

Presentation to the SRPP 11/6/2025

Good morning, all.

Firstly, a sincere thankyou to the members of the Southern Region Planning Panel for assisting the Tumut community to resolve the ongoing dilemma of Snowy Valleys Councils decision to build a Recreation Facility (Indoor) – Multipurpose & Evacuation Centre (MEC)

X I would like to request your indulgence if this presentation goes slightly over the allocated time of 10 minutes but it is important that I provide the panel with the circumstances leading up to today's proceedings.

My name is Allan Tonkin and I am speaking today on behalf of the Richmond Park Action Group and a growing number of Tumut community members that have grave concerns about the proposed site of the MEC.

Prior to the amalgamation of the Tumut and Tumbarumba shires I was the Manager of Finance and Director of Corporate Services for Tumut Shire for 20 years.

It is a sad situation when a project such as the MEC which had potential to be of benefit to the Tumut community has caused such division and angst within our community.

On numerous occasions we have expressed our empathy with the Basketball fraternity regarding the reality that the project may not go ahead given the potential loss of the BLERF grant if the project cannot be built by 30/6/2026.

In return we accept their understanding that the Richmond Park site is the wrong site for the project.

Those speaking against the approval of the DA will all provide information, evidence and opinions about the likely impacts, the suitability of the site for development and the public interest of the project and will obviously conclude that the DA is inappropriate because by default it is propped to be built on the wrong site.

A conclusion which the majority of councillors have now publicly endorsed.

The DA is the tip of the iceberg.

→ Not projected into Context

My presentation will focus on the parts of the iceberg that you have not seen and includes the following matters:

- 1 The intent of the original grant application
- 2 The failure of 2 sites and the questionable process of selecting the Richmond Park site.
- 3 The issues of lack of transparency, failure to adopt best practice guidelines, minimal community engagement and lack of understanding of conflict of interests.

At the conclusion of our presentations, I am sure that the panel will have sufficient information to deliberate on the appropriateness of the DA And ultimately refuse it.

Site Selection

As explained above the preferred site for the MEC was the Bull Paddock. The project encountered geotechnical problems and the cost of resolving them meant the project would exceed the approved budget. Another site had to be considered.

In September 2022 two sites were proposed being Lockridge Park or Richmond Park

In October 2022 in the Snowy Valley Newsletter the community were informed that Richmond Park was ruled out after investigations identified it would require relocation of existing infrastructure and a change of land use and management to proceed.

Therefore Lockridge Park, a parcel of land adjoining the TAFE and Tennis courts was chosen. This site also presented geotechnical issues which could not be overcome within budget.

Another site had to be found quickly.

The failure of the 2 sites resulted in almost 3 years delay to the project and an expenditure of approximately \$1mil.

In the agenda for the council meeting held on the 20th June 2024, councils Director of Infrastructure & Works submitted report 11.2 "Tumut Multi-purpose Centre Site Options Analysis. This report was a result of the desperate search for another site in order to not lose the grant funding

I strongly recommend that the panel read that report as it provides a comprehensive summary of the background and status of the project prior to Richmond Park being the preferred location

Recommendations 3 and 4 of that report state:

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

Page 129 to 131 of that report summarises the constraints and opportunities of the Richmond Street Bowling Club Site and includes explanations of each issue and the following conclusions;

- 1 Land ownership status is considered as Poor.
- 2 Building permissibility status is considered as Poor.
- 3 Impact on adjoining Land uses is considered to be High.
- 4 Activity impacts are considered to be High.
- 5 Traffic and Parking Impacts are considered to be High
- 6 Impact of existing infrastructure is considered High.
- 7 Stakeholder feedback is Unknown

The concluding recommendation is;

I conclude the presentation by clearly stating that the Richmond Park site is the WRONG site.

If this project proceeds it will result in a terrible legacy for the Tumut Community

Thank you for your patience and understanding

I am happy to answer any questions.

Louise Haysop

Good morning and welcome to Tumut,
welcome to our community & welcome back.

I have taken this option to speak as a community member, a volunteer who has experienced the immediate need of individuals and impacted communities post the bush fires across the Snowy Valleys LGA

This MPC has become a total debacle a basketball centre by stealth masked as a state-of-the-art evacuation centre and not even that .

It is to be a triage centre where there will be no accommodation just registration and then ... where?
what it is doing questionable why then was considered for 302 - kind
Councilors were told that during the fires there was no suitable facility that could be used as an evacuation centre

During the recent terrifying floods up north, evacuation centres included schools, clubs, church halls and show grounds.

