

11.4 CARAVAN PARKS - EXPRESSIONS OF INTEREST - ATTACHMENTS

Attachment Titles:

1. Snowy Valleys Council -EOI- Caravan Parks - Information Pack and Appendices Final - November 2023

Attachment 1 - SVC -EOI- Caravan Parks - Information Pack and Appendices Final - Nov 2023



PUBLIC EXPRESSION OF INTEREST

Operator / Lease opportunities for the management of Snowy Valleys Council, portfolio of Caravan Parks in Adelong, Batlow, Tumut and Tumbarumba



Riverglade Caravan Park on the Tumut River.

EOI number SVC 2023/02

Closing date – Monday February 12, 2024



The Opportunity

Snowy Valleys Council is seeking Public Expressions of Interest for the operation and management of its four (4) Caravan Park sites located in the townships of Adelong, Batlow, Tumut and Tumbarumba. Council currently has a combination of lease and licence agreements for each Caravan Park site which have expired or are due to expire in the next six (6) x months.

There is a unique opportunity for a single operator or consortium of operators to take on the management of these important recreational facilities in partnership with Council on a five plus five-plus five-year lease arrangement. Council is open to any combination of management options for the operation of its Caravan Parks. This could include a single Caravan Park site or a combination of sites across Councils portfolio of Caravan Parks.

These facilities provide significant value to Council and the community in terms of tourism, accommodation and complimentary social and economic benefits to the townships that they are located in. The facilities are also an important revenue stream for Council, which enables Council to deliver services and maintain its infrastructure in line with community and visitor expectations.

This Expression of Interest is looking for suitable operators who can make a commercially acceptable offer to Council to manage and develop these facilities on Council's behalf and also meet the non-financial criteria set out in this Expression of Interest document. There are also a number of opportunities to improve the viability and customer experience at each Caravan Park site which Council is prepared to consider as part of any commercial offer put forward in the Expression of Interest process.



Photo – Tumut River – kayaking – adjacent to the Tumut caravan Park – “Riverglade”



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Appendix 1 - Caravan Park Data Sheets, Maps and General Information – issued as separate documents.

- 1.1 Adelong Caravan Park “Golden Gully” – Adelong
- 1.2 Batlow Caravan Park – Batlow
- 1.3 “Riverglade” Caravan Park – Tumut
- 1.4 Tumbarumba Caravan Park – Tumbarumba

Appendix 2 – Draft “Heads of Agreement”



1. Location

The Snowy Valleys Council area stretches from western slopes of the Snowy Mountains towards the plains of the Riverina in Southwestern NSW. The local Government Area extends from just south of Gundagai in the north, to the Murray River on the Victorian border in the south, and from the ACT border in the East, towards the plains of the Riverina in the West. The Snowy Valleys Council Local Government Area (LGA) covers some 8,958 square kilometers with a population of 14,891 (ABS 2021).

The Council area is close to major centres such as Canberra which is 200 kilometres to the west and Wagga Wagga which is the Riverina's largest City and is just one hours drive west from Tumut or Tumbarumba. Sydney is approximately 400 Kilometres to the North of the Local Government area and is a four and half hours drive along the Hume Highway. Tumbarumba is less than five hours drive from Melbourne via the Hume Highway.

Wagga Wagga is home to a domestic airport with regular flights to and from Melbourne and Sydney. Canberra, Australia's capital and the nearest International Airport, is an easy two-hour drive from Tumut.

Tumut is the largest town in the area with smaller townships located at Adelong, Batlow and Tumbarumba that are complemented by smaller villages at Brungle, Jingellic, Khancoban, Rosewood, Talbingo and Tooma.

The Wiradjuri, Ngarigo and Wolgalu (Walgalo) people are the Traditional Custodians of the land on which the Snowy Valleys Council is located.



Figure 1. Location Plan



2. Councils Objectives

The principal objectives of this Expression of Interest are as follows:

- Secure a reliable tenant / operator for Snowy Valleys Councils 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 be for a single site or multiple sites.
- A detailed proposal for the management and future development of the sites as high-quality tourist caravan parks at no cost to Council;
- 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 this Expression of Interest (Financial and Non-financial criteria).
- 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
- Ensuring that the Caravan Parks are maintained to a high standard and meet the expectations of customers (tourists) who visit the area.
- To achieve a financial return to Council which represents value for money.
- To conserve and maintain the natural environment, unique local character and amenity of the Caravan Park sites individually and collectively.
- To 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.



Photo 1 - Tumbarumba Bridge adjacent to Tumbarumba Caravan Park



3. Tourism

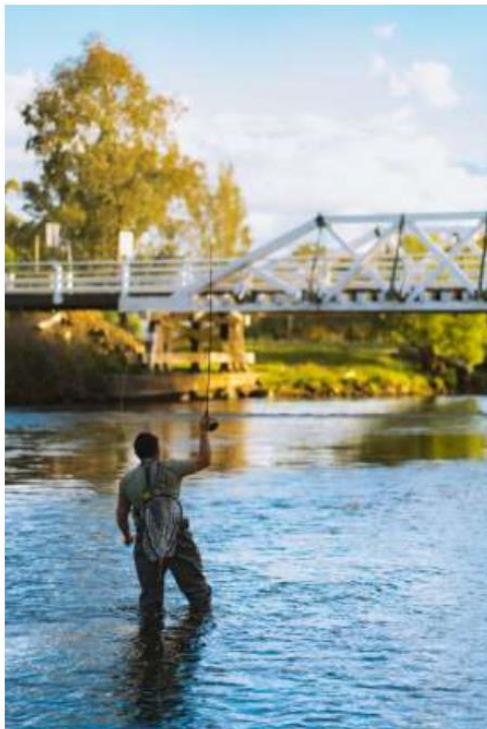
The diversity of the natural environment and recreational experiences on offer in the Snowy Valleys Local Government Area (LGA) drives visitation and tourism to the region.

