



*A prosperous and progressive
community we proudly call home*



****PUBLIC COPY****

Business Papers 2020

MID-WESTERN REGIONAL COUNCIL

EXTRAORDINARY MEETING

FRIDAY 31 JANUARY 2020



PO BOX 156
MUDGEES NSW 2850

86 Market Street MUDGEES
109 Herbert Street GULGONG
77 Louee Street RYLSTONE

Ph: 1300 765 002 or (02) 6378 2850
Fax: (02) 6378 2815
Email: council@midwestern.nsw.gov.au

29 January 2020

Dear Councillor,

MEETING NOTICE
Extraordinary Meeting
31 JANUARY 2020
Public Forum at 2.00pm
Council Meeting commencing at conclusion of Public Forum

Notice is hereby given that the above meeting of Mid-Western Regional Council will be held in the Council Chambers, 86 Market Street, Mudgee at the time and date indicated above to deal with the business as listed on the Meeting Agenda.

Members of the public may speak at the Public Forum, which is held at 2.00pm immediately preceding the Council Meeting. Speakers are given five minutes to address items that are included in the agenda.

If you wish to register to speak at the Public Forum please contact the General Manager's Office on 1300 765 002 or 02 6378 2850 by 4.00 pm on the day before the meeting for approval.

Yours faithfully

A handwritten signature in black ink, appearing to be "BRAD CAM", with a horizontal line extending to the right.

BRAD CAM
GENERAL MANAGER

AGENDA

Item 1:	Apologies.....	7
Item 2:	Disclosure of Interest.....	7
Item 3:	Confirmation of Minutes - Nil	7
Item 4:	Community	8
	4.1 Information on the Regent Theatre.....	8
Item 5:	Urgent Business Without Notice	41
Item 6:	Urgent Confidential Business Without Notice	43
Item 7:	Open Council.....	43

Item 1: Apologies

Item 2: Disclosure of Interest

In accordance with Section 451 of the Local Government Act 1993, Councillors should declare an interest in any item on this Agenda. If an interest is declared, Councillors should leave the Chambers prior to the commencement of discussion of the item.

Item 3: Confirmation of Minutes - Nil

Item 4: Community

4.1 Information on the Regent Theatre

REPORT BY THE DIRECTOR COMMUNITY
TO 31 JANUARY 2020 EXTRAORDINARY MEETING
GOV400087, P0020011

RECOMMENDATION

That Council receive and note the report by the Director Community on Information on the Regent Theatre.

Executive summary

This report seeks to provide information to Councillors to assist in their discussion regarding the Regent Theatre.

Disclosure of Interest

Nil

Detailed report

The Regent Theatre building was placed in the hands of the mortgagee in December 2019 and will be going to auction on March 6, 2020. There have been suggestions by some members of the community that Council should consider purchasing it.

An Extraordinary Meeting of Council has been called for the purposes of investigating whether Council should purchase the Regent Theatre.

Consideration of the Regent Theatre by Council can be broken into two parts as set out below.

1. Purchase of the Existing Building

This would involve participating in opportunities to purchase the building (either auction or by negotiation). If Council wants to purchase the building the following steps should be undertaken:

- Engage an independent valuer to determine a reasonable price point or range within which Council may attempt to purchase the building
- Identify and document the reason for acquiring the building (noting that if it is greater than \$1m or 10% of ordinary rate income it may require further consideration of Section 23A of the Local Government Act which includes compliance with Capital Expenditure Guidelines)

If Council is of the mind to consider purchasing the Regent Theatre, it may resolve that Council:

1. Confirms it does want to consider the purchase of the Regent Theatre building for community use;
2. Requests staff to arrange at least one independent valuation of the Regent Theatre building and bring back a report to the February 19 Council meeting which includes funding options, due diligence requirements and, if required, provides delegations to acquire the building within an agreed price range; and
3. Amends the 2019/20 Operational Plan to provide a budget of \$10,000 funded from unrestricted cash to obtain a valuation.

If Council is not of the mind to consider purchasing the Regent Theatre, it may resolve that Council:

1. Confirms it does not want to consider the purchase of the Regent Theatre building at this stage.

2. Consider Future Use and Upgrade of the Building

This would involve engaging with the community to identify a vision for future use and providing feasible future use options for the building, including:

- Engage a Heritage Expert to undertake a full heritage audit of the building (this will allow Council to discuss ongoing maintenance and any future works with the Heritage Council for a building subject to an IHO/State Listing)
- Undertake a full structural assessment of the building to determine any building constraints that may impact the ability to undertake future works and to achieve compliance with the requirements of the Building Code of Australia and EP&A Act
- Undertake community engagement to establish what the community wants to see done with the building (this will be essential to comply with Section 23A/Capital Expenditure Guideline requirements given the expected value of capital works)
- Identify options for future use based on community feedback and vision
- Engage a consultant to undertake a feasibility/business case assessment of the alternatives and taking into account full life of project costs and benefits
- Identify a preferred option and source of funding within Council's Delivery Program and Long Term Financial Plan and any grant funding opportunities
- Undertake a Capital Expenditure Review in accordance with Section 23A of the Local Government Act and submit to the Office of Local Government

If Council does want to consider the future use and upgrade of the building, it is important that Council undertakes this step thoroughly and utilising relevant expertise familiar with development of state listed properties.

Attachments to this information include proposals by Simone Sheridan on behalf of the Revive the Regent community group, Brian Hobson and John Bentley and John Wood as well as some information prepared by Council staff on a range of similar regional Theatres and cinemas that have been cited by individuals as examples that Council could follow.

Also included in the confidential attachment are information that has been received recently from members of the public as part of the Community Plan Proposal process for the 2020/21 Operational Plan as well as feedback on social media.

Community Plan implications

Theme	Looking After Our Community
Goal	Effective and efficient delivery of infrastructure
Strategy	Provide infrastructure and services to cater for the current and future needs of our community

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Land Acquisition and Disposal Policy

Legislation

Local Government Act 1993

Financial implications

The purchase of the Regent Theatre or investment in the Regent Theatre would have significant financial implications that would need to be considered by Council. If Council were to determine an interest in acquiring the Theatre, a full business case would be expected under the Capital Expenditure Guidelines referenced in the Local Government Act 1993.

There may also be the need for budgets for valuations or consultants that would need to be considered by Council.

Associated Risks

There would be significant risks in the purchase of the Regent Theatre and a full business case and risk analysis would need to be undertaken prior to any commitment of funds by Council.

