

## **11.1 MULTIPURPOSE AND EVACUATION CENTRE PROJECT - UPDATE - APRIL 2025 - ATTACHMENTS**

### Attachment Titles:

1. 20250408 - Letter from National Emergency Management Agency - Multipurpose Centre Extension of Time
2. SVC Multipurpose and Evacuation Centre Project - Probity Plan Final

**Attachment 1 - 20250408 - Letter from National Emergency Management Agency - Multipurpose Centre Extension of Time**

Australian Government  
National Emergency Management Agency

OFFICIAL: Sensitive

MC25-007326

Ms Jessica Quilty  
Acting General Manager  
Snowy Valleys Council  
kplater@svc.nsw.gov.au

Dear Ms Quilty

Thank you for your correspondence of Friday, 7 March 2025 to the Minister for Emergency Management, regarding an extension of time to complete the Snowy Valleys Evacuation Centre and Multipurpose Facility project funded under the Bushfire Local Economic Recovery Fund (BLERF). The Australian Government is currently operating under caretaker conventions until the outcome of the election is known. I have been asked to reply on the Minister's behalf.

Ordinarily, under the Disaster Recovery Funding Arrangements, states have two years following the end of financial year in which a disaster occurs to deliver recovery measures, however states can request an extension of time to deliver a program in exceptional circumstances. The National Emergency Management Agency (NEMA) has received an extension of time request from the NSW Government for the Snowy Valleys Evacuation Centre and Multipurpose Facility project.

In recognition that a number of BLERF funded projects have been delayed due to exceptional circumstances beyond the control of the NSW Government, the Minister approved a further 12-month extension to the allowable time limit to 30 June 2026 to enable the completion of specific projects funded under BLERF; this includes the Snowy Valleys Evacuation Centre and Multipurpose Facility. This decision has been communicated to the NSW Government by NEMA.

Please be assured NEMA is continuing to work closely with the NSW Government to ensure continued support to NSW communities on their recovery journey.

Yours sincerely,

*L Trethewey*

Lorraine Trethewey  
A/g Assistant Coordinator-General  
Recovery Programs Branch  
7 April 2025

National Emergency Management Agency

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**Attachment 2 - SVC Multipurpose and Evacuation Centre Project - Probity Plan Final**



SNOWY VALLEYS MULTIPURPOSE & EVACUATION  
CENTRE PROJECT

# Probity plan

SNOWY VALLEYS COUNCIL

March 2025

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# 1 Introduction

## Purpose and background

The purpose of this probity plan is to document the controls to be applied by the Snowy Valleys Council (**Council**) to the design and construction by Council of the Snowy Valleys Multipurpose and Evacuation Centre (**the Project**) under grant funding received from the State and Federal Government Bushfire Local Economic Recovery Fund (**BLERF**).

The outcomes of the Project will be:

- A purpose-built evacuation centre and multipurpose facility to cater for multiple indoor sports ,to accommodate local, regional and state sporting competitions as well as a facility to host conferences, local school and community events.
- Local employment outcomes, including apprenticeships and indigenous employment opportunities, through the building and construction of the facility.
- Local employment outcomes, through the ongoing management of the facility.
- An increase in community wellbeing and cohesion through the provision of an indoor sporting facility equipped with a large stadium, changerooms, amenities and spectator seats with disability access, where sport can be played and watched 12 months of the year, in any climate.
- Natural disaster readiness for the community, where many people can shelter in the facility and access emergency services.

The Project is 100% Grant funded (Capital) with no financial contribution required by the Council.

Council has progressed the planning for the facility at Richmond Park and awarded a tender to Facility Design Group (**FDG**) for the design of the facility at the Ordinary Meeting of Council on 21 November 2024.

The detailed design development stage has been completed. The Development Application (**DA**) was lodged by Council (as the Applicant) on 6 March 2025. FDG will complete the design to the construction readiness in parallel with the DA assessment process.

The NSW Independent Commission Against Corruption (ICAC) in a Position Paper titled *Corruption Risks in NSW Development Approval Processes (2007)* noted that there can be a perception of a conflict of roles for Council as a developer of its own land and as a land use regulator (p55). Council has identified this as a key risk for the Project.

