</p>	
<p>13. Access to Existing services is “Good”</p> <p>There are existing services infrastructure in the immediate proximity of this site such as electricity,</p>	

Opportunities	Constraints
water, sewer, gas, telecommunications and stormwater supply services.	
14. As an Evacuation Centre the sites proximity to other Emergency and Ancillary Services is considered “ Good ”	
15. Prevailing site conditions are considered to be “ Good ” The site is located on a flat well developed area and is protected from most prevailing weather conditions.	
16. Buildability conditions are considered to be “ Good ” From buildability, site establishment, working heavy machinery, storage of materials and maintaining environmental controls on this site is considered to be good.	

RECOMMENDATION:

Due to the significant opportunities on this site it is recommended to proceed with further site feasibility studies, geotechnical investigation and consultation with the community / key stakeholders for the location of the Multi-Purpose Centre over this site.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****Community Strategic Plan Theme**

Theme 4 - Our Infrastructure

Community Strategic Plan Strategic Objectives

CSP4 Our infrastructure includes Council services that plan, manage, maintain and renew our community infrastructure and transport networks

Delivery Program Principal Activities

4.2 Manage and plan for affordable infrastructure to meet current and future community needs

FINANCIAL AND RESOURCES IMPLICATIONS:

Table 3 outlines the Total Project Budget Council has at its disposal through the BLERF grant funding deed and subsequent variation to the deed. The amount of funds Council has after expenses as at 30 May 2024 is **\$13,374,467.79**.

For the full project budget breakdown refer to the confidential attachment under separate cover.

The project requires significant commitment and management to be successful and deliver the objectives desired by both Council and the Community. Council has an endorsed Project Management Framework and reporting program under which this project has been developed and will continue to be developed. A suitable Project Manager will need to be appointed to manage any contract that Councils enters into for this project. This Project Management position will report directly to the Director Infrastructure & Works.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Nil

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Council needs to prepare a new cost estimate for the project which is to be prepared by a qualified Quantity Surveyor based on the recommended preferred site option at the Netball Courts off Fitzroy Street.

Council will be required to undertake all Geotech, Soil and Environmental testing of the preferred site once Council has decided to proceed with the recommended site.

Council is to confirm that there are no Land Title, Heritage or Environmental constraints on the preferred site that may delay handover or occupation of the site and or delay construction works over the duration of any building contract that Council enters into. Confirmation that these types of site constraints do not exist on the site will be undertaken as part of the further feasibility investigations of the preferred site.

Council is to ensure that a Development Application is prepared, submitted and approved for the project within the stipulated grant funding timeline.

Council is to ensure that all requirements of the executed grant funding deed it has received from the Bushfire Local Economic Recovery Fund (BLERF) for this project are met in accordance with the deed.

Council will also need to prepare a Project Risk Management Plan for the Project – signed off by the Director Infrastructure & Works prior to the letting of any contracts in relation to the project.

Council must consult with all potential user groups of the facility and formulate a draft Occupation Agreement with user groups that will be brought back to Council for adoption prior to construction of the project commencing.

Draft – Revised Program for Delivery

1. Council endorses the preferred site at Fitzroy Street – Netball Courts - **20 June 2024**
2. Feasibility, Consultation and Geotech Studies undertaken QS prepares updated pre-tender estimate, Geotech, Soil and Environmental Testing data confirmed, Land Title – Heritage – Environmental Project Risk Management Plan prepared, and all site constraints checked – **20 June 2024 – September 2024**
3. Development Application lodged **October 2024**.
4. Development Application notification and assessment period **October – December 2024**
5. Development Application Approval **December 2024**.
6. Design and Construct contract preparation finalised including review by external Legals – **October 2024 – December 2024**.
7. Project Tender – January 2025 – **March 2025**
8. Tender Award – Report to Council **May 2025**.
9. Construction commences **June 2025** – estimated construction period 12months

Note: The current BLERF funding grant deed stipulates that the project is required to be completed by 30 June 2025. Council will be submitting a request to formally extend this deadline, by the same period of time it took the grant funding body to approve Councils variation request to enable the project to commence.

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the recommendations provided.
3. Decline the recommendations set out in this report and not proceed further with the project.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Community engagement will be undertaken per the funding deed and in line with key milestones of the project and also as part of the Development Application notification process.

Council will undertake consultation with all user groups that are interested in using the new facility and formulates a draft Occupation Agreement with user groups that will be brought back to Council for adoption prior to construction of the project commencing.

ATTACHMENTS

1. Total Project Budget Breakdown - as at 30 May 2024 - BLERF Grant Funding - Confidential
(Under separate cover)

11.3. TUMBARUMBA START STRONG PRESCHOOL - PUBLIC CONSULTATION - KING GEORGES PARK

REPORT AUTHOR: PROPERTY & ROADS PARTNER

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

This report summarises the outcomes of the Due Diligence process that was completed in December 2022, detailing the outcomes of feedback provided by the community in relation to King Georges Park at the King and York Street, Tumbarumba intersection, being leased and utilised by the lessee for the purpose of a preschool. Due to anomalies in the original process and advertising in December 2023, a renotification had to be issued and advertised. It is proposed to enter into a long-term lease of twenty one (21) years with negotiations to be undertaken between Snowy Valleys Council, the operators of Tumbarumba Start Strong Preschool and the Department of Education.

RECOMMENDATION:

THAT COUNCIL:

- 1. Reaffirms its resolution from 16 February 2023 meeting; and**

11.2. TUMBARUMBA START STRONG PRESCHOOL LOCATION - COMMUNITY FEEDBACK

M14/23 RESOLVED:

THAT COUNCIL:

1. Note the public submissions received in response to the proposed lease of King Georges Park Tumbarumba for the purposes of a Preschool;
2. Request proponents of the proposed preschool enable community access to sections of King Georges Park Tumbarumba outside of Preschool operational hours;
3. Seeks that the proponents consider amendments to the existing proposed plan to include car parking along the road reserve to minimise impact on the natural environment, and preserve as many trees as possible; and
4. Seek the consent of the Minister for Local Government for lease of King Georges Park Tumbarumba for purpose of a preschool.

Cr James Hayes/Cr Mick Ivill

- 2. Note the public submissions received in response to the proposed lease of King Georges Park Tumbarumba for the purposes of a Preschool.**

BACKGROUND:

King Georges Park at the intersection of King Street and York Street, Tumbarumba has been selected as the preferred option for the purpose of a Preschool. The land is classified under the *Local Government Act 1993* (LG Act) as Community Land with the Plan of Management allowing activities including educational activities. As Community Land, Council is able to provide a lease for activities allowed in the Plan of Management.

Section 47 (1) (b) and 47 (2) of the LG Act had previously been omitted from the Community Consultation. In the most recent public exhibition of the proposal Council advised residents that previous submissions would also be taken into consideration;

47 Leases, licences and other estates in respect of community land—terms greater than 5 years

- (1) If a council proposes to grant a lease, licence or other estate in respect of community land for a period (including any period for which the lease, licence or other estate could be renewed by the exercise of an option) exceeding 5 years, it must—
- (a) give public notice of the proposal (including on the council's website), and
 - (b) exhibit notice of the proposal on the land to which the proposal relates, and
 - (c) give notice of the proposal to such persons as appear to it to own or occupy the land adjoining the community land, and
 - (d) give notice of the proposal to any other person, appearing to the council to be the owner or occupier of land in the vicinity of the community land, if in the opinion of the council the land the subject of the proposal is likely to form the primary focus of the person's enjoyment of community land.
- (2) A notice of the proposal must include—
- information sufficient to identify the community land concerned
 - the purpose for which the land will be used under the proposed lease, licence or other estate
 - the term of the proposed lease, licence or other estate (including particulars of any options for renewal)
 - the name of the person to whom it is proposed to grant the lease, licence or other estate (if known)
 - a statement that submissions in writing may be made to the council concerning the proposal within a period, not less than 28 days, specified in the notice.

REPORT:

The proposal has been on public exhibition for 28 days closing on Friday, 24 May 2024, there have been six (6) responses received with the feedback being summarised in the report. Of the nineteen (19) submission received in January 2023 and six (6) in May 2024, seven (7) residents are directly impacted by the proposal. Of the December 2022 submissions there were twelve (12) against and seven (7) for the proposal and of the April 2024 submissions there were four (4) against and one (1) for the proposal. Two of the six (6) submissions were received from residents that also provided a response to the initial public exhibition in December 2022.

One response suggest we sell the property to the Tumbarumba Start Strong Preschool, however, that will require an amendment to the Tumbarumba Local Environmental Plan (LEP) from community to operational land.

Section 47(5)(a) of the LG Act provides that Council must not grant the lease except with the Minister's consent if a person makes a submission by way of objection to the proposal.

Section 47(4) and (5) of the LG Act provides as follows:

- (4) Before granting the lease, licence or other estate, the council must consider all submissions duly made to it.
- (5) The council must not grant the lease, licence or other estate except with the Minister's consent, if—
- (a) a person makes a submission by way of objection to the proposal, or
 - (b) in the case of a lease or licence, the period (including any period for which the lease or licence could be renewed by the exercise of an option) of the lease or licence exceeds 21 years.

Table 1 - Responses from December 2022 are summarised in the table below:

Response for:	Response against:	Council response:
<ul style="list-style-type: none">• Great location for preschool• If feasible business - go ahead• Pleased to have another preschool in the town	<ul style="list-style-type: none">• Used by families with young children• Used for cricket, kids to play, dogs to run	<ul style="list-style-type: none">• The Park is not used as a formalised park and there other formalised parkland in Tumbarumba

Response for:	Response against:	Council response:
<ul style="list-style-type: none"> Underutilised space 	<ul style="list-style-type: none"> Main park is in flood zone rendered unusable most of the time Tumbarumba should not be used to fund the mismanagement of SVC Impact of a preschool would be detrimental to the natural environment Impact the natural ecosystem of birds Increase traffic flow and cause safety issues Traffic flow will congest the area Destruction of huge old trees reduces the green space 	<ul style="list-style-type: none"> Tumbarumba has a dedicated dog park at Bicentennial Park No funds have been provided to this project by SVC and the facility will operate independent of Council Carcoola is at capacity for the parcel of land it occupies Trees per the landscape plan are to remain where possible The land is freehold community land under the ownership of Council

Table 2 - Renotification responses from April 2024 are summarised in the table below:

Response for:	Response against:	Council response:
<ul style="list-style-type: none"> Great location for preschool 	<ul style="list-style-type: none"> Carcoola much more effective for traffic flow Community parkland and should remain so If in 21 years Council decide not to lease the land, the building will then be on Council land and unusable Find a more suitable space rather than placing a business in a residential area Noise levels will disturb the existing homes due to traffic and preschool operations Does not meet requirements of Tumbarumba Management Plan Council not in a position to be giving away land and waiving fees for a commercially run enterprise that only benefit a small sector of the community 	<p>In addition the Councils response from the previous public exhibition, the following additional comments are made:</p> <ul style="list-style-type: none"> The proposed Preschool is a much needed community asset which will be operated by a Not for Profit Incorporated Association Local Government generally rationalise the number of Parks to create better resourced parks in central locations A small area on the Northern end will remain available for community use outside Preschool hours Minimal trees are being removed as part of the proposed development Matters such as noise level, traffic movements etc. have been addressed as part of the Development Consent

Response for:	Response against:	Council response:
	<ul style="list-style-type: none"> • Will destroy the recreational value of the site • Will privatise what is currently open land • Removing any possibility for recreation of the site for the broader community • Will drastically increase traffic • Removal of trees that are on the sight that make up part of the heritage and amenity of the neighbourhood • Has been a park for over a century • Shared Community space can only be used as a thoroughfare • SVC Councillor leading the proposed development creates a risk of a perception of a conflict of interest • We urge the rejection of the proposed amendment to the Tumbarumba LEP in order to stop the removal of a key amenity for Tumbarumba residents. 	

Most Councils are re-evaluating Parks and Gardens and moving away from small pocket Parks to large Open Spaces as this reduces maintenance and resources i.e. Goldfields Park. Whilst we understand 4017m² of the Park will be occupied by the Preschool, a small section of 488m² is available to be utilised for static and sedentary activities.