SIMON JONES

DIRECTOR COMMUNITY

25 January 2020

- Attachments:*
1. Land Acquisition and Disposal Policy.
 2. Notice of Heritage Council recommendation to list the Regent Theatre on the State Heritage Register.
 3. Revived theatres in NSW - Case studies.
 4. Revive The Regent Theatre Proposal January 2020.
 5. Revised Viable Use for Regent Theatre - Hobson proposal.
 6. Submission - MWRC to purchase Regent Theatre - John Wood and John Bentley. (Confidential - separately attached)
 7. Social Media Comments on Regent Theatre. (Confidential - separately attached)
 8. Budget submissions and other comments from the public - Regent Theatre. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER



POLICY

Land Acquisition and Disposal

*A prosperous
and progressive
community*

ADOPTED	VERSION NO	1.1
COUNCIL MEETING MIN NO 56/18	REVIEW DATE	MARCH 2022
DATE: 21 MARCH 2018	FILE NUMBER	A0010009

Objective

Land owned by Mid-Western Regional Council (MWRC) on behalf of its ratepayers and local community is a valuable public asset. Council has the responsibility to maintain its land asset portfolio in the best interests of its ratepayers and local community, and to act consistently, fairly and transparently in accordance with its Community Plan objectives.

MWRC will from time to time acquire and dispose of its land assets, including interests in land such as an easement, right, charge, power or privilege over, or in connection with, the land.

The Policy aims to:

- ensure MWRC has open and accountable processes to consider the acquisition and disposal of all land assets; and
- establish the criteria under which Council will consider acquisition and disposal of land; and
- ensure best value is achieved in all Council land dealings; and
- ensure impartiality by addressing perceived or actual conflicts of interest.

Legislative requirements

- Local Government Act 1993
- Valuation of Land Act 1916
- Real Property Act 1900
- Land Acquisition (Just Terms Compensation) Act 1991
- Roads Act 1993
- Environmental Planning and Assessment Act 1979
- Independent Commission Against Corruption, *Guidelines for managing risks in direct negotiation*, May 2006
- Office Local Government, *Land Acquisition Information Guide*, December 2014

Scope

This policy applies to all acquisition and disposal of Council lands, including interests in land.

POLICY: LAND ACQUISITION AND DISPOSAL | 1.1,ERROR! REFERENCE SOURCE NOT FOUND.

Policy

Applicable provisions of the Local Government Act 1993 (the Act)

Section 8(1) of the Act dictates Council's charter in that Council is the custodian and trustee of public assets and is required to effectively plan for, account for and manage the assets for which it is responsible.

Section 22(1)(d) of the Act vests authority in Council to enable it to exercise its functions, purchase, exchange, take on lease, hold, dispose of and otherwise deal with property.

Section 186 of the Act prescribes the purposes for which Council can acquire land.

Section 377(1)(h) of the Act dictates that the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property must be made by resolution of Council as these decisions cannot be delegated.

Section 45 of the Act prevents Council from selling, exchanging or otherwise disposing of Community Land other than to become or be added to a Crown Reserve or National Park.

Land acquisition

PURPOSES AND ASSESSMENT CRITERIA

Land is to be identified for acquisition having due regard to the acquisition considerations as outlined, but not limited to circumstances described in the Table at Appendix 1.

Council may acquire land or interests in land for the purpose of carrying out its functions under the Act. Refer s186.

METHODS OF ACQUISITION

Acquisition by Agreement and Value

Council may acquire land that is available for public sale under the same terms as any other prospective purchaser without having to satisfy the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

Where land is listed for sale on the open market, the General Manager shall negotiate the terms of purchase with either the vendor or the vendor's agent.

If Council identifies land or interests in land that is required to facilitate functions of Council, but the land is not available for public sale, Council may approach the landowner and negotiate the purchase of the required land or interest in land. In this case, the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 apply irrespective of whether the acquisition is by agreement or by compulsory process. This Act requires Council to pay a fair compensation for the land or interest in land that is being acquired.

Where Council has identified land for acquisition which achieves specific strategic and policy goals and objectives of Council, consideration may be given to any land swap opportunities.

Where land or interests in land are not listed on the open market, the General Manager is to obtain at least one valuation of the land or interests in land to be provided by a Registered Valuer as the basis for negotiation and the valuation report shall be attached to the report submitted to Council.

POLICY: LAND ACQUISITION AND DISPOSAL | 1.1, ERROR! REFERENCE SOURCE NOT FOUND.

In some cases there will be justified basis for Council acquiring land or interests in land at a price above the valuation benchmark in order to guarantee the successful securing of the property to achieve defined goals and objectives of Council; or to acquire the land with a view to adding value, or reducing risk to a larger scheme or development, future or current.

Any special value should be determined and quantified within the initial decision of Council and referenced to the achievement of specific goals and objectives of Council.

Acquisition by Compulsory Process

If agreement of the acquisition of land or an interest in land cannot be made with the landowner, Council has the right to compulsorily acquire land or an interest in land. A compulsory acquisition can only be pursued under the requirements of the Roads Act 1993 or the Local Government Act 1993, and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

The compulsory process cannot be used to acquire land for the purposes of resale.

The process to be followed for compulsory acquisition is as set out in the Land Acquisition Information Guide (December 2014), as issued by Office of Local Government. It will be necessary for Council to satisfy the Office of Local Government that the acquisition is required for a public purpose.

Approval of the Minister for Local Government, and the Governor, is required to finalise the compulsory process.

Compensation for Acquisitions (other than land available for public sale)

In determining the amount of compensation to which a person is entitled, Part 3 Division 4 of the Land Acquisition (Just Terms Compensation) Act 1991 requires that regard must be given to the following matters only:

- a) the market value of the land on the date of its acquisition;
- b) any special value of the land to the person on the date of its acquisition;
- c) any loss attributable to severance;
- d) any loss attributable to disturbance;
- e) solatium (that is, compensation for non-financial disadvantage arising the need to relocate as a result of the acquisition); and
- f) any increase or decrease in the value of any other land of the person at the date Of acquisition which adjoins or is severed from the acquired land by reason of the carrying-out of, or the proposal to carry out, the public purpose for which the land was acquired.

Classification of Acquired Land

At the time of acquisition, Council must resolve the classification of the land to be either Operational or Community land in accordance with Sections 25-27 of the Act.

Land disposal

PURPOSES AND ASSESSMENT CRITERIA

POLICY: LAND ACQUISITION AND DISPOSAL | 1.1, ERROR! REFERENCE SOURCE NOT FOUND.

Land is to be identified for disposal having due regard to the disposal considerations as outlined, but not limited to circumstances described in the Table at Appendix 1.

Should a proposed disposal be detrimentally impacted by any circumstance identified in the Table at Appendix 1, or any other circumstance, unless it can be demonstrated that there is an overriding public and/or economic benefit in relation to the disposal, the proposed disposal should be reviewed.

METHODS OF DISPOSAL AND VALUE

Competitive Process and Value

Where land is capable of being disposed of on the open market and is able to be developed independently of any other property, the disposal shall be by competitive process involving public auction, private treaty, tender or expression of interest unless circumstances warrant disposal by direct negotiation.

