

# Council mergers: Woollahra latest legal challenge could cost taxpayers millions

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EXCLUSIVE MILES GODFREY



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RATEPAYERS face a massive \$1.25 million legal bill if Woollahra Council's latest legal challenge against the Baird government's merger plan fails.

The council, covering posh harbourside suburbs like Point Piper and Vaucluse, has already splurged about [\\$800,000 on two unsuccessful court challenges against plans for an eastern suburbs super council](#).

The government wants to merge Woollahra together with the Waverley and Randwick councils.



*The government wants to merge Woollahra Council with Waverley and Randwick.*

Mayor Toni Zeltzer revealed plans for a last-ditch appeal against the merger in the High Court, taking the council's spending to about \$1 million.

If it loses it also faces paying the government's legal fees in the long-running saga, which are understood to be about \$250,000.

Premier Mike Baird urged the council to rethink its latest court challenge.

“My hope is that common sense will prevail there. They've had a number of significant legal professionals look at this — some of the top magistrates in the country — and they have given a strong view that there is no case.

“My encouragement to them is to enable us to get on, to deliver benefits back to their ratepayers — and we're seeing that across councils that have come together,” Mr Baird said.

Woollahra's High Court challenge is expected to delay proclamation of the eastern suburbs super councils for months.

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*Premier Mike Baird*



*Mayor Toni Zeltzer*

Local government minister Paul Toole confirmed that the government would delay merging the eastern suburbs councils until Woollahra's legal challenge is finally brought to an end.

“The minister's in-principle support for the merger of Woollahra, Waverley and Randwick councils remains,” said a spokesman for Mr Toole.

Councillors defended the decision to launch a further appeal.

Liberal Andrew Petrie said the legal fees were a “small price to pay” because of claims that rates would rise after the merger. Ms Zeltzer also defended the latest appeal.

“After consulting with our legal team we believe there are good grounds for a High Court appeal,” the mayor said.

“We are extremely disappointed that we have to continue to spend public money on legal bills — but we want to be absolutely sure we've done everything within our power to protect the Woollahra community against this merger.”

However, the omens for success are not good for Woollahra.

The last time a council appealed to the High Court over a proposed amalgamation the case was thrown out in just 45 minutes.

The former South Sydney Council went to the High Court in 2002 to avoid being merged with City of Sydney. Justice James Spigelman gave the case short shrift.



*Ratepayers may have to foot the legal bills if Woollahra Council's last ditch attempt to stop the merger fails. Picture: Tim Hunter.*

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