A full copy of all submissions is available to Councillors on request and will be available to Councillors at the meeting.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.1 Communicate with our community and provide opportunities for participation in decision making

FINANCIAL AND RESOURCES IMPLICATIONS:

Financial and Resource Implications in respect of the recommendations in this report are minimal. A long Term lease would hand over the management of the land to another entity and enable the facility to not be on Council Asset Register as it would not have responsibility for the long term management of the facility.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The process for lease of community land is strictly prescribed by the *Local Government Act 1993*. As Council has received a submission objecting to the proposed lease, Council must not enter into the Lease without the consent of the Minister for Local Government. The use of land in particular zones is defined in the *Tumbarumba Local Environmental Plan 2010* and the *Snowy Valleys Development Control Plan 2019*.

The lease documentation is to be drafted in accordance with the *Real Property Act 1900* by Council's Solicitors.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Nil

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Decline the recommendations set out in this report

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

There had been a Public Notice placed in Tumut, Adelong & Tumbarumba Times fortnightly closing on the 28 December 2022 and a renotification more recently in April 2024 with a closing date 24 May 2024, as well as Feedback via Snowy Valleys Council website, Have Your Say platform. The recommendations of this report are in response to the process of community consultation.

ATTACHMENTS

Nil.

11.4. CARAVAN PARKS - EXPRESSIONS OF INTEREST

REPORT AUTHOR: DIRECTOR INFRASTRUCTURE & WORKS

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

Snowy Valleys Council called for Public Expressions of Interest (EOI – 2023/2) for experienced and highly motivated operators to drive the daily operations of the Snowy Valleys Council's portfolio of Caravan Parks on 27 November 2023.

The EOI was open for a period of three (3) months, during which time, Council held an on-site meeting at each of its four (4) Caravan Park sites for interested parties to attend and ask questions about the sites and the EOI process. The site visits were conducted on 15 January 2024 and were attended by six (6) interested parties.

Applications for the EOI closed at 12pm on 12 February 2024 and Council received four (4) submissions.

The Expression of Interest (EOI 2023/2) conforms with Snowy Valleys Council Procurement Policy adopted in March 2022 and Councils Procurement Procedure adopted in May 2022. This Expression of Interest also conforms with Clause 3.5.2.1. of the Office of Local Government (OLG) Tendering Guidelines and how Expressions of Interest are to be received and evaluated.

RECOMMENDATION:

THAT COUNCIL:

- 1. Enters into a new lease arrangement with the Adelong Services and Citizens Club over the Adelong (Golden Gully) Caravan Park site on a 5 x 5 x 5 year lease;**
- 2. Authorise the Interim General Manager or delegate to enter into direct negotiation and finalise the draft Heads of Agreement with the Adelong Services and Citizens Club for the Adelong (Golden Gully) Caravan Park;**
- 3. Authorise the Interim General Manager at the end of successful negotiations to execute and enter into a new lease arrangement with the Adelong Services and Citizens Club for the Adelong (Golden Gully) Caravan Park site;**
- 4. Authorise the Interim General Manager and Mayor to affix the council Seal and execute all associated documentation to the lease agreement;**
- 5. Upon execution of the lease, advertise information relating to the lease / leases in accordance with the *Government Information (Public Access) Act 2009* - Part 3 Division 5 - Government Contracts with Private Sector;**
- 6. Formally terminate the existing lease at Riverglade Caravan Park, Tumut which expired on 30 December 2023 and extend this lease only to 31 July 2024 to enable the existing operator to transition management of the Caravan Park site over to Council;**
- 7. Note that the termination letter for the lease at the Riverglade Caravan Park prepared by Council's Lawyers gives the current operator six (6) months to remove all cabins from the site;**
- 8. Undertake an independent market valuation on the 34 x cabins at the Riverglade Caravan Park, Tumut;**
- 9. Re-advertise the Expression of Interest in the second quarter of the 2024-2025 financial year as no acceptable submissions were received for the Caravan sites at Batlow and Tumut, with Tumbarumba being excluded from this second Expression of Interest process;**

10. Treat matters in the Confidential Report specified in Sections 10A(2)(d)(i) as confidential and remain confidential until Council determines otherwise; and

11. Write to the unsuccessful Expression of Interest submitters advising of the outcomes of the Expression of Interest process.

BACKGROUND:

Snowy Valleys Council called for Public Expressions of Interest (EOI – 2023/2) for experienced and highly motivated operators to drive the daily operations of the Snowy Valleys Council's portfolio of Caravan Parks on 27 November 2023.

The four (4) Caravan Park sites that were the subject of the EOI are situated in the townships of Adelong, Batlow, Tumut, and Tumbarumba and collectively cover a total area of 13.91 hectares and contain 78 x self-contained cabins, 176 x powered caravan park sites, 59 x unpowered sites, and over 100 x informal camping sites.

Council stated in its EOI that it is prepared to consider a range of options to partner with the right proponent/s to grow the success of the parks and is looking for suitable operators with appropriate experience and resources to develop, promote, and operate the parks as high-quality tourist accommodation/holiday attractions.

The EOI was open for a period of three (3) months, during which time, Council held an on-site meeting at each of its four (4) Caravan Park sites for interested parties to attend and ask questions about the sites and the EOI process. The site visits were held on 15 January 2024 and attended by six (6) interested parties.

The EOI was advertised in the Public Tenders sections of the Sydney Morning Herald, Canberra Times, Herald Sun and Wagga Daily Advertiser as well as Tenderlink. All documents including questions and answers to queries raised during the EOI period, were available via the Tenderlink website: www.tenderlink.com/snowyvalleys

Applications for the EOI closed at 12pm on 12 February 2024 and Council received four (4) submissions.

It was stipulated in the EOI that the four (4) Caravan Parks being offered by Council could be leased to an operator as a single site package or combination of site packages.

The EOI information pack provided detailed data sheets on each of the four (4) sites which outlined all the information Council has about the sites including the current status of existing leases at Riverglade Caravan Park (Tumut) and the Golden Gully Caravan Park site in Adelong.

Council made it clear in the EOI that these current lease / license arrangements have expired or are due to expire in the next six (6) months.

The EOI stated that Council is seeking a long-term operator on a five plus five plus five-year (5x5x5) lease arrangement for all or a combination of its Caravan Park sites located at the townships of Adelong, Batlow, Tumut and Tumbarumba.

The EOI clearly stated that the operator must be prepared to make a commercially acceptable offer to Council to operate and develop the Caravan Parks into a viable business that meets Council's financial and non-financial criteria as set out in the EOI document as well as meeting the community and visitor expectations.

This EOI conforms with Snowy Valleys Council's *Procurement Policy* adopted in March 2022 and Council's *Procurement Procedure* adopted in May 2022. The EOI also conforms with Clause 3.5.2.1 of the Office of Local Government (OLG) Tendering Guidelines and how Expressions of Interest are to be received and evaluated.

Outcome of the EOI Evaluation process

The Evaluation Panel was comprised of the following members in accordance with Council's *Procurement Policy*: Minimum three (3) staff members representing at least two (2) Divisions having signed in agreement with the Evaluation Plan including the criteria and weightings. The panel members were as follows

- Director Infrastructure & Works (Panel Convenor)
- Interim General Manager
- Executive Manager Growth and Development
- Manager Technical Services

Each panel member was required to separately score both the Financial and Non-Financial sections of the submissions received. The scoring from each Panel Member was then combined and averaged for each of the criteria and then a total score for that site was calculated. The total scoring was then ranked in order of highest to lowest score for each site.

Conformity with the EOI

All four (4) submissions received were considered by the Assessment Panel as conforming with the requirements of the EOI. Some additional information was requested by the Panel during the assessment process, however the information requested was not in relation to conformity, it was more for clarification of what Council had received in the submissions.

Evaluation and Recommendations of Submissions Received

Of the four (4) submissions received, the panel agreed that it could only progress the submission received from the Adelong Services and Citizens Club (the "Club") for the "Golden Gully" Caravan Park to the next stage, that being to authorise the Interim General Manager to enter into direct negotiation and finalise the draft Heads of Agreement with the Adelong Services and Citizens Club for the Adelong (Golden Gully) Caravan Park and then enter into a 5x5x5 year lease with the Club.

The submissions that Council received on the Batlow, Tumut (Riverglade) and Tumbarumba Caravan Parks were not acceptable to Council from a commercial or operational perspective.

Re-advertising the Snowy Valleys Caravan Park Expression of Interest (EOI)

It is recommended for Council to progress a new Public Expressions of Interest (EOI) in the second quarter of the 2024-2025 Financial year. The re-advertising of the EOI would include the Batlow and Tumut (Riverglade) Caravan Park sites with the Tumbarumba Caravan park being temporarily put on hold.

To enable the EOI to progress on a level playing field for all potential submitters, it is being recommended that the current lease at Riverglade Caravan Park site which expired on 30 December 2023 be formally terminated and that the current operator be given six (6) months to remove all 34 x cabins from the site. Council would additionally grant the current operator one (1) month's grace to transition management of the Caravan Park site over to Council in the short term.

Council would engage external operators to initially manage the Caravan Park in the short term in a similar arrangement that external operators have been engaged at Council's Caravan Parks in Batlow and Tumbarumba to manage those Caravan Parks on behalf of Council over the last nine (9) months.

Council was required to bring in external operators for Batlow and Tumbarumba Caravan Parks when the previous licensee brought forward the termination date of the licence agreement by three (3) months and left both Batlow and Tumbarumba Caravan Park sites for Council to manage at short notice.

The termination of the lease and removal of the existing cabins from the Riverglade Caravan Park site would provide a level playing field for all potential future operators to understand the level of capital investment required to re-build the Caravan Park and its cabin offer to a superior standard to what currently exists.

It would also remove any points of contention around the current market value of the cabins and or their current condition.

It is recognised that, in the short term, this would significantly reduce the Caravan Park's tourism offer and operating income to Council, however, the Park could still function as a Caravan Park offering powered and unpowered Caravan sites as well as camping. The vacant 34 x cabin sites could also be easily converted into powered Caravan sites in the short term as the existing services infrastructure to the cabin sites would remain in place.

It is in Council's best long-term interest to secure an operator that is prepared to substantially invest in the Tumut (Riverglade) Caravan Park as well as introduce a superior operating and marketing model to ensure that the Caravan Park's overall performance is significantly improved rather than just accepting the status quo.

To assist the new EOI process, it is being proposed that a "Market Valuation" of the existing 34 x cabins at the Riverglade Caravan Park site in Tumut be undertaken as soon as possible. The valuation would be made available to all potential EOI submitters to assist them in understanding the levels of capital investment required to improve the overall standard and customer experience at the Caravan Park.

The valuation of the 34 x cabins would be undertaken as both a "Market Valuation" and "Going Concern" valuation to assist all parties understand the value of the cabins. The valuation would be paid in full by Council.

REPORT:

At the closing date for the Expressions of Interest on Monday, 12 February 2024, Council received four (4) submissions. No late submissions were received.

The submissions received were from the following companies:

1. Adelong Services and Citizens Club for the Golden Gully Caravan Park, Adelong
2. Belgravia Group for all four Caravan Park Sites – Adelong, Batlow, Tumut and Tumbarumba
3. PBL Consulting for "Riverglade" Caravan Park, Tumut
4. Reflections Holiday Parks for "Riverglade" Caravan Park, Tumut.

The principal objectives of the Expression of Interest were as follows:

- Secure a reliable tenant / operator for Snowy Valleys Council's four (4) x Caravan Park sites located in the townships of Adelong, Batlow, Tumut and Tumbarumba. The tenant / operator that Council is looking for can make an offer for a single site or multiple sites.
- Receive a detailed proposal for the management and future development of the sites as high-quality tourist caravan parks at no cost to Council.
- Secure a tenant / operator with appropriate experience and resources to develop, promote and operate the sites as high-quality Tourist Caravan Parks in accordance with the criteria set out in the Expression of Interest (Financial and Non-Financial Criteria).
- Secure a tenant that can operate the Caravan Park sites to ensure that they bring maximum benefit to Council and the Community in terms of supporting local business, social wellbeing and meeting the expectations of the Community and Council
- Secure an operator that can ensure that the Caravan Parks are maintained to a high standard and meet the expectations of customers (tourists) who visit the area.
- Achieve a financial return to Council which represents value for money.
- Conserve and maintain the natural environment, unique local character and amenity of the Caravan Park sites individually and collectively.
- Ensure that the Caravan Park sites are operated in accordance with sound business management principles (including, as a minimum, principles relating to regulatory & compliance requirements, Work Health and Safety, Environmental requirements and the financial sustainability objectives of Council).

