

The Berry Forum

DRAFT

9 February 2018

Holding Redlich
Attention: Greg Wrobel

Dear Sirs,

Re: The Berry Forum - Request For Information

We acknowledge your letter dated 24 January 2018 emailed to us.

You acknowledge that all members of the Berry Forum (BF) Committee are volunteers and that **our meetings are run along informal lines in accordance with 4.6 of the Guidelines for the Conduct of Community Consultative Bodies (Guidelines).**

In responding to your request, we believe it is reasonable for us to also seek clarification regarding the following:

1. Your client, Mark Cornish, is not known to the BF Committee. From our records we note that he attended the last meeting of the BF on 14 December 2017, but has not attended a previous meeting. Is this correct?
2. You previously advised that he is a business owner and resident of Berry. If your client has an issue, why would he not approach the BF Committee in accordance with the objects of the Guidelines and BF Constitution prior to seeking legal representation or lodging a request under the Government Information (Public Access) Act 2009 (NSW) ?
3. We have participated in Shoalhaven City Council's review of the CCB Guidelines. You state it is your client's intention to conduct a review of the BF's activities and to submit an information package to Council in February 2018. Please advise why your client considers he has the expertise to conduct such a review and why he doesn't consider it appropriate to first meet with the BF Committee in respect of a body he is seeking to review?
4. As you will be aware, there is no requirement for a CCB to have a website and many don't. BF's website endeavours to inform the community and is updated regularly. The BF complies with 3.3 of the Guidelines. In addition, we maintain a notice board in Broughton Arcade, and have an update of the last BF meeting and other news items published in the Town Crier each month. We also have details of DA's received or approved by Council published in the Town Crier and displayed on the notice board. In what way does your client believe BF has failed to comply with its obligations under this clause?

Responses

- (a) Agendas for BF meetings are posted on the website and notice board prior to meetings. Once a meeting has been held the agenda is removed and the minutes posted. On rare occasions amendments may be made to the minutes after their confirmation at the next Forum meeting.
- (b) Minutes of Forum and Committee meetings are posted on the website and they are not abridged. There have only been overwhelming votes at Forum meetings. The Committee discusses issues until consensus is reached and does not undertake voting.

- (c) The BF financial statements are simple and straightforward. They are not “in the form of a balance sheet” as you describe, but detail all income and expense items (hall and meeting room hire and website costs) as prescribed in the Guidelines.
- (d) A non-incorporated CCB is covered by Council’s public liability insurance cover for meetings in a Council facility. As you note, under the Guidelines there is no requirement for the BF to incorporate. The matter has been discussed at BF committee on several occasions but no conclusion has been reached. Perhaps your client would like to share with us his views in this regard?
- (e) Small public donations totalling \$323 (once-only) were received at the first meeting of the BF in 2015 and \$1000 (once-only) from the Berry Alliance in November 2015. Donations in very small amounts have also been received to cover the cost of Xmas drinks at two BF meetings. All monies donated go towards the running costs of the BF.
- (f) Three Review Groups were established to discuss Focus Areas related to the Strategic Plan. They met informally and would communicate ideas to the Forum Committee.

We extend to your client an invitation, which is open to all residents and business owners, to attend a Committee meeting. Our next meeting is on 26 February. If your client would like to attend would he please email or call our Secretary to confirm. Contact details are on our website.

Yours faithfully,

Berry Forum Committee