

ITEM NO: 10

SUBJECT: LAWSON COMMUNITY HALL FUNDING

FILE NO: F01815

Recommendation:

That the Council note the responses received to the representations made in seeking further funding for the refurbishment of the Lawson Community Hall as resolved at the meeting held 29 January 2008 and which resulted in no firm offers of funding to retain the Hall being received at the time of writing this report.

Report by Group Manager Community and Corporate

Reason for report

The purpose of this report is to present to the Council the results of inquiries made into funding opportunities for retention of Lawson Community Hall (the Hall). The report presents responses received from State Government members (Attachments 1 and 2) and results of investigations into current grant funding opportunities.

Background

The Plan of Management for 284 Great Western Highway, which includes management of the Hall and RFS Building, provides for demolition of the Hall. The Plan was prepared, exhibited and adopted in August 2007. Subsequently a development application for demolition of the Hall was prepared and lodged on behalf of the Council.

In December 2007 the RTA wrote to the Council with an offer of a revised design for the widening of the Great Western Highway which would reduce the impact on the Lawson Community Hall and only require demolition of the front portico of the Hall. A report was presented to the Council on 29 January 2008 which outlined the offer from the RTA and three concepts for retention of the Hall plus preliminary cost estimates to implement the options. In response to the report the Council resolved:

- "1. That the Council notes the offer from the RTA.*
- 2. That the Council notes the findings from the investigation into the benefits and costs of accepting the offer from the RTA to retain Lawson Community Hall and considers that there is a greater overall community benefit in retaining the management direction contained in the adopted Plan of Management for 284 Great Western Highway, Lawson.*
- 3. That the Council continues to implement the actions of the adopted Plan of Management for 284 Great Western Highway, Lawson but urgently begins discussions with Minister Koperberg and Minister Roozendaal and the relevant RTA Officers regarding the further funding of the refurbishment of the Lawson Hall and these outcomes be reported to the Council prior to the DA report on the demolition of the Hall coming to the Council."*

(Minute No 13, 29/01/2008)

Representations have been made to Minister Roozendaal and the local Member of NSW Parliament, Mr Phil Koperberg on the matter. Minister Roozendaal has responded in writing and a copy of this letter is provided as Attachment 1. The letter states that the RTA will fund the dismantling of the portico and reinstate the portico elsewhere on the site but will not provide any additional funding towards the retention of the Hall.

In a letter of 29 February 2008 Mr Koperberg indicates that he has made representations to his NSW Government colleagues (Attachment 2). His office also indicated that an update on these representations will be provided by Mr Koperberg prior to the Council Meeting of 22 April 2008. This information will be made available to the Councillors upon receipt.

In his letter Mr Koperberg also refers to meeting with representatives of the Blue Mountains Branch of the National Trust. He has provided the Council with a copy of a letter from the NSW National Trust which provides information on the establishment of a National Trust Tax Deductibility Appeals System which could be used to encourage community and corporate donations to fund retention of the Hall (Attachment 2). This could offer opportunities for donation of community or corporate funds towards the retention of the Hall over a period of time but is less likely to provide significant funding in the short term.

It is understood that the Blue Mountains Branch of the National Trust is currently seeking listing of the Hall on the National Trust Register as this is a pre-requisite for the establishment of a tax deductibility appeals system. A representative of the Branch has indicated they propose to provide an update on their proposal to the Councillors prior to consideration of this item.

Other funding opportunities

Subsequent to the resolution of the Council to seek further funding from Minister Roozendaal, Mr Koperberg and officers of the RTA, Council officers have become aware of funding opportunities. However no grants or other funding opportunities are currently available that would offer certainty of funding in the time frame in which a decision on the offer from the RTA needs to be made.

The project does appear to be eligible for consideration for funding through the Regional Partnership Grant Program provided by the Federal Government under the grant guidelines published in July 2007. This grant program could potentially match resources provided by the Council, the RTA and community on a 50/50 basis. However it is understood that the Federal Government is reviewing this grant program and that an announcement on any changes may be made around the release of the Federal budget in May 2008. It is also understood that there are currently delays with this program and that applications which did not have final decisions by the Minister since the election of the Labour government in November 2007 are still being considered.

Other issues that have emerged since the Council report of 29 January 2008

Representations have been made to the Council by community groups who have indicated their willingness to manage and upgrade the Hall, with contributions being made via direct funding and/or in kind works. The information provided will be made available to the Councillors prior to the meeting at which this report is being considered.

