

# Government backs down on forced merger court challenge

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## **Gladys Must Apologise or GO! - community Call**

BY OUR CIVIC ROUNDSMAN

**The Berejiklian government has not contested the Court of Appeal verdict in Ku-ring-gai Council's case against forced mergers.**



*Phil Jenkyn OAM*



*Gladys Berejiklian Premier*

The government was expected to appeal the Court's decision on Friday, which found a previous pro-merger court ruling had not taken into account the government's refusal to release a key KPMG financial report used to justify Ku-ring-gai's merger on financial grounds.

Its failure to contest the ruling is "a strong indictment of the failure of the forced merger process" according to the group fighting to stop the Hunters Hill's proposed forced merger with Ryde and Lane Cove.

Save Hunters Hill Municipality Coalition spokesman Phil Jenkyn OAM said the Ku-ring-gai case also has substantial ramifications for a pro-merger decision being appealed by Hunters Hill and Lane Cove.

"By failing to contest the court's verdict in Ku-ring-gai, this government has acknowledged that the whole process is a sham and the claim of financial benefit in the forced mergers in Ryde, Hunters Hill and Lane Cove should be discredited because there is no evidence to back it up," Mr Jenkyn said.

"Premier Gladys Berejiklian should now take responsibility and apologise to ratepayers, scrap the forced mergers or resign."

Even the Premier's resignation would not satisfy the Hunters Hill based coalition who notes the distress caused to ratepayers over the spectre of a forced amalgamation with Ryde as well as the time spent by the two smaller councils fighting the merger in court.

"I think the whole shambles is worthy of an inquiry by the Independent Commission Against Corruption, that's my view," Mr Jenkyn said.

Premier Berejiklian recently called off some proposed forced amalgamations in regional areas but has justified forced mergers in Sydney by comparing the city to Brisbane, which has one mega council.

Mr Jenkyn doesn't buy the "Sydney is over-governed" argument.

"Is the city different to the country when it comes to democracy?" he asked.

"Or is it that she has done a base political deal with the National Party?"

"Here is a Premier who came in to fix the problem and has just poured more petrol on the fire."

Mr Jenkyn described Hunters Hill's Court of Appeal case against the process used to justify the forced merger as "looking good" and he looks forward to both Hunters Hill and Lane Cove recovering the money spent of the appeal.

"Our case is very similar to the Ku-ring-gai's case."

It is possible the Premier could issue a forced merger proclamation before Hunters Hill, Ryde and Lane Cove hold local government elections on September 9 although the Mayors of Hunters Hill and Ryde have expressed concern a proclamation will be held shortly after the election.

The prospect of this scenario is likely to deter independent candidates spending their own money on a local election campaign and there is speculation the Liberal Party may run party endorsed and promoted candidates in Hunters Hill for the first time.

Mr Jenkyn said the Save Our Councils Coalition is likely to run a Put The Liberals Last campaign in Hunters Hill.

"People in Hunters Hill need to know who has stood by them and who hasn't," he said.

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