Tumut has a ^{excellent} ~~very adequate~~ showground, two high schools and three primary schools and one special needs All with large, covered areas, plus the golf club, a bowling club, the impressive Rugby club and church halls with kitchens and this building where we are today

It is utterly bewildering why the Tumut showground was not used to its full potential as an evacuation centre and can be for the future. With masses of parking, several entrances, two fully equipped commercial kitchens, dining room, huge pavilion, adequate amenities, showers and toilets for those seeking temporary accommodation. And accommodation for guinea pigs to Clydesdales and above all volunteers prepared to help.

And why was his application accepted as a backdoor recovery plan

I acknowledge the showground flooded in the lower section from East Street in the one in 100-year flood 2012 but not the pavilion nor kitchen nor dining area nor the ring. And remained accessible

The location of Richmond Park is wrong as stated by several councilors, and for the many reasons as presented today,

Traffic is a major issue of great concern, have comparative traffic counts been taken concurrently on Elm drive and Russell Street over an extended period as some basketball games finish late into the evening.

If this project is not approved, there is the issue returning the funds. If so, this would give the council and community time to develop a disaster plan as Tumba and Batlow have done post fires by undertaking the Big Map project. Plans could then be "shovel ready "and appropriate sites and needs identified and a complete audit of suitable facilities in a calm and rational manner.

The council is currently calling for an EOI for developing council land at the entrance to the town. Would this be suitable commonsense may prevail and the Boys Club could be renovated and repurposed or the area adjacent to the heritage railway precinct would be ideal.

Tumut does not need a permanent state of the art evacuation centre. Any state-of-the-art gear should be invested in the disaster command centre.

The basketballers need more space, and it is up to the community to see what can be achieved for their players ,but not a shed that will have considerable impact on the local residents ,and the visual amenity what is a memorial park ,

*Heather was his original applicant
applicant for both fire recovery.*

There is much for you people to consider and thank you for
your time today



The Hon. John Barilaro MP
Deputy Premier
Minister for Regional New South Wales
Minister for Industry and Trade

Ref: A3459593

Mr Barney Hyams

BATLOW NSW 2730

Dear Mr Hyams

Barney

Thank you for your correspondence of 3 February 2020 regarding project ideas to stimulate economic recovery for Batlow and the surrounding region following the recent bushfires.

The NSW Government is committed to supporting bushfire-affected communities in the months and years ahead in their recovery journey. The road to recovery will be a joint effort by all levels of Government, charitable and community organisations, and the communities themselves.

Over the last few months I have heard firsthand from hundreds of families, business owners and volunteers, all impacted in different ways by the devastating bushfires. I have observed the resilience, dedication and positive spirit that makes NSW an extraordinary place to live, visit and run a business. This includes Batlow, where I had the pleasure of visiting on 17 January 2020, and the opportunity to discuss a number of matters with you.

The bushfire crisis our State is facing is unprecedented; and requires an unprecedented response. As Minister responsible for Disaster Recovery I am working closely with the Commonwealth Government to take action and secure funding that is necessary for the recovery effort. This includes:

- Setting up a one-stop-shop for bushfire assistance via service.nsw.gov.au or 13 7788
- Agreeing with the Commonwealth to split clean-up and waste management costs 50:50, for both insured and uninsured eligible properties.
- Establishing \$75,000 special disaster grants for primary producers and a \$50,000 recovery grant for small businesses to help with clean up and reinstatement measures.
- Committing \$1 billion to repair and rebuild vital infrastructure, such as roads, rail-lines, bridges, schools, health facilities and communications facilities.
- Waiving council rates for anyone who has lost their home or small business, for a period of six months.
- Loss of income payments for RFS and SES volunteers.
- A \$10 million NSW Tourism Recovery Package combining social media marketing partnering with travel companies, supporting regional flagship and micro events and capability building programs including upskilling for tourism operators.

Key priorities have been to ensure resources are flowing to communities. Examples of this in your community are:

Bushfire Community Resilience and Economic Recovery Fund.

Phase One of this fund is focused on delivering immediate locally led community and economic recovery events and initiatives. Under Phase One, Snowy Valleys Council has received \$250,000. Further information on the next phase of support will be available in the coming weeks.

Assistance for the Batlow Apple Growing Industry

Recognising that the Batlow orchards and processing facilities are a major local employer and tourist attraction, the NSW Government is supporting the industry by providing up to \$3.5 million to clean up apple orchards in Batlow and Bilpin. This will cover the cost of removing dangerous trees and damaged protective netting and posts from apple orchards. The NSW Department of Primary Industries will be contacting local orchardists to arrange for the clean-up.

Please find below specific information relating to your suggestions.

Batlow Caravan Park and Botanic Garden

I understand you are a member of the Agriculture, Livestock & Horticulture Sub-Committee which reports to the Snowy Valleys Bushfire Recovery Committee. I would like to encourage you to directly raise these two economic stimulation projects with the Bushfire Recovery Committee to enable them to consider appropriate action.