Parts of the Snowy Valleys act as the western gateway to the Australian Alps including Mount Kosciuszko National Park and ski fields at Thredbo, Perisher Valley and Mount Selwyn. Distances from Tumbarumba to Thredbo (238kms 3+hrs), Tumut to Thredbo (250kms 3+hrs), Talbingo to Selwyn Snow Resort (70kms 1+hr) and Khancoban to Perisher Valley (240kms 3+hrs).

Access to all of the major tourist attractions in the area is readily available from the major roads and highways that traverser the Local Government area such as the Snowy Mountains Highway, Alpine Way, Hume Highway, Snowy Valleys Way and the Great River Road. Councils Caravan Parks are all located in townships across the LGA which are in very close proximity to all the major tourism attractors in the area.

The Snowy Valleys LGA offers the best nature has to offer in terms of camping and caravanning with beautiful scenery that can be experienced through tracks and trails such as the Tumbarumba to Rosewood Rail Trail, Bicentennial National Trail, Hume and Hovell Track, Tumut River and Wetlands Walk, Adelong Falls Gold Mill Ruins and the Snowy Valleys Sculpture Trail.

The area is also a renowned place for fishing, mountain biking, walking and camping with hundreds of kilometres of trails winding through native bushland, plantation forests and open country.



Photos 2-3 – Tourism and recreation activities include fishing, walking bike riding



Note: For tourism statistics in the Snowy Valleys Local Government Area – refer to Table 1.

