

**EXTRA-ORDINARY MEETING OF BATHURST REGIONAL
COUNCIL**

28 January 2025

His Worship the Mayor & Councillors

**Notice of Extra-Ordinary Meeting of Bathurst Regional Council –
Monday 3 February 2025**

I have to advise that an Extra-Ordinary Meeting of Bathurst Regional Council will be held in the Council Chambers on Monday 3 February 2025 commencing at 2:00 PM.



D J Sherley
GENERAL MANAGER

**BUSINESS AGENDA
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
TO BE HELD ON Monday 3 February 2025**

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1 RECORDING OF MEETINGS

1.1 RECORDING OF MEETING - GENERAL MANAGER TO READ

Commence normal recording of Council Meeting.

N.B. Ensure microphones are not muted on laptop.

This Council meeting is being recorded in accordance with Council's webcasting of Council Meetings Policy. The recording will be archived and made available for viewing at any time on Council's YouTube channel for a minimum period of 12 months. All care is taken to maintain your privacy however if you are in attendance in the public gallery you should be aware that your presence may be recorded. Your continued attendance means that you agree to being recorded and also that you will abide by the Council's adopted Code of Meeting Practice.

The Chairperson or General Manager have the discretion to interrupt the recording of any meeting at any time should it be deemed necessary. This may occur in circumstances where commentary is considered to be misleading, defamatory or inappropriate to be published or where behaviour breaches Council's adopted Code of Meeting Practice.

Councillors and Senior Staff are reminded that this meeting is being livestreamed and for the benefit of those viewing online, please ensure you use the microphone when speaking and turn it off when you are finished.

2 MEETING COMMENCES

3 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

Could all those who are able, please stand for the prayer and the acknowledgement.

3.01 Almighty God, give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen

3.02 I would like to acknowledge that this meeting is being held on the traditional lands of the Wiradjuri people and recognise the strength, resilience and capacity of Aboriginal people in this land.

4 APOLOGIES OR ATTENDANCE BY AUDIO-VISUAL LINK

5 DECLARATION OF INTEREST

Declaration of Interest

To assist the Councillors and committee members in their correct consideration of business before the meeting, please give consideration to:

- a) Part 4 and Part 5 of the Council Code of Conduct, in relation to Declaration of Interest at meetings; and
- b) Councillors' Oath or Affirmation of Office, in relation to their obligations under Section 233A of the Local Government Act.

6 NOTICES OF MOTION

6.1 CR CRANSTON:CR WRIGHT - HALT ON BARN PROJECT EXPENDITURE AND COMMENCEMENT

FILE NO: 21.00166

RECOMMENDATION:

That Council:

- a) Halt all project expenditure and the commencement of BARN until:
 - o **Funding Sources as Reviewed:** A thorough review of all funding sources, including any potential risks or uncertainties.
 - o **Project Costs are Re-evaluated:** A comprehensive and transparent budget (construction and operational) outlining all anticipated costs, including contingencies, using industry-standard benchmarks.
 - o **NPV Assessment:** A revised NPV assessment utilising Total Project Costs is conducted.
 - o **Community Support:** A reassessment of community support for the project by way of the provision to Councillors a report on the recently closed Community Consultation and the 2024 Community Survey results.
 - o **Compliance with OLG Guidelines:** A review of the project's compliance with the Office of Local Government's guidelines on due diligence and financial responsibility.
 - o **Risk Assessment:** A comprehensive review of the project risk assessment given the significant change in project scope and collaboration with local stakeholders.

REPORT:

**Subject: Urgent Request for Extraordinary Council Meeting -
Halt on BARN Project Expenditure and Commencement**

To: Mayor Robert Taylor

From: Crs Natalie Cranston and Sophie Wright

Date: 20th January 2025

Re: Urgent Request for Extraordinary Council Meeting and Halt on Bathurst Arts Residency NSW - Ngurang Project (BARN)

This letter formally requests an Extraordinary Council Meeting to address critical concerns regarding the Bathurst Arts Residency NSW- Ngurang Project (BARN). We make this request based on the recent Federal announcement of Bathurst Council's success in the Growing Regions Program State 2, increasing negative media activity, and risk to damaging Council's reputation.