Evaluation Process and Methodology for Assessment

The EOI outlined that Council's EOI Assessment Panel will evaluate the submissions on the basis of how they address the selection criteria.

The criteria and weightings that were developed by the Evaluation Panel with the criteria were included in the EOI. The weightings were approved by the Panel Convenor (Director Infrastructure & Works) and each panel member was required to sign the Evaluation Plan to signify agreement.

It was stipulated in the EOI that proposals that do not address the selection criteria and/or are not complete will be considered non-conforming.

Each Caravan Park Site has its own Financial and Non-Financial Criteria which needed to be completed. The financial assessment weightings for all sites is 60% while the non-financial weighting is 40% for all sites in five (5) different categories of non-financial criteria, all of which are weighted evenly.

Respondents were directed to only complete the Financial and Non-Financial Criteria for the Caravan Park site or sites that they are making an offer to Council on.

If a respondent or consortium is making an offer on more than one site (Multiple sites), then the Financial and Non-Financial Criteria must be completed for those sites.

Respondents were advised that the evaluation methodology to be used to assess each EOI submission is as follows:

- EOI responses will be checked for completeness and conformance with the EOI documentation requirements. EOI submissions that do not contain all the information requested, i.e. returnable schedules and requested information in the EOI may be excluded from further consideration.
- EOI responses will be assessed against the selection criteria outlined in the EOI.
- Information provided as part of this EOI will be used by Council to assess the level of interest in the market to enter into a "Heads of Agreement" (lease) arrangement for the management and operation of a Caravan Park site and/or a combination of Caravan Park sites.
- The information provided with, or pursuant to, the EOI represents Council's present intentions. Council can change, without notice and at any time, any or all of the information provided with, or pursuant to, the EOI.
- In addition, Council is under no obligation to proceed with anything described in this EOI, including leasing the identified Caravan Park sites commercially, if it is not satisfied with EOI submissions received.
- Nothing in the EOI creates an agreement or contract between the Council and the respondents to the EOI.
- Council accepts no responsibility for any of its action(s) and/or any action(s) any respondent may take, or any cost(s) any respondent may incur, as a result of any information provided by Council in the context of the EOI.
- The respondent is assumed to have read and understood all relevant information associated with the EOI and is satisfied that their EOI is complete and correct.
- Refer to Appendix 1 - Caravan Park Data Sheets, Maps and General Information on Council's Caravan Park Sites.

Financial Criteria: (Assessment Weighting 60%)

The Financial Criteria category of this EOI was weighted at 60%.

Financial Capacity

The EOI requested that respondents outline their Financial Capacity to fulfil the terms of Council's standard lease agreement. It stipulated that any offer must represent the best financial return to Council. The financial offer must include the base rent – annual offer, capital improvements and alterations to the Caravan Park site or sites and any other monetary contributions or cost offset offered to Council.

All submissions must demonstrate Financial Capacity to meet the obligations outlined under the attached draft "Heads of Agreement" (base document for a future lease) and any development (Capital Improvement) proposals for any of the Caravan Park sites.

Respondents had to provide evidence in their submission of their financial capacity to meet these obligations.

Evidence to demonstrate Financial Capacity for Council's consideration include a financial statement from a registered accountant detailing the Respondent's current financial position and capacity to meet the commercial lease offer obligations, as well as any capital improvements or contributions towards the site or sites that the respondent is proposing as part of the offer.

It was requested in the EOI that respondents outline if they intended to undertake any Capital improvements and or alterations to the Caravan Park sites

Any improvements or alterations would be subject to the relevant planning and permissibility controls for the site and Council's approval, as well as the respondent's own financial and management capacity to deliver the improvements.

The respondents had to provide an estimate of costs for any proposed capital improvements and the intended timing of the works.

Non-Financial Capacity (Assessment Weighting 40%)

This part of the EOI requested that respondents outline their Non-Financial Capacity to fulfil the objectives of the EOI. The Non-Financial Criteria category of the EOI was weighted at 40%.

The Non-Financial Criteria in the EOI requested that respondents address the following:

- **Business Experience.** Demonstrated experience to deliver the intended management and operational services or business offer for one or more Caravan Park sites. (8%)
- **Local Tourism and Community Benefits.** How does the submission add value from an economic, social and community benefit perspective, including a willingness to work proactively with the local community and contribute to local community life, businesses, events and initiatives. (8%)
- **Complimentary Services or Gap in Customer Experience or Services Currently Being Offered.** How does the proposal address any current gaps in services in the area and/or compliment existing tourism, recreational and/or business services in the area. (8%)
- **Local Character and Setting.** How does the proposal contribute to the overall local character and setting. (8%)
- **Other Benefits.** How does the submission offer additional value and other benefits to Council or the Community that are of an economic, social, cultural, environmental and/or recreational benefit. (8%)

Conformity with the EOI – Mandatory

The criteria and weightings were developed by the Evaluation Panel with the criteria included in the EOI. The weightings have been approved by the Panel Convenor and each Panel Member is required to sign the Evaluation Plan to signify agreement.

Scoring Example

Each evaluation criterion was scored using the assessment methodology detailed below and applying a scoring range:

Financial Capacity Score (e.g. 60%)

- EOI with the highest Financial Capacity score 60%
- Other EOI scores attract the following formula:

Financial Capacity Score = Highest Financial Capacity Score / EOI Financial Capacity Score x 60

Non-Financial Capacity (eg 40%) Score Range

- Meets the EOI with additional value added 6-8
- Complies with the EOI 4-6

- Part compliance with the EOI 2-4
- Non-Compliance with the EOI 0

Business Experience (8%) Score Range

- Complies with the EOI with additional value added 6-8
- Complies with the EOI 4-6
- Part compliance with the EOI 2-4
- Non-Compliance with the EOI 0

Local Tourism and Community Benefits (8%) Score Range

- Complies with the EOI with additional value added 6-8
- Complies with the EOI 4-6
- Part compliance with the EOI 2-4
- Non-Compliance with the EOI 0

Complimentary Services or gap in Customer experience or Services currently being offered (8%) Score Range

- Complies with the EOI with additional value added 6-8
- Complies with the EOI 4-6
- Part compliance with the EOI 2-4
- Non Compliance with the EOI 0

Local Character and Setting (8%) Score Range

- Complies with the EOI with additional value added 6-8
- Complies with the EOI 4-6
- Part compliance with the EOI 2-4
- Non Compliance with the EOI 0

Other Benefits Score Range

- Complies with the EOI with additional value added 6-8
- Complies with the EOI 4-6
- Part compliance with the EOI 2-4
- Non Compliance with the EOI 0

Conformity with the EOI Score Range

Mandatory

Table 1: Caravan Park EOI – Assessment Table Example

Criteria	Weighting %	Weighted Score % for Financial Capacity and Score for Non-Financial response	Comments
Financial Capacity	60%		
Non-Financial Capacity			
Business Experience	8%		

Criteria	Weighting %	Weighted Score % for Financial Capacity and Score for Non-Financial response	Comments
Local Tourism and Community Benefits	8%		
Complimentary Services or Gap in Customer Experience or Services Currently Being Offered	8%		
Local Character and Setting.	8%		
Other Benefits	8%		
Conformity with the EOI - Mandatory	0%		
TOTAL	100%		

Expression of Interest (EOI) Evaluation Criteria

It was made clear in the EOI that all submissions are required to demonstrate how they address the key Financial and Non-Financial Criteria listed in the EOI.

It was also stipulated that it was Council's intention that the proposal or proposals that are received and assessed as best meeting the selection criteria in the EOI will be recommended to be offered a lease for a Caravan Park site or multiple sites depending on the submissions received.

The EOI also included a draft standard "Heads of Agreement" document which contains standard lease clauses that Council uses in its current Caravan Park leases. The respondents to the EOI were reminded that any future "Heads of Agreement" or lease that Council enters into may be subject to the Draft "Heads of Agreement" document.

Conditions and Requirements of the EOI – Council's Reserved Rights and Privileges

The following requirements of the EOI were made clear in Section 6 of the Information Pack provided to potential submitters. This included Council's Reserved Rights and Privileges:

1. No Collusion

It is a requirement of law and the EOI that respondents, including all consortium members forming the respondent entity, where applicable, and other persons participating in providing a proposal, must not engage in any improper commercial arrangements, collusive tendering or undertake anti-competitive conduct or any other conduct which denies legitimate business opportunities to any other respondent or any other person involved in providing another proposal in relation to this EOI. This also includes undermining the Council's Commercial viability and value of the caravan park sites through parties colluding to provide a commercially low offer to Council.

If Council determines that a respondent has, or the respondent is otherwise found to have, engaged in such conduct, the respondent's proposal will be excluded from further consideration in this EOI, the EOI evaluation process, and any subsequent stages or processes at the absolute discretion of Council.

2. Material Change in Circumstances

Each respondent to the EOI is to inform Council in writing of any material change to their financial capacity, technical capacity or corporate status or to any other information contained in the proposal following lodgement, and of any other material change in circumstances which may affect the truth, completeness, correctness or accuracy of any information provided in or in connection with the proposal. Council may also require respondents to confirm in writing that no such material changes have occurred.

3. Changes to Consortium Membership

If a respondent is comprised of more than one person, whether the consortium has been formed specifically for the proposal or not, then respondents will be evaluated on the basis of the consortium structure and membership presented in the respondent's proposal.

If consortium members change, written notification of proposed changes to consortium structure or membership must be provided to Council as soon as possible. If key consortium membership of a respondent changes after lodgement, supporting evidence must be provided to Council to demonstrate that the capability of the new consortium structure and membership, meets or exceeds the capability of the consortium structure, and membership presented in the respondent's proposal.

Council reserves the right to re-evaluate respondents on the basis of new or diminished consortium membership, and to withdraw a respondent on the basis of new or diminished consortium membership, if they do not demonstrate the capability to meet the evaluation criteria or exceed the capability of the consortium structure and membership presented in the proposal. Further conditions in relation to changes in consortium membership may be imposed by Council at any time at its absolute discretion.

4. Disclosure of Contract Information

Under the *Local Government Act 1993*, Council is required to disclose details of contracts entered into with a value exceeding \$150,000. Generally "commercial in confidence" information is not required to be published. Respondents may mark certain parts of their proposal as "Commercial in Confidence," however, this must be minimal and reasons given as to why information should not be disclosed by Council should a lease or contract be entered into as a result of this EOI.

5. Reliance on Information

Council will rely on the information included in the responses to the EOI to determine a preferred proponent or proponents. Should the EOI process lead to Council identifying a preferred proponent or proponents, those respondents will be requested to submit, prior to further negotiations:

- A declaration to the effect that no material changes have occurred to the information in the responses; or
- A statement clearly identifying all material changes to the information in the response/s.

When a respondent is comprised of more than one participant and the participants comprising the respondent change (for any reason) after the closing date and if Council (at its sole discretion) determines that these changes are material, it reserves the right to re-evaluate the respondent's responses and/or withdraw respondent's proposal from further consideration.

6. Unauthorised Communication

Respondents are required to direct all communications through the contact person(s) named in the EOI documents, unless advised otherwise. Canvassing or any contact of/with Councillors or Council staff in relation to this EOI will automatically disqualify the respondent.

7. Acceptance of Proposals

The Council is not obliged to select the EOI Proposal which contains the highest proposed rental (Financial returns to Council) or any particular provision and may choose not to select any EOI Proposal.

8. No Legal Relationship

No legally binding relationship arises between the Council and any Interested Party unless the "Heads of Agreement" and Lease, in final form, have been signed by both parties.

To the extent permitted by law, neither the Council nor Agents acting on its behalf, owes any duty to any Interested Party.

Council's Rights and Privileges

It was made clear in the Information Pack provided to submitters that the EOI was not an invitation to tender.

The Council reserves the right to determine at its absolute discretion which Interested Party or Interested Parties, if any, it will negotiate with.

The Council is not required to give any reason for its actions or decisions to any Interested Party or any other person.

