
Minutes of the 33rd Meeting of the
Lower Hawkesbury Estuary Management Committee
Thursday 16th November 2017
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			
Mr	GANASSIN	Carla	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		
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			

Presenters and observers: Marlene van Der Sterren and Tiffany Chen from Sydney Water. Peter Coad from Hornsby Shire Council also attended the meeting as an observer

1. WELCOME

Meeting opened at 18:15. Meeting was chaired by Cr **Tilbury**. Julie **Ryland** introduced Cr **Waddell** to the committee as the Deputy Chair. Cr **Tilbury** gave a brief overview on the outcome of council elections including Councillors and Mayor elected. Cr **Tilbury** welcomed new representative of NSW Office of Environment and Heritage Peter Freewater and Sydney Water presenters Marlene van Der Sterren and Tiffany Chen.

2. APOLOGIES

Andrew Fenwick, David Hughes, Peter Ham, Cr Marr, Mick Pattison, Stan Rees, Simon Rowe, Joanne Scarsbrick, and Suzanne Stuart.

3. DECLARATION OF PECUNIARY INTERESTS

No pecuniary interest were declared

4. PRESENTATION:

Marlene van Der Sterren and Tiffany Chen from Sydney Water gave a presentation about the 'Hawkesbury Nepean River and South Creek model'.

Aim of the model:

- Provide guidance on the likely quantitative differences in water quality and quantity when contrasting different catchment conditions, environmental flows, wastewater discharges and land use scenarios over time
- Inform planning for growth and consider potential future changes to Sydney Water's Environment Protection Licences

Model development finished in 2011- upgrade work will take place next year (2018)

Spatial scale: entire Hawkesbury Nepean (HN) River (260km) from Warragamba Dam on the Warragamba River, and Pheasants Nest and Broughton Pass weirs downstream of the Upper Nepean dams, to the ocean.

Model components: Catchment model (input of land uses and run-off and daily flows into river systems downstream of dams) + 3D hydrodynamic model TUFLOW FV (tidal levels, flows, salinity, wind and temperature) + Water Quality model AED (nutrients, algae and bacteria) + ecological modelling using EcoModeller to generate macrophyte abundance (i.e. *Egeria densa*) = model output in database Hawkeye which is the interrogation tool that allows data output analysis. The latter module forms the toolkit that stakeholders will be able to access to assess model outputs in order to better understand the performance of the HN River based on specific scenarios.

Output variables of the model: Depth and flow; Velocity; Nitrogen & Phosphorus; Silica; Total Suspended Solids; Algae; Total Organic Carbon and Dissolved Organic Carbon; Dissolved oxygen; *Egeria densa*; Temperature (wind forces are included)

Current scenarios are using land uses based on 2011, 2030 and 2050

The weather (i.e. rainfall) sequence chosen was the 1985-94 period as it includes a mixture of wet, dry and average years, plus it is the period frequently used for government modelling projects. Environmental flows - 3 different scenarios with different discharges to protect environmental flows Results are compared to ANZECC guidelines and the Healthy Rivers Commission thresholds

The model has significantly improved our ability to evaluate management and planning scenarios, especially in terms of their relative impact on flows and water quality. The model is currently being used to understand the water quality impacts that may occur in response to the different wastewater treatment plant options being considered to service population growth in the HN catchment

Current limitations of the model:

- Detail information of what is going on in South Creek (currently undertaking bathymetry assessments)
- Sedimentation parameters are based on Total Suspended Solids (this is not a true representation of localised foreshore erosion or it does not represent well flood scenarios)
- There is a need to make the land use maps more flexible to fit the model requirements
- Biological modelling – there is a technical issue with the Source catchment module
- Nutrient-algae linkages need to be better understood as currently this process is not well captured in the model. Future field work between OEH and Sydney Water will aim to solve this knowledge gap.
- Further information is needed in regards to the modelling of bacteria (Faecala, Enterococci and E.coli levels)

Relevant notes from questions to presenters:

- The model does not include chemicals (i.e. pesticides, hormones, antibiotics..) this is of special interest to the commercial fishers
- The model will be able to generate fuel spills for example by putting passive drifters
- Land use and % impervious surface are key inputs to the model. Hence the better the data we upload to the model the more accurate output
- Similar models and toolkits have been developed for the Parramatta and George's River

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 his is not available (HSC TRIM D07387943). Mr Simpson is aware of our next meeting in May 2018.

