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1. THE OPPORTUNITY

1.1. Introduction

Clarence Valley Council invites Expressions of Interest (EOI) for the potential purchase of the South Grafton Pool and Boyd Natrass Complex, located at 77 Cambridge Street, South Grafton, NSW.

1.2. General Information

South Grafton is part of the historic city of Grafton, located within the Clarence Valley on the NSW North Coast. Grafton serves as a key regional centre, offering strong infrastructure, schools, health services and vibrant cultural and sporting communities. The broader Clarence Valley LGA has a population of over 53,000 people, with Grafton and South Grafton acting as major residential, service and transport hubs in the region. The area is experiencing steady growth, supported by major infrastructure projects, tourism, agriculture, and lifestyle migration.

The South Grafton Pool & Boyd Natrass Complex is strategically located to serve both the local population and surrounding rural communities, offering a foundation for a wide range of future ventures that support active living, wellness, education, or regional development.

1.3. Overview of the Opportunity

This rare and significant opportunity involves the acquisition of a well-known community recreational facility with a range of established infrastructure and the potential for adaptive reuse, redevelopment, or continued community operation, subject to the relevant planning approvals.

The property holds significance for the local community and presents a unique chance to invest in a centrally located site with scope to deliver future community, commercial, or health and wellness outcomes.

South Grafton Pool & Boyd Natrass Complex

25 metre lap pool with 6 lanes



Hydrotherapy Pool

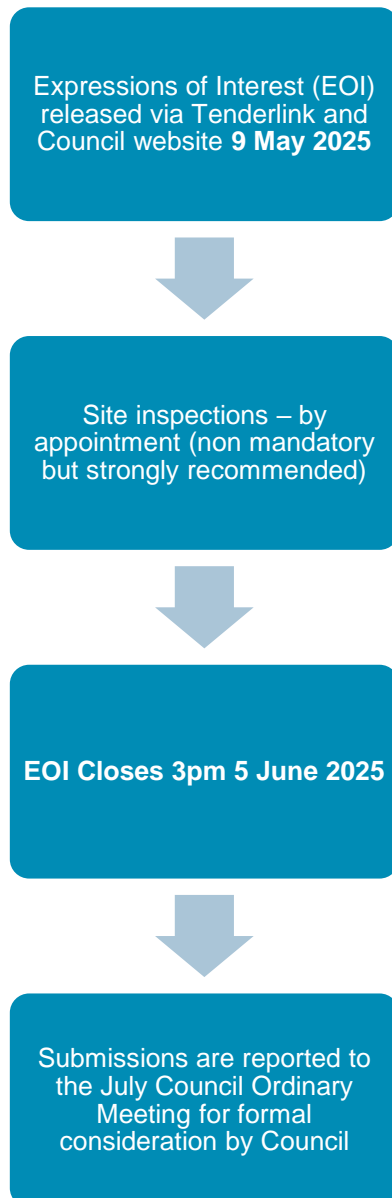


Gymnasium Space



1.4. Timeline

The timeline for the EOI to lease is as detailed below. Council reserves the right to amend or alter the timelines at its absolute discretion.



2. KEY FEATURES & INFORMATION

The property comprises a 4,261sqm allotment in a central and accessible South Grafton location with the following purpose-built infrastructure:

- 25m x 6-lane indoor swimming pool
- Hydrotherapy pool
- Small toddler pool with shade cover
- Gymnasium space
- Kiosk space
- Male and female change rooms
- Gymnastics/training area
- Dedicated fitness/aerobics room
- Available off-street parking and good access to public transport

Zoning:

RE1 – Public Recreation, under Clarence Valley Council's Local Environmental Plan (LEP)

Development Potential:

Potential for a broad range of community, recreational, commercial or redevelopment uses (STCA)

3. THE PROCESS

3.1. Selection Process

Proponents must submit their electronic proposal(s) by the closing date via the Tenderlink website. Hardcopies can be submitted via Council's Tender Box located at 2 Prince Street, Grafton.

Proposals must be submitted by the closing date of 3pm on Thursday 5 June 2024.

3.2. Inspection of the Site

Proponents are invited to inspect the premises to ensure that they have a clear understanding of the opportunities and limitations of the site and associated structures. An inspection of the South Grafton Pool and Boyd Natrass Complex will take place at the below date and time, interested parties must register their attendance prior.

When: 9:30am Friday, 16 May 2025

Registration contact: property@clarence.nsw.gov.au quoting 'EOI – South Grafton Pool and Boyd Natrass Complex'.

