

# NSW council amalgamations: Court dismisses challenges against regional mergers

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Michelle Brown, Moyra Shields and staff

**The New South Wales Land and Environment Court has dismissed several challenges to planned council mergers in the state's central west and south.**

The decision affects three proposed amalgamations — Cabonne with Blayney and Orange, Oberon with Bathurst in the central west, and Gundagai with Cootamundra in the state's south.



*A man rides a horse in Molong, protesting against the proposed merger between the Cabonne, Blayney and Orange councils.*

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The court ruled the councils had not established any grounds on which to challenge the merger decisions.

The councils affected by today's decision have indicated they will take their fight to the Supreme Court of Appeal.

The area is represented in State Parliament by the Minister for Local Government Paul Toole, and the issue could also affect the outcome of the by-election for the seat of Orange on the November 12.

## Mergers will see Government lose votes: activist

Jock Haynes from the Cabonne Anti-Amalgamation Committee said it was a disappointing judgement.

He said the NSW Government's approach to forced mergers had caused widespread anger in central western communities.

"I don't know what everybody's voting past has been, but I guess that everyone would've been pretty much staunch National Party, Liberal Party voters most of their lives," Mr Haynes said.

"[Now] they are very angry, so they're going to lose a lot of votes in the Cabonne area."

The court has ordered the councils to pay costs.

They now have seven days to appeal or file a notice of intention to appeal.

Spokesman for the Save Our Councils Coalition Phil Jenkyn said "all the councils fighting mergers are appealing to the Supreme Court against the Land and Environment Court's decisions".

"We strongly support regional councils in their efforts to stand alone," Mr Jenkyn said.

"The Government's proposed mergers under its Stronger Councils policy are deeply flawed, I am confident their appeals to the Supreme Court will succeed."



*Protesters against the mergers gathered outside State Parliament.*

## 'Totally disappointed': former mayor

Abb McAlister, the former mayor of Gundagai Council, which the Government merged with Cootamundra and appointed an administrator to, has fought vigorously against the amalgamation.

The merger was proclaimed after Mr McAlister had lodged an injunction to halt the merger, ahead of a full Land and Environment Court hearing.

He said today's decision was a blow.

"Totally disappointed with that outcome, but at the end of the day we can hold our heads high because we did what the community and our other council members wanted to do.

"We gave it our best shot.

"You know 90 plus per cent of residents in surveys and showing up at meetings said they wanted to stand alone."

He said the legal bill could be as much as \$100,000 dollars.

The councils will be holding extraordinary meetings early next week to ratify the resolutions and will seek further legal advice.

<http://www.abc.net.au/news/2016-10-07/nsw-regional-council-mergers-court-challenge-dismissed/7912312?section=nsw>