Batlow to Tumut Rail Trail Proposal

During 2018, the NSW Government assisted local councils and their communities to develop Regional Economic Development Strategies. The Snowy Valleys Strategy highlighted forestry, horticulture and tourism as core to the Snowy Valley's regional economy. Because the Snowy Valley's economy has been severely affected by the bushfires, the Regional Economic Development Strategy is currently being refreshed. This will identify potential actions in the tourism industry and look at new opportunities such as additional rail trails to mitigate the impacts on the local economic activity and local employment.

For further information, please contact Mrs Margaret O'Dwyer, Deputy Director - Riverina Murray at the NSW Department of Planning Industry and Environment on (02) 6926 8612 or margaret.odwyer@dpc.nsw.gov.au.

Thank you for taking the time to follow up on our discussion during January and inform me of these projects.

Yours sincerely



The Hon. John Barilaro MP
Deputy Premier
Minister for Regional New South Wales
Minister for Industry and Trade

Planning Panel Submission – Rick Hargreaves

Good morning, and thank you for the opportunity to speak.

My name is Rick Hargreaves. I wish to bring to the Panel's attention to serious issues concerning governance, transparency, and regulatory compliance in the production of this Council-related development application.

1. Lack of a Conflict of Interest Policy

Under the Environmental Planning and Assessment Regulation 2021, and specifically the Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022, councils are required to have an adopted Conflict of Interest Policy for all Council-related developments.

I have written confirmation from senior Snowy Valleys Council Manager—dated 9 April 2025—that the Council has not adopted such a policy and believed it unnecessary for this development.

Clause 66A of the Regulation clearly states: a Council-related development application must not be determined unless the Council has adopted a Conflict of Interest Policy and has considered it in making its decision.

2. No Conflict of interest Management Strategy Provided

This Regulation also mandates that Councils publish a Conflict of Interest Management Strategy with the development application. No such document was uploaded to the planning panel website.

3. Probity Plan Came Too Late

The Council's Probity Plan, which is supposed to ensure integrity and accountability, was only developed after major decisions had already been made:

- After the site was selected,
- After the design tender was awarded,
- And after the development application was submitted.

A probity plan created after-the-fact cannot correct or justify decisions already made without oversight.

4. Concerns About Independent Assessment

The Planning Panel has been presented with an "independent assessment report." However, it must be noted that the consultant responsible for this report has a longstanding professional relationship with Snowy Valleys Council, having worked with them on various

projects over the past three years. Namely

DA2022/0110 – Murrays Crossing Quarry Expansion (Tumbarumba), assessment dated 30 January 2024

DA2021/011 – Waste Management Facility (Gilmore), assessment dated 24 October 2022

DA2021/0257 – Subdivision at Talbingo, dated 20 November 2023

This raises a serious question:

Why was this prior relationship not disclosed to the public or to this Panel, given the

perceived conflict of interest it creates? Where a consultant has an extensive work

history with the proponent, it is reasonable for the public to question whether the assessment is truly impartial.

5. Consequences of These Failures

Taken together — the absence of a mandatory conflict of interest policy, the missing mandatory management conflict of Interest strategy, the delayed probity plan, and the non-disclosed assessor relationship — this process:

- Falls short of legal requirements in the production of this Development Application
- Significantly Undermines public confidence
- And risks invalidating the development consent altogether.

Conclusion

The Panel must give serious consideration to these governance and process failures. This development cannot be lawfully or fairly assessed under these circumstances. Therefore

I respectfully request that you refuse this application.

Thank you for your time.



Rick Hargreaves [REDACTED]

Read 66A

Nick Wilton <nwilton@svc.nsw.gov.au>

Wed, Apr 9, 2025 at 7:07 PM

To: [REDACTED]

Cc: Michael Inglis <minglis@svc.nsw.gov.au>, Jessica Quilty <jquilty@svc.nsw.gov.au>

Hi Rick,

Firstly thank you for your email, Councillor Inglis has forwarded your enquiry through to me for consideration and formal response.

Clause 66A of the *Environmental Planning and Assessment Regulation 2021* has previously been considered by Council and does not apply in the circumstance.

1. *A Council related development application must not be determined by the Consent Authority unless'...*

Council being the consent authority, is not the determining authority – the Southern Regional Planning Panel is the determining authority.

In the case of developments that are not referred to the panel or another decision making power then Council must have a conflict of interest policy in accordance with (1) (a) and must consider that policy in determining the application in accordance with 1(b). Council has an adopted probity plan and a probity statement in order to manage any potential or perceived conflicts of interest with the administration of the subject development, despite whether one is required or otherwise.

Please feel free to reach out if you have any further questions.

