

SUPPLEMENTARY AGENDA 1

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INNER WEST COUNCIL

COUNCIL MEETING

TUESDAY 8 OCTOBER 2019

6.30pm

Location Ashfield Service Centre, 260 Liverpool Road, Ashfield

**MEETING AGENDA – PRECIS
SUPPLEMENTARY ITEMS**

The following report appear as late item with Mayoral approval as information required for the preparation of the report was not available at the time of distribution of the Business Paper.

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Item No: C1019(1) Item 21
Subject: MAYORAL MINUTE: WESTCONNEX CONSTRUCTION ODOUR FINE
From: The Mayor, Councillor Darcy Byrne

MOTION:

THAT Council write to the Minister for Environment proposing that the fine payable by CPB for polluting the Inner West community with unbearable odours be committed to traffic management measures to protect local residents from WestConnex safety impacts.

Background

On 26 September 2019 CPB Contractors, the builders of the St Peters Westconnex Interchange, were fined \$445 000 for “causing an offensive odour” after they failed to properly manage leachate or contaminated water on the site.

The community was complaining about this intolerable smell, however it took hundreds of complaints from residents and businesses of St Peters, Alexandria and other suburbs before the Environmental Protection Agency (EPA) took action and investigated.

It then took EPA five months to investigate 33 complaints in 2017, and a further two years to bring CPB to account.

The smell was caused by untreated leachate or contaminated water, which caused serious health risks to the community.

CPB acknowledged that the harm was foreseeable, and the court found that CPB failed to seek "qualified expert advice" for managing leachate before construction at the interchange.

The Land and Environment Court convicted CPB Contractors on Thursday and ordered it to pay \$295,000 to the Environmental Trust instead of a fine and \$150,000 to the NSW Environment Protection Authority (EPA) for investigative and legal costs.

That entire fine should be returned to the St Peters community, not State Government coffers. It would be far better spent putting safety measures in place in the streets of St Peters, where the safety of school children is being put at risk as a result of WestConnex traffic.

ATTACHMENTS

Nil.