

# Blow to Baird merger vision as amalgamations halted in Strathfield, Mosman and North Sydney

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**The Baird government's council merger plans have been dealt a blow after a decision by a Sydney court today to halt amalgamations in Strathfield, North Sydney and Mosman.**



*Community reaction to NSW Government local council mergers*

The conservative councils won their bid to halt the forced mergers in the NSW Land and Environment Court, with the state government ordered to revisit its original decision in favour of amalgamation.

Justice Tim Moore found that the government had relied on reports to justify the mergers — written by delegates — which failed to consider “geographic cohesion” and the common “interests” of ratepayers.

“The Delegate constructively failed to ... have regard ‘to the need to ensure that the opinions of each of the diverse communities of the

resulting area or areas are effectively represented’,” Justice Moore said in his findings on the three councils.

He also signalled NSW taxpayers would be forced to pay the councils’ costs, unless the state government filed a separate petition on costs.

However, a challenge by Hunter’s Hill and Lane Cove, which have been ordered to merge with Ryde, failed yesterday, with the court finding their arguments were “without foundation”.

And in a separate decision, the court also threw out a challenge by Ku-ring-gai and Shellharbour councils.



*KU-RING-GAI mayor Cheryl Szatow resigned from the NSW Liberal Party over the forced merger with Hornsby Council. Photo: Adam Ward*

The councils have until September 28 to lodge and appeal and Local Government Minister Paul Toole indicated today that no amalgamations would take place until then.

Ku-ring-gai Mayor Cheryl Szatow, who resigned from the NSW Liberal Party over the forced merger with Hornsby, said the judgement was ‘hugely disappointing for the Ku-ring-gai community’.

“I cannot in all conscience stand by and watch 111 years of Ku-ring-gai Council be demolished by the stroke of a pen,” Cr Szatow said, who is standing as an independent at tonight’s mayoral elections.

Hornsby Mayor Steve Russell is supportive of the merger proposal, declaring it “a shame that so much money has been wasted in legal proceedings”.

With Strathfield and the North Sydney among the biggest councils scheduled for amalgamation, the Land and Environment Court’s decision poses a roadblock to the state government’s merger program.

The state government must commission new reports that assess the merits of the council mergers in Strathfield, North Sydney and Mosman.

It’s understood the delegates’ reports will have to take into account any adverse information about the mergers that has come to light since the original findings.



*Karen Pensabene and Nella Hall from Save our Strathfield celebrate outside the Land and Environment Court. Picture: John Appleyard*

Strathfield councillors yesterday declared victory in the legal fight against forced amalgamation with Canada Bay and Burwood.

“I’ll continue to oppose amalgamation, that’s what the residents want,” independent deputy mayor Andrew Soulos said.

Save Our Strathfield's Nella Hall, who attended the hearing with friend and colleague Karen Pensabene, said she was thrilled about the decision.

“After four years, we are finally here and the judge has finally determined that the report and the process was flawed from the very start,” Ms Hall said.

North Sydney mayor Jilly Gibson described the result as a “stay of execution” and Mosman mayor Peter Abelson acknowledged a “temporary reprieve”.

Mr Toole said the Government would “closely examine the findings in relation to these Delegates’ reports”.

“The 20 new councils in NSW are already getting on with the job of delivering improved services and better infrastructure to their ratepayers,” Mr Toole said.

Woollahra Council lost a Land and Environment Court challenge earlier this year, and is appealing the decision.

<http://www.dailytelegraph.com.au/newslocal/news/blow-to-baird-as-council-mergers-halted-in-strathfield-mosman-and-north-sydney/news-story/e3a7dc015a13b361f54555fd183cfcb>