

Baird government forced to hand over delegate Garry West's report on forced merger between Ku-ring-gai and Hornsby councils

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NSW Premier Mike Baird and Minister for Local Government Paul Toole. Picture: Stephen Cooper

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- [State Government council merger delegates under the spotlight](#)

THE State Government has been forced to hand over delegate Garry West's merger report to Ku-ring-gai Council lawyers after a hearing in the Supreme Court today.

Mr West, appointed by the State Government to report on amalgamations, last month finalised and submitted his report on a proposed merger between Hornsby and Ku-ring-gai councils.

However, the State Government revealed in the Supreme Court earlier this week the report would not be made public or available to councils before Local Government Minister Paul Toole had made his final decision.

The government had its hand forced today though when court rules required it to produce the report.

However, council lawyers can use the report for legal proceedings only and its content cannot be revealed to the council.



Delegate Garry West at the public inquiry meeting.

A Council spokeswoman said negotiations were underway between the two legal teams.

“We understand a copy of the report is being produced today — however we can’t disclose or comment on the contents,” the spokeswoman said.

“The State Government has given an undertaking to the court that it will provide a copy of the Delegate report to Council’s lawyers, not the council,” she said.

The council was blindsided earlier this week when it learned it would not have access to the independent delegate’s report until after a final decision had been made.

At a preliminary hearing, the council sought an injunction against Mr West from finalising his report on the proposed merger of Hornsby and Ku-ring-gai councils until the KPMG

documents purporting to justify forced amalgamations were released to the council. However, the council learned Mr West's report had been completed and handed to Mr Toole already.



Ku-ring-gai mayor Cheryl Szatow.

Mayor Cheryl Szatow said the council had been under the impression they would have access to the delegate report prior to a final decision, following indications by Mr West to the council.

“Our delegate, Mr West, clearly gave undertakings that his report would be made available to the council and the public once submitted to the State Government,” Cr Szatow said. “These undertakings were witnessed by senior staff including the general manager, councillors and myself.”

The mayor added: “We find it extraordinarily disappointing that once again our residents’ democratic rights are being swept aside.”

The case is expected to resume in the Supreme Court on May 16.

<http://www.dailytelegraph.com.au/newslocal/north-shore/baird-government-forced-to-hand-over-delegate-garry-wests-report-on-forced-kuringaihornsby-merger/news-story/c09b0bc7280888557173cc99948208df>



Public inquiry meeting for residents.



Ku-ring-gai Mayor Cheryl Szatow outside an anti-amalgamation banner.