
Minutes of the 34th Meeting of the
Lower Hawkesbury Estuary Management Committee
Thursday 1st March 2018
Brooklyn Community Centre
2-4 Dangar Rd, Brooklyn

Title	Family Name	Given Name	Representation	Present	Apologies	Absent	Alternate Rep.
Mrs	AITKEN	Robin	National Parks & Wildlife			X	
Mr	ANDREWS	John	Mooney-Mooney Progress Association	X			
Mr	BROWN	Warren	Central Coast Council	X			
Mr	BROWN	Stephen	Roads and Maritime Authority			X	
Mr	BURNS	David	Community Representative	X			
Ms	BURTON	Tegan	National Parks & Wildlife	X			
Mr	FAIRBAIRN	Iain	Sydney Water Corporation		X		
Mr	FENWICK	Andrew	Fenwicks Marina	X			
Mr	FISH	Mike	Community Representative			X	
Ms	FRATER	Ray	NSW Bridge to Bridge Committee			X	
Dr	FREEWATER	Peter	Office of Environment & Heritage		X		
Ms	CONACHER	Sarah	Industry & Investment, Primary Industries Fishing & Aquaculture		X		
Ms	HOWARD	Mary	Community Representative		X		
Mr	HUGHES	David	Affiliate members - Community Representative		X		
Mr	KARCZ	Bronek	Community Representative		X		
Dr	LIM	Leong	Community Representative		X		
Mr	HAM	Peter	Central Coast Council		X		
Cr	MARR	Mick	Councillor – Hornsby Shire Council	X			
Mrs	MCDIARMID	Jill	Community Representative	X			
Ms	MCMURDO	Wendy	Community Representative			X	
Mr	MILES	David	Boat Owners Association	X			
Ms	MOOY	Rebecca	Greater Sydney Local Land Services		X		
Mr	MOXHAM	Rob	Commercial Representative – Oysters Farmers			X	
Mr	PATTISON	Mick	Hawkesbury City Council		X		
Mr	PIGNEYGUY	Justin	Hawkesbury Cruises		X		
Mr	REES	Stan	Land and Property Management Authority		X		
Mr	ROWE	Simon	Oceanwatch Australia		X		
Dr	RUBIO	Ana	Hornsby Shire Council	X			
Mrs	RYLAND	Julie	Hornsby Shire Council	X			
Ms	SEGOVIA	Ingrid	Community Representative		X		

Title	Family Name	Given Name	Representation	Present	Apologies	Absent	Alternate Rep.
Ms	SCARSBRICK	Joanne	Community Representative		X		Brian Scarsbrick
Ms	SHORTER	Cybele	Community Representative Dangar Island		X		
Mr	TAYLOR	Chris	Community Representative	X			
Ms	STUART	Suzanne	Hawkesbury City Council		X		
Cllr	TILBURY	Nathan	Councillor – Hornsby Shire Council	X			
Mr	VON ZELEWSKI	Axel	Community Representative	X			
Cr	WADDELL	Warren	Councillor – Hornsby Shire Council	X			

1. WELCOME

Meeting opened at 18:15. Meeting was chaired by Cr **Tilbury**. Cr **Tilbury** welcomed a new community representative Brian **Scarsbrick** who will be attending future meetings on behalf of Jo Scarsbrick as she has other commitments on Thursday nights. Brian lives in Brooklyn and is part of the Brooklyn Community Association (BCA). Brian has a wide environmental background having been the CEO of the National Trust of Australia (NSW) and Landcare Australia, regional director Agriculture in NSW Agriculture and Fisheries and developed a large number of community groups around Australia addressing land degradation and water quality among other aspects. Cr **Tilbury** also gave an update to the committee about the appointment of the new General Manager for Hornsby Shire Council, Steven Head.

2. APOLOGIES

Iain Fairbairn, Peter Freewater, Sarah Conacher, Mary Howard, David Hughes, Peter Ham, Leong Lim, Bec Mooy, Mick Pattison, Justin Pigneyguy, Stan Rees, Simon Rowe, Ingrid Segovia, Cybele Shorter and Suzanne Stuart.