As per the December 2024 ordinary meeting (report 8.5.1), Council reports:

The project has an approved DA and is "shovel ready"
Council claims that success in this current funding round would provide sufficient total funding to complete the full scope of the project as planned

Furthermore, as per the recent Western Advocate publication titled "*Scope of BARN project to be reviewed, council says, after grant awarded*" (17th January 2025), the reporter states:

Bathurst Council plans to review the scope of the Ngurang Arts Residency Project to bring it in line with the amount of grant funding it has received.

This publication confirms that this project is not fully funded (as a review is required), however it appears Council is now proceeding with the project at an operational level.

Concerns:

- **Lack of Community Support:** Recent election results and increasing negative community feedback on social media demonstrate significant opposition to the BARN project. Proceeding without reassessing community support would be a grave disservice to the community. It is to be noted Councillors are awaiting a report on the recently closed Community Consultation and the 2024 Community Survey results.
- **Outdated Justification:** The primary justification for the project appears to be based on a 2017 document that has not been comprehensively reviewed or updated since its adoption 8 years ago. We feel this document and its financial implications do not reflect current conditions, economic realities, and community wants and needs. Additionally, this document advocates for a "simple but versatile purpose-built rehearsal facility ... along with existing cabin accommodation" which is in direct contrast to the rescope proposal.
- **Factual Errors in Council Report:** The report presented to Council in December 2024 contains a critical factual error stating that the project is fully funded. This is inaccurate and requires immediate clarification.
- **Incorrect Costing Methodology:** The NPV assessment in the Hawkrigde Cost Benefit Analysis utilises Construction Costs instead of Total Project Costs, leading to a significantly skewed and misleading financial analysis.
- **Lack of Industry Benchmarks:** Detailed operating and overhead cost estimates are lacking and may fail to apply industry benchmarks,

potentially leading to significant operational deficits and unforeseen financial burdens on the city.

- **Inadequate Due Diligence:** The current state of the project demonstrates a significant lack of due diligence, potentially violating the Office of Local Government's guidelines on financial responsibility. Proceeding without a thorough review poses a substantial risk to the city's financial stability and could have serious legal and ethical implications.
- **Lack of Transparency:** The project's name change and significant differences between State and Federal grant applications indicate scope creep beyond original parameters. This raises concerns about public understanding, cost overruns, risk, conflicts of interest, and potential misuse of public funds.
- **Numerous inconsistencies:** Numerous inconsistencies have been identified across grant applications, business cases, and other supporting documentation. These inconsistencies raise serious concerns about the accuracy and reliability of the information presented to Council and State and Federal Government Departments. It is noted that Council signed a waiver on all grant applications declaring the information provided to true.
- **Risk of reputation damage:** Council runs the risk of significant reputation damage should these concerns not be addressed immediately.

Request:

1. **Extraordinary Council Meeting:** We hereby formally request an Extraordinary Council Meeting to be convened within 14 days from receipt of this request, addressing these critical concerns.
2. **Halt on Project Expenditure:** We request a vote to halt all project expenditure and the commencement of BARN until:
 - **Funding Sources as Reviewed:** A thorough review of all funding sources, including any potential risks or uncertainties.
 - **Project Costs are Re-evaluated:** A comprehensive and transparent budget (construction and operational) outlining all anticipated costs, including contingencies, using industry-standard benchmarks.
 - **NPV Assessment:** A revised NPV assessment utilising Total Project Costs is conducted.
 - **Community Support:** A reassessment of community support for the project by way of the provision to Councillors a report on the recently closed Community Consultation and the 2024 Community Survey results.
 - **Compliance with OLG Guidelines:** A review of the project's compliance with the Office of Local Government's guidelines on due diligence and financial responsibility.

- o **Risk Assessment:** A comprehensive review of the project risk assessment given the significant change in project scope and collaboration with local stakeholders.