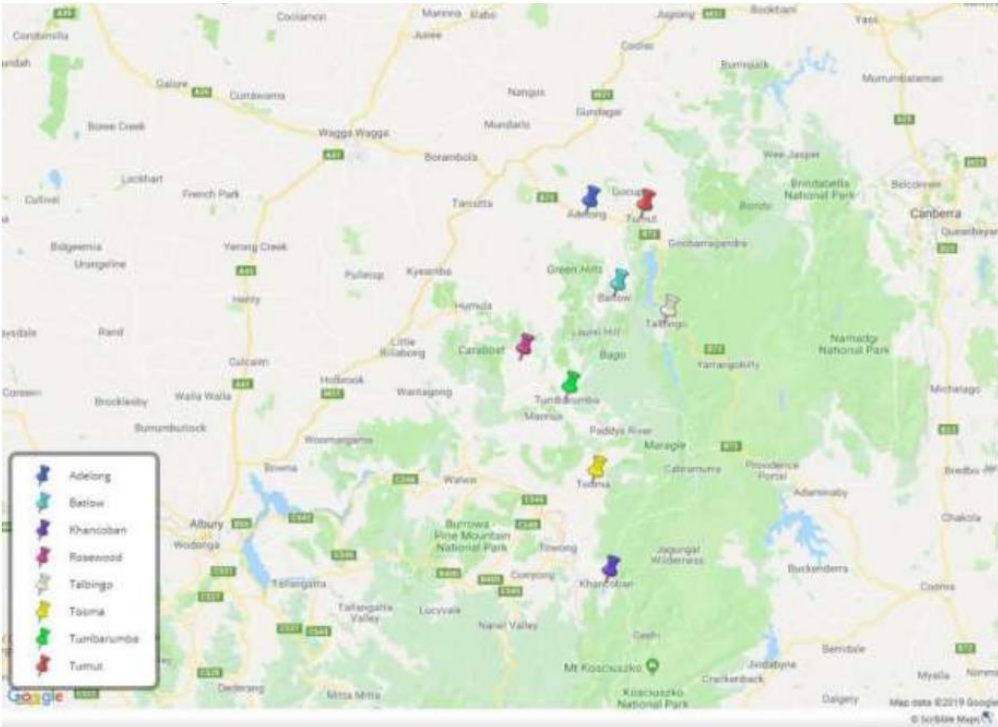


Figure 2. Townships and Villages in the Snowy Valleys Local Government Area



Photos 4 - Mt Selwyn Snowfields – 1 x Hour drive - 70Km from Tumut

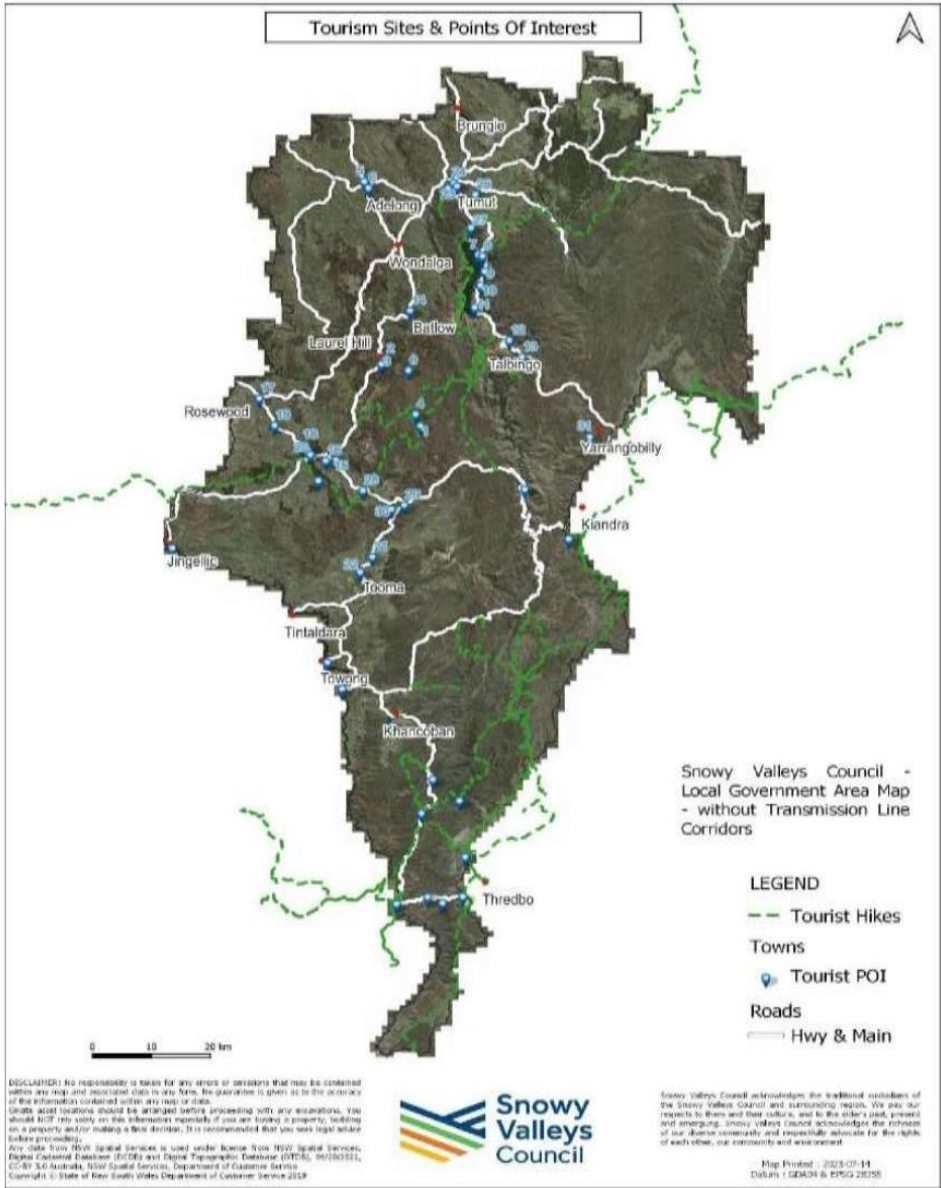


Figure 3. Townships, Villages and Tourist Destinations in the Snowy Valleys Local Government Area



Number	Point Name
0	Pilot Hill Arboretum
1	Paddys River Dam Campground
2	Sugar Pines 2.0 Walk and Picnic Area
3	Lochinvar Rest Area
4	Paling Yards
5	Adelong Falls
6	Snowy Valleys Sculpture Trail - Adelong
7	Log Bridge Creek Picnic area
8	Blowering Cliffs Picnic Area
9	The Pines
10	Humes Crossings
11	Yatching Point
12	Jounama Creek Campground
13	Black Perry Lookout
14	Snowy Valleys Sculpture Trail - Batlow
15	Snowy Valleys Sculpture Trail - Tumbarumba
16	Tumbarumba Rosewood Rail Trail - Tumbarumba
17	Tumbarumba Rosewood Rail Trail - Rosewood
18	Tumbarumba Rosewood Rail Trail - Glenroy
19	Tumbarumba Rosewood Rail Trail - Woolsey Park
20	Tumbarumba Rosewood Rail Trail - Sawpit Creek
21	Southern Cloud Lookout
22	Snowy Valleys Sculpture Trail - Tooma
23	Tumut Lookout
24	Billa Park
25	Pioneer Park - Labyrinth
26	Junction Park
27	Jones Bridge Campground
28	Henery Angel Campground
29	Paddys Flat Campground
30	Paddys River Falls Picnic area
31	Yarrangobilly Caves

Hiking Trail
Tumbarumba Rosewood Rail Trail
Hume Hovel Track

Legend to Figure 3. List of Tourism Sites and Points of Interest in the Snowy Valleys Local Government Area.



Photos 5 – Junction Bridge and Park - Tumut



3.1 Tourism statistics

The following table outlines the latest Tourism statistics that Snowy Valleys Council has for 2022/23.

Table 1. Tourism Statistics for the Snowy Valleys Council LGA – 2022-23

Annual Expenditure Overview	
Total Local Spend	\$322.2m
Resident Local Spend	\$195.9m (60.8%)
Visitor Local Spend	\$126.3m (39.2%)
Visitors	1.7m
Daytrips	608,100 (#11 for visitors in Regional NSW)
Overnight Stays	3.8m
Average length of stay	3.5 nights
Average spends per night	\$345
Purpose of Visit	Holiday (76%), Visiting Friends (12%) Business (12%)
Top 5 Activities	Eat out / Dine at a restaurant (53%), Visit National Parks (40%), Pubs, Clubs (30%), Snow Skiing (29%), Bushwalking (26%)
Travel Season	Summer (18%), Spring (20%), Autumn (25%), Winter (37%)
Age	15-19 (28%), 30-39 (12%), 40-49 (19%), 50-59 (17%), 60-69 (16%) and 70+(9%)
Origin	73% visitors come from Regional NSW 35% come from Sydney

Other key drivers for patronage of Councils Caravan Parks – Worker Accommodation

At all Council Caravan Park sites at Adelong, Batlow, Tumut and Tumbarumba there is a range of onsite self-contained cabin accommodation. Council in the past has entered into agreements with key industries and stakeholders in the area to occupy the onsite cabin accommodation for extended periods of time.