Reserved Rights

In addition to any reserved rights set out elsewhere in the EOI documentation, Council reserves the right, in its absolute discretion and without assigning any reasons and without incurring any liability to a respondent or any consultant of a respondent, or member of a respondent consortia, to and amongst other things:

- (a) Not proceed with the EOI, the evaluation process, for a site or any combination of sites;
- (b) Suspend or vary the process, the EOI or any part of it for any duration including indefinitely;
- (c) Change the structure and timing of the EOI;
- (d) Vary or extend any time or date in the EOI for all or any respondent or other persons, at any time and for such period, as Council considers appropriate;
- (e) Terminate further participation in the EOI by any respondent for any reason, regardless of whether the respondent conforms with the requirements of the EOI;
- (f) Terminate any negotiations being conducted at any time with any respondent for any reason;
- (g) Require additional information or clarification from any respondent or anyone else or provide additional information or clarification;
- (h) Negotiate with any one or more respondent and allow any respondent to change its proposal;
- (i) Call for new proposals;
- (j) Accept or reject any proposal received after the EOI closing date and time;
- (k) Consider and accept or reject any proposal that does not comply with this EOI;
- (l) Proceed with the EOI, the evaluation process, or any subsequent processes to the EOI on terms different to those described in this EOI document;
- (m) Modify any aspect of the EOI or any subsequent stage, including, without limitation, the objectives, required format of proposals or subsequent proposals, indicative timetable, or EOI evaluation process;
- (n) Postpone or delay the evaluation process or any subsequent stages or processes;
- (o) Replace or supersede the EOI process or any of the terms set out in this EOI document at any time, including by way of direct interaction which may lead to negotiations, select expressions of interest, call for detailed proposals or other tender processes;
- (p) Publish the names of some or all respondents and details of proposals;
- (q) Clarify or pursue proposals with one or more respondents at any time without prior notice to any other party;
- (r) Not consider further any respondent or proposal for the purposes of this EOI or the evaluation process or any subsequent stages or processes.

Refer to the confidential attachment of this report for the detailed comments and analysis by the Evaluation Panel of the EOIs that Council received.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 2 - Our Economy

Theme 4 - Our Infrastructure

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP2 Our diverse economy supports community longevity, vibrancy and a sustainable future

CSP4 Our infrastructure includes Council services that plan, manage, maintain and renew our community infrastructure and transport networks

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community.

Delivery Program Principal Activities

2.1 Support the development of diverse local tourism offering and emerging markets

2.2 Promote our towns, villages and region

4.2 Manage and plan for affordable infrastructure to meet current and future community needs

5.3 Provide accessible and responsive customer service

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

The cost to Council to advertise this Expressions of Interest was \$3,500.

The cost for Council staff to prepare the Expression of Interest Information Pack and Draft Lease was \$10,000.

Refer to the Confidential attachment to this report which outlines the rental offer from the Adelong Services and Citizens Club for the "Golden Gully" Caravan Park and the Draft "Heads of Agreement" that Council has prepared for a new lease for this site.

The Confidential attachment also includes a recommendation on the rental offer that Council should accept from the Adelong Services and Citizens Club for the new lease for the "Golden Gully" Caravan Park Site.

Council's administration costs for managing the lease are \$597.15 (GST excl.) p.a., invoiced annually.

- Costs to undertake a Market Valuation for the 34 x cabins at the Riverglade Caravan Park in Tumut is estimated to be \$10,000-\$15,000.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

- Snowy Valleys Council *Procurement Policy* adopted in March 2022
- Snowy Valleys Council *Procurement Procedure* adopted in May 2022.
- This Expression of Interest that Council ran for its portfolio of Caravan Parks also conforms with Clause 3.5.2.1. of the Office of Local Government (OLG) Tendering Guidelines and how Expressions of Interest are to be received and evaluated.
- *Local Government Act 1993*

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Legal	<p>Council is unable to enter into a commercial lease for the management of its four (4) Caravan Park sites due to terms and conditions in Councils lease.</p> <p>Council will have to manage the Caravan Park sites in-house using Council resources.</p>	<p>Additional staffing and Resource Risk for Council.</p> <p>Poor financial return to Council and the community.</p> <p>Councils short-, medium- and long-term financial sustainability is impacted.</p>	<p>If Council can enter into a long-term lease that is commercially acceptable to Council, the benefits to the community and visitors to the Snowy Valleys through being able to provide world class tourism facilities are significant.</p> <p>The revenue received through a commercial lease on Councils Caravan Park sites would contribute significantly to the funding of services provided to the community that are in line with community expectations and standards.</p>
Environmental & Public Health	None	None	None
Financial	<p>Council did not receive any submissions on its Caravan Park Sites that are commercially acceptable.</p>	<p>Council will have to manage the Caravan Park sites itself which it currently doesn't have the staffing or financial resources to do.</p>	<p>If Council can enter into a long-term lease that is commercially acceptable to Council, the benefits to the community through being able to maintain service delivery levels and community infrastructure in line with community expectations will be sustained.</p> <p>The overall financial sustainability of Snowy Valleys Council will also be significantly enhanced in the short-, medium- and long-term.</p>
People	<p>Council can outsource the management of its four (4) Caravan Park sites to an experienced and capable service provider who can provide world class</p>	<p>Council will have to manage the Caravan Park sites from within its own resources which it currently doesn't have the skills, staff resources or</p>	<p>The outsourcing of the management of Council's four (4) Caravan Park sites via a commercial lease arrangement is the most cost effective and</p>

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
	tourism facilities and services through these Caravan Park sites.	professional capability to do so.	resource efficient management model for Council to proceed with in the short-, medium- and long-term.
Technology	None	None	None
Stakeholder	<p>The community, Council and visitors to the Snowy Valleys will benefit greatly though the outsourcing of the management of Council's Caravan Parks to experienced and capable services providers. The income that Council receives through a commercial lease arrangement will also ensure Council can maintain its service delivery levels in line with Community expectations.</p> <p>Council wants to build its reputation as being a provider of world class tourism facilities and attractions in the area.</p>	<p>The cost to the community if Council does not receive a commercially acceptable offer on its four Caravan Park sites will have financial repercussions for Council and generations to come.</p> <p>Both the financial and non-financial cost to the community will be felt in the short-, medium- and the long-term as the proposed lease arrangement is for a total of 15 years</p>	<p>If Council can negotiate a commercially acceptable offer (Lease) on its four Caravan Park sites then the financial sustainability of the Council is more secure in the short-, medium- and long-term.</p> <p>The community services and infrastructure that Council can provide to the community is also more secure in the short-, medium- and long-term.</p>
Service Delivery	<p>The Community, Council and visitors to the Snowy Valleys will benefit greatly though the outsourcing of the management of Council's Caravan Parks to experienced and capable services providers.</p> <p>Council's Caravan Parks need to be managed by experienced operators who have the skills, capability, systems and staff resources to manage Council's Caravan Parks as world class tourist facilities.</p> <p>The income that Council receives through a</p>	<p>Snowy Valleys Council wants to build and maintain its reputation as being a provider of world class tourism facilities and attractions in the area.</p> <p>The four Caravan Park sites at Adelong, Batlow, Tumut and Tumbarumba provide critical tourism infrastructure and services to visitors to the Snowy Valleys.</p> <p>The Caravan parks need to be managed as world class facilities to maintain and enhance the Snowy Valleys Council area as a nationally and</p>	<p>Snowy Valleys Council can be a leader in the tourism industry in NSW and Australia through the management and visitor experience at its Caravan Park sites.</p> <p>The viability, services and presentation of each of the Caravan Park sites is a critical component of the Tourism infrastructure in the Snowy Valleys area.</p> <p>The Caravan Park sites also play a very important role in the economic viability and local tourism industry of each of the townships they are situated in (Adelong, Batlow,</p>

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
	commercial lease arrangement will also ensure Council can maintain its service delivery levels across the Local Government area in line with Community expectations	internationally significant tourist destination. The management of Council's Caravan Parks is a direct reflection on Council's ability to provide world class tourism services and customer experience.	Tumut and Tumbarumba).

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the recommendations of this report
3. Decline the recommendations set out in this report.

COUNCIL SEAL REQUIRED:

Yes.

The Council Seal will be required for the Execution of a Lease between Council and the Adelong Services and Citizens Club once a new lease has been negotiated.

COMMUNITY ENGAGEMENT AND COMMUNICATION:

No Community Consultation is required.

ATTACHMENTS

1. Snowy Valleys Council - EOI - Caravan Parks - Information Pack and Appendices Final - November 2023 (Under separate cover)
2. Caravan Parks EOI - Adelong Services and Citizens Club Submission Detail Comments and Draft "Heads of Agreement" - Confidential (Under separate cover)
3. EOIs Outcome Councillor Workshop Presentation 6 June 2024 - Confidential (Under separate cover)
4. 13 June 2024 - Letter - Termination Lease Riverglade Caravan Park - Shaw and Reynolds to Riverglade Holdings - Confidential (Under separate cover)

11.5. TUMBARUMBA SPORTS ACADEMY OPERATION AND MANAGEMENT AGREEMENT

REPORT AUTHOR: DIRECTOR INFRASTRUCTURE & WORKS

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

This report seeks Council's endorsement on the signing of a formal Operation and Maintenance Agreement (OAM) between Council and Tumbarumba Sports Academy Incorporated (TSA) for the use of the Pioneer Hall and Tumbarumba Sports Stadium.

RECOMMENDATION:

THAT COUNCIL:

1. **Endorse the signing of the Operation and Management Agreement (OAM) with the Tumbarumba Sports Academy Incorporated as a trial model to enable Council to deliver local community-based programs and activities at a relatively low cost to Council and address specific needs or gaps in Council's programs at a "grass roots level";**
2. **Authorise the Interim General Manager or delegate to finalise and execute the OAM with the Tumbarumba Sports Academy Incorporated;**
3. **Upon execution of the OAM, advertise information relating to the agreement in accordance with the *Government Information (Public Access) Act 2009* - Part 3 Division 5 - Government Contracts with Private Sector; and**
4. **Treat matters in the Confidential Report attached as specified in Sections 10A(2)(d)(i) as confidential and remain confidential until Council determines otherwise.**

BACKGROUND:

Council has received interest from a number of community groups across the Local Government area in relation to entering into a shared use arrangement to deliver community-based programs from a number of Council's Community and Recreational facilities. These facilities include:

- Community halls, function and event spaces
- Club houses and amenity rooms
- Sport and recreation facilities
- Baby, parent and child centre
- Youth facilities
- Senior citizen centres
- Community and neighbourhood centres
- Arts and cultural centres

To assist Council in enabling this important community capacity building initiative, Council has been investigating ways to better partner with the community in the delivery of specific programs and activities that are tailored to meet identified needs and or gaps in Council's current service delivery program.

Community and Recreational Facilities Management Policy

In October 2023, Council formulated a new *Community and Recreational Facilities Management Policy* that was publicly exhibited for 28 days from 2 October to 2 November 2023. During the public exhibition period, Council received five (5) submissions.

At the 14 December 2023 Council meeting, it was resolved:

THAT COUNCIL:

1. *adopt the Community and Recreational Facilities Management Policy (SVC-ENG-PO-130-01)*
2. *note the submissions that were received and the responses to those submissions provided in this report.*

The intent of the Policy is to provide a framework to enable the community and user groups to occupy Council's Community and Recreational Facilities in a shared use arrangement that optimises the utilisation of these facilities while at the same time delivers outcomes to the community that Council cannot deliver using its own resources.

It is not the intention of the Policy that Council enters into long term agreements which provides for exclusive use and or access to a facility by a private individual or user group to the exclusion of the general public.

The purpose of the Policy is to encourage higher utilisation of Council's Community and Recreational Facilities through enabling a broader range of user groups to have access to the facilities all year round.

The Policy is also designed to encourage the delivery of a range of support services throughout the Local Government Area (LGA) that address community needs at a point in time, and that aligns with Council's current Community Strategic Plan.

It is recognised that these needs change over time, and therefore, use of Council's Community and Recreational Facilities must be flexible enough to accommodate the changing needs of the community.

