

Northern Beaches mega council back on the table after merger 'loophole' discovered

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COUNCILS HECKLE MINISTER OVER MERGER REFORM

In October, NSW Local Government Minister Paul Toole faced a tough crowd while making the case for reform at a local government conference at Rosehill.

Premier Mike Baird's plan to merge Sydney's councils could be disrupted, after a northern beaches council used a legislative "loophole" to revive a scuppered amalgamation option.

Warringah Council has used a clause in the Local Government Act to bring back its plan to form a single Northern Beaches Council by merging with its coastal neighbours Pittwater and Manly.

The Premier unveiled plans to radically overhaul the state's councils in December, proposing to slash Sydney's 43 councils to 25.

He has pressed on with the plan to force mergers despite local councils and communities, and even members of his own party, embarking on campaigns against them.

But Warringah Council has successfully used Section 218E of the act to put the Northern Beaches Council proposal back on the table, even though the government had previously dismissed it.

As this merger would leave Mosman orphaned, the government has also had to put forward another new proposal to join Mosman with North Sydney and Willoughby.



Protesters rally against forced amalgamations. Photo: Peter Rae

Section 218E gives councils the right to put forward their own merger proposals to the Local Government Minister. It also enables voters in an electorate to lodge a proposal that applies to the whole of one or more areas, if at least 10 per cent are supportive.

Premier Baird said on Friday that he still backed the government's original option of carving Warringah up between Manly and Mosman, and Pittwater.

"I have put a position forward in terms of two [councils], I've supported that position," Mr Baird said.

"But I'm happy for [a single council] to come forward...Both [proposals] bring significant benefits to the community. I'm happy for the community to have their say."

Warringah is the first council in metropolitan Sydney to draw on the clause to initiate a new merger proposal, although it has been used to trigger three other new proposals elsewhere in NSW.

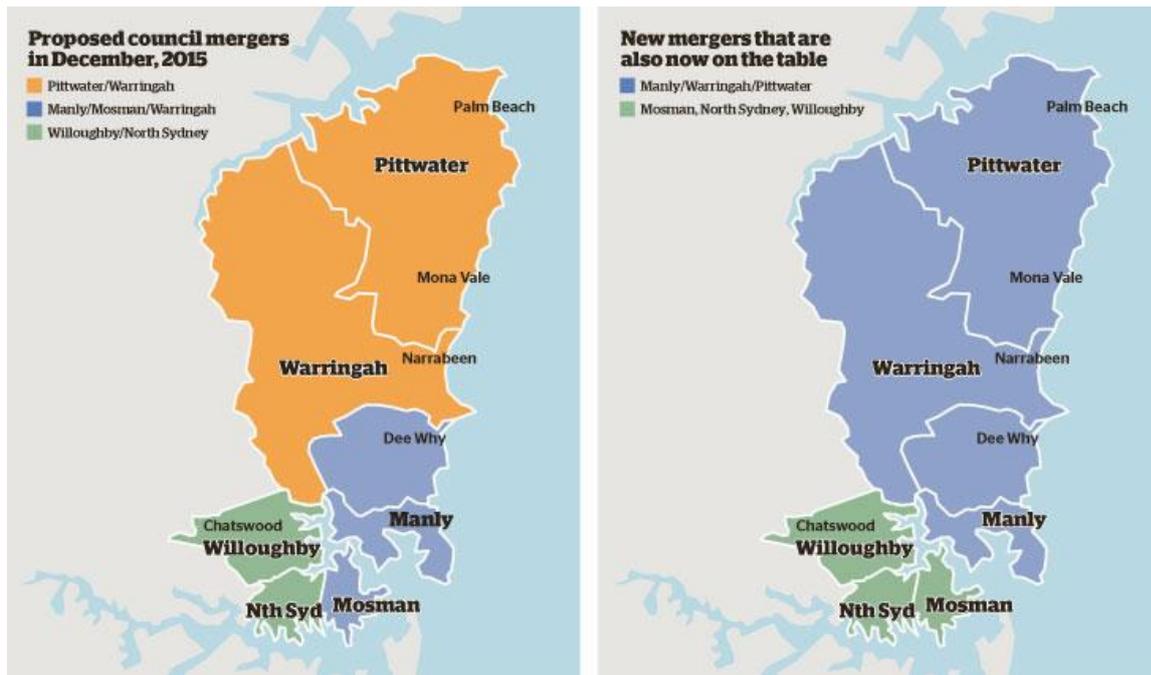
It is understood that if a council-initiated proposal meets the requirements for a merger set out under the act, then Local Government Minister Paul Toole has no choice but to refer it on to the Boundaries Commission for consideration.

The two proposed new councils will follow the same Boundaries Commission process as those the government has recommended, with public hearings to be held and submissions invited.

Minister Toole said the new proposals showed that no "final decision" had been made on mergers and the government was open to alternatives.

"The community has taken the opportunity to have its say on the proposals the Government has already put forward," Mr Toole said.

"We are listening to those community views, so it's appropriate these alternative proposals are considered in the same way."



But Warringah's move has the potential to inspire other councils discontented with their merger options to use the clause to force consideration of other amalgamation options, possibly lengthening the Boundary Commission process.

It is understood Botany Bay Council now plans to use the clause to have its proposal of extending its boundaries to take in parts of Randwick and City of Sydney considered.

Save our Councils coalition spokeswoman and Mosman deputy mayor Carolyn Corrigan said "all the game rules have changed".

"It just beggars belief. Everything is grinding to a halt in local government because all we are doing is writing submissions which I think just end up going in the bin," Cr Corrigan said.

"I just think this shows you that everything is moveable...it gets madder and madder and it's just extremely frustrating".

On Friday morning, Mr Toole announced that Former NSW Auditor-General Bob Sendt had been appointed as chairman of the Boundaries Commission.

The other members are Temora Shire councillor Rick Firman, Burwood councillor Lesley Furneaux-Cook and Natasa Mitic, an executive officer at the Office of Local Government.

Delegates are expected to have prepared reports for each council merger proposal by the middle of the year. The commission will review the reports before the minister makes a final decision on the mergers.

<http://www.smh.com.au/nsw/northern-beaches-mega-council-back-on-the-table-after-merger-loop-hole-discovered-20160225-gn47r4>