These arrangements include regular agreements with UGL, Horticulture industry (Fruit pickers) and upcoming opportunities with major industry stakeholders in the area which include Visy Industries, TransGrid (Snowy 2.0 Project) and major infrastructure contracting companies who require long term accommodation in the area.



4. Background

The four (4) Caravan Parks being offered by Council as a single site package or combination of site packages have the potential to deliver a number of unique commercial and non-commercial benefits to Council that would best serve the local community of the Snowy Valleys area as well as all those who visit or work in the area.

Council currently has a combination of lease and licence agreements for each Caravan Park site which have expired or are due to expire in the next six (6) x months.

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

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 this EOI document as well as meeting the communities and visitor expectations.

This Expression of Interest 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.

5. Expression of Interest (EOI) Evaluation Criteria

As part of this EOI all submissions are required to demonstrate how they address the key financial and non-financial criteria listed in the EOI. Your response on how your submission meets each these criteria is to be limited to 200 words or approximately half an A4 page (For each criteria).

It is Councils intention that the proposal or proposals that are assessed as best meeting the selection criteria in this Expression of Interest will be recommended to be offered a lease for a Caravan Park site or multiple sites depending on the submissions received.

Supplementary information supporting the respondent's response to the evaluation criteria may be submitted to Council as part of the EOI submission as an appendix.

Attached to this document is a draft standard "Heads of Agreement" document which contains standard lease clauses that Council uses in its current Caravan Park leases.

The respondents to this Expression of Interest are reminded that any future "Heads of Agreement" or lease that Council enters into may be subject to the following requirements.

1. Planning approval for any intended improvements or proposed expansion / change of use and/or
2. Development Application for the intended improvements and/or
3. Statutory process associated with the giving of Notice of Councils intention to enter into a lease.



5.1 Evaluation Process

Council's EOI Assessment Panel will evaluate the submissions on the basis of how they address the selection criteria. In doing so Council undertakes to give due consideration to all conforming EOI responses received.

Proposals that don't 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 needs 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 are 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.

The following evaluation methodology will be used to assess each EOI submission.

- 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 this 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 this 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 this EOI. In addition, Council is not under any 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 this 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.

Note: Refer to Appendix 1 - Caravan Park Data Sheets, Maps and General Information on Council's Caravan Park Sites.



5.2 Financial Criteria: (Assessment weighting 60%)

Financial Capacity

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. The Financial criteria category of this EOI is weighted at 60%.

Please provide evidence in your submission of your financial capacity to meet these obligations.

Evidence that Council will consider are 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. Your evidence should be provided on the basis that your offer to Council is for either one or multiple sites.

Description

Note: Attach a financial statement from a registered accountant

Note: Your evidence should be provided on the basis of your offer to Council is for either one site or multiple sites.



Value for Money

The Caravan Sites that are being offered by Council for lease are situated on prime locations across the Snowy Valleys Local Government Area and close to all the major tourist and recreation attractions in the region.

Council has undertaken a Market Rent review of similar Caravan Park sites across the Region and has an accurate expectation of what the annual rental income that these Caravan Park sites could bring to Council, individually and collectively.

5.3 Site 1. Adelong Caravan Park Site – “Golden Gully Caravan Park”

Describe in your submission what your monetary offer to Council is in terms of monthly and annual rent. Outline why you consider your offer good value for money for Council.

Site 1. Adelong Caravan Park Site

Monthly \$ Offer Excl GST _____

Yearly \$ Offer Excl GST _____

Description on how your offer is good value for money for Council



Photos of Adelong Caravan Park “Golden Gully” – Cabin accommodation and new amenities building



Capital Improvements or Alterations – Site 1 – Adelong Caravan Park

Outline in your submission if you intend to undertake any Capital improvements and or alterations to the Adelong Caravan Park.

Any improvements or alterations would be subject to the relevant Planning and permissibility controls for the site and Councils approval as well as your own financial and management capacity to deliver the improvements.

Please include an estimate of costs for any proposed capital improvements and the intended timing of the works.

Description of Capital Improvements / Alterations (Subject to relevant approvals) and timing of the works

\$ Estimate of Capital Costs for any improvements and timing - Excl GST

Other Monetary Contributions / Cost offsets to Council – Site 1 – Adelong Caravan Park

Outline in your submission if there are any other re-current / operating cost contributions you could offer Council.

Outline any other monetary contributions you could make to Council or the Community that contribute towards subsidising Councils cost to deliver services to the Community in this location.

Description of other monetary contributions / Cost offsets to Council and the timing of those offsets.

\$ Estimate other monetary contributions / cost offsets - Excl GST

**Non-Financial Criteria (Assessment weighting 40%)****Your Experience - Site 1 – Adelong Caravan Park**

Outline your demonstrated experience to deliver the intended management and operational services or business offer for this site.

