

Hunters Hill High Court Challenge

The Weekly Times July 26, 2017

BY OUR CIVIC ROUNDSMAN

Hunters Hill Council voted on Monday night to pursue a High Court challenge against a proposed forced merger with Ryde and Lane Cove if the council loses its current Court of Appeal case.



Mayor Richard Quinn



Clr Zac Miles

Councillors heard there is a “fifty per cent” chance the Court of Appeal challenge – against the procedure used by the State Government to justify the proposed forced merger – could be handed down before the Council goes into pre-election caretaker mode on August 11.

Monday night’s decision now enables the Mayor and General Manager to take the High Court action without the subsequent vote of councillors at an upcoming council meeting.

Mayor Richard Quinn and General Manager Barry Smith are also expected to consider relevant aspects of Woollahra Council’s current High Court case against a proposed forced merger with Waverley and Randwick.

Liberal Clr Zac Miles voted against the decision which broadly empowers Mayor Quinn and Mr Smith to take “relevant actions” to “protect council’s adopted position” to oppose the proposed forced merger.

“This is a very difficult situation for us because it is unknown whether or not this (Court of Appeal) case will be decided before the next election,” Clr Meredith Sheil told the council meeting.

“Therefore, this decision is both prudent and wise.”

Councillor Miles disagreed.

“I’ve been consistently against legal action and you have to ask if hanging off the coat tail of Woollahra is a sound decision,” he said.

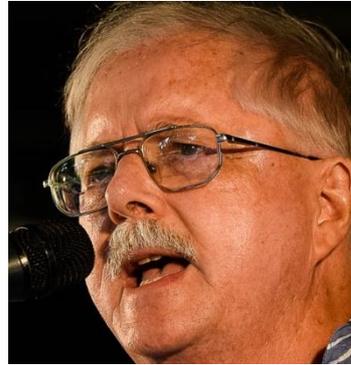
“There will be a mounting legal bill if we do lose the Court of Appeal case. I’m not prepared to vote on a blank cheque.”

Mayor Quinn later challenged Clr Miles to justify and substantiate his claim that Hunters Hill should have pursued “a political option” rather than a legal one.

In reply, Councillor Miles stopped short of accusing anti-merger councillors of any specific political failure but his claim upset a wider audience than the Mayor.



Clr Meredith Sheil



Phil Jenkyn OAM

“I regard Councillor Miles’ claim as an insult to the whole community of Hunters Hill,” Save Hunters Hill Municipality spokesman Phil Jenkyn OAM said.

“Not only have Mayor Quinn and Clr Sheil directly and personally confronted Premier Baird on two occasions, they have lobbied MPs and our coalition has held numerous rallies, won the support of all political parties except the Liberal Party and we have had our campaign supported on the front page of The Weekly Times almost every week for years now as well as regularly on Alan Jones radio program.

“We’ve also seen Hunters Hill’s Emeritus Mayor Sue Hoopmann OAM resign from the Liberal Party in protest over this issue,

“Quick legal action on a possible High Court appeal is now crucial in my opinion and I congratulate the Council for taking this action.”

In related news, Hunters Hill councillors will vote in two weeks time to endorse or reject a proposed council funded flyer that will put the YES and NO case for a forced merger to a poll of ratepayers at the September 9 Council election.

Councillors favoured Clr Meredith Sheil’s suggestion that the flyer be of a one page format in plain English that states the government position and the council’s position.

The opinion poll question is expected to ask if ratepayers support a merger of Hunters Hill with The City of Ryde and Lane Cove Councils.

A recent independent poll of residents revealed that around 80 per cent oppose a forced merger.

<http://www.weeklytimes.com.au/hunters-hill-high-court-challenge/>