Prior to any further action on this project, Councillors must be confident that:

the project (including all associated capital infrastructure, budgetary exclusions and potential operating losses) is fully funded through State and Federal Grant funding.

there are no foreseeable risks of cost overruns that could impact the city's budget, or operating losses that could impact the financial sustainability of the Council.

Conclusion:

Responsible and transparent management of public funds is paramount, especially given the Council's current financial constraints. Proceeding with the BARN without addressing the serious concerns outlined above would constitute a significant dereliction of our duty as Councillors, as outlined in the Office of Local Government Councillor Handbook 2024.

Following the experience of the SRV and given the current unrestricted cash position of our Council, safeguarding public trust in our governance is critical. Proceeding with the BARN without addressing these concerns would erode public confidence and undermine the integrity of our decision-making processes.

FINANCIAL IMPLICATIONS:

Limited at this time.

BATHURST COMMUNITY STRATEGIC PLAN – OBJECTIVES AND STRATEGIES:

Objective 1: Our sense of place and identity.

Strategy 1.3 Enhance the cultural vitality of the region.

Objective 2: A smart and vibrant economy.

Strategy 2.4 Promote our City and Villages as an attractive place to live.

Objective 5: Community health, safety and well being.

Strategy 5.2 Help make the Bathurst

COMMUNITY ENGAGEMENT:

01 **Inform** - to provide the public with balanced and objective information to help them understand the problem, alternatives, opportunities and/or solutions.

ATTACHMENTS:

1. Public Forum Minutes - BARN Ngurang [**6.1.1** - 4 pages]
2. BARN questions [**6.1.2** - 2 pages]

Public Forum - BARN Ngurang

Meeting	Minutes
7 Feb 2024 Ordinary	<p>Natalie Cranston - <u>Figure It Out BRC</u> - Raised matters about future budgets and what is currently occurring and significant actions. Noted the SRV process. Spoke to Centennial Park and the estimate of \$4.5 Million for the Master Plan. Asked how much more was there to go? Noted that the area looks fantastic. Carrington Park capital works \$13 million, have any works been done?</p> <p>Mayor - Noted significant action is reliant on land sales.</p> <p>DES - Spoke to the Master Plan in place and the costings of various stages. Provided a response noting that the original value of \$4.5 million was correct in 2028 but estimated. Noted that only part 1 and 2 of the project is complete. Also noted that the only funds spent on Carrington Park have been on design.</p> <p>Ms Cranston spoke to Mayoral Minute about cost-shifting.</p> <p>Mayor - provided details and advice on the minute and the collaboration with LGNSW and the adding of Bathurst Regional Council's voice to industry concerns</p> <p>Ms Cranston spoke to the Go Kart Track.</p> <p>General Manager - provided advice on the Go Kart Track proposal and the DA process occurring.</p> <p>Sophie Wright - <u>Figure it out BRC</u> - Spoke to the rates notice from July 2023 not mentioning the SRV and then spoke to communications. Spoke to the Mayor being a supporter of the SRV and that this is "grooming" into the future. Spoke further to SRV and asset backlog that is in place, and the value of water and sewer backlog as against general fund backlog and the levels of service being provided. What was the additional \$170.5 million for? Then raised issues about the BARN project, Winburndale Pipeline and the Performing Arts Center. Noting BARN project costs, originally \$4.8 million and how this has now increased to \$8.9 million. Was the SRV to fund the BARN?</p> <p>General Manager - advised no.</p>
21 Feb 2024 Ordinary	<p>Rowan Bracken – <u>Budget and Barn Project</u> – Mr Bracken provided comments relating to BARN project. Asked a series of questions relating to BARN budget. Spoke to the transfer of funds from the Carrington Park to Hereford Street projects. Detailed Diesel Fuel rebate and whether this is an ongoing oversight. Asked about overtime budget vs actual budget. Spoke to asset management and the actuals vs budgeted. Spoke to asset sale information. Alleges a deficit of \$63k per day. Spoke to the forecasted losses continued.</p> <p>Gavin Press - <u>Depot Meal Room and Budget</u> – Spoke to concerns with the Depot Meal Room and the increased accepted cost over the budget. Spoke to the previous discussions by Councillors at June 2023 Council Meeting. Asked whether consideration was given to pre-fab buildings and concerned about project over-runs for projects in the past. Spoke to the General Managers contract extension and advised that it should be delayed until new Council.</p> <p>Anne Balcomb - <u>Budget relating to BARN and Art Gallery</u> - Spoke to being a supporter of the arts. Spoke to the economic position of Council. Urged Councillors to own the financial situation and make hard decisions. Spoke to the previous quarterly budget review and the expenses on items such as BARN (over \$250k) and the Art Gallery toilet block. Spoke to the BARN project – funding, design, timing of the development. Noted federal grant funding proposal. Noted this is a luxury item. Noted BMEC condition and works that are needed, it is sub-optimal. What is Council doing about BMEC?</p>
1 May 2024 Policy	<p>Russell Rogan - <u>White Rock Road</u> - Advised that he had contacted Council 3 weeks ago to speak to a manager about maintenance that was required. Noted that he had received a response that if the SRV was approved, then Council would have had the funds to fix the road. Spoke to the condition of the White Rock Road. Asked if he rings a specific person, why can't the specific person return the call?</p> <p>A/GM provided a response.</p> <p>DES provided a response as to why the Manager Works responded and not himself. Asked whether if there is no budget to repair the roads, why is BARN still progressing? Spoke to the issues around the septic system at the dam. Asked that if the BARN project goes ahead, how much money will be directed to Lagoon Road?</p> <p>A/DCCS provided a response that the question would be taken on notice.</p>