Description of your experience

Local Tourism and Community Benefits

Outline how your submission adds 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.

Description of Local Community Benefits that your offer brings

**Complimentary Services or gap in Customer experience or Services currently being offered**

Outline how your proposal addresses any current gaps in services in the area and or compliments existing tourism, recreational and or business services in the area.

Description of complimentary services or identify gaps in services delivery in the area and how your proposal will address this gap.

Local Character and Setting

Outline how your proposal will contribute to the overall local character and amenity in this unique location that is adjacent to the Adelong Town Centre and Adelong Creek.

Description of how your proposal contributes to the local character and amenity of this unique location.



Other Benefits

Outline any other economic, social, cultural, environmental and or recreational benefits that your proposal brings to Snowy Valleys Council and or the Local Community.

Description of "Other Benefits" being offered



5.4 Site 2. Batlow Caravan Park Site

Describe in your submission what your monetary offer to Council is in terms of monthly and annual rent. Outline why you consider your offer good value for money for Council.

Site 2. Batlow Caravan Park Site

Monthly \$ Offer Excl GST _____

Yearly \$ Offer Excl GST _____

Description on how your offer is good value for money for Council



Photos of Batlow Caravan Park – New accommodation Units x 35 – opened 3 October 2023



Capital Improvements or Alterations – Site 2 – Batlow Caravan Park

Outline in your submission if you intend to undertake any Capital improvements and or alterations to the Batlow Caravan Park.

Any improvements or alterations would be subject to the relevant Planning and permissibility controls for the site and Councils approval as well as your own financial and management capacity to deliver the improvements.

Please include an estimate of costs for any proposed capital improvements and the intended timing of the works.

Description of Capital Improvements / Alterations (Subject to relevant approvals) and timing of the works

\$ Estimate of Capital Costs for any improvements and timing - Excl GST

Other Monetary Contributions / Cost offsets to Council – Site 2 – Batlow Caravan Park

Outline in your submission if there are any other re-current / operating cost contributions you could offer Council.

Outline any other monetary contributions you could make to Council or the Community that contribute towards subsidising Councils cost to deliver services to the Community in this location.

Description of other monetary contributions / Cost offsets to Council and the timing of those offsets.

\$ Estimate other monetary contributions / cost offsets

**Non-Financial Criteria (Assessment weighting 40%)****Your Experience - Site 2 – Batlow Caravan Park**

Outline your demonstrated experience to deliver the intended management and operational services or business offer for this site.

Description of your experience

Local Tourism and Community Benefits

Outline how your submission adds 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.

Description of Local Community Benefits

**Complimentary Services or gap in Customer experience or Services currently being offered**

Outline how your proposal addresses any current gaps in services in the area and or compliments existing tourism, recreational and or business services in the area.

Description of complimentary services or identify gaps in services delivery in the area and how your proposal will address this gap.

Local Character and Setting

Outline how your proposal will contribute to the overall local character and amenity in this unique location that is adjacent to the Batlow Town Centre and Reedy Creek Reserve.

Description of how your proposal contributes to the local character and amenity of this unique location.



Other Benefits

Outline any other economic, social, cultural, environmental and or recreational benefits that your proposal brings to Snowy Valleys Council and or the Local Community.

Description of "Other Benefits" being offered



5.5 Site 3. Tumut Caravan Park Site “Riverglade”

Describe in your submission what your monetary offer to Council is in terms of monthly and annual rent. Outline why you consider your offer good value for money for Council.

Site 3. Tumut Caravan Park Site “Riverglade”

Monthly \$ Offer Excl GST _____

Yearly \$ Offer Excl GST _____

Description on how your offer is good value for money for Council



Photos of Tumut Caravan Park – “Riverglade”- Cabin Accommodation and location adjacent to Tumut River

**Capital Improvements or Alterations – Site 3 – Tumut Caravan Park – “Riverglade”**

Outline in your submission if you intend to undertake any Capital improvements and or alterations to the Tumut Caravan Park – “Riverglade”.

Any improvements or alterations would be subject to the relevant Planning and permissibility controls for the site and Councils approval as well as your own financial and management capacity to deliver the improvements.

Please include an estimate of costs for any proposed capital improvements and the intended timing of the works.

Description of Capital Improvements / Alterations (Subject to relevant approvals) and timing of the works

\$ Estimate of Capital Costs for any improvements and timing - Excl GST

Other Monetary Contributions / Cost offsets to Council – Site 3 – Tumut Caravan Park “Riverglade”

Outline in your submission if there are any other re-current / operating cost contributions you could offer Council.

Outline any other monetary contributions you could make to Council or the Community that contribute towards subsidising Councils cost to deliver services to the Community in this location.

Description of other monetary contributions / Cost offsets to Council and the timing of those offsets.

\$ Estimate other monetary contributions / cost offsets - Excl GST

**Non-Financial Criteria (Assessment weighting 40%)****Your Experience - Site 3 – Tumut Caravan Park – “Riverglade”**

Outline your demonstrated experience to deliver the intended management and operational services or business offer for this site.

Description of your experience

Local Tourism and Community Benefits

Outline how your submission adds 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.

Description of Local Community Benefits

**Complimentary Services or gap in Customer experience or Services currently being offered**

Outline how your proposal addresses any current gaps in services in the area and or compliments existing tourism, recreational and or business services in the area.

Description of complimentary services or identify gaps in services delivery in the area and how your proposal will address this gap.