The General Manager is to obtain at least one valuation of the land or interests in land to be provided by a Registered Valuer to establish the disposal value. The valuation/s shall be based on the valuation methodology most advantageous to Council. The General Manager is to then negotiate with Council's selling agent to ascertain an appropriate disposal value.

It is recognised that valuation advice is not an exact science and it is not unreasonable that a disposal value of up to 10% variation from that valuation may be achieved. Where the negotiated outcome results in a sale price more than 10% less than the assessed disposal value, it shall be acknowledged in the report to Council giving reason why that variation may be adopted.

Direct Negotiation and Value

Disposal of land by direct negotiation will have regard to, but will not be limited to, the following considerations::

- Where the total cost of the public disposal process will exceed the expected community benefit (for example, where the disposal value of land is \$1,000 and the cost to market the land is \$5,000);
- Where there is only one identifiable purchaser (for example, an adjoining owner; or where a site is not large enough for development in its own right);
- Where Council is bound by a contractual obligation;
- Disposal of land to a government or utility authority for the purpose of infrastructure provision;
- Where a public marketing process which has been undertaken within the last 12 months in accordance with this Policy has failed to achieve the desired outcome;
- In response to a proposal which achieves specific strategic and policy goals and objectives of Council; for example, a land swap opportunity.

The report to Council will identify the reasons why the direct negotiation disposal process was chosen.

The General Manager is to obtain at least one valuation of the land or interests in land to be provided by a Registered Valuer to establish the disposal value. The General Manager is to then negotiate with Council's selling agent (if applicable) to ascertain an appropriate disposal value.

Where land is to be disposed to an adjoining owner, the necessary valuation/s shall be based on the valuation methodology which is most advantageous to Council.

POLICY: LAND ACQUISITION AND DISPOSAL | 1.1, ERROR! REFERENCE SOURCE NOT FOUND.

Purchaser-Initiated Divestments

For purchaser-initiated divestments, all costs associated with the disposal of the land, including Council's reasonable legal costs, will be borne by the purchaser.

Classification of Land to be Disposed

Section 45 of the Act provides that only Operational Land can be sold, exchanged or otherwise disposed of.

Land classified as Community must be reclassified, in accordance with procedures prescribed by the Environmental Planning and Assessment Act 1979, as Operational prior to disposal proceeding.

Permanent Council Road Closures

A Council Public Road reserve (a Reserve) must be closed under the Roads Act 1993. The closure process is managed by Council and NSW Trade and Investment NSW Department of Industry – Crown Lands Division.

A resolution of Council is required to close a Reserve and where applicable, a further resolution is required to dispose of the land vested in Council upon the closure of a Reserve.

An application for the closure of a Reserve and where applicable, disposal of a Reserve, may be initiated by Council or by an individual.

An application from an individual must be accompanied with the Investigation Fee - Road Closure fee as set out in Council's adopted Fees and Charges.

Consideration of an application will take into account, but will not be limited to:

- The likelihood of a Reserve being required as a through road; and
- Legal requirements of a Reserve to provide access to properties; and
- Access to public infrastructure or public waterway; and
- Whether the land upon closure of a Reserve will vest in Council (Section 38(2)(b) & (c) Roads Act 1993); and
- Disposal considerations as outlined in the Table at Appendix 1.

For land which vests in Council upon closure of a Reserve with the intent for its disposal, the General Manager is obtain at least one valuation of the land to be provided by a Registered Valuer to establish the disposal value.

Where land is to be disposed to an adjoining owner, the necessary valuation/s shall be based on the methodology which is most advantageous to Council.

For individual-initiated Reserve closures and disposals, all costs associated with the disposal of the land, including Council's reasonable legal costs, will be borne by the purchaser.

Variation

MWRC reserves the right to vary the terms and conditions of this policy, subject to a report to Council.

POLICY: LAND ACQUISITION AND DISPOSAL | 1.1,ERROR! REFERENCE SOURCE NOT FOUND.

Appendix 1

SUMMARY OF LAND ACQUISITION AND DISPOSAL CONSIDERATIONS

ACQUISITION	ACQUISITION
<p>Purposes</p> <ul style="list-style-type: none"> • Statutory For public purposes by other public authorities such as RMS, etc. • Conversion from unused or underused properties to cash for acquisition or development of more useful community facilities • Investment For accumulation of property development and investment funds and subsequent acquisitions and/or investments for recurrent cash flows 	<p>Purposes</p> <ul style="list-style-type: none"> • Statutory For public purposes by other public authorities such as RMS, etc. • Conversion from unused or underused properties to cash for acquisition or development of more useful community facilities • Investment For accumulation of property development and investment funds and subsequent acquisitions and/or investments for recurrent cash flows
<p>Value</p> <ul style="list-style-type: none"> • Fair market value • Provisions under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> • Value to Council versus Value to the owner • Valuation – at least one by Registered Valuer 	<p>Value</p> <ul style="list-style-type: none"> • Fair market value • Provisions under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> • Value to Council versus Value to the owner • Valuation - at least one by Registered Valuer
<p>Assessment Criteria</p> <ul style="list-style-type: none"> • Identification in Council's Community Strategic Plan, Delivery Program, or Operational Plan • Identification in any other Council strategy • Land classification upon acquisition • Any land swap opportunities • Prospect for capital gain • Any redevelopment opportunity • Acquisition and ongoing management costs • Availability of funds or funding arrangements • Whole of life costing assessment • Current and future market conditions 	<p>Assessment Criteria</p> <ul style="list-style-type: none"> • Identification in Council's Community Strategic Plan, Delivery Program, or Operational Plan • Identification in any other Council strategy • Land classification upon acquisition • Any land swap opportunities • Whole life costing assessment including any likely maintenance/capital works required • Any value added activities such as rezoning, DA approval to eliminate any uncertainties as possible • Current and future market conditions • Methods of sale having regard to current market conditions and consideration of sale versus long-term lease



Our ref: DOC19/1007509

Mr Brad Cam
General Manager
Mid-Western Regional Council

council@midwestern.nsw.gov.au

Dear Mr Cam

Notice of Heritage Council recommendation to list on the State Heritage Register:

Item: Regent Theatre
Address: 5-7 Church Street, Mudgee

I am writing to advise, in accordance with section 33(1)(e) of the *Heritage Act 1977 (NSW)*, that the Heritage Council of NSW has resolved to recommend listing **Regent Theatre, Mudgee** on the State Heritage Register (SHR) to the Special Minister of State. The recommendation was resolved at the NSW Heritage Council meeting of **5 November 2019**.

The recommendation was made after consideration of a report prepared by Heritage NSW, Department of Premier and Cabinet which included submissions received from affected parties and members of the public.

Once the Minister has considered the Heritage Council's recommendation and made a decision whether or not to list the item on the SHR, further notification will be provided to you of that decision.