Meeting	Minutes
	<p>Sophie Wright - Budget - Spoke to the increases in revenue. Spoke to the budget and noted the increase in water, sewer and waste and commented that this was expected to see in response to an SRV not being approved. Noted that it is back to basics budget. Spoke to the BARN project.</p> <p>DCCS provided a response that it is for project management cost over the 2 years.</p> <p>A/GM provided a further clarification.</p> <p>Ms Wright asked about the \$4.48 million and asked how much has been spent? Ms Wright spoke to the conditions that the federal government grant require; that the state grant must remain intact. Noted that \$450k architectural and \$250 consultants. Asked where the current expenditure has been funded from.</p> <p>Ms Wright challenged the ongoing "profit" of the facility.</p> <p>A/DCCS provided a response and advised that a further response will be provided.</p> <p>Ms Wright alleged that Council has a history of ignoring their responsibility in maintaining assets.</p> <p>Ms Wright spoke to the concern about adding assets to Council without the ability to maintain those asset.</p> <p>Rowan Bracken - Budget - Spoke to the projected BARN surplus of \$40,000. Spoke to the escalation costs of c.\$39,000 per month on top of any other costs. Spoke to community benefit of some assets and the ongoing subsidy by ratepayers. Considers that the \$9 million gift (i.e. the grant funding) from the government should be invested rather than spent on an asset that doesn't make profit. Noted that the proposed budget presents an improved daily loss of \$60,000. Acknowledged that community assets should not always make profits.</p>
<p>15 May 2024 Ordinary</p>	<p>1 PUBLIC FORUM</p> <p>MINUTE</p> <p>Russel Rogan - White Rock Road - Thanked DES for return phone calls. Spoke to the previous issue of septic at BARN, noted he has received a phone call back. Asked for clarification on the amount of funds that have been spent.</p> <p>DCCS noted that BARN project is fully grant funded.</p> <p>Mr Rogan asked if the project did not proceed would the money have to be repaid?</p> <p>DCCS advised that the project control group for BARN are monitoring funding and noted that the project now needs to be topped up by other grant funding which they are currently seeking. Mr Rogan spoke to a newspaper article that noted the need for a revised SRV. Further to that Mr Rogan asked how many trees will need to be removed for the BARN building.</p> <p>DCCS noted that the exact number was not at hand at the meeting but noted that any trees removed will be milled and reused on site.</p> <p>Mr Rogan spoke to the poor condition of the dam and asked who is driving the BARN project.</p> <p>MAYOR spoke to the project noting that the project is an externally funded project and a massive capital injection into the Bathurst community. Spoke to the facility and the benefit the facility will have on the community with a \$16 million benefit. Noted the project will provide 67 jobs locally and once constructed the project will generate \$0.5 million worth of economic output per year to the local economy and an ongoing benefit of 9 local jobs.</p> <p>Mr Rogan asked why we are investing in BARN when we cant afford to fix our roads?</p> <p>MAYOR noted that this is a separate issue of funding. BARN is funded by external funding. Noted that their has been a recent increase in the Federal Assistance Grants.</p>