Local Character and Setting

Outline how your proposal will contribute to the overall local character and amenity of this unique location that is adjacent to the Tumut Town Centre and Tumut River.

Description of how your proposal contributes to the local character and amenity of this unique location.



Other Benefits

Outline any other economic, social, cultural, environmental and or recreational benefits that your proposal brings to Snowy Valleys Council and or the Local Community.

Description of "Other Benefits" being offered



5.6 Site 4. Tumbarumba Caravan Park Site

Describe in your submission what your monetary offer to Council is in terms of monthly and annual rent. Outline why you consider your offer good value for money for Council.

Site 4. Tumbarumba Caravan Park Site

Monthly \$ Offer Excl GST _____

Yearly \$ Offer Excl GST _____

Description on how your offer is good value for money for Council



Photos of Tumbarumba Caravan Park – new Cabin Accommodation and location adjacent to Tumbarumba Creek

**Capital Improvements or Alterations – Site 4 – Tumbarumba Caravan Park**

Outline in your submission if you intend to undertake any Capital improvements and or alterations to the Tumbarumba Caravan Park.

Any improvements or alterations would be subject to the relevant Planning and permissibility controls for the site and Councils approval as well as your own financial and management capacity to deliver the improvements.

Please include an estimate of costs for any proposed capital improvements and the intended timing of the works.

Description of Capital Improvements / Alterations (Subject to relevant approvals) and timing of the works

\$ Estimate of Capital Costs for any improvements and timing - Excl GST

Other Monetary Contributions / Cost offsets to Council – Site 4 – Tumbarumba Caravan Park

Outline in your submission if there are any other re-current / operating cost contributions you could offer Council.

Outline any other monetary contributions you could make to Council or the Community that contribute towards subsidising Councils cost to deliver services to the Community in this location.

Description of other monetary contributions / Cost offsets to Council and the timing of those offsets.

\$ Estimate other monetary contributions / cost offsets - Excl GST



Non-Financial Criteria (Assessment weighting 40%)

Your Experience - Site 4 – Tumbarumba Caravan Park

Outline your demonstrated experience to deliver the intended management and operational services or business offer for this site.

Description of your experience

Local Tourism and Community Benefits

Outline how your submission adds 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.

Description of Local Community Benefits

**Complimentary Services or gap in Customer experience or Services currently being offered**

Outline how your proposal addresses any current gaps in services in the area and or compliments existing tourism, recreational and or business services in the area.

Description of complimentary services or identify gaps in services delivery in the area and how your proposal will address this gap.

Local Character and Setting

Outline how your proposal will contribute to the overall local character and amenity of this unique location that is adjacent to the Tumbarumba Town Centre and Tumbarumba Creek.

Description of how your proposal contributes to the local character and amenity of this unique location.



Other Benefits

Outline any other economic, social, cultural, environmental and or recreational benefits that your proposal brings to Snowy Valleys Council and or the Local Community.

Description of "Other Benefits" being offered.



6. Councils scope of requirements for Interested Parties

6.1 Councils Rights and Privileges

This is 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.

6.2 Access to Documentation

Documents can be downloaded free of charge from **Monday, 27 November** at <https://www.tenderlink.com/svc/>. Alternatively, hard copies of documents can be purchased from Council's Customer Service Counter for \$150.

6.3 Additional Information

Interested parties should include other information if necessary, which demonstrates the Party's expertise in operating the nominated Caravan Park business or businesses they intend to operate. Interested parties may be asked to provide additional information if considered necessary to determine the submitted EOI.

6.4 Enquiries and Clarifications

Respondents may seek clarification of, or make any enquiry concerning the EOI or raise any actual or perceived discrepancy, error or omission in this EOI document in writing to Mr Duncan Mitchell – Director Infrastructure Works not less than seven (7) days prior to the deadline for lodgement of proposals.

Enquiries and Council's response will be provided to all prospective respondents, of which Council is aware, except where:

- (a) A respondent nominates in the enquiry that the enquiry relates to proprietary aspects of their proposal; or
- (b) Council is of the opinion that the enquiry and its response are not material to the integrity of the EOI process.

Where the respondent nominates that an enquiry relates to proprietary aspects of its proposal, and if Council is of the opinion that the enquiry is not proprietary in nature, it will advise the respondent, who will be given the option to withdraw the enquiry.

If the respondent, then reaffirms their request for a response to the enquiry then the enquiry and Council's response may be provided to all prospective respondents of whom Council is aware.

6.5 Addenda

Council reserves the right to change any part of this EOI document. All amendments to this EOI will be issued in the form of written addenda before the deadline for lodgement of proposals to all prospective respondents of which Council is aware. Such addenda will then become part of this EOI document.



6.6 Reserved Rights

In addition to any reserved rights set out elsewhere in this EOI document, 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 this 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.



6.7 Waiver and Liability

By lodging a proposal the respondent will be taken to have acknowledged the following (without limiting the other waivers, disclaimers and qualifications provided elsewhere in this document):

(a) This EOI is not a legal offer or a contract and the process it provides for is not a tender process nor is it, or can it be, a process contract. The EOI is not a process that will necessarily end in the identification of a preferred proposal or respondent. However, participation in subsequent negotiations arising out of this EOI may be restricted to a single respondent or consortium who participated in this EOI. Council is under no obligation, contractual or otherwise, in relation to any respondent, or otherwise legally bound in any way to respondents, or obliged in any way to proceed any further with the EOI or the evaluation process or any subsequent stages or processes.