Information on the SHR is available on the Heritage NSW website <https://www.environment.nsw.gov.au/Heritage/listings/index.htm>.

If you have any questions please do not hesitate to contact Christina Kanellaki Lowe, Heritage Operations Officer at Heritage NSW, Department of Premier and Cabinet on (02) 9873 8558 or christina.kanellaki@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Katrina Stankowski".

Katrina Stankowski
A/Manager, Regional Heritage Operations North
Heritage NSW
Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW
23 January 2020

Roxy Theatre, Leeton



The Roxy opened on 7 April 1930. Today, it's a multi-function centre featuring regular movie screenings, live theatre and entertainment, and is a versatile event space.

The Roxy Redevelopment Project received State Government funding in December 2018 to the value of \$3,945,000 to increase functional space and improve access and safety for a more fit for purpose building.

Leeton Shire Council, the owner of The Roxy Theatre, currently budgets \$610K annually for the facility. In 2018/19, it reported income from The Roxy Theatre's fees and charges of \$109,000.

The cinema runs relatively up-to-date new releases on a weekly basis (one film per week comprising 2-4 screenings, with increased screenings of children's films during school holidays).

The facility is available for private functions through Leeton Shire Council. The Council also advertises for volunteers to assist with the running of the facility.

Roxy Theatre, Bingara



Built in 1936, The Roxy Theatre operated as a cinema until 1958.

In the early 1990's, a group of community members began to lobby the then Bingara Shire Council to purchase and restore the theatre. The Bingara Council purchased the building in 1999 and once it had been successful in obtaining both state and federal funding, set about faithfully restoring it to its former glory.

In May 2004, the theatre was restored and re-opened to the public as a cinema, performing arts venue and multi-purpose function centre. It also houses the Bingara Tourist Information Centre and is open to the general public for tours.

In 2009, the Gwydir Shire Council was the recipient of a grant for \$750,000 through the Department of Heritage, Environment, Water and the Arts under the Australian Government Jobs Fund, primarily to restore the Roxy Café.

The facility features in Gwydir Council's Social Plan and has a budget of \$312,000 largely attributable to depreciation of the facility, and income from user charges of \$47,000.

Volunteers undertake tasks relating to the theatre.

Gwydir Shire Council is currently seeking expressions of interest from interested parties for the management of the facility.

It is apparent from its website that it is not presently showing new release films, however there is a film club program released for 2020 that advertises older release films.

National Theatre Community Centre, Braidwood



The National Theatre started its life as a roller skating rink and Electric Picture Palace.

Now it continues the tradition as the National Theatre and Community Centre (managed by a Queanbeyan-Palerang Regional Council Section 355 Committee), a venue for annual events such as the Braidwood Quilt Event, monthly Film Club screenings (a mixture of old and recent films – one film screening once each month) and the Farmers' Market. It is also regularly hired by many community organisations such as fetes and book fairs, and commercial enterprises like the annual antique and rug shows.

It is suitable for private hire for which bookings are managed by volunteers, not Council staff. A volunteer confirmed that the facility is utilised most weeks. It was also used as an evacuation centre during the recent bushfire crisis.

Queanbeyan-Palerang Regional Council completed a major works project in 2018 worth \$300,000 to improve the visual amenity, usability and functionality, energy efficiency and most importantly the thermal comfort of the building. Council does not, however, contribute to the operations of the theatre on an ongoing basis.

James Theatre, Dungog



Open air films were first shown on the Theatre site in December 1912. In 1918, the original wooden building was completed and a further extensive upgrade was undertaken in 1930, adding the foyer, with a new projection box above, and Spanish Mission facade to the front of the building.

The Theatre fell on hard times and into disrepair until it was purchased by the Dungog Shire Council in 1979 to provide a large function centre for the community.

The Friends of James Theatre Inc and Dungog Council collaborate to ensure that the James Theatre remains a viable and functioning part of the Dungog community.

The cinema appears to show a single screening of two films most weekends.

The James Theatre is available for hire for film, music or dramatic events or for weddings, parties, dances, educational uses or meetings.

Dungog Council's Operating Expenditure for James Theatre is currently \$2,000 (not including depreciation, utility costs, insurance, pest control and other building costs and business unit oncosts which are listed as a total with other halls and buildings). No revenue for the facility is noted in its Operational Plan.

Athenium Theatre, Junee



The Athenium Theatre in Junee was built in 1929. In 1977-8, it was purchased by the Junee and District Development Association for \$20 000, making the Junee and Illabo Councils trustees of the property as tenants in common.

Council was the proponent in a proposal to demolish the old theatre in 2003, in favour of a new medical centre. The proposed demolition caused fierce debate within the community, however, and ultimately the decision was taken out of Council hands when the NSW Heritage Office listed the Athenium Theatre as a building with State Heritage Significance in January 2004.

The Friends of the Athenium are a community-led group who actively campaigned for the retention of the building. They have equal representation on the Council's Athenium Working Party. The working party was formed to oversee the development of a Masterplan for the site and to have that option fully costed. It engaged the services of a specialist architectural service in Canberra to undertake that function.

The building was subsequently reopened, refurbished to a modern standard.

In 2016, the theatre received donations of a new screen and grand piano. In 2017, members of the local community renovated the theatre's dress circle, which had been out of bounds for more than 20 years. In 2018, Council received a Regional Cultural Fund grant for \$48,800 to upgrade The Athenium (installation of commercial sound and lighting).

As of 2018, the building is available for hire as a community hall and is available for public bookings through Council. It is currently used approximately 5-6 times per month but with climate control works (funded through Stronger Country Communities) about to commence shortly, and the upcoming installation of a commercial kitchen (again, grant funded), Council expects that use of the facility will increase in the future. Council reported that Athenium Theatre bookings increased substantially from 2017/18 to 2018/19, from a total of 194 to 274 (an increase of 41%). More community events are being held at the theatre, including movie screenings (one movie screening per month run by volunteers), Rotary markets, and private functions.

Whilst Council owns the theatre outright, it relies heavily on a strong volunteer base and lots philanthropic support from descendants of the original theatre owners. Council also has a maintenance budget for the theatre.

Montreal Community Theatre, Tumut



The Montreal Theatre opened in April 1930. Films screened from 1968 to 1984 after which lessees came and went until the theatre closed as a commercial venue in 1992.

In 1993, the building was put on the market. Faced with the likely loss of a building that had been an integral part of the town for so long, a group of concerned citizens formed a steering committee to see what could be done. A building inspector pronounced the building in 'good sound serviceable condition' but there was no equipment, sound system or heating. It was badly in need of repainting, replumbing and rewiring.

With the encouragement of the owners, the Learmont family, and a grant from the locally administered Blakeney Millar Trust Foundation, a 2 year feasibility study was undertaken to decide whether the Montreal could be run by volunteers as a picture theatre and community venue. Advice was sought; sound systems scrounged and two vintage carbon-arc projectors came from the demolished Hay Majestic. Volunteers worked day and night to repaint and clean the theatre.