Conflicts of interest arise for Council in the circumstances where Council is the Applicant for the DA. In order to address this conflict, Council has engaged an external planner to undertake the assessment of the DA rather than have the assessment undertaken in-house by Council planners. The DA assessment will be undertaken in accordance with section 4.15 of the Environmental Planning and Assessment Act 1979,

The determination of the DA will be made by the Southern Regional Planning Panel (**SRPP**) sitting without any Council members, and not by Council.

Once the DA is approved, Council will conduct a construct-only Request for Tender in accordance with the Council Procurement Procedures, the Local Government Act, Regulations and Office of Local Government Tendering guidelines.

## Probity risks

### 1.1.1 Probity risk table

The probity risks identified for the Project are listed in the following table.

**Table 1 – Probity Risk Table**

Risk	Consequences	Likelihood	Risk rating	Mitigation actions
Perceptions of bias in Project decision-making due to Council role as landowner and DA Applicant	Major - Perceptions of bias by Council in Project approval and outcome	Moderate	High	<ul style="list-style-type: none"> <li>• Probity Plan prepared independently as part of Project delivery.</li> <li>• Independent DA assessment to be conducted.</li> <li>• DA approval to be determined by the SRPP and not Council.</li> <li>• Conflict of Interest Management Statement published</li> </ul>
Negative perceptions of Council role due to inadequate community and stakeholder consultation	Significant – perceptions of failure of Council to address community concerns	Unlikely	Medium	<ul style="list-style-type: none"> <li>• Council Communication and Engagement Plan provides for comprehensive community consultation at all stages of the Project.</li> <li>• Public process for DA assessment</li> <li>• Community participation plan provides for 14 days notification, Council to provide an additional 14 days being 28 days in total.</li> <li>• Community Participation Plan does not require publication of the proposal in a local</li> </ul>

Risk	Consequences	Likelihood	Risk rating	Mitigation actions
				<p>newspaper; Council to notify in the Tumut and Adelong Times to provide additional notification avenues.</p> <ul style="list-style-type: none"> <li>Any submitter provided the opportunity to present to the SRPP as the independent decision maker.</li> <li>SRPP open hearings conducted for decision-making.</li> </ul>
Confidentiality breaches compromise DA approval process	Significant – undermines community confidence in Project outcomes	Unlikely	Medium	<ul style="list-style-type: none"> <li>Council procedures for information management followed.</li> <li>Code of Conduct requirements enforced</li> </ul>
Conflicts of interest for personnel not managed effectively	Significant – undermines community confidence in Project outcomes	Unlikely	Medium	<ul style="list-style-type: none"> <li>Code of Conduct requirements enforced for Councillors and staff</li> <li>Procurement Procedures require declaration of conflicts of interest</li> </ul>
Tender for construction compromised by faulty procurement process	Significant – may lead to unacceptable delays in construction	Unlikely	Medium	<ul style="list-style-type: none"> <li>Council Procurement Procedure followed for tender process</li> <li>Probity Advisor engaged to provide assistance</li> </ul>
Construction of Centre does not deliver value for money	Significant – may compromise Project outcome	Moderate	Medium	<ul style="list-style-type: none"> <li>Governance arrangements provide effective oversight of tender process</li> </ul>

## Probity fundamentals

Generally, the Project, including the construction tender, must be conducted in a manner that satisfies the “probity fundamentals” as stated in the NSW Independent Commission Against Corruption (ICAC) document *Probity and Probity Advising – Guidelines for Managing Public Sector Projects*. These probity fundamentals are:

- obtaining value for money
- maintaining impartiality
- managing conflicts of interest
- maintaining accountability and transparency
- maintaining confidentiality.

## Conduct guidelines

A number of probity risks have been identified for the Project. Councillors, Council officers and Consultants engaged by Council need to be aware of the probity risks and take conscious action to avoid them. These guidelines are intended to assist those involved to observe appropriate standards of probity.