The Association of Concerned Mid Mountains Residents (ACMMR) has also indicated that they are preparing information on the Hall including a Business Plan and an alternative

building plan. It is understood that this information will be provided directly to the Councillors by ACMMR.

Financial implications for the Council

The financial implications of various options available to the Council relative to the RTA offer were reported to the Council on 29 January 2008. The current Capital Works budget contains \$129,223 allocated for the Lawson Hall and Youth Centre, and this amount has been carried over from previous budgets.

Sustainability Assessment (Triple Bottom Line Reporting):

A detailed sustainability assessment of the different options available for management of the Hall in the response to the RTA offer has been previously provided to the Council in the report of 29 January 2008.

External consultation

Following the Council resolution of 29 January 2008 representations for funding assistance have been made to the Minister for Roads, Mr Eric Roozendaal and the local member for Blue Mountains, Mr Phil Koperberg. A review of State and Federal Government funding opportunities was also undertaken. No wider community consultation has been formally undertaken on the matter.

Legal and risk management issues for the Council

There are a number of legal and risk management issues which should be considered by the Council in relation to the future management direction to be taken with the Hall: i.e. whether the Council continues with the decision to seek approval to demolish the Hall or whether the Council accepts the offer from the RTA to retain the Hall. These were outlined in the report to the Council Meeting of 29 January 2008.

The RTA initially asked for a decision from the Council on this matter by March 2008; however officers of the RTA have been informed that the Council has requested this report as part of the consideration of the RTA offer. There is some risk associated with further delay on this matter in that the RTA could advise the Council that they can wait no longer and commence implementation of the adopted design which involved demolition of the front of the Hall located on Lot 7 owned by the RTA.

Should the Council continue to implement the management direction outlined in the Plan of Management certain actions are recommended from a legal and risk management perspective. Firstly development approval for demolition of the Hall is required. It is understood that a report on the DA for demolition of the Hall is on the agenda of the Council Meeting of 22 April 2008 for consideration after this report in accordance with the direction given by the Council at the meeting held on 29 January 2008. Secondly it is important that the Council indicate their intentions to the RTA as soon as possible in order to take advantage of the offer from the RTA to demolish the Hall at no cost to the Council.

Conclusion

In December 2007 the RTA made an offer to review the design of the road corridor adjoining the Hall in order to retain the main body of the Hall, and requested the Council consider the offer and provide prompt advice on their decision. The Council resolved that urgent discussions be undertaken regarding funding of the refurbishment of the Hall. The results of discussions with State Government representatives and other matters arising have been

outlined in this report. At the time of writing this report there has been no firm offer of funding.

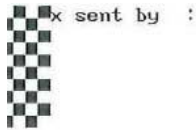
As the Council resolved on 29 January 2008 to retain the management direction contained in the adopted Plan of Management for 284 Great Western Highway, Lawson there are limited options on the way forward as follows:

- The Council maintains the management direction contained in the adopted Plan of Management for 284 Great Western Highway which includes the demolition of the Hall. A report on the DA lodged for demolition is on the agenda of the Council Meeting of 22 April 2008 due to be considered by the Council subsequent to this report.
- The Council delays a decision on the offer from the RTA while grant funding opportunities and offers received from the Community are further investigated.

It is suggested that the Council note the information contained within this report prior to consideration of the report on the development assessment of the application for demolition of Lawson Community Hall.

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Attachment 1:



ROOZENDAAL OFFICE

02-03-08 22:18 Pg: 1/1



NEW SOUTH WALES

Minister for Roads
Minister for Commerce



M08/0713

Mr Phil Pinyon
General Manager
Blue Mountains City Council
Locked Bag 1005
KATOOMBA NSW 2780

DOC No.	
Rec'd Records	27 FEB 2008 DMCC
REFER	AM P Pinyon
FACSIMILE	

28 FEB 2008

Dear Mr Pinyon

Thank you for your letter regarding the upgrade of the Great Western Highway near the Lawson Community Hall.

I am advised the Roads and Traffic Authority (RTA) identified an option to redesign the highway upgrade so that the main body of the Lawson Community Hall is retained and only the portico requires removal.

Your letter indicates Council has resolved to continue with demolition of the hall, unless the RTA provides funding for refurbishment of the building.

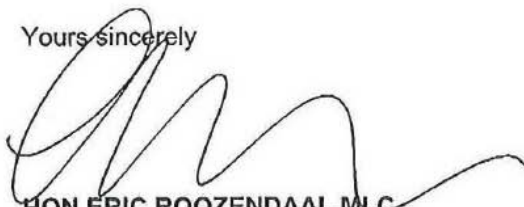
I understand Council was compensated for the loss of the Hall in 1989 to the value of \$200,000.

