

# Councils fighting mergers could face multiple polls

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Voters at 15 NSW councils in the middle of legal fights against mergers will nonetheless go to the polls this year, in elections that will cost millions and which critics say could have to be repeated within a year.



*Understanding council mergers*

*In May 2016 the NSW State Government announced the forced amalgamation of more than 40 local councils into 19 new councils, but what are the legalities of this contentious issue?*

The Local Government Minister published plans on Monday for more than a dozen Sydney councils to be part of this year's local government elections.

The opposition says that holding an election for a council that could have its existence cancelled "weeks later" is an insult to voters.

"The nonsense is these councils will go through the expense of staging a democratic vote only [so they could] be told 'scratch that, you're going to be merged'," said Labor's local government spokesman, Peter Primrose. "It's a total insult".

Keith Rhoades, the head of the Local Government Association, said a scenario could emerge in which voters were required to participate in another election within a year, the second time for a newly merged council.

Elections for councils not being merged by the state government were held last year and the balance, the state's merged councils, will be subject to a poll this September.

The state government recently said it would have no option but to delay elections for councils merged after that date.



*A spokesman for Local Government Minister Gabrielle Upton said the timetable was required by law.*

A spokesman for Ms Upton declined to respond to criticism of the election timetable, but did say the state government was legally bound.

"The relevant law requires that councils that have had their elections already deferred for 12 months must have an election before the end of the year," the spokesman said.

Premier Gladys Berejiklian cancelled the mergers of a number of regional councils [that had launched legal action](#) against government policy soon after she took over the top job.

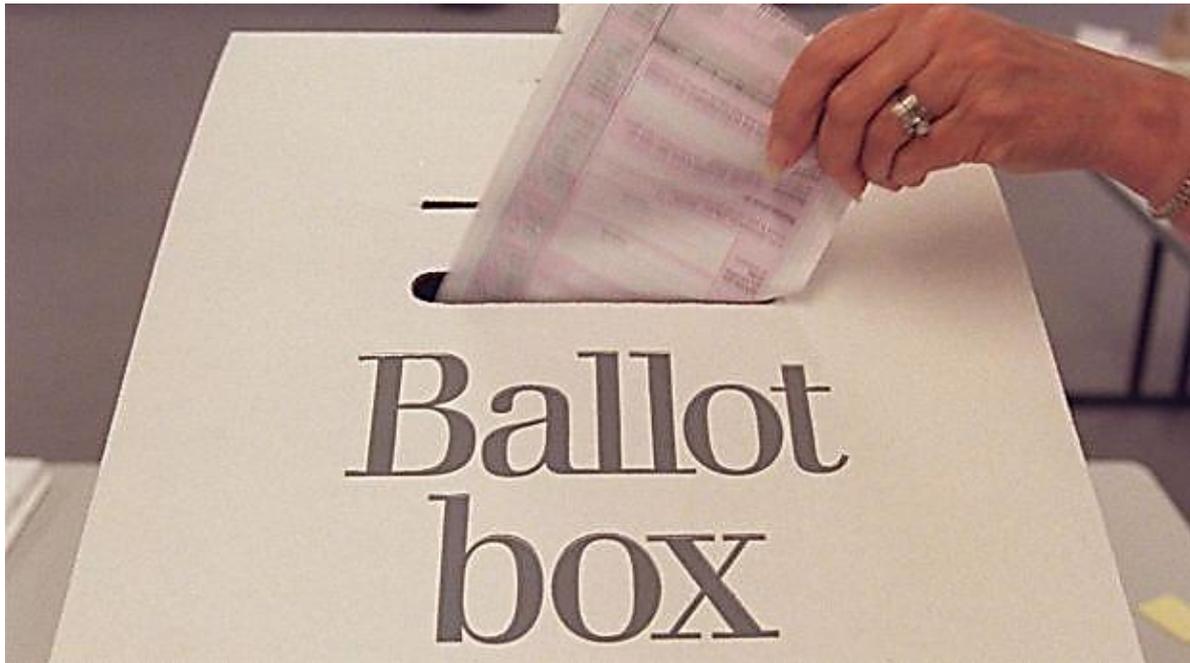
But she has repeatedly said she will not do the same for Sydney councils

Ku-ring-gai recently won a major victory in its fight against amalgamation when the NSW Supreme Court ruled that the council had been denied procedural fairness by the state government's execution of its merger plans.

Another council, Woollahra, is seeking leave to appeal its merger in the High Court.

Councils that have not mounted legal action, but which are slated to merge with those that have, are also held up by legal action.

The cost of holding elections for each council could range from \$100,000 to more than \$800,000 for larger councils.



*Voters at 15 NSW councils in the middle of legal fights against mergers will nonetheless go to the polls this year. Photo: Andrew Meares*

**Sydney councils that have not been merged to hold elections on September 9, 2017:**

- Burwood Council
- Canada Bay Council
- The Hills Shire Council
- Hornsby Shire Council
- Hunter's Hill Council
- Ku-ring-gai Municipal Council
- Lane Cove Municipal Council
- Mosman Municipal Council
- North Sydney Council
- Randwick City Council
- Ryde City Council
- Strathfield Municipal Council
- Waverley Council
- Willoughby City Council
- Woollahra Municipal Council

<http://www.smh.com.au/nsw/state-government-aboutface-on-elections-for-councils-fighting-mergers-20170412-gvjei0.html>