Meeting	Minutes
	<p>Rowan Bracken – <u>Attachment 9.3.5.1 Quarterly Budget Review</u> – Spoke to the quarterly review and the salaries. Noted that the report shows \$30 million actuals compared to budget and asked if these figures are correct.</p> <p>DCSF provided a response and noted that the numbers are correct.</p> <p>Mr Bracken spoke to the BARN investment and requested a copy of the economic benefit figures to verify. Asked how many people will be able to purchase a ticket to the BARN to see a performance.</p> <p>MAYOR advised that if there is a public performance then yes, the public would be able to purchase tickets.</p> <p>Mr Bracken noted that the BARN project is not noted in the CSP and spoke to the cultural vision 2036.</p> <p>Mr Bracken asked of the 10,000 water meters, how many are not accessible?</p> <p>DCSF noted that he does not have exact figures but of the 10,000 water meters, a few thousand are smart meters and the rest are manually read. Some water bills are estimated due to various reasons.</p> <p>Mr Bracken asked if there are instances where residents are being billed on an estimate of 12 months or more?</p> <p>DCSF noted no.</p> <p>Mr Bracken asked if smart meters work?</p>
	<p>Sophie Wright – <u>BARN and Acknowledgement to Country</u> – Ms Wright asked a follow up question on the expenses for the BARN project and will the money have to be paid back to the grant if the BARN project does not proceed.</p> <p>DCCS provided a response.</p> <p>Ms Wright spoke to the Acknowledgment to Country and asked if choosing to sit for the prayer and Acknowledgment in a breach of Council's Code of Meeting Practice?</p> <p>MAYOR noted that no it is not.</p> <p>Ms Wright noted the suggestion made by Bob Trimming for the additional wording for the acknowledgment and encouraged Council to implement his suggestion.</p> <p>Ms Wright spoke to Council's finances, prior land sales, and transfer of funds.</p> <p>Ms Wright spoke to the Mayor's recent trip and asked if this trip was critical to attend during this time.</p> <p>MAYOR spoke to the rationale for the trip. Spoke about cultural exchange, tourism opportunities and participation in cycling event.</p>
	<p>Anne Balcamb – <u>Grant Funds</u> – Asked about how grants funds are chosen and are they chosen with the best interest of the community? Spoke to the Facilities of Council including BMEC. Spoke to the BARN project grant applications for the BARN project. Suggests that as grants are identified, the community should have an opportunity to indicate the projects that are included.</p> <p>MAYOR provided a response about grant funding. Spoke to the TAFE redevelopment and the Collections Facility funding.</p> <p>Natalie Cranston - <u>CSP, DP/OP</u> – Sought clarification that the CSP is a 10-year plan which is revised at each election by incoming Councillors.</p> <p>ACTING GENERAL MANAGER provided a response about the CSP is not limited to a specific time frame and can be longer than a 10-year plan.</p> <p>Ms Cranston noted that the DP is a 4-year plan and the OP is a 1-year plan.</p> <p>DCSF provided a response.</p> <p>Ms Cranston asked about the Cultural vision approved in 2017.</p> <p>DCCS advised that updates have been made with alternate steps around covid time. No review of the plan.</p> <p>Ms Cranston spoke to the disconnect between the various plans and documents.</p> <p>MAYOR spoke to the correspondence to King Charles and other projects.</p> <p>Ms Cranston asked how does Council balance the cultural vision against the SRV discussions and asset deficit.</p> <p>MAYOR provided a response.</p> <p>Ms Cranston noted her concerns about the cultural assets and suggested a thorough review of the cultural vision and what they align with.</p> <p>Jeff Muir – <u>BARN</u> – Spoke to the BARN project and noted that it appears to be close to the Mayors heart. Suggested that the effort in hindsight should have been directed to the TAFE.</p> <p>MAYOR provided a response that there has been a high level of effort in the building, more then the BARN.</p> <p>Mr Muir noted that the building remains undeveloped and that it would be best suited to the space.</p> <p>MAYOR provided a response.</p> <p>Mr Muir spoke about the previous comments and noted the errors and misinformation contained in previous budgets.</p>

