

Mangrove Mountain and Spencer Advisory Committee Meeting Record 30 January 2018



Location:	Mangrove Mountain Hall Cnr Wisemans Ferry Road and Waratah Road, Mangrove Mountain
Date:	30 January 2018
Time	Started at: 5pm Closed at: 7.03pm
Chair	Mayor Jane Smith
File Ref	F2017/02125

Present

Mayor Jane Smith, Councillor Holstein, Councillor Mehrtens, Councillor MacGregor, Mr Gary Chestnut, Ms Joy Cooper, Dr Stephen Goodwin, Mr Wolfgang Koerner, Ms Pam O'Sullivan, Ms Margaret Pontifex, Mr Stephen Rickards and Ms Marilyn Steiner

Also present were: Mr Brian Glendenning, Interim Chief Executive Officer, Ms Shane Sullivan, A/Executive Manager Governance, Mr Jamie Loader, A/Director Environment & Planning, Ms Kathy Bragg, Governance Officer

Apologies

Councillor Marquart, Mr John Asquith, Ms Lillias Bovell, Mr Danny Willmott

1.1 Disclosure of Interest

Mr Gary Chestnut declared his less than significant non-pecuniary interest in relation to Item 1.4 and Item 1.5 as he is a former employee of Gosford City Council and during this employment he received and presented confidential information to Councillors, Senior Management, Council's Solicitors, Council's Barrister and Council's Senior Counsel.

1.2 Introduction and Expectations

Members introduced themselves and set out their expectations of the Mangrove Mountain and Spencer Advisory Committee.

1.3 Update from Interim Chief Executive Officer

At the request of the Mayor, the Interim Chief Executive Officer gave a brief overview of Council's current position in relation to the Mangrove Mountain landfill.

1.4 Terms of Reference for the Committee

There was discussion held regarding the Voting provisions in the Terms of Reference. The Committee recommends to include the following in the Terms of Reference:

Where consensus cannot be reached a vote may be taken at the request of the Chair. The minutes would reflect this process.

There was discussion held regarding the Quorum for the Committee. The Committee recommends that a Quorum for a Committee Meeting would be three Councillors and six voting community members and that the Terms of Reference be amended to reflect this.

There was discussion held regarding the Meeting Frequency provisions in the Terms of Reference. The Chairperson has exercised her authority to call additional meetings where required, this being monthly for the first three months. After three months, the Committee will reconsider the Meeting Frequency provisions.

There was discussion held regarding the Membership provisions in the Terms of Reference. The Committee recommends that the heading "*External Agencies*" be amended to "*Non-Member Invitees*" as well as the addition of a sub-heading *Non-Voting Members* which includes *Staff* and *Non-Member Invitees*.

Action: The revised draft Terms of Reference, including the Committee's recommendations, be reported to Council for consideration as soon as practicable.

1.5 Presentation by Dr Stephen Goodwin

Dr Stephen Goodwin gave a verbal presentation to the meeting.

1.6 Future Agenda Topics

There was discussion regarding future agenda topics. The following topics were identified by Committee members as a preliminary list for consideration:

Potential Topic
1. Legislative framework.
2. Tour of sites or adjoining properties.
3. Trucks going over the weighbridge.
4. Workshop on MDA submission.
5. Visual images of the site over time.
6. Alleged encroachment and alleged unlawful construction of fence in Jilliby State Forest.
7. Access on Crown road.
8. Public call for information.
9. Alleged failure to comply with the EPA's environmental guidelines for solid waste landfills.
10. Update from Council staff regarding current Council actions.
11. Alleged breaches of groundwater and destruction of permanent watercourses without statutory consent.
12. Potential risk factors for the existing waste mound and the potential threat to the Central Coast water supply.
13. Key finding of the technical, environmental and operational review dated 5 May 2017.
14. Legal standing and position of the LEC court order of GCC v Verde Terra Pty.
15. The latest landfill environmental management plan, the latest leachate management plan and the latest soil and water management plan.
16. Relevance of the naming dispute of Stringy Bark Creek.
17. Surface and sub surface gas monitoring data.
18. Ground water monitoring and surface water sampling data.
19. Legal standing of the LEC orders.
20. Alleged selective nature of release of information in the public interest by Council.
21. Legal status of the current operations on site involving excavation east of Area B, which have been undertaken in 2017.
22. Involvement of the EPA and Office of Water.
23. Alleged EPA conflict of interest between protecting the environment and pursuit of revenue.
24. Economic impact on the Mangrove Mountain Memorial Club, RSL sub-branch and others.
25. Alleged Council conflict of interest between compliance responsibility and increasing potential for earning revenue by transferring waste from its waste management facilities to Mangrove Mountain landfill.
26. Alleged involvement of Mangrove Mountain Memorial Golf Club in the expansion of the landfill beyond what they allegedly knew was approved in the development consent.
27. Update on dumping at Spencer.
28. Traffic associated with the transporting of the waste material – traffic studies.
29. Plausible future scenarios for the site.
30. Review of Council practices in handling compliance matters.
31. Potential endorsement of a call for special commission of inquiry into the operations of the EPA and the former GCC in relation of Mangrove Mountain landfill.
32. Compliance of signage at Mangrove Mountain landfill.

Action: That the next meeting of the Committee be a workshop with a presentation by Mr Chestnut on MDA's Submission, as well as a workshop on the top ten agenda topics that the Committee will aim to consider in the short term.

Action: That a presentation be given regarding the alleged dumping at Spencer at the next meeting of the Committee.

Action: That the Committee view the site from an adjoining property at the next meeting.

The meeting closed at 7.03pm

Next Meeting: 27 February 2018
5pm
Mangrove Mountain Community Hall