

# media release

Thursday, 22 September 2016

## **Mosman Council welcomes merger ruling**

Mosman Council has welcomed the judgment handed down by Justice Tim Moore in the Land and Environment Court on Wednesday, which found that the report prepared by the NSW Government's delegate on the proposed merger of Mosman, North Sydney and Willoughby, was flawed.

At an Extraordinary Meeting held last night the Council agreed to maintain its long-standing opposition to forced amalgamation and to continue working with its legal team to maintain Mosman's independence. What this will actually entail is yet to be finalised, and is subject to further discussions between Council and its legal representatives.

In his judgment Justice Tim Moore found the report was not valid in that it failed to address one of the mandatory requirements of the Local Government Act regarding "the need to ensure that the opinions of each of the diverse communities of the resulting area or areas are effectively represented".

The immediate outcome is that any potential proclamation of a new lower north shore council has been stalled, at least until the Delegate rectifies the shortcoming identified in the court's judgment along with the completion of any other statutory requirements.

Justice Moore also ruled that unless alternative orders are submitted, the respondents, including the Minister for Local Government, are to pay Mosman Council's costs.

"Mosman Council welcomes this ruling which supports our assertions that the NSW Government's merger proposal process has been flawed and inadequate," Mosman Mayor Peter Abelson said.

"What we're doing now is working to ensure that every reasonable opportunity is taken to continue fighting for Mosman's independence," he said. "Council has been unequivocal in its belief that amalgamation will negatively impact Mosman residents and ratepayers. Our community has repeatedly told us they don't want to merge and we remain committed to representing and protecting their interests.

"The judgment is a complex and multi-layered one, and Council's legal team is continuing to review the 127-page document. The best way forward for Council is likely to become evident over the next week or so."



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