In 1998, with the support of the Blakeney Millar Trust Foundation and monies raised through the community, the theatre was able to be purchased on behalf of the community. Generous community donations, large and small, together with a grant from the Ministry for the Arts allowed ongoing refurbishment including stage renovations, new curtains and a push-button retractable screen, heating and air-conditioning.

In 2000, The Montreal was listed with the NSW National Trust and, in 2013, it was placed on the NSW State Heritage Register.

In 2013, digital cinema was installed together with an upgraded sound system and new speakers. This was made possible by the generosity of the community plus a number of large donations by local foundations/companies and many, many hours of volunteer labour.

The volunteer committee is assisted in rostering ushering, occasional food service and working bees by people willing to support the theatre on a regular basis. Prospective ushers are always welcome to contact the Committee as the theatre relies on continuing community involvement.

The management of the hall is operated by an incorporated association, Montreal Community Theatre Inc.

Council undertook a refurbishment upgrade of the theatre in late 2019 at a cost of \$381,000.

The cinema continues to operate and screens single screenings of two recent release films most weekends.

Royal Theatre, Quirindi



The Royal Theatre in Quirindi began showing its first films in 1930 and continued intermittently until 2006.

More than 50 volunteers also donated their time to clean up and paint the theatre to assist in keeping costs within budget. In April 2010, the Royal Theatre, Quirindi officially opened and movies resumed that September.

Movies are now held every fortnight and on other weekends a variety of events are staged from live theatre to musical performances, school plays and fund raising activities.

The theatre is managed by a Council committee and operated by volunteers. 193 events were held in the theatre in 2018/19 with 124 screenings of films, as well as 56 performances, workshops and arts events and 13 functions. In 2018/19, the theatre contributed \$57,000 to Council's revenue (an increase from \$38,000 the previous year).

The theatre's webpage acknowledges assisting from Liverpool Plains Shire Council (\$152,000), State Government (\$155,000), Federal Government (\$338,000) and BHP Billiton (\$115,000).

Bowraville Theatre, Bowraville



Raymond Cinema was built during the 1940's and operated until 1965 when the auditorium fell into disrepair. In 2000, the building was purchased by Nambucca Shire Council and Bowraville Arts Council was formed to restore the theatre.

The cinema screens a single semi-recent release film every second weekend. It is also available for live theatre and private bookings.

Bowraville Arts Council Inc has registered DGR status.

Nambucca Valley Council budgets \$10,000 annually for theatre operational costs. Council also recently secured Round One Cultural Infrastructure Funding (\$32,500) for new lighting, sound and wiring that will enhance the delivery of all performances held at the facility, in addition to reducing electricity and energy usage.

The facility was recently utilised for a Community Bush Fire Recovery meeting.

Southern Cross Cinema, Young



The Southern Cross Hall was built in 1924 by the Catholic Church to accommodate the growing need for an entertainment venue in the region. The hall was host to debutante balls, weddings, discos and in-door cricket.

Hilltops Arts Inc. (HARTs, formerly Young District Arts Council) negotiated with Young (now Hilltops) Shire Council to bring a cinema to the town of Young. With funding from State Government and YSC, HARTs was able to transform the Southern Cross Hall into the Southern Cross Cinema and Arts Centre; providing movies, live performance, exhibitions and workshops to Young and surrounding districts. Southern Cross Cinema opened to the public in March 2004 and has remained a volunteer driven project. This facility appears to be very separate from Hilltops Shire Council.

The cinema looks to screen about three recent release films concurrently (one to two screenings per day). It also screens one arthouse movie per month.

Amusu Theatre and Movie Museum, Manildra



The AMUSU Theatre was built in Manildra in 1936 alongside the then owner's garage. With its purpose built building, continuous use and heritage collection, the AMUSU is unique in NSW. It was listed on the State Heritage Register in 1996.

It is a rare purpose built Art Deco theatre that has been continuously operated since it was built in 1936.

AMUSU, a family partnership, is operated by a dedicated team of volunteers. The website notes corporate contributions from Manildra Flour and Canola Mills.

Movies are held once a month and the venue is available for private functions and special events.

Majestic Cinema, Sawtell



In 1941, Doris and Alan Brissett purchased the Community Hall on Sawtell's First Avenue, added some wooden tiered seating, a projection room and kiosk and the Sawtell Cinema was born. For three generations the Sawtell Cinema remained in the Brissett family until it was put up for sale. In late 2014 a group of local patrons, who shared a passion for this cinema, formed the Save Sawtell Cinema alliance and stepped forward to purchase the building. In March 2015, Council approved plans for the renovation of the Cinema, including an upgrade to a digital projection system, division of the original cinema into two separate theatres, brand new cinema seats and the addition of a café.

Early on in the redevelopment process, the Save Sawtell Cinema group discovered that running a cinema is a specialised skill. They needed professional cinema managers to deliver the experience they expected from their renovated building and Majestic Cinemas (a private cinema chain) was selected to take on this task.

The updated cinema complex has two new screens with 140 and 50 seats as well as full disabled seating and wheelchair access. In line with community requests, the cinema will show a range of art house and foreign films as well as the latest family and mainstream titles when possible.

The new Sawtell Cinema reopened in December 2015. It currently screens five screenings of four recent release films each day (ie, one film is screened twice).

Saraton Theatre, Grafton



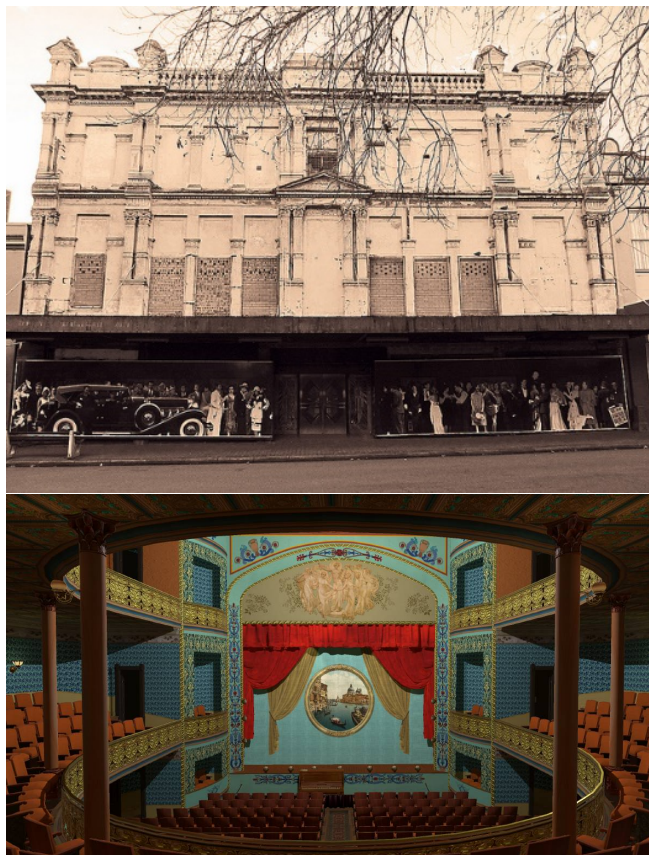
The Saraton was built in 1926 by John and Tony Notaras. It is still under the management of the Notaras family and is a rare example of an intact two-level cinema. It has survived several fires and was refurbished in its present Art Deco style in 1940. Earmarked in 1999 for redevelopment as a car park, it was rescued by the combined efforts of members of the Notaras family.