Meeting	Minutes
<p>5 June 2024 Policy</p>	<p>Anne Balcomb – Grant funding – Spoke to the level of grants received by Council, around \$31 million last year. Noted that it is necessary that these funds are used wisely. Spoke to grant of \$5 million and asked if this could have been repurposed? Spoke to the Federal Growing Regions Fund. Asked if the TAFE building has been the subject of grant applications?</p> <p>MAYOR spoke of discussions with CSU and the current status of the building for grants. Ms Balcomb asked if Council has employed a project manager at \$160k p.a for the BARN project.</p> <p>DCCS noted that this is not correct.</p> <p>Ms Balcomb noted that Council should apply for federal grants and that she would work to gain philanthropic funds into the millions of dollars. Noted that the opportunity is lost for a once in a lifetime opportunity. Noted the Cultural Vision is not listed in the CSP.</p> <p>GENERAL MANAGER advised of the inclusion of the Cultural Vision in the CSP.</p> <p>MAYOR noted that Council would welcome any philanthropic money if available.</p>
<p>19 June 2024 Ordinary</p>	<p>Russell Rogan – BARN Project – Mr Rogan noted that the BARN project is unnecessary and spoke to the septic issue that concerns the site. Noted that he feels the project should not go ahead and asked Council how they are funding this. Mr Rogan then spoke to the Go Kart track and asked who pays for this project and other issues.</p> <p>GENERAL MANAGER explained that grant funding is being sought.</p> <p>Ralph – BARN – Spoke to the BARN project and its funding sources. Noted that the economic return is not sufficient and that he believes the project should not go ahead.</p> <p>Vanessa Comiskey – BARN – Spoke to the BARN project noting that everyone has a perspective. Asked if Blue-green algae outbreaks occur will this affect the operation of BARN?</p> <p>DES provided information on Dam operations and protocols.</p> <p>Ms Comiskey spoke to COVID-19 and asked if this was an unexpected and uncontrolled event? What happens if BARN loses money?</p> <p>GENERAL MANAGER noted the impacts may be the same as what happened recently with the Art Gallery, BMEC and museums during COVID.</p> <p>Ms Comiskey spoke to the Adventure playground fence noting that she has never liked the design of the playground and spoke to issues of concern. Noted that it is the wrong design and the wrong place for this facility.</p> <hr/> <p>Rowan Bracken – BARN and Go Kart Track – Spoke to the BARN project and noted the works had commenced prior to the grant being received. Seeking clarification.</p> <p>GENERAL MANAGER provided a response.</p> <p>Mr Bracken spoke to a Facebook post relating to the Prayer and Acknowledgement.</p> <p>Spoke to the Go Kart track DA. Noted the Go Kart club has released the loan funds. Spoke to the financial position of Council.</p> <p>GENERAL MANAGER provided a response discussing the differentiation between discussion making and proposal terms.</p> <hr/> <p>Sophie Wright – Go Kart Track – Spoke to the Go Kart Track and submissions made. Noted that there are flaws as to how they have been counted. Queried how submissions have been addressed, a number of the submissions are based on false information. There are contradicting things that were said at the submission hearing. Spoke to issues of cost concerns that were raised, it is not a contributing factor and so should be left out of the statistical considerations. Council should have reached out to the Go Kart Club, it is cruel how they have been treated. Referred to the noise concerns/statements made by the assessor. Please defer the vote.</p>

1. When was survey "B5n" open and closed, and how was it made available to participants? Were members of general public allowed to participate?

