

Question from Mr Vince De Luca

Subject: Storage of Contaminated Materials at Reub Hudson Oval

Meeting Date: 7 December 2004

Question: Alternative Sites - I refer to questions asked of a Council Officer at the IHAP hearing on 10 November 2004 about what alternatives Council investigated regarding storage of the contaminated material. I note that the Council Officer failed to identify specifically the other sites investigated and the reasons why these sites were dismissed. Could Council please advise what other facilities / sites were investigated and why Council dismissed each of these facilities / sites? Was a formal document written by Council at the time of analyzing these sites, and if so could I please be provided with a copy of that document at the Council meeting?

Response: The Director Customer and Community Services repeated his previous answer to Mr De Luca (24 August 2004, 14 September 2004) that the material is not contaminated and its correct classification, proven by independent scientific testing, under the EPA guidelines is "inert waste". The Director commented that all of this information is available in the Statement of Environmental Effects submitted as part of the development application to Council.

In regards to other sites considered for storage, accessibility to Manly Lagoon and appropriate conditions onsite were deciding factors. Other possible locations were identified as floodplain and therefore unsuitable for holding the material John Fisher Park suits the requirements and needs material for landscaping. The dredged material is inert and therefore appropriate for utilisation in landscaping (mounding) and sportsfield rectification; the Director concluded that the proposal is consistent with the John Fisher Park Plan of Management.

Question: Alternatives to dredging - What alternative to dredging were investigated by Council? Why were these alternative dismissed? Was a formal document written by Council at the time of analysing other alternatives to dredging, and if so could I please be provided with a copy of that document at the Council meeting?

Response: The Director Customer and Community Services informed the meeting that both the Manly Lagoon Estuary Management Plan and the Manly Lagoon Floodplain Risk Management Plan (which are both available to the public) identified removal of the 1,500 cubic metres of silt and sediment as high priority. The work is considered essential to improve water quality and mitigate upstream flood impacts, and dredging was established as the only option to alleviate the situation. The Administrator added that vacuuming, suggested by Mr De Luca, was not considered and that a response to the option would be taken on notice and provided in writing.

Question: Independent Assessment of Development Applications - I note that at the IHAP hearing of 10 November 2004 when questions or points of clarification were raised about the development application by the IHAP members, Council's Duty Officer was unable to answer these as the DA was assessed privately by Don Fox Planning Pty Ltd due to Warringah Council being the applicant. Consequently, a Council Officer who was the proponent of the DA and a consultant of Council who was also the proponent of the DA answered all questions. Why did Council fail to ensure that the consultant from Don Fox Planning Pty Ltd who assessed the DA was in attendance at the IHAP hearing to provide independent advice on his assessment report and answer questions from the IHAP members?

Response: The Director Planning and Assessment Services agreed that expert advice should have been on hand at the meeting. She does not know why this was not the case on the occasion in question, but added that the standard contract for engaging external consultants has recently been updated. It now includes requirement for attendance of the consultant to related IHAP meetings, thus ensuring that the situation will not reoccur in the future.