Councillors, Council officers and consultants have a responsibility to ensure that their personal behaviour does not adversely impact on the integrity of the Project. Each person is to:

- act in accordance with the conduct guidelines (as applicable), probity plan and other approved processes
- act in accordance with the Council Code of Conduct and Statement of Business Ethics
- avoid conflicts of interest
- maintain the confidentiality of confidential information
- act at all times in a professional manner
- avoid the acceptance of gifts, hospitality or other benefits that may, or may be perceived to, affect the integrity of the Project, and immediately disclose any offer of such as per Council’s procedures
- ensure that the details of the Project are not disclosed inappropriately in the course of contact with community members
- not make public comment without appropriate authorisation
- report immediately any breaches of the probity plan, or other probity concerns, to the probity adviser
- maintain appropriate records of decision-making.

For the purpose of this probity plan, conflict of interest is defined as follows:

*A conflict between the professional duty and private interests of a person where that person has private interests or associations which could improperly influence their professional duties and responsibilities.*



SNOWY VALLEYS COUNCIL  
Multipurpose & Evacuation Centre Project

Probity Plan

### Approval and Amendment

The Acting General Manager shall approve this probity plan and may approve amendments with the reasons for amendment being clearly documented.

Procure Group Pty Ltd

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## 2 Roles and responsibilities

### Councillors

The role of the Councillors as elected members of the Council is to establish the policy agenda of Council and to provide leadership in relation to Council business, including the Project. Councillors shall be briefed on the content of the Probity Plan to ensure that their participation in the Project is consistent with probity requirements.

The Council Code of Conduct, 2022, as adopted by the Council, and this Probity Plan, shall govern the conduct of all elected Councillors in relation to the Project. As noted, the assessment of the DA shall be conducted independent of Council and the final decision shall be made by the SRPP sitting without Council members.

The Councillors receive a monthly status report on progress with the Project.

### Acting General Manager

The Acting General Manager is generally responsible for the efficient and effective operation of the Council and for ensuring the implementation of decisions of the elected Councillors. The Acting General Manager is also responsible for the day-to-day operational management of the Council and has authority to exercise such of the functions of the Council as are delegated by the elected Council to the Acting General Manager.

The Acting General Manager shall approve the Probity Plan.

### Directors

The two relevant Directors are Acting Director, Community, Corporate and Development (with responsibility for the conduct of the DA assessment process and community consultation) and Director, Infrastructure and Works (which includes responsibility for delivery of the Project).

The role of the Directors with regard to probity includes:

- Ensuring that the processes for which they have responsibility are carried out in accordance with the Probity Plan and Council procedures
- Ensuring the implementation of policies and Council Code of Conduct by Council officers reflects Council values with respect to probity management
- referring any probity issues identified and assisting in their resolution in conjunction with the Probity Adviser

### Project Governance

Implementation of the Project and expenditure of the grant funds is overseen by the Project Control Group (PCG). The membership of the PCG includes the following representatives:

- NSW Public Works (Grant Assurance Manager and Chair)
- Regional NSW (Grant Program Manager)
- Regional Development (Grant Program Manager and Economic Development Manager)
- Council (Three Grant Recipient representatives).

The PCG shall be briefed on the requirements of the Probity Plan.

Council has established an internal Project Committee to manage the administration of the Project and community interactions. The members of this group are:

- Project Manager
- Council Project Office representative
- Council Communications representatives

The members of the Project Committee shall be briefed on the requirements of the Probity Plan

### Project Manager

The role of the Project Manager is to manage the design and construction process. The Project Manager shall oversee the conduct of the tender for construction in accordance with Council Procurement Procedures, this probity plan and the Local Government Tendering Guidelines.

### Consultants

Council has engaged Jeremy Swan from the Planning Hub, Sydney to undertake the assessment of the DA. The consultant, Jeremy Swan, shall be briefed on the requirements of the Probity Plan. He may interact with relevant Council officers in a manner consistent with this Probity Plan.

FDG are completing the design to construction readiness. Representatives of FDG shall be briefed on the requirements of the Probity Plan. They may interact with relevant Council officers in a manner consistent with this Probity Plan.