With a capacity of 950, interested artists, theatre companies, bands and entertainers make use of this unique facility. It features an enlarged stage, the latest Christie digital cinema equipment and the advanced Hypercoustic sound system. The Saraton Theatre has wheelchair access, air conditioning, abundant parking and a hearing aid loop.

The Notaras family attempted to sell the theatre to Grafton City Council in 2000 for \$1 in the hope that Council would renovate it, but the proposal was rejected. Instead, renovations were undertaken privately. The restoration project has been in keeping with the history of the old theatre. The entire theatre has been completely restored to its original design and colour scheme. In addition to the main theatre, two new cinemas with stadium seating (150 seats) were built adjacent making it a Triple Cinema Complex. All three cinemas feature digital wide screen projection, hypercoustic surround sound, wheelchair access for disabled patrons, air conditioning, hearing aid loops for those with impaired hearing. The Notaras family invested a substantial amount of money into the project.

The Saraton Theatre remains a privately operated business.

Victoria Theatre, Newcastle



The Victoria Theatre in Newcastle was first built in 1857. Subsequent builds eventually saw it open as a cinema in 1921, and from 1930 to 1960 films dominated the program, although there were significant live performances throughout the period. In 1942, Hoyts took control of the theatre for the next 24 years until it closed and later reopened as a retail site. In 2015, the theatre was put up for auction and a local community group, 'Revive the Vic' was founded and attracted 1000+ members all committed to preserving the theatre. In 2016, Century Venues purchased The Victoria Theatre with the intention to restore it as a live working heritage theatre.

In 2019, the NSW Labor opposition pledged to contribute \$3m to go towards the \$9.5 million plan to restore The Victoria Theatre. However, a spokesman for Arts Minister Don Harwin said the minister's officer had met with Century Venues over the Victoria Theatre revitalisation. "Upon receiving a proposal for the project in March 2019 it was determined that the project was not eligible under existing programs," the spokesman said.

Prepared by Simone Sheridan - 22 January 2020
 M 0410 115 736
 E info@revivetheregent.org.au
 W www.revivetheregent.org.au

PROPOSAL

Revive The Regent Theatre Inc. (RTRTM) would like to collaborate with Council to develop a working business model for the Regent Theatre to outline how it can be retained for its original purpose, as an entertainment venue. A feasibility study is required which outlines more revenue streams than simply operating as a cinema (which has been the previous predominant use) to include live performance, venue hire, larger meetings and conferences and other programming suitable to venue. The Regent Theatre must become a destination hub for educational and entertainment in the Central West.

In terms of its economic importance, the Live Performance Industry generated revenues of \$2.55 billion during 2012.¹ Based on research by Ernst & Young, the average turnover for a theatre with 261-550 seats is \$1,100,129.

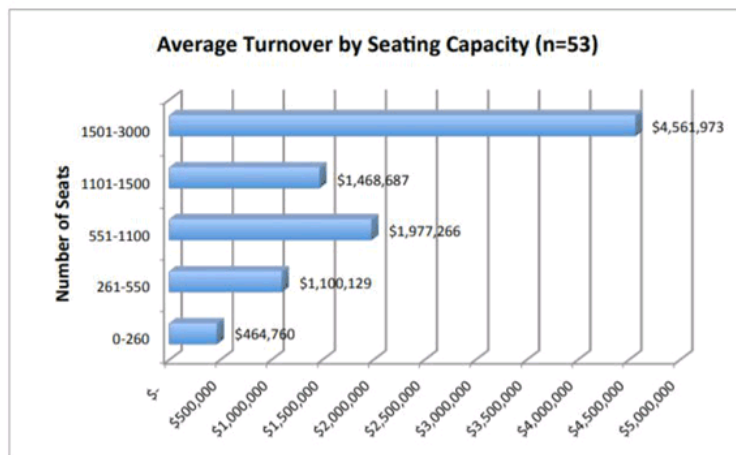


Figure 5: Average Turnover by Seating Capacity

With a seating capacity of around 900 (Town Hall Theatre 200), The Regent Theatre provides an economically viable option for entertainers and mid-sized professional ensembles with broad-based appeal that need a higher box office return afforded by larger venues.

To achieve this, The Regent Theatre will require proactive theatre management that is well-connected with the entertainment sector and with a sound understanding of what will have broad appeal. Clearly

¹ 2014 Ernst & Young Australia, Size and scope of the Live Performance Industry Live Performance Australia, 24 February 2014

Prepared by Simone Sheridan - 22 January 2020

M 0410 115 736

E info@revivetheregent.org.au

W www.revivetheregent.org.au

though, any management contract must ensure the community has priority access to the venue and allocate a proportion of time dedicated to this.

RTRTM is dedicated to ensuring the Regent can maintain its original purpose as a theatre to become a destination venue for Mudgee NSW.

We have researched a number of theatres in NSW which are successfully operated, with support from local government, providing entertainment and venue hire. The existing successful models show evidence, that with support from the community, volunteers and professionals, the Regent has a future as a multi-purpose venue.

As 'Entertainment Venue' was the top 5th community request in community consultations, we feel the further investigation of securing the Regent requires urgent attention with the auction due on 6 March 2020.

We propose collaborating with Council as part of a committee that sources works to develop a management plan for the theatre that ensure it remains economically viable.

Proposed steps for committee to investigate/manage

- A building and pest inspection is to be carried out
- Feasibility plan
- Quotes for minimum repairs
- Stages for redevelopment identified
- Funding applications available

Prepared by Simone Sheridan - 22 January 2020

M 0410 115 736

E info@revivetheregent.org.au

W www.revivetheregent.org.au

Successful community-run theatre venues

Montreal, Tumut NSW

Population 6,230²

Website <https://montrealtheatre.com.au>

The Montreal is an almost intact example of a 1920's picture theatre, 'modernistic' in style with Art Deco elements, 862 square metres in area. In 2000 the Montreal was listed with the N.S.W. National Trust and in 2013 it was placed on the N.S.W. State Heritage Register.