The key objectives of the Community and Recreational Facilities Management Policy is to:

- Encourage the optimal use of Council's Community and Recreational Facilities to cater for a range of community and sporting groups
- To ensure that the process for which Council's Community and Recreational Facilities are managed is structured and transparent
- To ensure fair and equitable access to Council's Community and Recreational Facilities for user groups and individuals is achieved
- Establish a more collaborative and partnering approach with the community on how the Council can deliver specific services and programs that the community has identified it needs at Council owned facilities
- Build community capacity to run a variety of services and programs that Council cannot provide or fully fund from within its own resources
- Build resilience and reduce the community's reliance on Council to meet every community request for service delivery
- Build trust and relationships between Council and key stakeholders in the Community to strengthen Council's reputation as being truly representative of meeting the needs of the local community it serves
- Encourage community leadership that is built upon a strengths-based approach, focusing on existing community strengths and resources rather than a community deficit or needs approach
- Obtain a contribution from user groups for the costs of providing facilities
- Recognise the social value and social benefits of services and activities organised and provided by community-based groups and to subsidise these groups where it sees fit
- Determine the most appropriate occupancy arrangement for each facility
- Fulfill the requirements of Council and State Government policies in relation to provision of facilities on Community Land, Crown Land, Public Recreation Reserves and Open Space
- Ensure that Council's administration and operational costs are minimised
- Ensure that all user groups support Council's non-discriminatory practices and policies

- Clearly communicate Council's intentions in relation to management of community facilities

REPORT:

Since the Community and Recreational Facilities Management Policy was adopted in December 2023, Council has been approached by a number of community-based organisations about formalising an agreement with Council on how to best utilise Council's portfolio of Community and Recreation Facilities.

The creation of the Operation and Management Agreement (OAM) is designed to meet the objectives of the policy that has been adopted by Council and to enable Council to achieve the delivery of community-based programs at a relatively low cost and at a "grass roots level".

The objective of the trial of the OAM with the Tumbarumba Sports Academy (TSA) is to demonstrate Council's willingness to partner with local community stakeholders at a "grass roots" level and provide opportunities for local capacity building through a reduction in the reliance on Council to meet every community request for service delivery.

Council Briefing on the "Draft" OAM

Council was briefed on the Draft Operations and Management Agreement for the Tumbarumba Sports Stadium and Pioneer Hall at the Council Workshop held on Thursday 2 May 2024.

A number of suggested changes to the Draft OAM were discussed at the Workshop by Councillors and these changes have now been incorporated into the OAM which is attached as a Confidential Attachment to this report.

Council facilities which are the subject of this agreement

Council are the Crown Land Managers of the Tumbarumba Showground and Facilities with patronage currently managed through Council's booking system.

Tumbarumba Pioneer Hall

The Tumbarumba Pioneer Hall is located within the Tumbarumba Showground Precinct, off Lauder Street, Tumbarumba. The Building was constructed on this site in the early 1970s and Council has maintained and undertaken minor upgrades on the building over the last 50 years. The building is reaching the end of its useful life which is 70 years.

The interior of the building has significant wear and tear, including cupping of the floorboards due to water beneath the building and the internal spaces are prone to both heating and cooling issues all year round.

The current book value (Replacement value) of the building is \$1,742,100.

The current cost of outgoings at Pioneer Hall (Utilities, cleaning, waste removal costs) paid for by Council over the last two financial years for this building are as follows;

- 2022/2023 = \$6,561
- 2023/2024 = \$4,266

Average outgoings cost to Council over the last two financial years - \$5,413.50.

Bookings external of the TSA have been for the Tumbarumba Show, Tumbarumba Zone 20 Pony Club, Carcoola Art Show and one-off celebrations held by community members. Refer to Table 1 for the full list of identified current users of Pioneer Hall.

Tumbarumba Sports Stadium

The Tumbarumba Sports Stadium is located within the Tumbarumba Showground Precinct, off Lauder Street, Tumbarumba. The Building was constructed on this site in 1975 and Council has maintained and undertaken minor upgrades on the building over the last 50 years. Currently Council is undertaking a \$300,000 upgrade of the Tumbarumba Sports Stadium which includes a brand-new roof and brand-new floor to the existing basketball courts. The building construction is being undertaken by McGrath Constructions and is being fully project managed by Council.

The current building works are 100% grant funded through the under Stronger Country Communities Fund Round 5 (SCCF5).

These current major building works to the facility will extend its useful life for another 35 years.

The existing kitchen and amenities in the hall and basketball stadium require extensive refurbishment to meet current safety, health and disability access as per the *Disability Discrimination Act 1992* (DDA). For any future improvements or developments that are to be undertaken will require a development application.

The current book value (Replacement value) of the building is \$3,714,000.

The current cost of outgoings at Tumbarumba Sports Stadium (Utilities, cleaning, waste removal costs) paid for by Council over the last two financial years for this building are as follows;

- 2022/2023 = \$3,235
- 2023/2024 = \$ 766

Average outgoings cost to Council over the last two financial years - \$2,000.50

The usage prior to the bookings of the Tumbarumba Sports Academy have been for the Tumbarumba Basketball Association (1 afternoon per week in School term 1 and 4), All Saints School Tumbarumba for the annual Debutante Ball, Tumbarumba Show Society, Tumbarumba Batlow Minor League, Tumbarumba Rodeo and the Red Hatters Debutante Ball. Refer to Table 1 for the full list of identified current users of Tumbarumba Sports Stadium.

Table 1 –Identified users of the Tumbarumba Sports Stadium and Pioneer Hall Facilities

User Group	Use	Facilities
Emergency First Responders	Emergency First Responders will have the use of the facilities as a staging ground, the community will use the facilities as a neighbourhood safer place and for emergency accommodation if necessary.	Tumbarumba Sports Stadium Pioneer Hall
Tumbarumba High School	5 days in October annually	Tumbarumba Sports Stadium Pioneer Hall
Tumbarumba PA & H Society	7 days in March annually	Pioneer Hall
Carcoola Art Show	5-7 days in March annually	Pioneer Hall
Tumbarumba Rodeo & Rodeo Camp – 3-4 weeks in December/January annually	3-4 weeks in December/January annually	Tumbarumba Sports Stadium Pioneer Hall
Tumbarumba Rugby League Football Club	6-8 games p/yr (bar & canteen) + Training Wednesday 6 months annually	Tumbarumba Sports Stadium Pioneer Hall
Tumbarumba Sports Academy/Judo	Mon/Tue/Fri - 7pm-8:30pm	Pioneer Hall
Magic in the Mountains Martial Arts	Wed/Thurs - 5:30pm-9:30pm	Pioneer Hall
Tumbarumba Basketball	1 day p/wk for 8 weeks bi-annually	Tumbarumba Basketball Stadium
Tumbarumba Spring Flower Show	5 days in March annually	Tumbarumba Basketball Stadium

User Group	Use	Facilities
Tumbarumba Show	5 days March annually	Tumbarumba Basketball Stadium
Tumbarumba Batlow Minor League	6-8 games p/yr (bar & canteen) + Training Tues/Fri - 6 months annually	Tumbarumba Basketball Stadium
Pub 9's	1 game p/yr (bar & canteen) annually	Tumbarumba Basketball Stadium
Zone 20 Pony Club Camp	7 days in January annually	Tumbarumba Basketball Stadium
Weddings / Funerals	AdHoc	Tumbarumba Sports Stadium Pioneer Hall

Operation and Management Agreement with Tumbarumba Sports Academy (TSA) at Pioneer Hall and Tumbarumba Sports Stadium.

Discussions with Tumbarumba Sports Academy Incorporated (TSA) on the use of Pioneer Hall and Tumbarumba Sports Stadium initially started on 1 September 2022. TSA presented to Council the proposed model and activities that they would facilitate at these venues.

Discussions were put on hold while Council developed a policy framework for the use of its community and recreational facilities, followed by individual agreements for specific facilities as the need arose.

This Operation and Management Agreement (OAM) is the first agreement that the Council has entered into and it is proposed that the agreement be undertaken on a trial basis.

The full details of the agreement are commercial and in confidence and are attached in the Confidential Report.

A summary of the agreement is outlined in Table 2.

Table 2 . Summary of the Operation and Management Agreement

Introduction	The introduction references the <i>Community and Recreational Facilities Management Policy</i> adopted by Council in December 2023 and the objectives of the policy.
Aim of the Agreement	Sets out the responsibilities of Snowy Valleys Council (SVC) and the Manager / Operator (Tumbarumba Sports Academy - TSA) regarding the operation and management of Pioneer Hall and Tumbarumba Sports Stadium,.
Dilapidation Report	A full dilapidation report on the premises (Pioneer Hall and Tumbarumba Sports Stadium) accompanied by photographs will be prepared by Council prior to the execution and commencement of the agreement.
Planned Capital or Maintenance Works	The agreement identifies any planned capital works or maintenance works that Council needs to undertake on the premise.
Tenure and renewal of the agreement	In accordance with Councils adopted Policy, it is not Councils intention to enter into long term agreements with user groups. The purpose of the policy and this agreement is to encourage higher utilisation of Councils Community and Recreational Facilities through enabling a broader range of user groups to have access to the facilities all year round. A review of usage and management options for any facility that Council enters into an agreement with will be undertaken within 12 months of the start of the agreement period.

	<p>The review will consider prior existing usage and utilisation of the facility compared to current usage, the alignment of activities and programs that the user group runs out of the facility with Councils Community Strategic Plan and the changing needs of the community.</p> <p>Details of the time frame the agreement covers for the use of Councils facility is outlined in a table in the agreement.</p>
Rent and Rental Subsidy	<p>In accordance with Councils' adopted Community and Recreational Facilities Management Policy the agreement outlines the level of rent paid, or subsidy provided by Council to the operator (Tumbarumba Sports Academy). This is reviewed every 12 months.</p> <p>Rental subsidy is calculated in accordance with the provisions set out in the Community and Recreational Facilities Management Policy adopted by Council in December 2023 – Page 6 of the minutes.</p>
In kind Contributions	<p>In accordance with Councils' adopted Community and Recreational Facilities Management Policy, the Manager / Operator (Tumbarumba Sports Academy) will retain a register of all "in kind" contributions made towards the management and operation of the facilities. These "in-kind" contributions will be reviewed every 12 months and will inform the level of rent or subsidy provided by Council.</p>
Rental Payments and Bonds	<p>In accordance with Councils' adopted Community and Recreational Facilities Management Policy, the agreement outlines the rental payments and bond the operator is to pay Council for the use of the facilities.</p>
Outgoings – Utility Charges	<p>In accordance with Councils' adopted Community and Recreational Facilities Management Policy, the outgoings of the facility (utility costs, insurance costs, cleaning, waste removal and other associated operational costs that Council pays for are identified in the agreement and the responsibility for payment of the outgoing / operational costs for the premise is identified.</p> <p>As per Councils adopted Community and Recreational Facilities Management Policy, the user of these facilities under this agreement is responsible for payment of utility charges associated with the use of the premises.</p> <p>The Manager/Operator (Tumbarumba Sports Academy) must pay separately metered or pro rata utility charges for utilities such as water usage, gas, electricity, telecommunications, trade waste or grease trap charges with respect to the Facilities directly as they fall due.</p> <p>If the utilities are not separately metered Council, acting reasonably, must apportion an amount attributable to the Facilities. The amount apportioned by Council to the Manager/Operator must be paid by the Contractor to Council within 14 days of receipt of the invoice from Council.</p>
Insurances	<p>In accordance with Councils' adopted Community and Recreational Facilities Management Policy the agreement identifies the insurances that the operator must have in place to occupy and use the premise. The building insurances that Council is responsible for are identified in the agreement.</p>
Prohibited Activities	<p>In accordance with Councils' adopted Community and Recreational Facilities Management Policy the agreement identifies the types or</p>