### Probity advisor

The probity advisor, who is independent of Council's processes, is to:

- assist Council in developing the Probity Plan for the Project
- review and advise on the application of the Probity Plan during the DA assessment period and the subsequent tender for construction.
- Actively consult with the Major Projects Manager and Director of Infrastructure and Works on all potential probity issues and scenarios for the project including interactions with Councillors – key stakeholders and staff
- Advise on how confidentially, conflicts of interest and pecuniary interests are to be managed at each of the milestone's stages – particularly with staff – the elected representatives (Councillors), consultants and community stakeholders.
- Provide advice in the Probity Plan around the Development Application process for this project and how Staff – Elected Representatives of Council and key stakeholders are to conduct themselves both before, during and after the Development Application and assessment process is completed
- Provide advice in the Probity Plan that ensures that Council staff – the Elected Representatives (Councillors) and key stakeholders understand their role and how to conduct themselves during the development application process to ensure there is not conflict of interest, undue influence on the Development Application process and or the assessing body (Independent Planner) engaged by Council and or the final determination authority for the Development Application which is the Southern Regional Planning Panel.

- Provide advice in the Probity Plan that ensures that Council staff – the Elected Representatives (Councillors) and key stakeholders must not make improper use of their position.
- Provide advice in the Probity Plan around how Council staff – the Elected Representatives (Councillors) and key stakeholders can and should avoid placing themselves in a position where there is the potential for claims of bias or conflicts of interest.
- Provide advice in the Probity Plan around how Council staff – the Elected Representatives (Councillors) and key stakeholders must not accept hospitality, gifts or benefits from any potential suppliers or stakeholders.
- Provide advice in the Probity Plan around how Council staff – the Elected Representatives (Councillors) and key stakeholders must not seek to benefit from supplier practices that may be dishonest, unethical or unsafe, which may include tax avoidance, fraud, corruption, exploitation, unmanaged conflicts of interest and modern slavery practices.
- Provide advice in the Probity Plan around all procurement activities in particular around how the construction tender for the project is to be managed in accordance with the Local Government Act and Office of Local Government Tendering guidelines.
- Provide advice on how Value for money outcomes are best served by effective probity measures that do not exclude suppliers from consideration for inconsequential reasons.
- Provide advice around how Confidential information must be treated appropriately during and after a procurement process.

The probity advisor will have unfettered access to relevant Council documentation and may attend any relevant meeting. All Council officers and consultants are to assist the probity advisor with respect to any enquiries made.

Council officers or consultants who are unclear about any aspects of their probity responsibilities, or the relevant conduct guidelines; or have concerns about probity issues, are urged to discuss them with the probity advisor immediately any issue or question arises or is likely to arise.

The probity advisor is:

Vic Baueris

Senior Probity Manager

Procure Group Pty Ltd

Email: vbaueris@procuregroup.com.au

## 3 Procedures

### Councillor briefings

Councillors to receive regular monthly briefings on the progress of the Project. All other interactions in relation to the Project shall be in accordance with Section 7, *Relationships between Council Officials*, of the Code of Conduct and the Councillor and Staff Interaction Policy.

### Confidentiality

The Communications and Engagement Plan sets out the approach to the provision of Project information to the community. The Code of Conduct sets out the confidentiality expectations for Councillors and Council staff.

Project information as it relates to the conduct of tenders shall be maintained as confidential except where publication is a requirement of tendering procedures.

Confidential information shall not be released to the public or the media except with the authorization of the Acting General Manager.

### Conflict of interest management

At the Council level, Council shall act in accordance with the *Council Related Development Application Conflict of Interest Guidelines*. A policy statement as required by the Guidelines has been prepared for publication on the Planning Portal along with the DA.