In 1993 the building was put on the market. Faced with the likely loss of a building that had been an integral part of the town for so long, a group of concerned citizens formed a steering committee to see what could be done. A building inspector pronounced the building in 'good sound serviceable condition' but there was no equipment, sound system or heating. It was badly in need of repainting, replumbing and rewiring.

With the encouragement of the owners, the Learmont family, and a grant from the locally administered Blakeney Millar Trust Foundation, a 2 year feasibility study was undertaken to decide whether the Montreal could be run by volunteers as a picture theatre and community venue.

The Roxy, Bingara NSW

Population 1,428³

Website www.roxybingara.com.au

The Roxy Theatre, situated in the main street of Bingara, is a striking building, with a history as colourful as its painted exterior. Built in 1936 by three Greeks, it operated as a cinema until 1958, after which it was closed and lay dormant and untouched for forty years.

In May 2004, The Roxy was faithfully restored to its original splendor and was reopened to the public. The theatre embraces some of the most striking original art deco architecture in New South Wales and it still contains the original fixtures and fittings, including the ornate stucco plaster, paintwork and coloured lights from 1936.

Today The Roxy functions as both a multi purpose cinema and regional centre for the performing arts, with The North West Theatre Company taking residence there. The quality and standard of the performances and events, make any visit worth while.

The Roxy also has the capacity to act as a function centre for a wide variety of activities and events, ranging from birthdays and weddings to regional conferences and seminars. It is able to cater for groups ranging from 20 to 400 and is able to provide audio visual and data projection equipment.

² https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC13966

³ https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC10365

Prepared by Simone Sheridan - 22 January 2020

M 0410 115 736

E info@revivetheregent.org.au

W www.revivetheregent.org.au

Southern Cross Cinema, Young NSW

Population 10,295⁴

Website <https://www.southerncrosscinema.org>

Hilltops Arts Inc. (HARTs, formerly Young District Arts Council) negotiated with Young Shire Council to bring a cinema to the town of Young. With funding from State Government and YSC, HARTs was able to transform the Southern Cross Hall into the Southern Cross Cinema and Arts Centre; providing movies, live performances, exhibitions and workshops to Young and surrounding districts.

With the help of dedicated volunteers, community members and supporting businesses, Southern Cross Cinema opened to the public in March 2004 and has remained a volunteer driven project.

The venue houses the Young Society of Artists in what was the old kitchen at the rear of the building. The Young Society of Artists host the annual Cherry Festival art and photography exhibitions in Studio One, upstairs. Studio One has also seen local and travelling exhibitions since opening as well as workshops provided by artists/ performers throughout this time.

The Roxy, Leeton NSW

Population 11, 168⁵

Website (Venue Hire) <https://roxyleeton.com.au/venue-hire/>

Redevelopment website

<http://www.leeton.nsw.gov.au/about-leeton/roxy-redevelopment-project.aspx>

Leeton Shire Council have gained grant funding to increase community use of the theatre, particularly developing the arts and culture within Leeton Shire. This includes making the theatre safer and more accessible for all.

\$4.4 million has been allocated to this project. As a result of a successful grant application, \$3.9 million will come from the NSW Government's Regional Cultural Fund with Leeton Shire Council contributing an additional \$500,000.

The purpose of the funding and redevelopment is to increase people's use of the Roxy, attract people from out of town, bring new shows to the theatre, provide increased opportunities for young people to engage with the Roxy and support current users of the building.

The amount of funding provided will allow us to significantly repair, upgrade, equip and develop the theatre, increase spaces for additional activities and address issues of disability access and fire safety.

The Roxy Redevelopment Committee (RRC) has been formed and tasked with the role of being the primary communications conduit between Council and the community for the project. While the

⁴ https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC14518

⁵ https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/LGA14750

Prepared by Simone Sheridan - 22 January 2020

M 0410 115 736

E info@revivetheregent.org.au

W www.revivetheregent.org.au

Committee does not have authority to procure services, it will be in a position to make recommendations to Council and the Project Control Group (PCG). It will meet at least monthly.

The heritage-listed Roxy Community Theatre provides a versatile event space, which combines an atmosphere of historical elegance with contemporary conveniences. Located in the centre of Leeton, the Roxy offers flexibility to suit a range of events and functions.

Designed to be a “bigger and better picture palace for Leeton” in 1928, the iconic theatre is the only multi-functional venue of its kind in the Riverina region – with an upscale backdrop (at an affordable rate) that will set the tone for your next event or function, including:

- Conferences and meetings
- Awards ceremonies and gala dinners
- Private parties and functions
- Wedding receptions
- School performances

Prepared by Simone Sheridan - 22 January 2020

M 0410 115 736

E info@revivetheregent.org.au

W www.revivetheregent.org.au

The Regent Theatre, Mudgee

Population 10,923⁶

The Regent Theatre, Mudgee, is an intact, representative example of an Art Deco regional theatre from the heyday of the movie going era in New South Wales. The Regent has research potential in its complete and detailed demonstration of architectural and social aspects of cinema-going during the 20th century. The in-situ audio and projection equipment are of industrial heritage value and have the potential to yield information on the evolution of technical aspects of film projection, sound reproduction and presentation and theatre lighting.

The Regent is of social significance to the regional community of the central west of NSW. It is also highly esteemed by Architecture and Heritage organisations for its place in the cinema and architectural history of NSW.

Designed by George Newtown Kenworthy, it is one of the few regional theatres of his that are still standing designed and it is rare in that it retains many of the original features. The foyer area retains original finishes, fixtures and fittings, consistently detailed in Art Deco style, including: the hexagonal ticket box light fittings, mirrors and velvet circular lounge. The candy bar is the former Nursery (Crying Room) which was established in one of the two original shopfronts on the facade. It contains 1946 wall murals which include nursery rhyme characters, 'Disney' characters and signs such as "We welcome you to the Regent Nursery". There is a mezzanine lounge level located over the foyer and below the dress circle.

The auditorium seats 986 and retains its original fabric including the seating and fans which are operational. The decorative elements of the auditorium are in a simplified, geometric Art Deco style, including the stepped ceiling, engaged pilasters, proscenium arch and the cartouche motif used on the walls and dress circle balcony. Facilities for stage performance include a 15 x 8 metre stage, with fly tower and back of house dressing rooms and toilets.

The large projection (bio) box, stretching across the full width of the theatre, is encased in concrete for fire protection and contains a valuable collection of projection equipment, including: two 1972 Super Zenith 450" carbon arc projectors; a 16mm projector; 1948 Westrex Sound System; the original c.1938 slide projector and attachments; the original lighting board; and various early artefacts including a Harringtons Limited - "Hints for Projectionists".

Predominantly operated as a cinema from 1936 until 2006, since it closed as a cinema, The Regent has had two successive owners, neither of whom have been able to fulfil a repurposed commercial vision while at the same time balancing the heritage values so important in a building such as this. Consequently, the Theatre will be sold under auction for the third time in 14 years on March 6, 2020. It is imperative we find a way to keep this building in the public domain so that it can once again become a much-loved focal point of our community life.