3. DECLARATION OF PECUNIARY INTERESTS

No pecuniary interest were declared

4. PRESENTATION:

No presentation was organised for this meeting

5. CORRESPONDENCE and MATTERS ARISING FROM PREVIOUS MEETING

ACTION 201709: Ana **Rubio** to approach the Environment Commissioner of the Greater Sydney Commission to attend an upcoming LHEMP Committee meeting. **On-going:** The Environment Commissioner of the Greater Sydney Commission has been contacted and tentatively accepted our invitation to present at the next meeting (HSC TRIM D07285448). On 7th of September we received apologies from Mr Rod Simpson who will be overseas during November, therefore unable to present to the council on Thursday, 16th November (HSC TRIM D07295443). Mr Simpson was also contacted to attend March 2018's meeting but he is not available either however he expressed his interest in hearing how the group is working aligning with Coastal policy, MEMA, the Lower Hawkesbury River Nutrient Management Plan and any other water, fisheries and recreational boating plans (HSC TRM D07387943). Ana Rubio will keep Mr Simpson informed on the committee's work. Mr Simpson is aware of our next meeting in May 2018.

Outstanding:

- 16/11/2017 David **Burns** brought to our attention that at the August meeting discussions were raised about the potential impacts on the estuary from the illegal dumping at Spencer.

ACTION 201711: The Committee raised concerns about the potential environmental impact on the estuary from the illegal dumping in the Spencer area. **On-going:** Central Coast Council to provide an update to the committee on actions put in place to minimise any potential impacts on the estuary from the illegal dumping at Spencer

Correspondence:

- 5/Jan/2018 –notification vandalism of headstones at Bar Island
- 18/Jan/2018- Invitation to participate on reference group for Sydney Water’s Hawk-Nepean Nutrient Management Project
- 19-31/Jan/2018 – Notification *Alexandrium* bloom around Bar Island
- 16/Feb/2018 – Information on upcoming Floating Landcare activities
- 21/Feb/2018 – Leong’s amendments to minutes (see below)

6. ACCEPTANCE OF MINUTES OF PREVIOUS MEETING

Leong **Lim** proposed amendments to his point on short-term rentals. Minutes were captured as followed: ‘Leong **Lim** raised the potential issues resulting from recent planning changes that may arise from short-term rental accommodations like AIRbnb and Stayz along the foreshore of the Hawkesbury estuary impacting on water quality. Cr **Tilbury** agreed to discuss the potential issues with Leong directly’.

Proposed changes to minutes: ‘I urge the Council to note that the current LEP allows short-term rentals on properties in the River Settlements, only with approval. At the moment all Airbnb listed properties in these Settlements have ignored this requirement. This planning requirement has been reached with many considerations over many years, including the environmental sensitivities that are unique to properties on these River Settlements. Council should only change this "Environmental Living" zone requirement after with all relevant issues, especially waste management, have been considered carefully and fully. I should take it up further with Councillor Tilbury’

Council’s planners were contacted in regards to Leong’s concerns. The following response was provided in response (TRIM D07395725): AIRbnb, Stayz and other similar accommodation are a form of short-term rental accommodation that is not specifically defined by the NSW Government’s Standard Instrument Local Environmental Plan. Therefore, the Hornsby Local Environmental Plan 2013 (HLEP) currently relies on using the group term tourist and visitor accommodation to permit short-term rental accommodation in the Shire. Short-term rental accommodation is permitted with consent via this approach in various rural, residential, business, industrial special purpose and environmental protection zones under the HLEP. Relevant to river settlement properties in Hornsby Shire, short-term rental accommodation is permitted with the consent of Council in the E4 Environmental Living zone.

Guidelines for short term rental accommodation are included in the Hornsby Development Control Plan 2013 to ensure that accommodation is compatible with the scale and character of development and minimises amenity impacts on the locality. Specifically, the guidelines require that short-term accommodation is undertaken in a lawful dwelling, is on a short term basis (less than 90 days) and comprises a maximum of 6 guests. The Guidelines also requires a Code of Conduct (which outlines the responsibilities of guests during their stay) to be prepared and submitted with the development application.

However, as the Estuary Management Committee may be aware, in October 2016, the Legislative Assembly of NSW released a report on the “Adequacy of the Regulation of Short Term Holiday Letting in NSW” which provides a series of recommendations regarding the permissibility and best practice management of short-term rental accommodation. Of particular relevance, the report recommends that short-term rental accommodation be permitted across the State as either exempt or complying development by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The State Government in July 2017 subsequently released the “Short-Term Holiday Letting in NSW Options Paper” which sought to receive community feedback regarding various approaches to implement a whole of Government framework, addressing land use and

planning concerns, strata managed buildings and the amenity of existing residents. We are anticipating announcement of a legislative position by the State Government for short-term rental accommodation and are continuing to consult the Department of Planning and Environment concerning the timeframe for change but to date we have had no response.