Kind regards,

Nick

Nick Wilton

Acting Director Community, Corporate & Development




76 Capper Street, Tumut, NSW 2720
P: 02 6941 2632
M: 0417 851 475
W: www.svc.nsw.gov.au

Leading, engaging and supporting strong and vibrant communities



Read 66A**Nick Wilton** <nwilton@svc.nsw.gov.au>

Wed, Apr 9, 2025 at 7:18 PM

To: rickhargs1 

Hi Rick,

As Council generally doesn't lodge development applications of which it is the determining authority, Council currently doesn't have a formal policy position. In the future if such applications arise in which it is proposing to be the determining authority then a formal policy will be developed and adopted.

I hope this helps.

Kind regards,

Nick

Nick Wilton

Acting Director Community, Corporate & Development



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Leading, engaging and supporting strong and vibrant communities

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

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[Quoted text hidden]

Grace Hooper

Southern Regional Planning Panel – Verbal Submission 11 June 2025.

Good morning, and thank you for the opportunity to speak today.

I am speaking as part of the Richmond Park Action Group which consists of concerned residents who have strong objections to DA2025/0026 — the proposed multipurpose and evacuation centre at Richmond Park, Tumut.

Whilst raising our objections to this DA during the public exhibition we were hopeful that the assessment of adverse impacts would be more thoroughly undertaken in the SVC Assessment Report. Unfortunately, this report only increases our concerns that the proposal is not suitable for the site, for the following reasons:

1. The development would result in the permanent loss of public green space in the heart of Tumut. Richmond Park has served as a place of public recreation since its dedication in 1887. In our view this proposal represents an over-development of the site.
2. Significant long-term adverse social impacts are likely to be experienced as a result of the proposed development, which have not been properly considered in the SVC Assessment Report. No detailed Social Impact Assessment has been undertaken by a professional demonstrating expertise in this field.
3. The SVC assessment report lacks a thorough analysis of traffic and parking impacts. The report claims compliance with Council's DCP 2024, but applies an incorrect parking rate. The correct standard is 1 space per 25m² of gross floor area for indoor recreation facilities. With a GFA of 2,011.87m², the development should provide at least 81 carparks. Only 50 are proposed. The previous design for the same building at Lockeridge Park included 127 spaces – more than double what is now proposed. This dramatic reduction reflects the failing of Richmond Park to support this scale of development. There is no applicable car parking provision in the Tumut Local Environmental Plan, which means the Development Control Plan must be applied in full.
4. The SVC assessment Report also fails to address the visual impacts from Richmond and Robertson Streets and only assessing it from Russel Street. The proposed development will cause significant impacts on residential amenity. The building's proposed height of 9.5 metres does not reflect its true visual impact. It includes rooftop evaporative units and an acoustic barriers that would lift the structure's effective height to 11.5 metres which the report fails to address. All architectural visuals, including fly throughs and montages, have

deliberately omitted neighboring residential dwellings — particularly those on Robertson Street and Richmond Streets — thereby not providing visibility, the building's true bulk and scale relative to its context. This omission prevents an honest assessment of how the structure will dominate and visually overwhelm nearby homes.

5. We suggest the Snowy Valleys Council Assessment Report includes questionable statements suggesting background noise measures were not able to be logged at the nearest affected residences (being 2 and 4 Robertson Street) and were only able to be obtained at 37 Richmond Street due to access being denied at 2 and 4 Robertson Street. As the owner of 4 Robertson Street and having discussed this with my neighbours at 2 Robertson Street, I can confirm that no such approaches were made to access our properties for noise testing purposes.

6. We also suggest the draft condition in the Snowy Valleys Council Assessment Report requiring Council to prepare an Operational Plan of Management may be unlawful. By deferring this document until after the consent has been granted, the public is being denied the opportunity to comment on how Richmond Park should be managed in its entirety.

7. Richmond Park was only selected in June 2024 due to time pressure to secure funding. Other sites were previously investigated but not pursued due to procedural constraints. This decision-making process contradicts the long-term planning principles that should govern public infrastructure investment. The location of this facility must not come at the expense of irreplaceable public parkland.

In closing, this development application does not satisfy the key considerations under Section 4.15 of the Environmental Planning and Assessment Act 1979. It is non-compliant with the parking requirements under the Snowy Valleys Development Control Plan 2024. It fails to adequately assess or mitigate adverse environmental, social, and amenity impacts, including those on adjoining residential properties. The proposal is clearly unsuitable for this site, which is constrained in size, function, and legal land-use limitations under Crown Land Management Act 2016.

For these reasons, I respectfully urge the Panel to reject this development application.

Thank you for your time.



Outlook

Legal Concerns Regarding Inconsistent Use of Crown Land Without Approved Additional Purpose

From Grace Hooper [REDACTED]

Date Sat 7/06/2025 11:13 AM

To penny.mclennan@crowmland.nsw.gov.au <penny.mclennan@crowmland.nsw.gov.au>

Cc Cheryl Klein <cklein@svc.nsw.gov.au>; Snowy Valleys Council <info@svc.nsw.gov.au>

Hi Penny thanks for your phone call yesterday in regards to the ministerial Crownlands have received.

