



INVOICE SENT TO ACCOUNTS

RECORDS
SCANNED
29 JUL 2016
Doc No.....
Batch No.....

Our ref: RG0/0240-02-out 24966

20 July 2016

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Mr Hickey

Request for Legal Assistance – Cowra Shire Council

On 23 February 2016, councils were advised that the Local Government New South Wales Board approved an application made by Cowra Shire Council for legal assistance to defend an appeal matter under the LGNSW Legal Assistance Policy & Guidelines. The LGNSW Board considered that this matter to be of importance to all local government throughout NSW as the appeal relates to the interpretation of councils' powers under the *Local Government Act NSW* (the Act) and councils' ability to rely on the Act to issue notices and orders where animal welfare issues are not covered by other laws.

The Land and Environment Court has agreed that councils should be able to issue orders under section 124 of the Act and the judgment can be viewed via that Court's website – the citation is *McCudden v Cowra Shire Council [2016] NSWLEC 14*.

Financial contributions are now being sought from councils as the Land and Environment Court has resolved this matter and the costs of the proceedings have been determined.

You are reminded that there is no obligation for a council to provide assistance. If Council chooses not to provide assistance, the attached invoice can be disregarded.

Please do not hesitate to contact me on (02) 9242 4142 if you have any questions on this matter.

Yours sincerely

Bruce McCann
Legal Officer

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