(b) Respondents acknowledge the qualifications and conditions set out in this document and are to comply with the provisions of this EOI document.

(c) This EOI document and all statements made, and information made available in relation to it and the EOI, reflect Council's current intentions only. The information and intentions set out in this EOI document may change at any time with limited notice. Respondents proceed with the EOI and subsequent proposals at their own risk.

(d) Council has endeavoured to provide accurate information in this EOI document. However, no warranties or representations in that respect are given by Council. Council is not liable for any inaccuracies, omissions or ambiguities in, or implied by, any information in this document or in any other documents and information accompanying or referred to in this EOI document or subsequently made available by Council. Council is not liable in relation to any claim that the respondent or any other person who may be disadvantaged by a lack of information or because any information provided to it was ambiguous or inaccurate or incomplete.

(e) Council is under no obligation to give reasons for any decision made or not made in relation to this EOI, including but not limited to those relating to any of the proposals received and the EOI evaluation process.

(f) There is no legal or other relationship between any respondent and Council enforceable at the suit of the respondent arising from this EOI, this EOI document or any process, including any subsequent stages or processes, or the response to this EOI or to any subsequent stage or process arising out of this EOI or any correspondence exchanged, or negotiations undertaken during this EOI or subsequent related stage or process outlined in it; and

(g) The risk, responsibility and liability connected with reliance by a respondent or any other person on this EOI document, or any written or oral statements made to any respondent or any person in connection with this EOI is solely that of each respondent. Each respondent must make its own independent evaluation of this EOI document, and other documents or information accompanying or referred to in this document, and the nature and extent of the EOI and all other relevant matters. Each respondent is solely responsible for obtaining its own independent planning, financial, legal, accounting, engineering and other advice with respect to the contents of this EOI document and any other documents and information communicated or made available for inspection by the Council.

Each respondent acts or relies on this information and these documents, and any written or oral statements made concerning the EOI, entirely at its own risk.



6.8 Intellectual Property Rights

Council is conscious of the need to protect the intellectual property of respondents. Where required, intellectual property protection will be addressed by the use of confidentiality agreements. By lodging a proposal the respondent will be taken to have acknowledged the following:

- (a) This EOI document comprises copyright vested in Council;
- (b) A respondent may copy or otherwise reproduce this EOI document for the purpose of preparing and submitting its proposal but not otherwise;
- (c) A proposal or subsequent proposal becomes the property of Council on submission, and will not be returned to the respondent;
- (d) Any intellectual property rights that are, at the time of lodgement of a proposal, specifically identified, clearly described and claimed as such by a respondent and exist as intellectual property in a proposal will remain the property of the respondent. Any element of a proposal considered by a respondent to carry any intellectual property rights must be clearly and specifically claimed as such by the respondent and the respondent must in each case specify the nature of the claimed intellectual property rights and how it arises. The mere claim of an intellectual property right does not make it so unless it is in fact the property of the respondent and is claimable intellectual property; and
- (e) Council may copy or reproduce, adapt, modify, disclose, use or do anything else necessary to, in Council's absolute discretion, the whole or any part of a proposal or any material (including that material which contains or comprises claimed intellectual property rights of the respondent, or other person) contained in proposals, for the purposes of this EOI or any subsequent stage or process arising out of this EOI, including the EOI evaluation process and any other activity with respect to the sites identified in the EOI document. Should a respondent object to the use of its proposal in this way, the objection should be raised in the respondent's proposal and this will be considered by Council, which reserves the right, in its absolute discretion, to reject or accept any objection or claim of intellectual property. Otherwise, any right to object to such use of the proposal or subsequent proposal (including on the basis of confidentiality, copyright or other intellectual property rights) will be treated as having been waived by lodgement of the proposal.

6.9 Confidentiality and Freedom of Information

Proposals and any other information provided by respondents (Information) are subject to the provisions of the Government Information (Public Access) Act 2009 (the Act). Respondents should note that the Act gives to members of the public rights of access to Council documents. Information may be disclosed to third parties if there is a requirement to do so under the provisions of that Act or where Council or State Government policy or directives require disclosure e.g. any requirement to publish the results of a public procurement process or where information must be supplied to Government Ministers and their staff and to other government entities or to Parliament.

Any information that is commercially sensitive or confidential must be marked "commercial and confidential". This special notation must not be used unless the information is genuinely confidential. Marking Information as "commercial and confidential" will not necessarily prevent disclosure of the information in accordance with the Act or otherwise. Respondents must not advertise, promote or publish the participation, in any form, without the written consent of Council.



6.10 No Collusion

It is a requirement of law 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.

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.

6.11 Material Change in Circumstances

Each respondent is to promptly inform Mr Duncan Mitchell 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.

6.12 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.

6.13 Disclosure of Contract Information

Under the Local Government Act, 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.



6.14 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.

