

# Setback on road to NSW council amalgamations

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Mike Baird.

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The NSW Government has suffered a setback in its push to reduce the numbers of local councils, with a judge restraining the government from acting on one proposal due to deficiencies in the way it was considered.

The proposed merger of Strathfield, Burwood and Canada Bay councils in Sydney's middle ring suburbs has been put on hold until a government appointed delegate rewrites his report.

The judge found that the delegate had failed to properly consider community of interest, one of the requirements set out in the Local Government Act.

The delegate decided that community of interest meant "formal organised communities (ie schools, religious or sporting organisations) whose members have a common interest that is affected by the proposal."

The section considering community of interest was less than one page of his report.

The Baird government has decided to press ahead with abolishing more than 40 councils and creating 19 new larger ones in their place, although it backed away from some politically sensitive ones such as the merger of councils in Deputy Prime Minister Barnaby Joyce's electorate.

As well, nine more amalgamations are suspended because of legal action, including the Strathfield-Burwood-Canada Bay proposal.

Greens MLC David Shoebridge said the delay showed the government's process was in chaos.

"This is a disaster for Mike Baird and a win for the community as the report recommending the merger of these three councils has been literally thrown out. The amalgamation of Strathfield, Burwood and Canada Bay councils can no longer go ahead, and the government has to go back to square one.

"This will have the lawyers in every other council case against the government running a very close eye over each delegate's report. However it is too early to say if it can be directly applied in all other cases."

The Minister for Local Government Paul Toole said: "Due to a legal technicality in the delegate's report on the proposed merger of Strathfield, Burwood and Canada Bay councils, the delegate will consider the matter and reissue his report."

It's believed that the delegate, Richard Colley will only rewrite one section of his report, which recommended amalgamation. However, it will almost certainly have to be reconsidered by the Boundaries Commission before going back to the minister.

Council amalgamations have sparked protests against the Baird government. In particular, there has been outrage that new elections for the merged council will not happen until September 2017, leaving a government appointed administrator in charge for 16 months.

<http://www.theaustralian.com.au/national-affairs/state-politics/setback-on-road-to-nsw-council-amalgamations/news-story/c3c5c3f807071a56615c47da6e7f2d21>