Until such time as change to the legislation occurs, short term rental accommodation continues to require consent. If members of the Estuary Management Committee are aware of specific cases where they believe there is an unauthorised use, they can report the matter to Council and Council officers will investigate and (where identified as being unauthorised) take the appropriate enforcement action

Acceptance of minutes of the Lower Hawkesbury Estuary Management Committee meeting on Thursday 1st March 2018 including the above amendments:

Accepted: David **Burns**

Carried: Cr **Waddell**.

7. PROGRESS REPORT ON THE LOWER HAWKESBURY ESTUARY MANAGEMENT PROGRAM

Central Coast Council

Abandoned and derelict pontoons

Central Coast Council is currently managing the Federal Government Improving Your Local Parks and Environment Program Funding provided to the Clean4Shore to undertake clean-up activities in the Robertson Electorate. As part of this program a large number of pontoons (37) have been collected and removed appropriately costing close to \$10K to the program. This program's funds should concentrate on other marine debris but not bulk items. Concerns were raised about the continuous appearance of derelict pontoons despite the effort by Clean4Shore to remove them as they find them. Members of the committee were asked if they have noticed an increased number of pontoons and to keep an eye on potential illegal dumping of pontoons along the foreshore. Derelict boats specifically were also brought to the committee's attention in regards to the same issue as the pontoons (see Item in Other Business below)

Councillors visit to Bar Point

Committee members asked if Central Coast Council Councillors will be attending our meetings. Invitations to take part of the meetings have been sent to Central Coast Council- awaiting response. Cr **Tilbury** informed the committee that Hornsby and Central Coast Councillors are in communication. In fact Hornsby A Ward Councillors attended a visit to meet community members at Bar Point organised by Gosford West Ward Councillors.

National Parks and Wildlife Service

Estuary bush regeneration and restoration work:

- Continue work on bush regeneration and weed removal by supporting programs like Floating Landcare
- Bushcare camp planned on Berowra Creek on 17-18th March run in partnership with Greater Sydney LLS, Hornsby Council and the Crosslands Youth and Confention Centre and Willow Warriors
- Gentlemans Halt, Marramarra National Park bush regeneration and litter pick-up in partnership with Greater Sydney LLS (see further information below)

Hazard Reduction Burn scheduled for Coba Point –large extent of bush – potential smoke around the estuary depending on wind direction

Greater Sydney Local Land Service

Bec **Mooy** was not able to attend the meeting but she sent information to Ana **Rubio** who read out the following information at the meeting:

2018 Floating Landcare Calendar

- The 2018 Floating Landcare Hawkesbury Estuary Calendar of activities is now available on the Hornsby Council webpage <http://www.hornsby.nsw.gov.au/environment/trees-plants-and-bushland/floating-landcare>
- Hard copies with a magnet for handy display on your fridge will be available at the next meeting
- Volunteers will have the opportunity to visit and help restore and protect 14 locations on the Hawkesbury Estuary and the Pittwater
- There will be a Floating Landcare activity at Woy Woy Bay on the 17th March.

Spectacle Island Nature Reserve Floating Landcare activity

- Our trip to Spectacle Island last week saw some excellent progress being made on the Lantana patch we have been managing on our annual visits since 2014.
- The Coastal Swamp Oak Forest is showing excellent recovery thanks to the work of all volunteers that have visited over the years and the support of NPWS.

Gentlemans Halt, Marramarra National Park (24th Feb 2018)

- Twenty four volunteers including a couple of Leaders and 8 scouts from 1st Pymble Scout Group put in a great effort and collected over 30 bags of marine litter and a couple of car and truck tyres from the Mangroves and Saltmarsh.
- Excellent organising by Tegan from NPWS in advertising the day on the CUA website and grateful for the support of Therese Cobcroft Field Officer from NPWS on the day.

Floating Landcare the movie!

- A 3-minute video has been produced to promote more volunteering and potentially attract some corporate sponsorship to keep the Program afloat.
- Vera Hong (http://www.verahong.com/VERA_HONG_SECONDS_MINUTES_HOURS_PRODUCTIO_NS.html) is a film maker and interviewed 4 volunteers, NPWS Ranger Sue Guthrie and myself while on Spectacle Island last week. Video [link](#)