6.15 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. Council's Response to EOI Proposals and Timeline

Council's response and program for considering the EOI Proposals is as follows:

- (a) Stage 1: The EOI Proposals will be assessed by Council's EOI Assessment Panel taking into account all of the detail provided therein including how each submission addresses the key objectives and evaluation criteria (Financial and Non-Financial) outlined in this document; The EOI documents and advertising will be available and undertaken through Tenderlink.
- (b) Stage 2: The short listed EOI Applicants will be invited to commence more detailed negotiations with Council's Director of Infrastructure and Works.
- (c) Stage 3: The Party or parties whose proposal is accepted by Council will be invited to enter into a Heads of Agreement for the Caravan park site or sites.
- (d) Stage 4: The Party whose proposal is accepted will be required to diligently negotiate in good faith, finalise, and execute lease documents within thirty (30) days of the draft lease documents being provided. If the Interested Party does not diligently negotiate in good faith, finalise, execute and or provide the signed lease documents to Council or its lawyers within the required timeframe, then Council reserves its right to end negotiations with the Interested Party and pursue any other Interested Parties.

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.



Timeline

The following timeline for this EOI is proposed:

1. EOI's open Monday 27 November 2023
2. EOI's close – Monday 12 February 2024
2. Review and assessment of submissions (based on evaluation criteria and subsequent negotiations with senior management) – 12 February 2024 -12 March 2024
3. Respondents shortlisted – Tuesday 26 March 2024
4. Presentation to Snowy Valleys Council and Management Executive from shortlisted respondents – Thursday 4 April 2024
5. Report to Council Meeting– Thursday 16 May 2024
6. Preferred respondent or respondents notified– Friday 17 May 2024
7. Heads of Agreement (Lease Agreement documentation) prepared and executed – May – June 2024
8. Access to Caravan Park Site or Sites 1 July 2024 – onwards

8. Return Brief

A return brief is to be provided with the Expression of Interest. The return brief is to cover at a minimum the following:

- The proposed Operating Model for the Caravan Park site or sites as a package.
- Tourism and Marketing plan for each Caravan Park site or the four (4) sites as a package
- Resourcing Plan for the operation of the site or sites as a package
- Remuneration Model between Council and the proponent for each site or sites as a package
- Overall Business Plan for the Caravan Park site or sites as a package
- Any conditions or terms in the Pro-forma Draft "Heads of Agreement" that the respondent wants changed, deleted or included.

Note: refer to Schedule 1 - SNOWY VALLEYS COUNCIL - CARAVAN PARKS- Expression of Interest Proponent Response.



9. Lease documentation

Please see attached the following:

- (a) Pro-forma – Draft “Heads of Agreement”

The Pro-forma Draft “Heads of Agreement” are a sample documents only, and Council reserves the right to amend the terms to make it appropriate for the responses received from the EOI process and also in the preparation of a final draft “Heads of Agreement”

8.1 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.

10. Lodgement of the EOI Proposal

- (a) The lodgement of EOI Proposals will close at 5pm, on Monday, DATE. 12th of February, 2024
- (b) The following documents must be completed and submitted electronically at tenderlink.com/nsc which closes at 5pm, on Monday, DATE. 12th of February, 2024.
- EOI Proposals
 - Completed Financial & Non-Financial Selection Criteria
 - Return Brief
 - Insurance Certificates
 - All other necessary attachments
- (c) Alternatively, the complete EOI Proposal together with the necessary attachments may be deposited in the ‘Tender Box’ located on the Ground Floor of the Council Administration Building, 76 Capper Street, Tumut, NSW 2720 before 5pm, on Monday, and DATE. 12th of February 2024
- (D) EOI Proposals submitted by facsimile or email will not be considered.
- (e) The opening of the EOI Proposals may be witnessed by the public.
- (f) The EOI Proposal shall remain valid and irrevocable for a period of 90 days after the closing date.
- (g) Council reserves the right to seek clarification on any part of the EOI Proposal submitted after the closing date.
- (h) Information submitted in the EOI Proposal will not be treated as confidential unless specifically requested by the Interested Party.
- (i) Information submitted by an Interested Party will be subject to disclosure to the public under the Government Information (Public Access) Act 2009 (the Act).
- (l) Councils Contact Officer is Glen McGrath – Manager Technical Services. Tel: (02) 6948 9135 – email: gmcgrath@svc.nsw.gov.au



Schedule 1

SNOWY VALLEYS COUNCIL - CARAVAN PARKS

Expression of Interest Proponent Response

Company Name: _____

ABN _____

Contact Name: _____

Position: _____

Address: _____

Telephone: _____

Mobile _____

Email: _____

EOI Further Information

The following information is also required to be included with the submission. Please check off each of the following once included in the EOI submission:

- The proposed Operating Model for the caravan park site or sites as a package.
- Tourism and Marketing plan for each caravan park site or the four (4) sites as a package
- Resourcing Plan for the operation of the site or sites as a package
- Remuneration Model between Council and the proponent for each site or sites as a package
- Overall Business Plan for the caravan park site or sites as a package
- Return Brief – refer to Section 8 of this EOI.
- Any conditions or terms in the Pro-forma Draft “Heads of Agreement” that the respondent wants changed, deleted or included.
- Two references from industry related referees.
- One reference attesting to the financial capacity of the proponent or proponents as required in section 4.2 of the EOI – Financial Capacity.

I have read and understand the Expression of Interest (EOI) document herein.

Signed: _____

Date: _____



Appendix 1

Caravan Park Data Sheets, Maps and General Information – issued as separate documents.

1.5 Adelong Caravan Park “Golden Gully” – Adelong

1.6 Batlow Caravan Park – Batlow

1.7 “Riverglade” Caravan Park – Tumut

1.8 Tumbarumba Caravan Park – Tumbarumba

Appendix 2

Draft “Heads of Agreement”