ACTION 201707: Ana **Rubio** to contact Ross McPherson to present at upcoming LHEMP Committee meetings about Ross' overview on the changes that have occurred in the Lower Hawkesbury – in particular in relation to water quality. **Complete:** Ross is scheduled to give a presentation to the group on the August meeting (HSC TRIM D07382361)

ACTION 201710: Julie **Ryland** to follow up with the various branches of Hornsby Shire Council to collate information on assistance that council can provide on the issue of boats and trailers parked in all year around at Parsley Bay. **Complete:** Julie liaise with the Traffic Team and the Parks and Recreation Team in Council. Ranges followed up proactively with cars and trailers left at Parsley Bay (HSC TRIM D07288316)

- 11/9/2017 Transport NSW Contact details for Hornsby Junction Remodelling project
- 9-27/10/2017 Information on the progress of *Alexandrium* algae bloom
- 9/10/2017 Information on available activities as part of Floating Landcare and NPWS

- 20/10/2017 Introduction of new Councillors representatives for the Lower Hawkesbury EMP Committee
- 7/11/2017 Community Engagement Strategy and consultation survey
- 7/11/2017 Public submission for the Marine Estate Management Strategy
- 16/11/2017 David **Burns** brought up to our attention that at the August meeting discussions were raised about the potential impacts on the estuary from the illegal dumping at Spencer. This item has been passed on to Central Coast Council. Further information will be sent by email in the New Year and presented at the next meeting.

6. ACCEPTANCE OF MINUTES OF PREVIOUS MEETING

Ray **Frater** thanked Hornsby Shire Council for assisting with the cars and trailers parked long-term at Parsley Bay prior to the Bridge to Bridge race.

Minutes of the Lower Hawkesbury Estuary Management Committee meeting, Thursday 17th August 2017.

Accepted: Ray **Frater**

Carried: Unanimous.

7. PROGRESS REPORT ON THE LOWER HAWKESBURY ESTUARY MANAGEMENT PROGRAM

Central Coast Council

- New Council in place with better direction interested in environmental issues
- Moving focus onto the estuary and water quality
- Key support towards the Clean4shore Program during the next 3 years - 6 months from the start of funding, 12 tonnes of waste removed, problem of derelict pontoons (navigational issues, please pass on info on pontoons along the estuary)
- Fixing seawall at Patonga Creek

Comments:

- Peter **Freewater** brought up Oceanwatch Australia's project on 'Living Shorelines' as they are currently looking for the right areas to deploy oyster bags in Brisbane Waters and potentially in the Hawkesbury
- John **Andrews** brought up the opportunity for Hornsby and Central Coast to develop partnerships

National Parks and Wildlife Service

- Great outcomes from restoration projects
- Continue support through Floating Landcare
- Identified new focus areas for 2018: Milsons Passage and Coba Point (to do more proactive work) and Singleton Road as there is increasing recreational activity that is impacting on the foreshores

Comments:

- Hazard reduction burns – there will be none in summer, they get done in spring and autumn
- Leong **Lim** enquired about upgrading the signs in national parks. This issue has been identified by NPWS but it is a low priority as new type of signs are expensive