Further to our discussions the email /information below helps highlight my concerns.

My concerns regarding the proposed development at Richmond Park Tumut and Crownlands Plan Of Management are ongoing,

While I understand that part of Richmond park (the land to be developed on- Parcel A) has been categorised under the Plan of Management to "general community use". Parcel B has been granted an additional use of "community purposes" however Parcel C has not been granted the additional purpose of "Community Purpose"



From available information, I understand that the reason for not approving the additional purpose of "community purposes" for Parcel C is due to the potential impact on Native Title rights — particularly because of the exclusive-use nature of facilities that may be developed under such a purpose. As noted in correspondence, Subdivision J of the Future Acts Regime cannot be relied upon to validate the addition of the reserve purpose for this parcel.

Although the Plan of Management refers to the use of Section 2.20 licences to support various community uses this section only permits temporary, low-impact uses that are consistent with the existing reserve purpose. Section 2.20

19 November 2020

Hon John Barilaro MP
Deputy Premier
Minister for Regional NSW, Industry and Trade
GPO Box 5341
SYDNEY NSW 2001

Dear Hon Barilaro

Re: Snowy Valleys Council application to NSW Bushfire Local Economic Recovery Fund

(Insert organisation's name) would like to provide this letter of support as an endorsement for Snowy Valleys Council's application to the NSW Bushfire Local Economic Recovery Fund for a grant to build the Snowy Valleys Emergency Evacuation and Multipurpose Sports Stadium.

✱ The township of Tumut was impacted by the January 2020 bushfires. The destruction from the bushfires is evident in our community, the environment and our local economy. Nearly 4,293 sq km of local bushland was burnt, which accounts for 48 per cent of the Snowy Valleys region. 50% of plantation forest was burnt and tourism has lost significant assets such as the Selwyn snowfields and the iconic Sugar Pine Walk, as well as revenue due to tourist evacuations and the ongoing impact of Covid 19 throughout 2020.

✱ We support Snowy Valleys Council's commitment to Tumut's recovery and planning towards future emergency management. This project will build a multipurpose sports stadium equipped to transform into an Emergency Evacuation Centre, which will ensure future disasters and emergencies can be managed within the local community.

As highlighted by the recent bushfires, there is currently a lack of emergency evacuation facilities in the region to serve the community. It has been identified that this function can be fulfilled by developing the proposed combined emergency evacuation and sports facility. The project will provide a community evacuation / sports facility which can also be utilised for conferences, school and community events and attract regional and state sporting fixtures to the region.

The application for funding demonstrates how the Snowy Valleys Emergency Evacuation and Multipurpose Sports Stadium project will deliver an ongoing sustainable benefit to the community through;

- ✓ Sustaining employment opportunities
- ✓ Creating new sports tourism infrastructure and economic development opportunities
- ✓ Improving community preparedness and community resilience to future natural disasters.

If you require further information in support of Snowy Valleys Council's application to NSW Bushfire Local Economic Recovery Fund, I am happy to be contacted on phone_____.

Yours faithfully

Summary of Speech by Erika Harvey – Opposition to MEC Development in Richmond Park

Presenter: Erika Harvey – Dental Prosthetist, long-term Tumut resident, community volunteer, and veteran.

Purpose of Speech:

To express strong opposition to the proposed location of the Multi-Use Events Centre (MEC) in Richmond Park, Tumut.

Key Concerns:

Lack of Genuine Community Consultation: Residents directly affected were not adequately consulted. Claims of support from 5,000 people are misleading, as feedback was only sought from committee representatives of sports clubs, not individual members.

Poor Planning and Rushed Decision-Making: The process has been prolonged, yet the final decision was rushed due to grant time constraints. Many council members (7 of 9) agree the location is inappropriate but appear motivated by fear of losing funding.

Inadequate Site for Proposed Use: Richmond Park is unsuitable as an evacuation centre due to limited access, parking, and no accommodation for animals or large vehicles. Original intent (evacuation centre) has been downgraded to a basketball stadium with only triage capabilities in emergencies.

Negative Impact on Community and Park: The park's memorial and recently upgraded children's playground will be compromised. A proposed bus zone near a funeral home is poorly considered. The project has caused division: basketball supporters vs. broader community concerns.

Financial and Management Issues: Ongoing maintenance costs lack secure council funding. No clear management plan exists for the facility's long-term operation.

Conclusion:

While the concept of a multi-use centre has value, the current location in Richmond Park is ill-suited and was chosen hastily. Erika respectfully urges reconsideration of the site in favor of a more practical, community-supported location.

