

Hunters Hill Council's merger appeal continues after voting to use \$200,000 set aside for next year's budget

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Hunters Hill Council has moved to continue its legal action against the state government over forced amalgamation.

Hunters Hill Council will be cutting into its 2016/17 budget for its continued legal action against the state government after moving to formally appeal the dismissal of its case in the Land and Environment Court last month.

The council voted 5-2 at an extraordinary meeting on Monday to move forward with an appeal at an approximate cost of \$100,000, on top of the \$250,000 it has already spent on the legal action.

Any financial impact of continued action will be on the \$200,000 set aside in Hunters Hill's 2016/17 budget after exhausting its legal budget for this year.

The state government's legal costs have also been awarded against Hunters Hill Council, however these may be recovered should the Council succeed in its appeal.

Potential costs could also be shared by Lane Cove Council after they moved to join Hunters Hill in its fight against amalgamation by lodging their own notice of intent to appeal.

“We’ll have three months to formally act on that notice, so we decided that’s the way we’ll go at this point,” said Lane Cove Mayor Deborah Hutchens.

Hunters Hill’s decision to move forward with an appeal is based on legal advice received from the Council’s Senior Counsel.

The legal advice examines seven grounds for appeal with prospects of success, five of which will be impacted by the judgement of Woollahra Council’s appeal.

It is believed that the Woollahra judgment will be heard within the next two weeks.

Council will then be given seven days to lodge their appeal due to an undertaking agreed to by the state government.

“It is in our best interests to move forward,” said Councillor Meredith Sheil, who moved the motion.

“We are fighting for the life and the future of Hunters Hill, which is paramount to most of us.”

She was supported by Phil Jenkyn from the Save our Councils Coalition, who called on the Council to move ahead with the appeal.

“The community wants you to pursue this appeal, you have strong community support to do so,” he said.

“The government is on the run.”

Councillor Zac Miles, who voted against the appeal alongside Councillor Gary Bird, said spending more of the community’s money on another appeal doesn’t “cut the mustard.”

“The unfortunate reality is that the state government has jurisdiction over local government,” he said.

“If the government has to go through another process, they’re going to do it.”

“This appeal is not going to make the government change its mind about amalgamation.”

<http://www.news.com.au/national/nsw-act/hunters-hill-councils-merger-appeal-continues-after-voting-to-use-200000-set-aside-for-next-years-budget/news-story/6eaa19afabc1758e250ef56068077cf1>