The RTA advises me the offer made to Council stipulated the RTA would undertake the required work but would not make any further financial contribution to Council for any modification, maintenance or insurance costs associated with the Hall.

In light of the above, I am unable to accede to Council's request for additional funds.

If you need more information, please contact the RTA's General Manager Development Program, Mr Steve Arnold on 9218 6203.

Yours sincerely



HON ERIC ROOZENDAAL MLC
MINISTER FOR ROADS
MINISTER FOR COMMERCE

Attachment 2:

29/02 2008 15:38 FAX

002/003

PARLIAMENT OF NEW SOUTH WALES



LEGISLATIVE ASSEMBLY

PHIL KOPERBERG AO AFSM BEM MP
MEMBER FOR BLUE MOUNTAINS

29 February 2008

Mr Phil Pinyon
General Manager
BMCC
Locked Bag 1005
Katoomba NSW 2780

Dear Mr Pinyon

I refer to your correspondence of 6th February 2008 concerning Lawson Hall. I have taken on board your comments and again acknowledge that the fate of this Hall remains a Council decision.

However, I am also cognisant of the level of community support for the retention of this Community Hall and to that end have made numerous representations to my NSW Government colleagues.

As you are aware, the RTA agreed to dismantle and relocate the front portico, but that in itself does not fully address the viability of the hall for purposes for which it was originally intended.

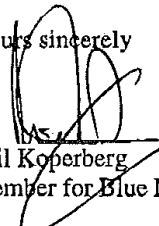
Being cognisant of the fact that a significant proportion of the \$575,000 that Council estimate would be needed to make the Hall viable, I await responses to my representations from Government.

In the final analysis however, I acknowledge again that this matter is one for Council to determine and my role is confined to representing community views and accommodate, where possible, outcomes that might satisfy both parties.

Relative to this issue, I met recently with representatives of the Blue Mountains National Trust, where they expressed their wish to retain Lawson Hall. They put to me their suggestion that the NSW National Trust become involved with funding options if Council were perhaps to consider a Trust Tax Deductible Appeals System. Please find attached their proposal for your consideration.

I trust that together we may find a workable resolution to this somewhat problematic issue.

Yours sincerely



Phil Koperberg
Member for Blue Mountains

29/02 2008 15:39 FAX

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003/003

NATIONAL TRUST of AUSTRALIA (NEW SOUTH WALES)
 ABN 62 491 258 602

4 February 2008

Ms Rhona Leach
 Chair
 Blue Mountains Branch
 The National Trust of Australia (NSW)



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Dear Rhona,

Lawson Mechanics Institute – National Trust Tax Deductible Appeals System

I understand that Blue Mountains City Council has recently resolved to urgently seek funding for the maintenance of the Lawson Mechanics Institute in line with the actions of the local state member to preserve the hall and leading to a reconsideration of the former demolition option.

This is welcome news and I am pleased to provide information on the National Trust's Tax Deductible Appeals System which should be a useful vehicle for encouraging the community and corporate sector to donate further funds for the hall.

To be eligible for the scheme the place must be listed on the National Trust Register. At present the Mechanics Institute is within the National Trust Classified Lawson Urban Conservation Area. I understand that it has been nominated for individual listing as a Heritage Item on the Blue Mountains City Local Environmental Plan.

It should also be considered for individual listing on the National Trust Register and I would welcome your advice and assistance with any information that could facilitate that listing.

While to date, the Trust has only operated this scheme for places owned by community organisations and churches, a recent ruling from the Tax Office appears to clear the way for tax deductible appeals for council owned properties provided that they are utilised for community purposes. In this regard, it is helpful that there is movement towards re-establishing a community based committee to operate the hall.

Once established, the appeal could accept funds from any sources, although tax deductibility may not be an issue in some instances where those contributing are not subject to income tax.

When set up, the fund allocations would need to be approved by the National Trust to ensure that they are being genuinely dedicated to authorised works and the Trust does deduct a small commission to cover the costs of operating the system.

The scheme could be established as soon as the owner of the building, Blue Mountains City Council, agrees to participate and it would be helpful to have the individual listing of the building by the Trust completed by that time. Please do not hesitate to contact me if you require further information.

Yours sincerely

Graham Quint
 Acting Conservation Director

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The National Trust is a community charity working to protect our environment and cultural heritage