

Letter to the Editor, Newcastle Herald.

Thank you Joanne McCarthy for your excellent coverage on the Lagoons Estate Court case in Nelson Bay: N.H.18 Sept 2017 *“A NSW judge has slammed the running of a Port Stephens legal case,”* and your editorial on the subject.

This matter refers to the drainage onto the lagoons Estate from an adjacent Council subdivision constructed in the 70's that has been in and out of the Court on numerous occasions since 2002, sent one developer broke and generated enormous litigation expenses in the process. We have documented this in detail on our [TRRA](#) website.

There are serious concerns that PS Council may not have acted in good faith in their conduct of this matter and this could impact on any insurance claim when legal costs, remediation and damages are considered at the conclusion of the case. Maybe the time bomb that successive PS Councils and General Managers have kicked down the road for all this time is finally going to detonate in the lap of our newly elected Council that has not even met yet. It is a pity this did not come out before the election.

The only response the ratepayers who will be liable for this have had from all the General Managers since 2002, apart from confidential briefings to Councillors was the one in the article today *“It is not appropriate for the council to comment while the matter is before the courts.”*