

Our ref: R90/0377-03 - out 21405

18 April 2013

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

Dear Mr Hickey

**Approval of Legal Assistance Mid-Western Regional Council**

At its meeting of 4 April 2013, the Board of Local Government New South Wales approved an application for legal assistance by Mid-Western Regional Council.

Mid-Western Regional Council currently have a matter before the Land and Environment Court challenging Council's categorisation of land for ratings purposes when Council have determined land which is used for mining purposes to be appropriately categorised, notwithstanding that the land is not located within the boundaries of a mining lease.

The relevant land is owned by a mining company and may be used for such purposes as a passive buffer for the attenuation of noise, for the disposal of excess mine water, for environmental offset and other purposes relating to the mining of coal.

Council argue that if they are able to defend their categorisation in Court that it will have major benefits for all councils.

Although the matter does not strictly fall within the Legal Assistance Policy and Guidelines, in that it is not a matter before the New South Wales Court of Appeal or the High Court of Australia, the Board concluded that the matter was of importance to all councils in that mining, including coal seam gas mining, was a major issue for local government and the application should therefore be supported.

A letter seeking your support by way of voluntary contribution will be forwarded to you in the near future.

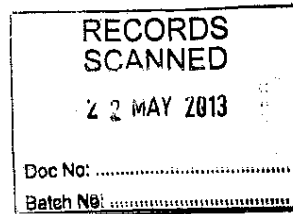
Please do not hesitate to contact me on (02) 9242 4125 if you have any questions on this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'F/Loveridge'.

Frank Loveridge  
Legal Officer

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Our ref: R90/0240-02-out 21478

14 May 2013

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

Dear Mr Hickey,

**Advice re: Contribution to Legal Assistance**

The Association recently wrote to your Council outlining the successful application for legal assistance by Mid-Western Regional Council.

As set out in that letter, Mid-Western Regional Council currently has a matter before the Land and Environment Court challenging Council's categorisation of land as mining for ratings purposes.

The Association's Board considered that this matter is of importance to all local government especially taking into consideration the recent Coal Seam Gas issues that have occurred throughout the State.

Your financial contribution is now sought in this matter. Please find attached an invoice with your contribution amount of \$3777.51.

You are reminded that there is no obligation for a council to provide assistance.

Please do not hesitate to contact me on (02) 9242 4125 if you have any questions on this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'F. Loveridge'.

Frank Loveridge  
Legal Officer

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