

media release

Monday, 2 May 2016

Mosman Council launches legal action

Mosman Council, one of dozens of local NSW councils facing amalgamation, launched legal action on Friday that it hopes will halt the NSW Government in its tracks.

The action, which will be heard in the Land and Environment Court, calls into question Government process, particularly as it relates to two separate merger proposals affecting Mosman.

The first of these proposals is to amalgamate Mosman with Manly and part of Warringah on Sydney's northern beaches. A second proposal, made by the Minister for Local Government following an alternate merger proposal from Warringah, is to merge Mosman with North Sydney and Willoughby.

Mosman will fight the NSW Government on the grounds that it has not observed procedural fairness in undertaking merger proposal processes for Mosman. One of Council's key arguments will focus on the Government's failure to release all documents produced by financial analysts KPMG which purportedly detail the financial benefits of each merger proposal.

The Council is also asserting that the Government failed to properly notify the merger proposals, as well as the public inquiries conducted by the Government's delegate for each proposal.

In relation to the proposal for Mosman, Manly and Warringah, Mosman Council will also argue that these areas do not form 'a single area of contiguous land', and are therefore incapable of amalgamation under the *Local Government Act 1993*.

Mosman Mayor, Peter Abelson, said that the Council had unanimously resolved to proceed with this action at its meeting of 20 April 2016. "We have told the State Government time and time again that Council and the Mosman community want to stay independent," he said. "Despite this the Government has continued down a path that has been characterised by poor information, poor consultation and little to no regard for the wishes of our residents."

"We have not taken the decision to proceed with this action lightly, but we are fighting for our survival against a Government that has overseen a deeply flawed process."



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