	<p>prohibited activities that the operator cannot perform, allow or undertake while occupying the premise. Types of activities include</p> <ul style="list-style-type: none"> • Noisy / noxious / offensive behaviour or activities • Inappropriate programs • Conduct • Advertisements • Public Meetings – rallies - display of political advertising • Alteration or additions to the buildings that are the subject of this agreement
Shared use of the buildings (Pioneer Hall and Tumbarumba Sports Stadium)	<p>In accordance with Councils <i>Community and Recreational Facilities Management Policy</i> this agreement must allow for shared use of the facility with existing or new user groups.</p> <p>This agreement does not provide for exclusive or restricted access to these facilities.</p> <p>Tumbarumba Sports Academy must negotiate with other community user groups a shared use arrangement for these buildings.</p>
Other Areas of responsibility	<p>The agreement outlines the other areas of responsibility that fall within the operators obligations when occupying Councils premise. These include;</p> <ul style="list-style-type: none"> • Daily cleaning • Maintenance Responsibilities • Waste removal • WHS • Compliance with relevant laws and legislation • Record Keeping
Hours of Operation and Bookings	<p>In accordance with Councils' <i>Community and Recreational Facilities Management Policy</i>, the user of these premises must share the facility with other user groups.</p> <p>The Manager / Operator (Tumbarumba Sports Academy) must advise Council of the daily hours of operation that the facility is being used and make provision for other user groups to utilise the facility within the permissible operating times of the facilities.</p> <p>Council requires a monthly calendar of the hours of use that (Tumbarumba Sports Academy) are using the facility for its specific activities so that Councils Customer Services and booking team are aware of what hours of operation are available to other user groups who want to use the facility.</p> <p>Bookings for other user groups will still be made through Council's Customer Service Team and Council will still charge those bookings in accordance with its adopted fees and charges.</p> <p>Bookings cannot be refused by the Manager / Operator (Tumbarumba Sports Academy) for the facility if the bookings made by other user groups are made outside of the hours of operation identified in the Manager / Operators calendar of hours for use of the facility.</p>

Security	The Manager / Operator (Tumbarumba Sports Academy) is responsible for all security aspects of the premises. The premises must be securely locked daily when not in operation.
Revenue	<p>In accordance with Council's Community and Recreational Facilities Management Policy, the Manager / Operator (Tumbarumba Sports Academy) will retain all monies received through the operation and management of Pioneer Hall and Tumbarumba Sports Stadium that are generated through their own activities.</p> <p>The fees and charges for the programs and activities that the Manager / Operator (Tumbarumba Sports Academy) charge are unfettered by Council and are at the discretion of the Manager / Operator.</p> <p>Council will retain all revenue received through other bookings made for the Facilities (Pioneer Hall and Tumbarumba Sports Stadium) during the times Tumbarumba Sports Academy is not using the facility. Fees and Charges for these bookings will be in accordance with Council's adopted Fees and Charges.</p>
Alterations and Additions to the Premises	<p>In accordance with Council's Community and Recreational Facilities Management Policy, any alterations or additions to these Council owned Community and Recreational Facilities must have Council approval prior to any works being undertaken.</p> <p>If the Manager / Operator (Tumbarumba Sports Academy) voluntarily undertakes alterations or additions to these facilities with the approval of Council, these alterations and additions will be the responsibility of the Manager / Operator (Tumbarumba Sports Academy) to maintain for the duration of the agreement.</p> <p>Council at its discretion can direct the Manager / Operator (Tumbarumba Sports Academy) to remove these alterations and additions at the end of the agreement.</p>
Reporting and Provision of Information to Council	<p>In accordance with Council's Community and Recreational Facilities Management Policy, the Manager / Operator must provide information to Council each quarter in the form of a report or calendar of the hours of use that the facilities (Tumbarumba Sports Stadium and Pioneer Hall) have been in use for activities undertaken by the Manager / Operator (Tumbarumba Sports Academy). The report should detail what the activities are and the hours of use for each activity.</p> <p>This enables Council to have a clear understanding of how its facilities are being utilised in terms of the type of activity and the duration of each activity. These metrics are essential for determining the amount of community benefit that is being derived from the facility and also benchmarking that Council requires on the utilisation of its Community Facilities for ongoing maintenance and Asset Management purposes.</p>
Other Identified users of this facility.	In accordance with Council's Community and Recreational Facilities Management Policy, the agreement identifies who the other facility users are, so the Manager / Operator understands the parameters around the shared use requirements of the premise or facility.
Use of Council's Logo or Mark	In accordance with Council's Community and Recreational Facilities Management Policy, the Manager / Operator (Tumbarumba Sports Academy) must not use a Council Logo or Mark without the prior written consent of Council, which may be withheld in its absolute

	discretion or be given subject to such conditions as Council considers appropriate.
Signature and Execution	At the end of the terms and conditions of the agreement there is a signing and execution section for both parties – Council and the Manager / Operator to sign and witness.
Schedule 1.	Identifies the Loose furniture, fixtures, and equipment in the building and who that property belongs to.
Schedule 2.	Includes a building Map / Plan that outlines the area to be occupied by the Manager / Operator under the agreement.
Schedule 3.	Identifies the Operational Hours – Calendar on hours of use by the Manager / Operator for the premise or facility.
Schedule 4.	Is the signed off dilapidation report for the premise / facility (Pioneer Hall and Tumbarumba Sports Stadium) – which is agreed to by Snowy Valleys Council and the Manager / Operator (Tumbarumba Sports Academy).

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 1 - Our Community

Community Strategic Plan Strategic Objectives

CSP1 Our communities are connected and inclusive. Supported by services that nurture health, wellbeing and identity

Delivery Program Principal Activities

1.2 Provide and maintain community spaces that encourage activity and wellbeing

FINANCIAL AND RESOURCES IMPLICATIONS:

Council incurred internal staff costs of \$2,500 in the preparation of the draft OAM.

Pioneer Hall

The current book value (Replacement value) of the Pioneer Hall building is \$1,742,100.

The current cost of outgoings at Pioneer Hall paid for by Council include Water, Electricity – building insurance, security, cleaning and staff administration costs.

These costs in total over last two financial years for this building are as follows;

- 2022/2023 = \$6,561 (Outgoings)
- 2023/2024 = \$4,266 (Outgoings)

Average outgoings cost to Council over the last two financial years - \$5,413.50

Tumbarumba Sports Stadium

The current book value (Replacement value) of the Tumbarumba Sports Stadium building is \$3,714,000.

The current cost of outgoings at Tumbarumba Sports Stadium paid for by Council include Water, Electricity – building insurance, security, cleaning and staff administration costs.

These costs in total over last two financial years for this building are as follows;

- 2022/2023 = \$3,235
- 2023/2024 = \$ 766

Average outgoings cost to Council over the last two financial years - \$2,000.50

It is proposed under the OAM that TSA pay to Council a pro-rata dollar amount towards the outgoings of these two facilities based on TSA's weekly hours of use at both facilities. The outgoing payments are based on the "User Pays" principle.

The annual rent and bond that TSA are to pay Council for the use of the Pioneer Hall and Tumbarumba Sports Stadium facilities are outlined in the OAM which is included as a Confidential attachment to this report.

Council is currently undertaking a \$300,000 upgrade of the Tumbarumba Sports Stadium Facility which is due for completion in August 2024.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Snowy Valleys Council - Community and Recreational Facilities Management Policy adopted December 2023

Disability Discrimination Act 1992

Work Health and Safety Act 2020

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Legal	<p>This Operations and Management Agreement (OAM) has been formulated in alignment and to meet the objectives of the Snowy Valleys Council – Community and Recreational Facilities Policy – Adopted December 2023. This agreement is considered a trial for a new community based operating model, whereby Council partners with the community to deliver better outcomes for the utilisation of its facilities and provision of community programs, and activities that Council would otherwise have to resource and manage itself.</p> <p>Insurance</p> <p>Under the OAM, the Operator will be responsible for all Public Liability and</p>	Reputational	<p>The trial of the new OAM partnership model can be expanded across the LGA into other local communities where Council has existing facilities. The potential opportunities and benefits that this model can bring is that it can deliver local community-based programs and activities at a relatively low cost to Council and address specific needs or gaps in Councils programs at a "grass roots level".</p> <p>It also can ensure that there is better utilisation of Councils facilities and demonstrate capacity building in our Local Communities through a reduction in the reliance and dependence on Council to meet every community request for service that can be beyond Councils budgets and resourcing capabilities.</p>

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
	Personal Injury Insurance. Council will continue to be responsible for all building and contents insurance.		
Financial	<p>There is a risk that the Facility Operator will not be able to cover the utility and "other costs" that they are obligated to cover under section 4 and 4.1 of the agreement.</p> <p>The agreement has stipulated that a bond needs to be provided by the operator to cover any unpaid utility costs or rental arrears.</p> <p>Council is undertaking over \$300,000 of capital improvements on the facility. The risk is that the operator will not be able to maintain the new infrastructure such as the brand new timber basketball court floor.</p>	Under the OAM it is forecast that Council will be in a breakeven position on the operational costs of the facility.	The OAM partnership model can potentially deliver local community-based programs and activities at a relatively low cost to Council and is less resource intensive for Council.
People	The opportunity for better utilisation of Councils facilities for the provision of community-based programs and activities in the Snowy Valleys Towns and Villages contributes to positive social, health and wellbeing outcomes for all residents and visitors to the area.	Nil	Active engagement and an avenue for social activities for all members of the community which may not have been previously available.
Technology	That the operator does not meet the expectations of Council and/or the Community in terms of delivering community-based programs and activities that are expected to be delivered through the OAM agreement.	Reputational	The OAM is a trial model that is the subject of this report is for a relatively short time frame – 12 months initially with options to extend the agreement if the model is deemed to be a success by Council.

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Stakeholder	<p>The OAM model will enable capacity building in our Local Communities through a reduction in the reliance and dependence on Council to meet every community request for service that at times cannot be provided by Council.</p> <p>The overriding principal of the OAM model is that it is a partnership arrangement between Council and local operators who have local knowledge and expertise in delivering specific programs and activities that meet the requirements of the communities they are part of.</p> <p>The model enables Council to build important relationships with its stakeholders and work in a partnership arrangement with operators who have the best interests of the community at heart.</p> <p>The model delivers fine grain specific community outcomes at a "grassroots" level that supports all the principals of best practice capacity building in local communities.</p>	Nil	<p>Enabling capacity building in our Local Communities through a reduction in the reliance and dependence on Council to meet every community request for service delivery.</p> <p>Supporting local business, community and stakeholder groups.</p> <p>This model and OAM enables partnerships and relationship building between Council a variety of different stakeholders at a "Grassroots Level"</p> <p>Enabling Council to deliver programs and activities through a partnership arrangement that meets the specific requirements of the community.</p>
Service Delivery	<p>It is anticipated that the utilisation of Council's Facilities for the delivery of community-based programs and activities will be significantly increased under the OAM.</p>	Nil	<p>Provide specific services that support and meet identified needs in the Local Community that otherwise could not be delivered by Council.</p>

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
			<p>Better utilisation of Council Facilities.</p> <p>Locally based service and program delivery that is tailored to a specific community need or gap in current service delivery.</p>

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the Operations and Management Agreement.
3. Decline the recommendations set out in this report.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:**Internal Consultation:**

Consultation and direction from Councillors was first provided after a workshop held on 1 September 2022.

Council was briefed on the draft Operations and Management Agreement for the Tumbarumba Sports Stadium and Pioneer Hall at the Council Workshop held on Thursday 2 May, 2024.

A number of suggested changes to the draft OAM were discussed at the Workshop by Councillors and these changes have now been incorporated into the OAM which is attached as a Confidential Attachment to this report.

External Consultation:

In October 2023, Council formulated a new Community and Recreational Facilities Management Policy that was publicly exhibited for 28 days from 2 October to 2 November 2023.

During the public exhibition period, Council received five (5) submissions.

At the 14 December 2023 Council meeting it was resolved:

THAT COUNCIL:

1. ***Adopt the Community and Recreational Facilities Management Policy (SVC-ENG-PO-130-01)***
2. ***Note the submissions that were received and the responses to those submissions provided in this report.***

ATTACHMENTS

1. Community and Recreational Facilities Management Policy - Adopted December 2023 (Under separate cover)
2. Tumbarumba Sports Academy and Council Operations and Management Agreement (OAM) - Confidential (Under separate cover)

11.6. TUMUT DISTRICT NEIGHBOURHOOD CENTRE - NEW LEASE AGREEMENT

REPORT AUTHOR: PROPERTY & ROADS PARTNER

RESPONSIBLE DIRECTOR: DIRECTOR INFRASTRUCTURE & WORKS

EXECUTIVE SUMMARY:

The current lease that the Tumut & District Neighbourhood Centre (the 'Centre') has with Council for the property Lot 1019 / DP 1099418, located at 173 Wynyard Street, Tumut expires on 30 June 2024.

Council has been approached by the Centre by way of a letter to enter into a new lease for these premises for three (3) years with the option to extend the lease for a further two (2) year period.