The "BARN potential user survey" opened on 21/09/2022 and is now closed. It was made available via personal invitation using the Office.com Forms platform.

Respondents were invited to participate as experts and potential users from the fields of dance, drama, music, circus and hybrid arts. Respondents were told they were welcome to share the survey link with others who may be appropriate. It was a specialist survey designed to ensure the scope provided to the architects would be comprehensive and able to suit the needs of potential users.

The survey was not opened to the general public.

2. Can we please have the complete document for "A3d" uploaded (pages 1-33 are missing)?

Pages that were included from the Quantity Survey Cost Estimates document directly related to the Ngurang/BARN project. All other information contained in the document was not relevant to the project.

3. Can Council please provide a detailed explanation for the \$125,000 Wiradjuri Aboriginal Collaboration Works listed in document "C3t", including details around partnerships or stakeholders Council engaged with to result in the fee being included in the budget?

This element of the project aligned with the requirement of Create NSW and the Project Control Group where regular reports on Aboriginal participation is a requirement. This is also reflective of the Federal Governments Cultural Policy – Revive, released in January 2023, which included "First Nations First" as the first of the five pillars of the policy.

The Ngurang Coordinator invited via email (23/05/2023) local Aboriginal parties to discuss the project and to visit the site. These included WTOCWAC, BLALC, Wiradyuri Cultural Care, Bathurst Young Mob. WTOCWAC and Young Mob responded and expressed interest. Further emails were exchanged with both parties with WTOWAC arranging two meetings on site 2/6/2023 and 2/11/2023. Bathurst Young Mob did not follow through with a meeting. BLALC and Wiradyuri Cultural Care did not respond to the initial invitation.

The \$125,000 was included after investigation into the costs associated with felling, milling and making items from a tree that required removal for the space.

The inclusion of the First Nations cultural elements will increase the facilities ability to provide additional revenue streams via cultural activities including night skies programs.

4. Does Council plan to engage with the BLALC to perform the Aboriginal Cultural Heritage study on proposed site?

The Aboriginal Cultural Heritage Assessment for the site has already been undertaken (February-December 2023) by Apex Archaeology. Apex contacted all registered Aboriginal parties, including BLALC, and all received a copy of the draft report in November 2023.

Eight Aboriginal groups/individuals were invited to participate in this assessment including:

- BLALC
- Corroboree
- Didge Ngunawal Clan
- Kamilaroi – Yankuntjatjara
- WTOCWAC
- Girragirra Murum

5. Noting the Project Management Plan "A3i" dated March 2022. This plan including the risk management plan is outdated. Can Council please provide the revised edition if it exists, or an explanation for why it hasn't been updated since the scope of project changed so significantly between 2023-2024?

The project scope changes that occurred during 2023 did not change the overall intent of the project as the design and construction of a commercial building. Therefore, the Project Management Plan (PMP) and associated Risk Management Plan (RMP) are still relevant to the current project and have accordingly not been updated.

6. Can Council please confirm that all submissions (survey responses and written) will be provided in full, unedited form to Councillors? Noting personal details are to be kept unredacted just like with the GKT submissions as a recent example.

All submissions will be provided in full and unedited as part of the Council report.

The release of the personal information (in this case the survey respondent's user name and email address) is unable to be completed because:

- a) There is an overriding public interest against disclosure of the information (s14(1) of the GIPA Act)
- b) The Public Interest Tests (Section 14 Table 3 GIPA Act 2009) against release include:
 - a. 3a) Reveal an individual's personal information
 - b. 1e) reveal a deliberation or consultation conducted, or an opinion, advice or recommendation given, in such a way as to prejudice a deliberative process of government or an agency.

7 MEETING CLOSE