Funding from GSLLS for the Hawkesbury Estuary and Pittwater

- \$20 000 towards the next stage of restoration of the vegetation communities along SaltPan Creek at SaltPan Reserve Brooklyn has been approved and a funding agreement will be forward to Hornsby Shire Council next week for signing.
- GSLSS has funded Central Coast Council with \$11 000 to assist the Patonga Bushcare group with primary weed work on the dunes.
- Pittwater YHA has been sent a funding agreement for \$6000 to assist the YHA run 2 Envirofun weeding weekends with free overnight accommodation for volunteers during 2018. This is the 9th year of the YHA hosting these weekends. On average 60 volunteers participate each time the weekend is held working on Asparagus Fern removal from the Pittwater Spotted Gum Forest and Endangered Ecological Community.
- OEH NPWS have received \$15 000 for restoration of coastal saltmarsh at Mackerel Beach. The work by contractors is added to by Floating Landcare and Navy volunteers visiting the site annually

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- Hornsby Shire Council has received \$20 000 to restore the native vegetation surrounding Fishponds waterhole on the Fishponds Walk track along Berowra Creek. This project will see professional bush regeneration contractors focus on woody weeds at the site and will engage the local community and Council staff in a couple of remote bushcare days at the waterhole.
 - The project funded for Crosslands and Calna Creek is making steady progress in resorting the saltmarsh and Swamp Oak forest at both sites with contractors now being managed by both Hornsby Shire Council and NPWS

Hornsby Shire Council

Summary of implemented actions and projects was sent with the agenda of the meeting. A couple of points were mentioned in more detail at this meeting:

- The development of a whole Hawkesbury Coastal Management Program (CMP) has been on hold awaiting announcement of the State Environmental Planning Policy Coastal Management. In the meantime discussions with neighbouring councils and OEH have occurred. OEH have drafted a letter of opportunity describing the benefits of all councils working together towards having one CMP. This letter will be sent out at the beginning of April
- Sydney Water's Hawkesbury-Nepean Nutrient Management project – Sydney Water have organised a series of consultation meetings with a number of community reference groups along the estuary/river system. A number of committee members put their hand up to be part of these groups. Sydney Water will present to the committee findings once consultation finishes. In addition, as part of this consultation, Sydney Water organised a meeting with representatives of all councils managing the Hawkesbury system on the 14th March. Outcomes from this meeting will be shared at the next Lower Hawkesbury Committee meeting
- Bar Island Grave Restoration - Due to the sensitive and complex nature of these works Council has sought to employ professional practitioners in this field. In this most recent instance Council has sought advice from the contractor who undertook the recent restoration works on the headstones on Bar Island. We are currently finalising a works program for Bar Island with particular consideration to the significant damage that has occurred to several of the headstones. It is likely that works will commence in April/May and be completed later in the year. Council is also investigating a mix of security and fauna cameras to be used at the site in order to monitor future vandalism and identification of offenders. The concerns and interest expressed by local (and non-local) residents has been greatly appreciated and is a major factor in Council expediting the restoration works
- New web portal have been developed in order to collate all information on water quality from the real-time monitoring stations, rainfall, estuary health, swimming conditions and sediment monitoring. The new portal will be a one-stop information point for all the above information that previously was split in a number of web pages. If you had the previous web portal saved in your favourites you will need to update it – please use <http://www.mhlfit.net/users/HornsbyShireCouncil/>
- Wet event water quality sampling – rain events have been monitored daily in order to understand the impact of wet rain run-off into Crosslands water recreational site. So far only small and medium size events have been monitored. Waiting for a large rain event to occur.
- Work on steps connecting Upper and Lower McKell Park (behind the playground) will take place in March. Aiming to have them completed by April.
- Resurfacing carpark at Crosslands -Monday 12 March – Tuesday 13 March – no access during this time
- Contribution to Brooklyn Gateway newsletter on the work undertaken by Brooklyn Bushcare

8. GENERAL BUSINESS

Other Business

Harry Recher: Derelict and abandoned boats along the river foreshore

- Harry sent an email to the committee to raise awareness of the increasing number of tinnies (<5m in length), ski boats and small sailing boats. In particular, derelict boats are appearing along Dangar foreshore, east of the rail line at Brooklyn, Cogra Bay and at Bar Point. Harry suggested that RMS should consider a levy attached to all boat registrations (or new boat sales) to go into an account to fund removal of abandoned, wrecked and derelict boats.

David **Miles** was not very supportive of a levy option during boat registration as he can envisage that the current RMS system is not set-up to keep that levy towards the removal of derelict boats whenever it is needed. David Miles is happy to assist in exploring options within RMS to deal with this issue.

Future Meetings

Next meetings in 2018 are scheduled on:

- 24th May
- 23rd Aug
- 22nd Nov

You can access information on meeting dates and previous minutes from

<http://www.hornsby.nsw.gov.au/environment/water-catchments/hawkesbury-estuary/lower-hawkesbury-estuary-management-committee-meetings>

CLOSE Meeting closed at 7:45pm