The following details will be required on booking an inspection: -

- Person(s)/Company Name
- Address – Residential or Business
- Mobile number
- Email address

Attendance at a site inspection is not mandatory but is strongly recommended.

3.3. Information Required

Proposals submitted must directly address the information requirements set out below.

If a Proponent fails to supply the information requested in the "Proponents Checklist", Council has the absolute discretion to discontinue further consideration of the Proponent's Proposal. Proponents are required to provide the following information for evaluation:

3.3.1. Business Profile

Full details of proponent(s) including:

- Name(s)
- Address(es)
- Contact details (phone, email)
- ABN / ACN of the proponent, if applicable
- Current place of business, if applicable
- Previous place of business, if applicable
- Company/Business name, if applicable
- Particulars (names and addresses) of Company directors and office bearers
- Particulars (names and addresses) of all shareholders (if private)
- Names and addresses of any other persons having a financial interest in the business and the nature of such interest

Where a partnership or consortium is proposed, full details of all members of that partnership or consortium must also be provided.

3.3.2. Proposal

Proponents must demonstrate a clear vision or proposed future use for the site.

Information which must be provided includes, but is not limited to:

- A detailed description of the proposed venture
- A business plan detailing operations for the first 12 months, should this be relevant to the submission
- Capacity to acquire and invest in the property
- Evidence of familiarity with legislation relevant to the proposal
- Any details of any relevant information regarding previous successful commercial operations relevant to the proposal
- Any other matters you wish to have considered by Council as part of the proposal

3.3.3. Community Benefit

Proponents must provide clear evidence that their proposal delivers broader public value, demonstrating clear economic, social, or community benefits, including support for local employment, reinvestment in the region, and alignment with Council's broader strategic objectives for local development.

3.3.4. Financial Offer

All proponents must submit an offer to purchase as part of their proposal, clearly outlining the proposed purchase price (exclusive of GST).

3.4. Evaluation Criteria

An evaluation panel will be established to review proposals and recommend the preferred proponent(s). The outcome of the review will be reported to Council for consideration. The proposal offering the highest purchase price will not necessarily be accepted.

Proposals will be assessed with the following weightings:

| | |
|------|-------------------|
| 30 % | Project proposal |
| 40% | Community Benefit |
| 30% | Financial Offer |

4. LODGEMENT OF PROPOSALS

4.1. Lodgement

Each proponent must lodge its Proposal before the Closing Date of 3.00 pm Thursday 5 June 2025.

EOI may be submitted by:

- a. Electronic lodgement at via Tenderlink OR
- b. Hard copies may be submitted through the Tender Box at the Council office in 2 Prince St, Grafton (hours are 8:30am to 4:30pm Monday to Friday) up till close of time of the EOI. All hard copies are to be clearly marked **EOI Proposed Sale of the South Grafton Pool & Boyd Natrass Complex**.

Tenders will not be accepted at Council's Maclean or any other office.

Each proposal must be enclosed in a sealed envelope or packaging and prominently marked with the following details:

Proponent Name

Strictly Private and Confidential Expression of Interest

South Grafton Pool & Boyd Natrass Complex

All hard copy Proposals must be forwarded or delivered in a sealed envelope addressed to:

POSTAL

TENDER BOX

Clarence Valley Council

Locked Bag 23

Grafton NSW 2460

HAND DELIVERED

TENDER BOX

Clarence Valley Council

2 Prince Street

Grafton NSW 2460

One original marked "Original" and one (1) unbound copy of the Proposal must be provided.

The Council may refuse to consider Proposals that are submitted late. Late Proposals will be considered in accordance with the NSW Government Code of Practice for Procurement.

4.2. Complying proposals

Proponents must submit a complying Proposal. A complying Proposal may be considered for evaluation by Council.

A complying Proposal is one which substantially complies with the requirements of this EOI. Where a Proposal does not substantially comply with the requirements of this EOI Council may determine in its absolute discretion whether or not such non-complying Proposal may be considered for evaluation.

4.3. Alternative Proposals

Proponents may also submit alternative Proposals. Alternative Proposals must be clearly marked as such and be submitted as a separate bound Proposal and comply with the provisions of this EOI. The alternative Proposal must be clear in respect of the variation from the complying Proposal and the affect of the variation (including any price implications, changes in respect to the project objectives intended outcomes for the site).

A proponent's alternative proposal will not be considered for evaluation unless submitting with a complying proposal.