Request to Panel:

Carefully weigh the long-term impacts on residents, heritage spaces, and community unity before approving this development.

Date: 12 February 2025



Native Title Manager's Report

The land to which this report applies.

Pursuant to Section 8.7 of the Crown Land Management Act 2016 (CLM Act) a responsible person for relevant land must seek written advice from a qualified native title manager that it complies with any applicable provisions of native title legislation before approving or submitting for approval a plan of management for the relevant land that permits or authorises any of the kinds of dealings referred to in Section 8.7.

Snowy Valleys Council has prepared a Site-Specific plan of management for Council managed Crown reserves which is the subject of this report.

Is the land 'excluded land' as defined in Section 8.1 of the CLM Act?

For the purposes of this report, as the plan of management is site specific and applies to 2 reserves, an investigation into whether the land is excluded land has been undertaken and an assumption of the land not being excluded land has been adopted. Therefore, advice provided assumes that there may be native title rights and interests affected and applies to all land referred to in the plan of management.

Details of activity on Crown Land.

The plan of management to be submitted to the Department of Planning, Industry and Environment for approval has been undertaken pursuant to Section 3.23 of the CLM Act and Section 36 of the Local Government Act 1993 (LG Act). It provides direction as to the use and management of Crown reserves under Council's management.

The plan of management expressly authorises the issue of leases, licenses and other estates over any of the land subject to the conditions stated within section 4.3 of the plan of management, including taking into account the reserve purpose and a requirement to seek written advice from a native title manager prior to granting any such leases, licenses or other estates. This is an important inclusion for the plan of management as it will ensure all proposed activities will be validated by the provisions of the Native Title Act 1993 (NT Act) before being authorised.

P: 1300 ASK SVC (1300 275 782)

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Vibrant Communities**

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details			
Council	Snowy Valleys Council		
Name of PoM	Richmond Park and Stockwell Gardens Plan of Management		
CM10 reference	DOC25/035358		
Assessment prepared by			
Officer	Emma Robinson, Policy & Project Officer	Date completed	27/02/2025
Detailed analysis			
Table 1	Draft Plan of Management Assessment Checklist		
Table 2	Schedule of Crown Reserves – covered by Plan of Management		
Table 3	Assessment of altering the initial categorisation		
Considerations made when assessing plan of management:			
Minimum requirements of Plans of Management outlined in LG Act 1993 and CLMA 2016		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Reserve purpose		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Initial categorisation of the reserve		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Likelihood of material harm to the use of the land for which it was reserved or dedicated.		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Native Title Manager advice (s8.8 CLM Act)		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Coastal management (coastal reserves only)		<input type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Recommendation			
<input checked="" type="checkbox"/> Council progress to Public Exhibition and submits final draft PoM for Minister's consent prior to adoption			
<input type="checkbox"/> The Minister agrees for Council to progress to Public Exhibition AND grants consent to adopt the PoM, subject to minor/no amendments being made after public exhibition.			
<input type="checkbox"/> The Minister refuses consent to adopt the PoM (See DOC# (include briefing note)			
Reviewed by			
Officer	Penelope McLennan, Senior Policy & Project Officer	Date	28/02/2025
Approved by			
Officer	Matthew Hutchens – A/Manager, Reserves Programs		

Table 1: Draft Plan of Management Assessment Checklist

Alteration of initial categorisation			
Will the PoM alter initial assigned category	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Native Title Advice			
Has Council declared it has received Native Title Manager advice under s8.8 CLM Act	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Does the PoM meet the requirements of the LG Act and CLM Act			
Does the Plan of Management			
– identify the owner of the land	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
– include a schedule of all Crown reserves covered by the PoM (with correct lot/DPs & reserve number(s))	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
– include land that is <u>not</u> Crown land (Council owned or managed community land)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
– correctly identify the gazetted purpose(s) of the reserve(s)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
– correctly identify the initial categorisation(s) applied to the reserve(s) (as per the approved initial categorisation checklist)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
– alter the initial categorisation (assessment via Table 2 & 3 below)			
– assign initial categorisation (assessment via Table 2)			
– is any alteration to the initially assigned categories likely to materially harm the use of the land for any reservation or dedication purpose(s)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
– clearly identify the areas where multiple categories apply via a map (as per clause 113 of LG (General) Regulation 2021)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
– include a schedule of <u>existing</u> leases, licences, and other estates issued on Crown reserves	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
– include express authorisation for any <u>proposed</u> leases, licences, and any other estates (including leasing/licensing terms and the activities which they permit. Note: maximum term is 30 years with the Minister's consent.)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
– are the leases and licences and other estates (and any other sub-leases or licences) consistent with the reservation or dedication purpose(s) AND the core objectives of the approved community land category(s)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
– outline the core objectives of relevant community land categories and performance targets of the plan, including actions to achieve targets and means to assess performance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
If the plan is a site-specific plan, does the plan also:	<input type="checkbox"/> N/A		
– describe the condition of the land	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Figure 1. R620045 (purpose: public recreation). NearMap Imagery.



