

5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT AND SUPPLEMENTARY MATTERS**5.1 CLASSIFICATION OF LAND - LOT 1 DP1267277 GONN ROAD BARHAM**

File Number: -

Author: John Harvie, Director Community and Economic Development

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That Council resolve:

1. In accordance with s31 (2) of the NSW Local Government Act 1993, to classify Lot 1 DP1267277 Gonn Road Barham as Operational Land and
2. Record these details into Murray River Council Land Register.

BACKGROUND

At its monthly meeting held on 26th October 2020, Council resolved to accept funding through the Drought Communities Program, the Murray Darling Basin Economic Development Program, and the Growing Local Economies Program and to proceed with the Barham Micro-abattoir project.

Council at its monthly meeting held on 23rd March Council resolved to sign and apply the council seal to the Lease Agreement with Murray Plains Meat Cooperative to lease the Micro-abattoir when completed.

On 18th May 2021, Council's solicitor wrote to inform council that the purchase of Lot 1 DP1267277 had been finalised and that the Transfer of Land had now been registered in the name of Murray River Council.

DISCUSSION

This piece of correspondence was placed into councils' records on 25th May 2021, and in accordance with s31(2) of the NSW Local Government Act 1993, council is now required to resolve that Lot 1 DP1267277 be classified as Operational Land.

STRATEGIC IMPLICATIONS

4 - Strategic Theme 4: Economic Growth

4.1 - Encourage and support economic development across a range of sectors

4.1.2 - Support the local business sector to grow, adapt and respond to new opportunities

BUDGETARY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

- **What can happen?**
NA
- **How can it happen?**
NA
- **What are the consequences of the event happening?**
NA
- **What is the likelihood of the event happening?**
NA
- **Adequacy of existing controls?**
NA
- **Treatment options to mitigate the risk?**
NA

CONCLUSION

The land was purchased for the sole purpose of construction of a Micro-Abattoir and should be classified as Operational Land.

ATTACHMENTS

1. **Dawes & Vary Riordan Letter** [↓](#) 

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Our Ref: HJSM:CJP:20205615

18 May 2021

Murray River Council
PO Box 906
MOAMA NSW 2731

Dear Sir/Madam

Purchase from Mathers
Property: Gonn Road, Barham

We advise that the above matter was settled on 1 April 2021.

Registration of Transfers

We confirm the Transfer of Land has now been registered in the name of Murray River Council and enclose a copy of the Certificate of Title for your records. We will hold the Certificate of Title in safe custody unless instructed otherwise by you.

Water Transfer

We have sent the transfer of the 1ML water right within the Eagle Creek Pumping Scheme to the water registry for registration. There is no title to this water entitlement as the water entitlement is contained on a jointly held water access licence with other members of the Eagle Creek Water Syndicate.

Please now find enclosed:

1. Distribution Statement;
2. Statement of Adjustments;
3. Mathers GST Tax Invoice;
4. DVR Tax Invoice (PAID);
5. Copy Contract of Sale;
6. Copy Agreement to Lease;

Statement of Adjustments

The Murray River Council rates have been paid by the Vendor to 30 June 2021 and an adjustment was made against you.

We have advised the rate authorities of the change in the ownership of the property to ensure that future rate assessment notices issue to you.

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ABN: 48 005 380 352



Murray River Council

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Contract of Sale

We enclose copy signed Contract of Sale for you to retain in your records. Please note that we hold an electronic copy of the signed Contract on file.

Agreement to Lease

The Agreement to lease was dated 1 April 2021 where the lease will be entered into once the MRC procures a certificate of occupancy for the construction of the abattoirs on the premises. It would be useful if you could provide some advanced notice as to when you believe the certificate of occupancy will be issued so we can make arrangements for the lease to be updated to have commencement dates inserted and be signed by the parties. The lease should then be registered on the title.

Whilst we are waiting for the construction of the abattoirs to be completed, please find enclosed our tax invoice for our fees in having the ownership of the land conveyed to Council and the Agreement to Lease being entered into with the Murray Plains Meat Co-Operative.

If there are any queries, please contact our office.

Yours faithfully

DAWES & VARY RIORDAN PTY LTD



Hugh Melville BCom, LLB

Director

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