

Woollahra takes legal action against council amalgamation

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Woollahra Mayor Toni Zeltzer.

Woollahra Municipal Council, in Sydney's eastern suburbs has become the third NSW council to launch legal action against the Baird government's controversial council amalgamation plans.

The council late on Friday commenced legal action in the NSW Land and Environment Court in a bid to halt its planned forced merger with neighbouring Waverley Council, which takes in Bondi Beach, and Randwick City Council, further south.

Represented by leading silk Bret Walker SC, the council has claimed in court documents that NSW Minister for Local Government Paul Toole has failed to hold a proper public inquiry, issue reasonable notice and to seek the views of Woollahra voters on the proposal to merge the three councils. It also says there has been a denial of procedural fairness because the government has failed to release in full a report by consultants KPMG on the amalgamations including its financial modelling.

Other councils, including Mosman Council, on Sydney's north shore, Walcha Council, in northern NSW and Kiama Municipal Council on the south coast, are believed to be preparing to join the action.

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Southern Sydney council Botany Bay, which is set to merge against its objections with neighbouring Rockdale City Council, has also launched action in the Land and Environment Court to force the state government to consider an alternate merger proposal.

On Sydney's north shore, Ku-ring-gai Council has commenced separate proceedings in the NSW Supreme Court to gain access to the KPMG report and modelling. The parties are due to appear in court on Tuesday.

Woollahra Council mayor Toni Zeltzer said her community had made clear its strident opposition to the forced merger, through two separate surveys and a petition of 10,000 residents.

"Our community has said quite strongly they don't wish to merge," she said.

"We are a financially sustainable council that's well run and has forged its identity over 156 years of existence. To make us a council of almost 300,000 — it brings into question the word 'local' government, when it's the size of two-and-a-half or three federal seats ... Can we achieve the efficiencies through other ways? Of course we can and we are already doing it."

She said Woollahra would be dwarfed on a merged council by the much bigger Waverley and Randwick councils.

"We would be grossly outnumbered and therefore we would not be able to protect those things that we value most in our area — our heritage, our trees and our beautiful streetscapes," she said.

Ms Zeltzer, a Liberal mayor, said the forced amalgamation process had "shaken her Liberal values to the core" because it involved the imposition of the nanny state.

"We are being told what's good for us as if we don't know what's good enough for us," she said. "There are a lot of unhappy local Liberal people who have supported our party for a long time who feel disenfranchised and disenfranchised."

<http://www.theaustralian.com.au/national-affairs/state-politics/woollahra-takes-legal-action-against-council-amalgamation/news-story/bc783c631c704edd0cb7c18c512738b7>