⁶ https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC12812

Prepared by Simone Sheridan - 22 January 2020

M 0410 115 736

E info@revivetheregent.org.auW www.revivetheregent.org.au**A Year in the life of the Regent**

Program	No.	Deal
Headline acts (fill theatre) Opera Australia's OzOpera, Musica Viva, ACO 2, Australian Ballet' Dancers Company, Contemporary live music and comedy artists etc with national standing	15	Commercial venue hire Box office split Buy performance outright
Community performances: dance studios, Cudgegong Choir, School end of year performances	20	Community venue hire
Conferences, meetings, venue hire, Awards Nights (sport, school etc)	5	Commercial venue hire
Movie Nights	60 (screening)	Venue program
Sydney Festival Travelling Film Festival	8 (screenings)	Buy outright
Bring back Mudfest	8 screenings	Venue program
Cabaret Festival	6 performances	Venue program
Annual conference around Food Industry or Viticulture	3 days	Venue program
Late Fridays: live music aimed at youth (best regional artists from Central West)		Venue Program

The above assumes the Performing Arts Societies of Mudgee and Gulgong will want to continue their association with Town Hall Theatre and Gulgong Opera House.

Huntington Music Festival finished in 2019, after 30 years operating, and the Regent would be a perfect venue to continue the tradition with Council/Community support.

Potential Partnerships

Australian Ballet School

Cementa Festival

PACT

Australian Theatre for Young People (ATYP)

Century Venues

REVISED VIABLE USE FOR THE REGENT THEATRE.

AFTER VISITATION OF THE THEATRE'S INTERIOR.

BY BRIAN AND MARIE HOBSON 23/01/2020. [REDACTED]

THE OVERALL INITIAL THOUGHTS ARE THE SAME AS PREVIOUSLY ISSUED TO A FEW PEOPLE WHO TURNED UP AT THE CANCELLED MEETING TO WHICH I WAS TO SUBMIT TO THE COMMITTEE BUT, AFTER INSPECTION OF THE INTERIOR OF THE THEATRE, SOME CHANGES HAVE BEEN MADE.

WE BELIEVE THAT A SUSTAINABLE USE FOR THE THEATRE CAN BE ACHIEVED .

1. **RETAIN** (RENOVATE WHERE NECESSARY) THE WHOLE OF THE ART DECO FAÇADE.
2. **RESTORE** THE ENTRY FOYER, CANDY BAR, OFFICES, GROUND FLOOR TOILETS, CHANGE ROOMS, MEZZANINE FLOOR INCLUDING FURNITURE, MIRRORS, MEZZANINE TOILETS, STAGE, SCREEN, BALCONY SEATS, PROJECTION ROOM ETC., ETC., BACK TO IT'S **ORIGINAL** ART DECO CONDITION.
3. **RETAIN** 4 OR 5 ROWS OF STALLS ON THE GROUND FLOOR (THIS MEANS REPLACING SEATS THAT WERE REMOVED). REMOVE ALL OTHER SEATING FROM THE DOWNSTAIRS (AUDITORIUM) . . . BY RETAINING THE STAGE AND SCREEN, SHOWS, FILMS, PRIVATE FUNCTIONS, MEETINGS, ETC. CAN BE USED TO CREATE **ADDITIONAL INCOME** TO THE INCOME DESCRIBED BELOW . . . SHOWING **SILENT FILMS** (CHARLIE CHAPLIN, BUSTER KEATON, ETC.) WITH A 1920's "PLINKY-PLANKY" PIANO PLAYER WOULD BE A BIG ATTRACTION TO VISITORS AND LOCALS ALIKE.
4. WITH THE MAJORITY OF SEATING REMOVED FROM THE AUDITORIUM, DIVIDE THE FLOOR AREA INTO SMALL SPACES. THESE SPACES ON THE SIDES OF THE RAMPS WOULD BE LEVELLED IN STEPS ACCORDING TO THE LAYOUT. I HAVE ROUGHLY STEPPED OUT THE AUDITORIUM AND THAT THE USABLE FLOOR AREA IS ABOUT 20m x 20m. LEAVING THREE RAMPSS, FRONT TO BACK, I ESTIMATE WE COULD ACHIEVE 42/ 2.5m x 2.5m RETAIL SPACES. AT \$30 RENT/SPACE, AN INCOME OF \$1,260/WEEK, PLUS MAYBE A 10% OF ALL SALES TO THE OWNER. THESE SPACES ARE CHEAP ENOUGH FOR EVEN THE SMALLEST VENDOR, WHICH WILL ENCOURAGE A **HUGE VARIETY** OF "SHOPS." LARGER BUSINESSES CAN RENT MORE SPACES. ALL OWNERS WILL WORK AT THE COMMON COUNTER, ROSTERED SO THAT AT LEAST TWO VENDORS ARE ON DUTY AT THE COUNTER **SEVEN DAYS/WEEK**. THIS WOULD BE THAT **EACH** SPACE (VENDOR) WOULD WORK APP. **1.5 DAYS/MONTH** ON THE COUNTER SELLING THEIR OWN, AND OTHER VENDORS GOODS.
5. IN MY OPINION THIS SEVEN DAY TRADING WOULD NOT AFFECT THE THREE/FOUR MONTHLY MARKETS, IN FACT MARKET STALL HOLDERS COULD HAVE AN EXTRA OUTLET FOR THEIR GOODS. PERMANENT SHOP OWNERS COULD ALSO HAVE THE PROSPECT OF EXTRA SALES WHEN THEY CLOSE THEIR SHOP SATURDAY AFTERNOONS AND SUNDAYS.
6. THE NEW OWNER OF THE REGENT THEATRE WOULD THEN BE GUARANTEED A REGULAR INCOME FROM LEASING SPACES, POSSIBLY LEASING THE MUDGEES DRAMATIC SOCIETY, SPECIAL EVENTS (SCHOOLS, ETC) FROM LOCAL AND VISITING GROUPS, LIVE SHOWS, FILMS, ETC., ETC.

7. NOTE: EVEN IN THESE HARD TIMES OF RETAILING, CO-OPERATIVES ARE STILL OPERATING AS PER MANDURAH STUDIO IN MUDGEES, VICTORY THEATRE IN BLACKHEATH AND MANY OTHERS.

Item 5: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. (see Section 367 LGA & Clause 14(1) LGMR)
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council (see Clause 14(2)(a) LGMR); or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) (see Clause 14(2)(b) LGMR); or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 (see Clause 14(2)(c) LGMR); or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; (see Clause 14(2)(d) LGMR); or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice. (see Clause 14(3) LGMR)
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. (see Clause 14(4) LGMR)

CONFIDENTIAL
SESSION

Item 6: Urgent Confidential Business Without Notice

Item 7: Open Council