Where the information (including documents and drawings) provided with respect to the complying Proposal is applicable to the alternative proposal(s), there is no requirement for such information to be repeated, but this must be clearly identified and cross referenced so as to allow for evaluation of the alternative Proposal.

5. GENERAL TERMS AND CONDITIONS

5.1. Disclaimer

The process set out in this document is not a legal offer or a tender process and neither the EOI itself nor any response to it will constitute a process contract. It is a competitive process solely for the benefit of identifying a proponent or proponents with whom The Council might enter into further negotiations with respect to the lease of the site. The Council is not legally bound in any way to proponents and is not obliged to proceed any further with the process.

All information provided in or attached to this document is provided to the knowledge and belief of the Council but no warranty or representation is made by The Council or any of its representatives or consultants as to the accuracy of the information or as to any errors or omissions in or from the information. Proponents must rely on their own enquiries and information in deciding whether or not to respond to this EOI and if responding then as to the substance of the response.

5.2. Waiver and Liability

1. By lodging a proposal the proponent will be taken to have acknowledged the following (without limiting the other waivers, disclaimers and qualifications provided elsewhere in this document):
2. 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;
3. Proponents acknowledge the qualifications and conditions set out in this document and are to comply with the provisions of this EOI document;
4. This EOI document and all statements made and information made available in relation to it and the EOI, reflect The Council's current intention only. The information and intentions set out in this EOI document may change at any time;
5. The Council has endeavoured to provide accurate information in this EOI document. However, no warranties or representations in that respect are given by The Council. The 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 The Council, The Council is not liable in relation to any claim that the proponent or any other person was disadvantaged by a lack of information or because any information provided to it was ambiguous or inaccurate or incomplete;
6. The 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 Expressions of Interest or subsequent proposals received and the EOI evaluation process;

7. There is no legal or other relationship between any proponent and The Council enforceable at the suit of the proponent 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

8. The risk, responsibility and liability connected with reliance by a proponent or any other person on this EOI document, or any written or oral statements made to any proponent or any person in connection with this EOI is solely that of each proponent. Each proponent 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 proponent is solely responsible for obtaining its own independent 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 proponent acts or relies on this information and these documents, and any written or oral statements made concerning the EOI, entirely at its own risk.

5.3. Confidentiality and Freedom of Information

Proposals and any other information provided by proponents ("Information") are subject to the provisions of the Government Information (Public Access) Act 2009 (NSW), (the "Act"). Proponents should note that the Act gives to members of the public rights of access to documents of the NSW Government and its agencies.

Information may be disclosed to third parties if there is a requirement to do so under the provisions of that Act or where The Council or State Government policy or directives require disclosure e.g. any requirement to publish the results of a public call 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.

Proponents identified for participation or involved in subsequent processes must not advertise, promote or publish the participation, in any form, without the written consent of The Council through the Contact Officer.

6. PROPONENTS CHECKLIST

In submitting this Proposal, I have included the following:

Business Profile

- ☐ Full details of proponents including (partnership or consortium members) including:
 - ☐ Name(s)
 - ☐ Address(s)
 - ☐ Contact details (phone, email)
 - ☐ ABN / ACN of the proponent
 - ☐ Current place of business, if applicable
 - ☐ Previous place of business, if applicable
 - ☐ Company/Business name, if applicable
 - ☐ Particulars (names and addresses) of Company directors and office bearers
 - ☐ Particulars (names and addresses) of all shareholders (if private)
 - ☐ Names and addresses of any other persons having a financial interest in the business and the nature of such interest

Project Proposal

- ☐ A detailed description of the purpose for purchase
- ☐ A detailed business plan for the future use of the site
- ☐ Evidence of appreciation and a commitment to manage the site's heritage, social and environmental values
- ☐ Details of any relevant business/management experience and quality customer service
- ☐ Business references – minimum of two (2)
- ☐ Any other matters you wish the Council to consider

Community Benefit

- ☐ Provide clear evidence of the anticipated benefits to the community that would result from Council's acceptance of the proposed submission.

Financial Offer

- ☐ An offer to purchase exclusive of GST.

Community Benefit

- ☐ Provide clear evidence that the proponent is a local resident or, in the case of a business or organisation, is headquartered or operates within the Local Government Area (LGA).

Lodgement

- ☐ Electronic lodgement via Tenderlink OR
- ☐ Hardcopies to be lodged at Councils Tender Box located at 2 Prince Street, Grafton, one original marked "Original" and one copy (must be unbound)

7. ANNEXURE A – PROPERTY BOUNDARY