Greater Sydney Local Land Service

- Floating Landcare: 15 activities in Hawkesbury + 5 activities on Central Coast in 2017
88 Floating Landcare activities held since 2012 (77 activities attended by community volunteers and 11 by corporate groups)
- GSLLS has provided funding to NPWS for bush regeneration projects at Lyrebird Gully & at Crosslands
- GSLLS has provided 2018 funding to Hornsby Council for bush regeneration at Fishponds and it is currently assessing funding for Saltpan Reserve in Brooklyn

-GSLLS in partnership with Floating Landcare and Clean4Shore have been involved in 3 prestigious awards

Hornsby Shire Council

Reference was made to the summary of activities undertaken since the last meeting that is being sent around prior to the meeting. A couple of activities were mentioned in more detail at this meeting:

-Discussions with Central Coast Council and OEH have taken place in regards to developing a new estuary plan for the Hawkesbury now called a Coastal Management Program (CMP). There was agreement from both councils in developing a new plan as the current plan is mostly implemented. Further conversations will take place before the end of the year with other neighbouring councils to extend the spatial coverage from the tidal limit at Yarramundi to the mouth. Discussions will be held with Council representatives of Hawkesbury City Council, The Hills Shire Council and Northern Beaches Council.

Comments:

-Peter **Freewater** is involved in Sydney Harbour CMP which involves 12 different councils and will cover similar spatial extent. The first two workshops as part of the process have been recently undertaken with key government groups / stakeholders and community representatives

-On-ground bush restoration and regeneration work continues around Brooklyn/ Kangaroo Point/ Bar Island

-Enhancement of saltmarsh at Crosslands Reserve

-Brooklyn boardwalk upgrade – Stage 1 completed.

-Funding application to GSLLS to work on Stage 3 of bush regeneration at Saltpan Reserve. This reserve is highly diverse as there are 8 important vegetation communities. Stage 3 work will focus on the creek line on the western side including weed removal, stabilisation of the creek, enhancement of a wetland/pond to assist with the improvement of water quality in the creek

-New catchment health program ('Ecohealth Program') implemented at 33 sites across the shire that includes extensive assessments of geomorphology, riparian vegetation and water quality including macroinvertebrates

Comments:

-**Sydney Water** expressed interest in the data from this program in order to improve the Hawkesbury-Nepean River model

-Toxic algae bloom impacted areas of Brooklyn to Gunyah Beach. Bloom of *Alexandrium pacificum* exceeded public health warnings and persisted for 23 days (longer than usual). Good assistance from the oyster industry and researchers at UTS in managing the bloom

Comments:

-Cybele **Shorter** mentioned that a few fish were found dead on Dangar beach soon after the bloom was announced

-Media release sent to gather interest from high schools in the shire wanting to participate in the Clean4Shore Program.

-A3-posters developed to raise awareness of migratory birds following up from Dangar's 'Take the Lead' project. Posters have been installed at Brooklyn wharf, Dangar wharf, Dangar community centre and Dangar Ferry.

Comments:

-Broniek **Karcz** enquiry about the possibility of engaging community in bird counts in future efforts to raise awareness of migratory birds along the estuary

8. GENERAL BUSINESS

Other Business

-Leong **Lim** urged 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 much

consideration 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. Leong should take it up further with Councillor Tilbury.

In response to Leong's enquiry Council's planning department provided the following information that was passed on to Leong on 21st February (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 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.

-John **Andrews** gave a quick overview about Peat Island development proposal. In October 2016, Property NSW lodged a revised Planning Proposal with Council and in March 2017 Council endorsed the proposal. The proposal was granted Gateway Determination by the Department of Planning in August 2017. There has been a 3 month community consultation. Hornsby Council attends an on-site meeting and council submitted their comments on the new plan.

-Hornsby Council has developed a community consultation survey. Members are encouraged to participate as responses will form the next community strategy report

-Draft Marine Estate management Strategy is currently up for comment (deadline 8th Dec)

Future Meetings

Dates for meetings in 2018 will be sent out early in January 2018

CLOSE Meeting closed at 8:45pm