For Council personnel the ICAC defines conflict of interest as:

*A conflict between the public duty and private interests of a public official where the public official has private interests which could improperly influence their official duties and responsibilities.*

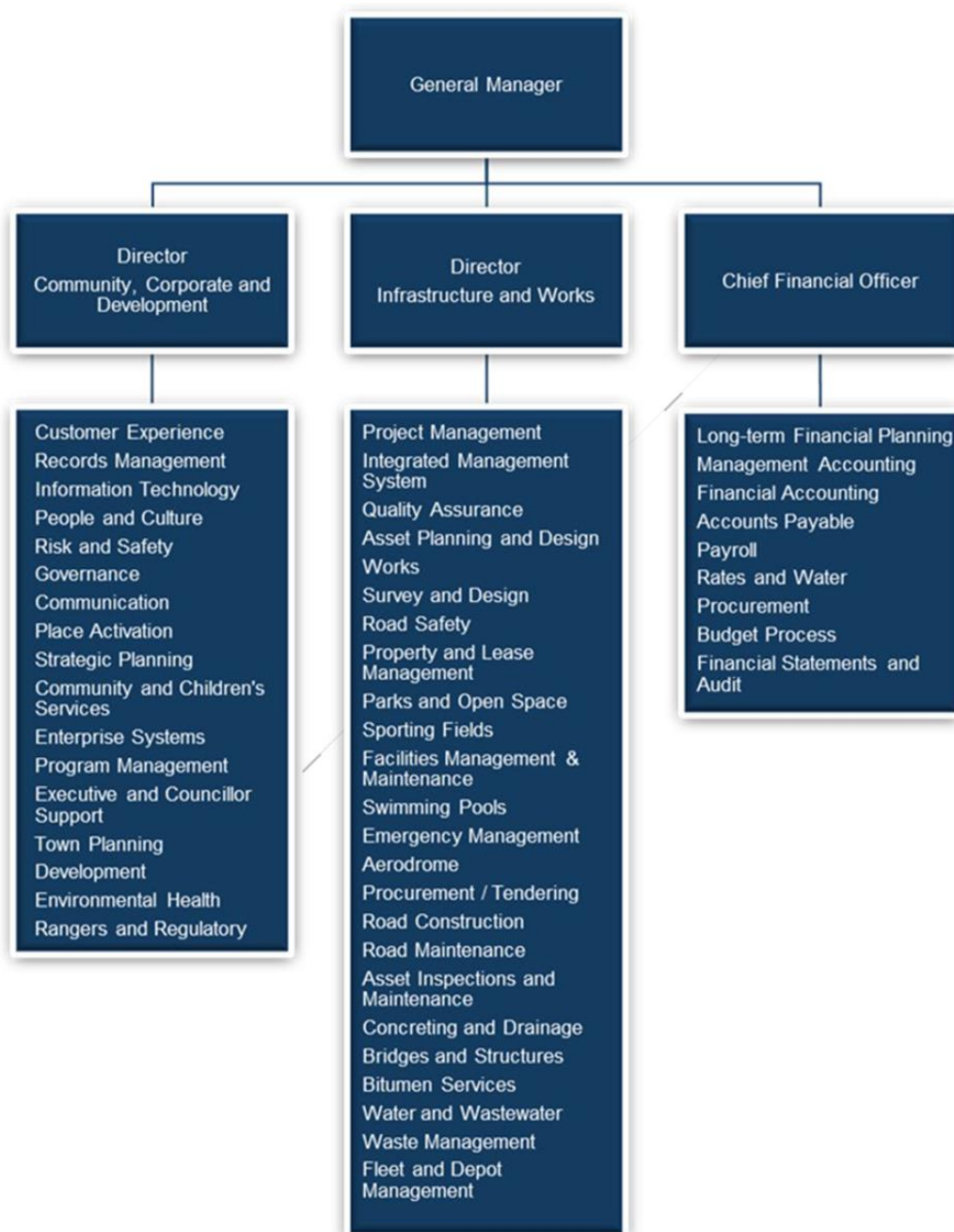
Note that perceptions of conflict of interest may be as damaging as actual conflicts.

Conflict of interest for personnel shall be addressed in accordance with the Council Code of Conduct and Procurement Procedures for the conduct of the construction tender.

The probity advisor shall be consulted in relation to the actions required to address any declarations of conflict of interest.

Probity plan

## Appendix 1 - Council Officer Structure



Appendix 2 – Risk Matrix