This report outlines the terms of the new lease in a draft Heads of Agreement that is a confidential attachment to this report.

RECOMMENDATION:

THAT COUNCIL:

1. Enters into a new lease arrangement with the Tumut & District Neighbourhood Centre Incorporated for the Council owned property Lot 1019 / DP 1099418, located at 173 Wynyard Street Tumut, on a three (3) year lease arrangement commencing 1 July 2024 with an option to extend the lease for a further two (2) year period;
2. Authorise the Interim General Manager or delegate to enter into direct negotiation and finalise the draft Heads of Agreement with the Tumut & District Neighbourhood Centre;
3. Authorise the Interim General Manager at the end of successful negotiations to enter into a new lease arrangement with the Tumut & District Neighbourhood Centre for the Council owned property (Lot 1019 DP 1099418), located at 173 Wynyard Street Tumut;
4. Authorise the Interim General Manager and Mayor to affix the Council Seal and execute all associated documentation to the lease agreement;
5. Upon execution of the lease, advertise information relating to the lease in accordance with the Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts with Private Sector;
6. Treat matters in the Confidential Report specified in Sections 10A(2)(d)(i) as confidential and remain confidential until Council determines otherwise; and
7. Note that all parties have to meet their own legal costs associated with the preparation and execution of the lease.

BACKGROUND:

Council has previously leased this property at 173 Capper Street, Tumut to the Centre since 1997. Refer to table 1 below for the leasing history of the property.

Property owner (Landlord)	Lessee/Tenant	Lease Area	Lease Period	Annual Rental paid to Council
Tumut Shire Council	Tumut & District Neighbourhood Centre Incorporated	1304.94 m2	03/02/1997 to 02/02/2002	\$1,200 Inc GST
Tumut Shire Council	Tumut & District Neighbourhood Centre Incorporated	1304.94 m2	New Lease from 02/02/2002 to 2006	\$1,545. Inc GST

Property owner (Landlord)	Lessee/Tenant	Lease Area	Lease Period	Annual Rental paid to Council
Tumut Shire Council	Tumut & District Neighbourhood Centre Incorporated	1304.94 m2	Variation of lease 01/07/2006 to 30/06/2009	\$1,545. Inc GST
Tumut Shire Council	Tumut & District Neighbourhood Centre Incorporated	1304.94 m2	New Lease 30/06/2009 to 030/06/2012 with the option to renew a further term 3x3 years 1/7/2012 to 30/6/2015 then 1/7/2015-30/06/2018	\$1,465.22 ex GST
Snowy Valleys Council	Tumut & District Neighbourhood Centre Incorporated	1304.94 m2	New lease includes Childcare Centre 01/07/2018 to 30/06/2021 with the option to renew a further term from 01/07/2021 to 30/06/2024.	\$8,708.52 (excl. GST) invoiced monthly
Snowy Valleys Council	Tumut & District Neighbourhood Centre Incorporated	1304.94 m2	Variation of lease 01/07/2021 to 30/06/2024	\$10,026.37 (excl. GST) invoiced yearly \$7.68 per m2
Snowy Valleys Council	Tumut & District Neighbourhood Centre Incorporated	1304.94 m2	New three (3) year lease arrangement commencing 1 July 2024 with an option to extend the lease for a further two (2) year period.	\$12,000.00 (excl. GST) invoiced half yearly \$ 9.10 per m2

The Centre has advised Council via a letter that was received on 23 April 2024 that the Centre would like a new lease for the property which would be for a term of three (3) years. Council is also prepared to offer a further option to extend the lease for a further two (2) years.

Note: A draft Heads of Agreement and general terms and conditions of the new lease arrangement are outlined in the confidential section of this report.

REPORT:

The current tenant of this Council owned property at 173 Wynyard Street, Tumut is the Tumut & District Neighbourhood Centre (The Centre), which is a registered charity primarily funded by the NSW Department of Communities and Justice.

The Centre is a not-for-profit, community-based organisation which works with individuals, families, other community service providers and groups to provide access to information, resources and services that these groups and individuals would otherwise not be able to access. The Centre is accessible to all members of the community and provide services such as:

- Direct financial assistance to those in need of specialised financial services.

- Supporting individuals and families experiencing a crisis.
- The Emergency Relief program helps address basic, immediate needs by providing food vouchers, help with transport costs, medicine and for crisis accommodation. The Centre also provides Telstra vouchers provided by the Smith family.
- The opportunity shop is run by local volunteers and supplies those in need of clothing and essential items as needed at no cost. The emergency support program provides a safety net to people in our community experiencing financial distress or hardship and who have limited means and resources to assist with their circumstances.
- The Centre prioritises those most vulnerable in our community.
- The Centre facilitates and operates a child care service. Outside school hours care for 5-13 year olds. The service is registered, accredited and regulated by the Department of Education. After school and Vacation care supports families whose parents and carers work and study. The aim of the Centre is to provide a safe, healthy and caring environment for primary school aged children.

The Centre is within walking distance to the main street of Tumut and Public Transport. The main street of Tumut (Wynyard Street) also includes a range of services including banks, supermarkets, post office, chemist, various health practioners, cafes and a number of pubs.

Photos 1-2 Tumut and District Neighbourhood Centre – 173 Wynyard Street Tumut



Photos 3-4 Tumut and District Neighbourhood Centre – 173 Wynyard Street Tumut



Photos 5-6 Tumut and District Neighbourhood Centre – 173 Wynyard Street Tumut



Photos 7-8 Tumut and District Neighbourhood Centre – 173 Wynyard Street Tumut



Site Map – Tumut District Neighbourhood Centre - 173 Wynyard Street – Tumut



If Council can enter into a financially sustainable lease for this property with the Centre, the services to the community and Council that the Centre currently provides can continue.

A new lease with this tenant which brings in a small amount of revenue which contributes towards Councils outgoings for the property and enables Council to maintain the property in a condition that is “fit for purpose” and will ensure that the current tenant can continue to deliver services to the community.

The revenue foregone to Council if a financially sustainable or viable lease for the property cannot be established will impact Councils financial sustainability in the short, medium and long term.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Community Strategic Plan Theme

Theme 5 - Our Civic Leadership

Community Strategic Plan Strategic Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community.

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

All parties have to meet their own legal costs associated with the preparation and execution of the lease.

The Draft Heads of Agreement attached to this report as a confidential attachment outlines the proposed annual rental to be paid to Council and the general terms and conditions of a new lease.

The services provided to the community through the Tumut and District Neighbourhood Centre (The Centre) are funded through the NSW Department of Communities and Justice.

This annual rental revenue for this property has been allowed for in the 2024/2025 revenue budget for Council and Councils Long-Term Financial Plan.

The revenue foregone to Council if a lease for the property cannot be established, will impact Councils financial sustainability in the short, medium and long term and its ability to deliver services to the community. Councils' ability to maintain the property in a "fit for purpose" condition will also be diminished if a financially sustainable lease cannot be established for the property.

Table 1. Tumut and District Neighbourhood Centre - Operating Costs and Financial Performance

Building cost performance	2022/2023	2023/2024 – YTD as at May 2024	Proposed Rent 2024/2027	2024/2025 Budget for maintenance and operations for the Tumut District Neighbourhood Centre
Income - leasing & other revenue	\$9,093	\$8,919	\$12,000	
Expenses:				
Internal Rates	\$5,860	\$5,848	\$6,444	2024/2025 Budget
Cleaning	\$0.00	\$0.00	\$0.00	2024/2025 Budget
Depreciation	\$20,082	\$14,244	\$17,094	2024/2025 Budget
Administration	\$622	\$2,011	\$2,610	2024/2025 Budget
General Contracting	\$1,533	\$826	\$3,000	2024/2025 Budget
Property Insurance	\$0	\$3,154	\$4,848	2024/2025 Budget
Total Expenses - operating costs:	\$28,095	\$26,595	\$35,496	2024/2025 Budget
Operating Profit/loss	-\$19,002	-\$17,677	-\$26,396	

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Council Officers will forward all documentation to Council's solicitor to ensure compliance with the *Real Property Act 1900* and associated legislation. The lease agreement will be created in accordance with the terms within the *Real Property Act 1900* and the *Corporations Act 2001*, and developed by Council's solicitors.

Local Government Act 1993.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

There are no expected risks associated with this proposal.

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Legal	<p>Council is unable to enter into a financially sustainable / viable lease for this property.</p> <p>Council will have to manage the property inhouse using Councils own resources.</p>	<p>Additional Staffing, Resource and Property Management Risk for Council.</p> <p>Poor financial return to Council and the community if a lease for this property cannot be entered into.</p> <p>Councils short, medium and long-term financial sustainability is impacted.</p>	<p>If Council can enter into a financially sustainable and viable lease for this property with the Tumut District Neighbourhood Centre, the services to the community and Council that the Centre currently provides can continue.</p>
Environmental & Public Health	<p>The community services provided by Council through leasing this property to the current tenant will no longer be able to be delivered if a new lease is not established.</p>	<p>There will be a reduction in Services to the community which may have impacts on health and wellbeing, particularly for young families and some of the more vulnerable members of the community such as the aged.</p>	<p>Council and the current tenant will be able to continue to deliver the current Services to the community that are enabled through Council leasing this property.</p>
Financial	<p>Council is unable to enter into a financially sustainable or viable lease for this property.</p>	<p>Council will have to manage the property itself which it currently doesn't have the staffing or financial resources to do.</p> <p>The revenue foregone to Council if a financially sustainable or viable lease for the property cannot be established will impact Councils financial sustainability in the short, medium and long term and its ability</p>	<p>If Council can enter into a financially sustainable and viable lease for this property with the Tumut District Neighbourhood Centre then the services that can be delivered through this tenant will continue.</p> <p>If Council can enter into a lease that brings in some revenue and covers the outgoings on the property the benefits to the community</p>

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
		to deliver services to the community. Councils ability to maintain the property in a condition that enables it to be “fit for purpose” and deliver services to the community is diminished.	through being able to maintain service delivery levels and community infrastructure in line with community expectations will be sustained. The revenue received through a lease on this property contributes to the funding of services provided to the community that are in line with community expectations and standards.
People	The Services that Council and the Tenant provide to the community through this property will no longer be able to be delivered if a lease cannot be established.	The cost to Council and the community through not being able to deliver these services will need to be shifted to an alternative arrangement or cease to be delivered. If Council and the Tenant are unable to enter into a financially sustainable or viable lease for this property, the services this tenant provides to the community will no longer be delivered.	Council can establish a financially sustainable / viable lease with the Tenant which enables the existing services to the community to continue to be delivered.
Technology	None	None	None
Stakeholder	The Services that Council and the Tenant provide to the community through this property will no longer be able to be delivered if a lease cannot be established.	The property is no longer “fit for purpose” if Council and the Tenant are unable to enter into a financially sustainable / viable lease for this property. The cost to Council and the community through not being able to deliver these services will need to be shifted to an alternative arrangement / service provider or cease to be delivered.	Council can establish a financially sustainable / viable lease with the Tenant which enables the existing services to the community to continue to be delivered uninterrupted.
Service Delivery	The Services that Council and the Tenant	The property is no longer “fit for purpose” if	Council can establish a financially sustainable /

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
	provide to the community through this property will no longer be able to be delivered if a lease cannot be established.	Council and the Tenant are unable to enter into a financially sustainable / viable lease for this property. The services that the Tenant currently delivers to the community via this Council owned property will no longer be delivered.	viable lease with the Tenant which enables the existing services to the community to continue to be delivered uninterrupted.

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the recommendations of this report.
3. Decline the recommendations set out in this report.

COUNCIL SEAL REQUIRED:

Yes.

The Council Seal will be required for the Execution of a lease between Council and the Tumut & District Neighbourhood Centre once a new lease has been negotiated.

COMMUNITY ENGAGEMENT AND COMMUNICATION:

No Community Consultation is required.

ATTACHMENTS

1. 23 April 2024 - Tumut District Neighbourhood Centre - requesting a new lease.
(Confidential - Under separate cover)
2. 20240413 - DRAFT Heads of Agreement - Tumut District Neighbourhood Centre Inc
(Confidential - Under separate cover)

12. MINUTES OF COMMITTEE MEETINGS

12.1. MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE 17 MAY 2024

REPORT AUTHOR: COORDINATOR GOVERNANCE

RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY & CORPORATE

EXECUTIVE SUMMARY:

The Audit, Risk & Improvement Committee (ARIC) was established by Council in August 2016 and is pursuant to Section 428A of the *Local Government Act 1993*. The ARIC reports to Council after each meeting.

