

Mangrove Mountain and Spencer Advisory Committee Meeting Record 25 June 2019



Location:	Central Coast Council Wyong Office Level 2 Committee Room 2 Hely Street, Wyong	
Date:	25 June 2019	
Time	Started at: 5.03pm	Closed at: 5.55pm
Chair	Mayor Jane Smith	
File Ref	F2017/02125	

Present:

Mayor Jane Smith, Councillor Chris Holstein, Lillias Bovell, Gary Chestnut, Joy Cooper, Dr Stephen Goodwin, Wolfgang Koerner, Pam O'Sullivan, Stephen Rickards, Marilyn Steiner, Danny Willmott, [Catherine Wade - (observer only)]

Council Staff present:

Gary Murphy – Chief Executive Officer, Scott Cox – Director Environment and Planning, Evan Hutchings – Director Governance, Brian Jones – Unit Manager Environment and Certification (arrived 5.28pm), Kelly Drover – Advisory Group Support Officer

Item 1 Apologies, Welcome and Acknowledgement of Country

Apologies received: John Asquith, Margaret Pontifex, Algis Sutas – Natural Resources Access Regulator, Greg Sheehy – Environment Protection Authority (EPA), Cate Woods – Environment Protection Authority (EPA)

The Chairperson, Mayor Jane Smith declared the meeting open at 5.03pm, and completed an Acknowledgement of Country.

Item 2 Disclosure of Interest

Gary Chestnut declared a less than significant non-pecuniary interest, as he had also done previously, as he is a former employee of Gosford City Council and during this employment he received and presented confidential information relating to the Mangrove Mountain Landfill site, to Councillors, Senior Management, Council's Solicitors, Council's Barrister and Council's Senior Counsel.

Danny Willmott declared a less than significant non-pecuniary interest, as he had also done previously, as he is a former respondent in the legal case regarding Mangrove Mountain Landfill.

Item 3 Confirmation of 9 April 2019 Meeting Record

The Committee confirmed the 9 April 2019 Meeting Record.

The Committee discussed the Action log.

Item 4 Update from Council Staff Regarding Current Council Actions

Brian Jones – Unit Manager Environment Certification advised that the Verde Terra Pty Ltd Land Environment Court hearing has been set down for 19 November 2019, for a period of 3 weeks.

Brian provided the Committee with an update on Spencer and Gunderman.

Local residents are concerned about the lack of communication with the Spencer Community.

Action: The Committee requests the EPA provide advice on a communications plan for the Spencer Community regarding activities related to the site.

Item 5 Committee questions on notice

Written responses to Committee Questions were provided from the EPA and tabled at the meeting.

The Committee expressed concern in regard to the EPA monitoring of the Spencer site.

The Committee had a number of questions in regard to the EPA responses to Member 2 questions, in particular surface water testing and surface landfill gas testing. Clarification to be sought from the EPA (questions to be provided to the EPA under separate cover).

Action: The Committee requests clarification to their follow up questions, to be provided to the EPA under separate cover.

Action: The Committee request the EPA to provide the Monitoring Data and Annual Return for 2017/2018.

Item 6 Site Remediation (Action 50)

Scott Cox – Director Environment and Planning advised that an update was not able to be provided at this stage as Council resources are currently being applied to the legal case. Consultants have been engaged to prepare evidence based on the brief that has been given to them.

Evan Hutchings – Director Governance provided the Committee with an update from Council's legal representative re Verde Terra Pty Ltd.

Item 7 Leachate into Stormwater (Action 61)

The Environment Protection Authority did not attend the meeting therefore an update was not provided on this item.

Item 8 Update on Rainforest Ferns along rainforest walk at Ourimbah Creek (Action 63)

The Environment Protection Authority did not attend the meeting therefore an update was not provided on this item.

Brian Jones – Unit Manager Environment Certification advised that the area where these ferns are located is known as the Forest of Tranquillity which is privately owned and access is no longer allowed.

Action: Mayor Smith to liaise with the owners of the Forest of Tranquillity to enquire about staff gaining access to the site.

Item 9 Risk Profile Mangrove Mountain Landfill (Action 64)

Scott Cox – Director Environment and Planning advised that an update was not able to be provided at this stage as Council resources are currently being applied to the legal case. Consultants have been engaged to prepare evidence based on the brief that has been given to them.

The Committee suggested that in undertaking a risk profile assessment it would be useful to undertake a site visit under periods of inclement weather.

Mountain Districts Association indicated they have additional information that may be of assistance should the Consultant wish to access it.

Item 10 General Business and Close

There was no General Business.

The meeting closed at 5.55pm

**Next Meeting: Tuesday 27 August 2019
 5pm – 7pm
 Central Coast Council Gosford Office
 Level 1 Committee Room,
 49 Mann Street, Gosford**