



Far North Coast Weeds
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Our Ref: KL/NS: 1175/04 (40535)

29 May 2012.

President
NOROC
PO Box 450
BALLINA NSW 2478

Dear Phil

Structural Reform

I wish to advise that Far North Coast Weeds, at its Extra Ordinary Council meeting 17 May 2012, considered its position on the UTS report into structural reform and passed the following resolution:

- 1 *Far North Coast County Council not support any of the seven Options presented in the Structural Reform report.*
- 2 *Far North Coast County Council endorses actions taken by the Chair to engage Mr Brian Wilkinson to progress Council's previous resolution to:*
 - *Examine options for service delivery of governance and management services.*
 - *Investigate the pros and cons of Far North Coast Weeds becoming a weeds authority.*
3. *The constituent Councils be advised of this Council's decision in relation to structural reform.*

I look forward to discussing this position at NOROC's August meeting in Kyogle.

Yours faithfully

A handwritten signature in black ink, appearing to read "Kym Lavelle".

Kym Lavelle
General Manager



The Hon Don Page MP
Minister for Local Government
Minister for the North Coast

Ref:
MIN: 2012/16820
Doc ID: A276936



Clr Phillip Silver
President
Northern Rivers Regional Organisation of
Councils
C/- Ballina Shire Council
PO Box 450
BALLINA NSW 2478

24 MAY 2012


Dear Clr Silver

I am writing in reply to your letter of 5 March 2012 regarding your request for information on the process involved in dealing with a proposal to amalgamate the area of operations of county councils in New South Wales. I am pleased to provide you with the following information that I hope is of assistance to you.

The provisions relating to County Councils are contained in Part 5, Chapter 12 – sections 383 to 400AA of the of the *Local Government Act 1993* (the Act). Essentially, the amalgamation of county councils would require the dissolution of the existing county councils and the establishment of a new county council.

The dissolution of the county councils and the establishment of a new county council would be by way of the publication of a Proclamation by the Governor to that effect. This can only be achieved by the proponent authorised by section 383 of the Act, putting forward a proposal and my recommending that proposal for approval by the Governor.

Section 383 of the Act provides that a proposal to dissolve or establish a county council, or amend its constitution can be made to me by a council, a county council, an interested public authority or by the Chief Executive of the Division of Local Government, Department of Premier and Cabinet. As Minister for Local Government, I also have the power under this section of the Act to put forward this type of proposal.

Although the Act is silent on the information that would need to accompany a valid proposal, I consider the proponent should provide clear evidence of having formally consulted with the county councils affected by the proposal and the constituent member councils, within the area of operations of those county councils.

The proponent should also specifically address the matters contained in section 263(3)(a) to (f) of the Act. The proponent should also set out all of the functions proposed for the new county council. The proposal should be accompanied by a map of sufficient detail, showing the current boundaries of the area of operations for

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the affected county councils' and the proposed boundaries of the new county council.

If I was to receive a valid proposal containing all of the required information, section 384 of the Act requires me to advertise the proposal, allowing 28 days for submissions on the proposal to be made. The proponent would need to ensure that sufficient information regarding the proposal is available at each of the county council offices for inspection by the public during this period.

If a proposal involves a county council being established for the control of noxious weeds on land, I am also required to consult with the Minister for Primary Industries, the Hon Katrina Hodgkinson MP, as the Minister administering the *Noxious Weeds Act 1993*.

After completion of the public consultation period, I would consider any submissions I received from the public, along with the views of the constituent councils and the affected county councils in determining the appropriate course of action to take in relation to a proposal.

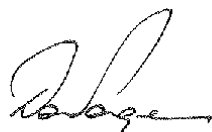
At the conclusion of the consultation period, I can determine to either recommend the Governor approve a proposal, decline to recommend the proposal to the Governor, or alternatively, refer the proposal for additional examination by Local Government Boundaries Commission.

If a proposal is referred to the Boundaries Commission, I would consider the Commission's report on its examination of the proposal, before making any decision on whether or not to support the proposal.

If I was to receive a valid proposal for the dissolution of county councils and the establishment of a new county council, I assure you that I would consider that proposal on its merits.

I trust the above information is of assistance.

Yours sincerely



Don Page MP
Minister