Assessment of alteration to initial categorisation

Council has requested to alter the categorisation of the reserve to *Park & GCU*. Council advised: “*Since the initial categorisation of the Reserve as ‘Park’, part of the reserve has been identified for the development of the Snowy Valleys Multipurpose and Evacuation Centre, being a recreational facility with additional uses to meet broader community needs, including as an evacuation centre during emergencies. This area of the Reserve is proposed to be categorised as ‘General Community Use’ as shown in the Plan of Management.*”

Refer to **Figure 2b** below.

It is considered that the category/s of Park & GCU is/are **accepted** as being consistent with reserve purpose, the core objectives of the LG Act and is not likely to cause material harm as described in s.2.14 CLM Act.

Refer to **Table 3** for detailed assessment.

Additional Purpose

- Consideration has been given for the need of an additional purpose over part R620045 comprising the footprint of the GCU area (footprint of multi-purpose centre).
- The multi-purpose centre will serve as a sports centre and evacuation centre (in times of need). The draft PoM indicates it may also be used for conferences, local school or community events. These uses may not be considered to be wholly consistent with public recreation.
- A suitable additional purpose would be “community purposes”, to match that of the adjacent newly created reserve 1041093. The proposed multi-purpose centre covers whole R1041093 and part of R620045.
- It may be considered that the additional purpose of “community purposes” may cause greater impact to native title rights and interests than the existing purpose of “public recreation” because of the exclusive use nature of uses, leases and licences that the purpose of “community purposes” allows for. For this reason, subdivision J of the FAR cannot be relied upon to validate the addition of the additional reserve purpose.
- [LANDSEARCH/5499](#) was undertaken and did not identify evidence of a PEPA.
- Consequently, an additional purpose of “community purposes” cannot be added to part R620045 at this time.
- Council have included statements in the draft PoM that expressly authorise issuing secondary interests (s2.19 CLM Act) and short-term licences (s2.20 CLM Act, s31 CLM Regulation). These provisions allow council to grant a secondary interest or short-term licence for uses that may not be consistent with the reserve purpose of public recreation. Some relevant prescribed purposes for short-term licences provided by the CLM Regulation are: (e) community, training or education, (f) emergency occupation, (g) entertainment, (j) exhibitions, (l) functions, (q) meetings.

**Figure 2a. R1041093 (purpose: community purposes, public recreation).
NearMap Imagery.**



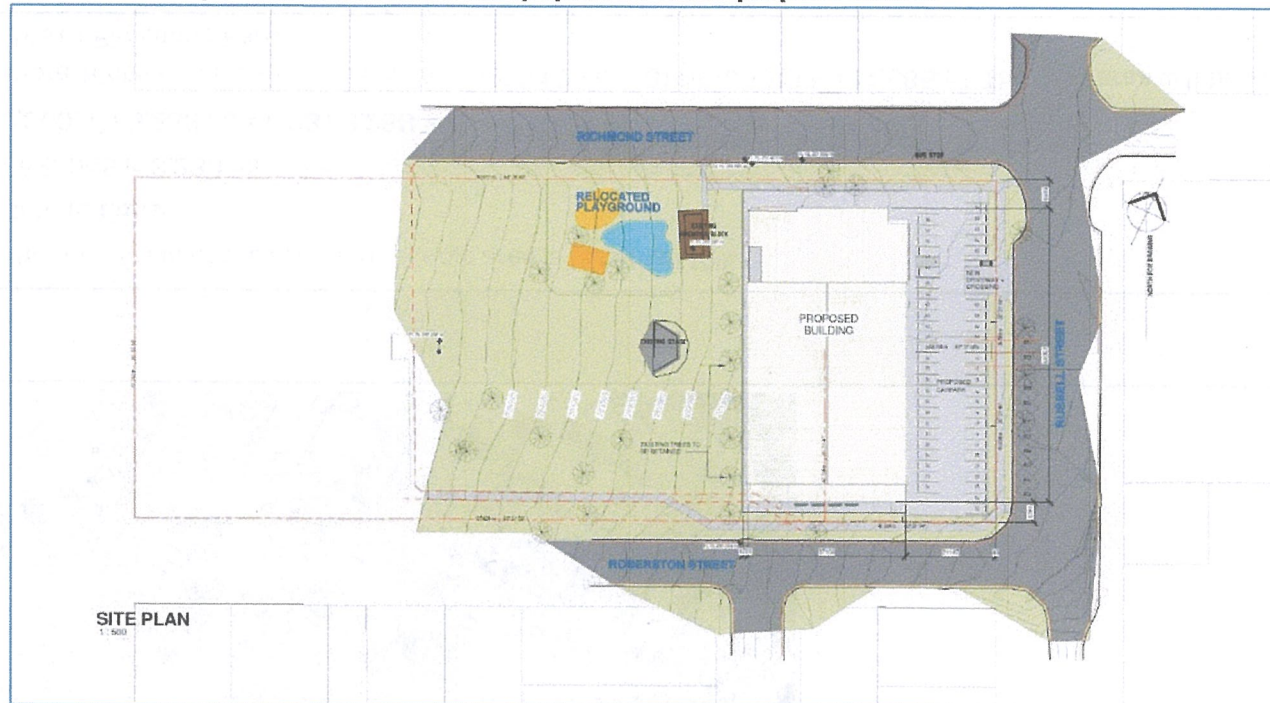
**Figure 2b. R1041093 & Part 620045. Excerpt from draft PoM showing
multiple categories.**