RECOMMENDATION:

THAT COUNCIL:

1. Note the Minutes of the Audit Risk and Improvement Committee held on 17 May 2024.

BACKGROUND:

The objective of the ARIC is to provide independent assurance and advice to Council on risk management, control, governance, and external accountability responsibilities.

ARIC's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference. This advice aims to facilitate the decision making of Council in relation to the discharge of its responsibilities.

In discharging its responsibilities, ARIC reviews and considers:

- The integrity of external financial reporting, including accounting policies
- The scope of work, objectivity, performance and independence of the external and internal auditors
- The establishment, effectiveness and maintenance of controls and systems to safeguard the Council's financial and physical resources.

REPORT:

All information including notes and actions have been captured in the ARIC minutes which are attached to this report.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community.

Delivery Program Principal Activities

5.4 Maintain and deliver a governance framework that guides good decision making, accountability and legislative compliance.

FINANCIAL AND RESOURCES IMPLICATIONS:

The approved budget for the operation of the ARIC for 2024/2025 is \$47,000 and includes member remuneration, training and the engagement of the internal auditor.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Council has established an Audit, Risk and Improvement Committee which functions under the Internal Audit Guidelines, September 2010 issued under Section 23A the *Local Government Act 1993*.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

ARIC is charged with the responsibility of:

- Reviewing Council's enterprise risk management framework and associated procedures for effective identification and management of Council's business and financial risks.
- Making a determination as to whether a sound and effective approach has been followed in managing Council's major risks including those associated with individual projects, program implementation and activities.
- Assessing the impact of the Council's enterprise risk management framework on its control environment and insurance arrangements

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

1. Minutes - Audit Risk and Improvement Committee - 17 May 2024 (Under separate cover)

12.2. MINUTES - LOCAL TRAFFIC COMMITTEE MEETING - 8 MAY 2024**REPORT AUTHOR: ROAD SAFETY OFFICER****RESPONSIBLE DIRECTOR: DIRECTOR INFRASTRUCTURE & WORKS**

EXECUTIVE SUMMARY:

The Local Traffic Committee is a statutory Committee with representatives from NSW Police, Transport for NSW (TfNSW), Local Members of Parliament, Councillors and Council staff.

The purpose of the Committee is to update Council on matters related to prescribed traffic control devices and traffic control facilities for which Council has delegated authority.

This report seeks adoption of the Committee minutes and recommendations from the meeting held on the 8 May 2024.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Note the Minutes of the Local Traffic Committee held on 8 May 2024.**
- 2. Adopt the following recommendation/s from the minutes of the Local Traffic Committee meeting on the 8 May 2024:**

ITEM 8.1 – REQUEST “NO STOPPING” SIGNAGE – REEDY STREET, BATLOW

- Support the application for the “No Stopping” signage at the frontage of 10 Reedy Street, Batlow, subject to provision of standard terms and conditions.

ITEM 8.2 – REQUEST – CHANGE SCHOOL SPEED ZONE – HOWICK STREET, TUMUT

- Reject the request for a school speed zone adjacent to the Tumut Community Preschool in Howick Street, Tumut and that Council undertake a traffic survey to review the speed and traffic volumes from May 2024.

ITEM 8.3 – SPECIAL REQUEST – JACK RYAN VC HUME HIGHWAY STOP – GUNDAGAI TO TARCUTTA SECTION

- Support the John Ryan VC special memorial request for a highway stop between Gundagai and Tarcutta on the Hume Highway, subject to Council’s standard conditions.
- Write to the Transport for NSW Regional Director, requesting consideration of naming an existing Rest Area, in close proximity to the Tumut area, after Jack Ryan VC, and that Council be consulted.

ITEM 8.4 – SPECIAL EVENT APPLICATION – SNOWY MOUNTAINS ENDURANCE RIDERS ZONE CHAMPIONSHIP – 27-28 JULY 2024

- Support the Special Event application for the Snowy Mountains Endurance Riders Zone Championships Event to be held 27-28 July 2024, subject to Council’s standard conditions.

ITEM 8.5 – SPECIAL EVENT APPLICATION – BLOOM STREET FESTIVAL – 11-13 OCTOBER 2024

- Provide in principle support for the Bloom Street Festival Event to be held 11-13 October 2024, should the funding application be successful. Traffic documentation will be supplied to the Committee.

ITEM 8.6 – SPECIAL EVENT APPLICATION – HUME & HOVELL ULTRA MARATHON – 12-13 OCTOBER 2024

- Support the application for the Hume and Hovell Ultra Marathon Event to be held 12-13 October 2024, subject to Council’s standard conditions.

ITEM 8.7 - SPECIAL EVENT APPLICATION – SNOWY VALLEYS CYCLE CHALLENGE – 10 NOVEMBER 2024

- Support the Special Event application for the Snowy Valleys Cycle Challenge Event to be held on the 10 November 2024, subject to Council's standard conditions.

ITEM 8.8 – SPECIAL EVENT APPLICATION – ZONE 20 PONY CLUB – 12-19 JANUARY 2025

- Support the Special Event application for the Zone 20 Pony Club Parade to be held 18 January 2025 subject to:
 - Approval to include in Insurance documentation provided, clearly nominate Transport for NSW, Snowy Valleys Council and Police as interested parties. A letter of intent from the Insurance Company for the insurance renewal is to be provided 4 weeks prior to the Event being held.
 - A condition of approval is that Organisers ensure all manure is collected immediately following the Parade from the roadway.
 - The Organising Committee is to be advised that if there is a noncompliance again with the upcoming Event, it is an offence under the "*Summary Offences Act 1988*".

BACKGROUND:

The Local Traffic Committee is primarily a technical review Committee with representatives from Transport for NSW, NSW Police, representatives of elected members of Parliament and Council representatives, related to traffic control devices, facilities and events related to roads and transport within the Local Government area, that are not Federal or State, or private roads.

REPORT:

A copy of the Local Traffic Committee Meeting Minutes are attached under separate cover.

The Local Traffic Committee discussed the nomination of a suitable rest area location in recognition of Jack Ryan VC on the Hume Highway. Jack Ryan VC was a member of the 55th Infantry Battalion who fought in World War I. The Victoria Cross was awarded for: "*For conspicuous gallantry and devotion to duty, and for saving a very dangerous situation under particularly gallant circumstances during an attack against the Hindenburg defences on 19th September 1918*".

Council has engaged further with TfNSW regarding the proposal, with TfNSW advising that a formal application through the Geographic Names Board (GNB) would also be required for approval. This would be undertaken as part of the process of application.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****Delivery Program and Operation Plan Strategic Directions**

Theme 4 - Our Infrastructure

Community Strategic Plan Objectives

CSP4 Our infrastructure includes Council services that plan, manage, maintain and renew our community infrastructure and transport networks

Delivery Program Principal Activities

4.1 Plan and provide sustainable transport infrastructure, including footpaths, walking tracks and cycleways

4.3 Plan and provide a program to maintain the local road network

FINANCIAL AND RESOURCES IMPLICATIONS:

Internal resources are utilised to prepare the reports for the Local Traffic Committee and the provision of executive staff of the Committee.

The delivery of the traffic safety initiatives proposed by the Local Traffic Committee are subject to the availability of funding. Council has an allocated Budget for the commencement of agreed road safety initiatives. The items outlined in this report will be actioned as time and resources are available.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The requirements for Council to maintain a Local Traffic Committee are contained within the *Roads Act 1993*, with Terms of Reference being provided by Transport for NSW (A Guide to the Delegation to Council's for the Regulation of Traffic (including the operation of Traffic Committees) RTA 2009)

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Risk Management Assessments are provided with Special Event Applications.

Risk Management is considered as part of the roles of the Local Traffic Committee.

OPTIONS:

Council may choose to:

1. Endorse the recommendations made by the Local Traffic Committee as described in this report and the Minutes, as attached.
2. Endorse some of the recommendations made by the Local Traffic Committee as described in this report and the Minutes, as attached.
3. Not endorse the recommendations made by the Local Traffic Committee as described in this report and the Minutes, as attached.
4. Reject or defer the report.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

The traffic management of events that occupy road reserves requires consultation with NSW Police, Transport for NSW, Snowy Valleys Council, road managers, event organisers and other stakeholders. Changes to the road environment require communication with the community.

ATTACHMENTS

1. Minutes - Local Traffic Committee Meeting - 8 May 2024 (Under separate cover)

12.3. MINUTES - GLENROY HERITAGE RESERVE COMMITTEE - 15 MAY 2024**REPORT AUTHOR: COORDINATOR PLACE ACTIVATION****RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY & CORPORATE**

EXECUTIVE SUMMARY:

The Glenroy Heritage Reserve Committee is a Section 355 Committee of Council and meets on a quarterly basis.

This report seeks adoption of the Glenroy Heritage Reserve Committee Meeting Minutes from the 15 May 2024.

RECOMMENDATION:**THAT COUNCIL:**

1. **Note the Minutes of the Glenroy Heritage Reserve Committee Meeting held on 15 May 2024.**

BACKGROUND:

The Glenroy Heritage Reserve Committee is a Section 355 Committee formed for the purpose of caring for, controlling and managing the Glenroy Heritage Reserve.

This Committee also controls the letting of the facility, the cleaning of the facility, the daily operations of the Museum and Craft Shop and purchasing of furniture and fittings for the Museum.

REPORT:

At the Glenroy Heritage Reserve Committee meeting held on 15 May 2024, key agenda items were discussed, and details are included in the attached minutes.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****Delivery Program and Operation Plan Strategic Directions**

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.1 Communicate with our community and provide opportunities for participation in decision making

5.4 Maintain and deliver a governance framework that guides good decision making, accountability and legislative compliance

FINANCIAL AND RESOURCES IMPLICATIONS:

The Committee raises funds through the craft shop sales, museum visits donations, and tour bus catering that allow the Committee to continue operations and contribute to maintenance jobs at the Museum and the Reserve.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Nil.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Benefits of the Glenroy Heritage Reserve Committee and Sub Committees include, but are not limited to, the opportunity for socialisation of the volunteer group while providing an educational Historical facility to bring visitors to the area.

Risk Management - All volunteers are registered in Council's volunteer management framework and have completed current volunteer inductions.

OPTIONS:

1. Adopt as per recommendations set out in this report - preferred option.
2. Amend the recommendations set out in this report.
3. Decline the recommendations set out in this report.

COUNCIL SEAL REQUIRED:

No.

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil.

ATTACHMENTS

1. Treasurer Report - EOY (Under separate cover)
2. Treasurer Report - Expenses (Under separate cover)
3. Treasurer Report - Income (Under separate cover)
4. Treasurer Report (Under separate cover)
5. Glenroy Heritage Reserve Minutes 15-5-2024 (Under separate cover)

13. CONFIDENTIAL

Section 10D of the *Local Government Act 1993* provides that Council may close to the public that part of the meeting that deals with matters of a confidential nature. Section 10A(2) lists such matters.

The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.

RECOMMENDATION:

That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A(2) of the *Local Government Act 1993* for the reasons specified:

11.2 CONFIDENTIAL ATTACHMENTS - TUMUT MULTI-PURPOSE CENTRE SITE OPTIONS ANALYSIS

Item 11.2 is confidential under the *Local Government Act 1993* Section 10A 2(d)(ii) as it relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

11.4 CONFIDENTIAL ATTACHMENTS - CARAVAN PARKS - EXPRESSION OF INTEREST

Item 11.4 is confidential under the *Local Government Act 1993* Section 10A 2(c) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct), and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

11.5 CONFIDENTIAL ATTACHMENTS - TUMBARUMBA SPORTS ACADEMY OPERATION AND MANAGEMENT AGREEMENT

Item 11.5 is confidential under the *Local Government Act 1993* Section 10A 2(d)(i) as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

11.6 CONFIDENTIAL ATTACHMENTS - TUMUT DISTRICT NEIGHBOURHOOD CENTRE - NEW LEASE AGREEMENT

Item 11.6 is confidential under the *Local Government Act 1993* Section 10A 2(d)(ii) as it relates to commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the council, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

14. MEETING CLOSURE
