

Call for city and bush to unite

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COUNCILS and their communities are still working behind the scenes to stop the NSW government from merging them.

Now groups working out of Sydney are urging embattled councils in the bush to join them and strike hard at their federal members. They are telling them considerable damage can be done even in seats like Calare and Parkes where the National Party has large margins.

Phil Jenkyn, who was part of the group which represented angry communities in northern Sydney but was working with country counterparts, said they would fight the mergers for all councils till the end.



"This is a real mess. It is a terrible impost on the people of rural communities. It is tearing them apart and the feds need to know they can be hurt because of this. The National and Liberals are one party across the board, be it state or federal," he said.



The Save Our Councils Coalition member said the parties which carried bush hopes were not listening.

"Some federal politicians say the merger issue doesn't affect my vote, this is not a big enough issue, but the swing in the North Sydney by-election proves there is a deep-seated anger at the Nationals across the board because the case for merger and reform cannot be proven. The seats, marginal or not, are vulnerable," he said.

His group said members were undeterred after Botany Bay had its merger case against Local Government Minister Paul Toole dismissed from court.

Botany Bay Council launched proceedings in the Land and Environment Court in a bid to have its alternative merger considered in the crop of proposals set to go before the Boundaries Commission.

Following in the footsteps of Warringah Council on the Northern Beaches, Botany Bay made the alternative submission under section 218E of the Local Government Act.

Ten additional mergers, mostly submitted under 218E, have been added to the 35 original proposals due to be considered by the Boundaries Commission.

But Botany Bay's proposal came after Mr Toole had already informed councils any further proposals would likely be considered as part of a separate process.

In submissions to the court, Botany Bay argued its merger should be considered at the same time as the minister's proposal and it was worried the council would be dissolved before it could be evaluated.

Justice Pain found the council's fear of dismissal before its merger was "impermissibly speculative".

If the council had submitted its proposal earlier, Justice Pain said, it could have been evaluated earlier and there was no statutory basis for a "completely different proposal" to have to be considered as part of the current Boundaries Commission process.

The case was dismissed and Botany Bay will be ordered to pay the minister's costs, unless the council seeks an alternative order.

Mr Toole welcomed the decision. "While Botany council has been unsuccessful in its litigation in the Land and Environment Court, it is likely that the litigation has been costly for the council and its ratepayers," he said. An appeal is likely.

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