Figure 7: Categories applying to Richmond Park

Referrals		
Land and Asset Management (LAM email list in team tracker)	<input type="checkbox"/> Yes. Detail below DOC ref:	<input checked="" type="checkbox"/> No
Aboriginal Land Claims Assessment Team (clalc@crowland.nsw.gov.au)	<input type="checkbox"/> Yes. Detail below DOC ref:	<input checked="" type="checkbox"/> No
Coastal Unit (Catherine.knight@crowland.nsw.gov.au)	<input type="checkbox"/> Yes. Detail below DOC ref:	<input checked="" type="checkbox"/> No
Cemeteries and Crematoria NSW (martin.sewell@cemeteries.nsw.gov.au)	<input type="checkbox"/> Yes. Detail below DOC ref:	<input checked="" type="checkbox"/> No
Other (delete if not required)	<input checked="" type="checkbox"/> Yes. Detail below DOC ref: STATUS BRANCH - LANDSEARCH/5499	<input type="checkbox"/> No

Figure 3. Excerpt from draft PoM. Concept plan for multi-purpose centre.



Why should this action occur?	Alteration of category of GCU to apply to the area to be occupied by the proposed multi-purpose centre will ensure category aligns with the core objectives and guidelines for GCU under the LG Act and Regulation. It will allow for Council's most appropriate and efficient management of the community land.
Proposed altered category	Alteration from wholly Park to part Park and part GCU.
Where will the change apply? Will it be to the whole or part of the reserve?	<input type="checkbox"/> Whole <input checked="" type="checkbox"/> Part – the alteration to category is to apply to part of 701/1059193 only. The approximate area to be altered to GCU is 2,300m ² . The remainder of the reserve will remain categorised as Park.

intermittent, the frequency and duration of the impacts of those activities	<ul style="list-style-type: none"> multiple indoor sports, being the size of two basketball/ netball courts, to accommodate local, regional and state sporting competitions, hosting of conferences, local school and community events, and provision of evacuation centre capabilities in times of emergency.
1 c) The degree of permanence of likely harm and in particular whether that harm is irreversible	The proposed multi-purpose centre building will be permanent. It will physically transform the subject land, however it will continue to facilitate use of the reserve for its purpose.
1 d) The current condition of the land	The area of R620045 subject to the alteration to category comprises typical park features – maintained grassy areas, children’s play equipment, mature trees, footpaths etc. The existing club house is a small brick building.
1 e) The geographical, environmental, and social context of the land	<p><u>Geographical</u> – Situated in the centre of the town of Tumut.</p> <p><u>Environmental</u> – The reserve comprises open green space and park amenities. There are mature trees. The proposed multi-purpose centre will replace the natural features of the subject land with building/carpark. The facility will reduce the amount of open green space in Richmond Park.</p> <p><u>Social</u> – In its current form, the subject land provides open green space, trees and play equipment that provide for active and passive recreation. The proposed multi-purpose centre will serve a dual purpose of sports centre and evacuation centre. The picnic areas and play equipment will be relocated elsewhere within Richmond Park. The multi-purpose centre project is being made possible through a grant from the Australian and NSW Governments Bushfire Local Economic Recovery Fund (BLERF) as a result of the 2019/2020 bushfire event which largely impacted the LGA.</p>
1 f) Any other considerations that may be prescribed by the regulations	Nil
2. Public interest	<p>It is in the public interest that community land be appropriately categorised to allow for Council to efficiently and effectively manage the land under the LG Act and Regulation. Alteration of part of the reserve from Park to GCU will facilitate Council’s proposal to construct a multi-purpose centre.</p> <p>The multi-purpose centre will serve a dual purpose, being a sports centre and an evacuation centre (when required). The facility will be enabled via grant funding that resulted from the 2019/2020 bushfire event.</p>