

SHOALHAVEN CITY COUNCIL

SHOALHAVEN HEADS ESTUARY TASKFORCE

to be held on Wednesday 30 March, 2016
commencing at 4.00pm

City Administrative Centre
Bridge Road
NOWRA NSW 2541

Thursday 24 March, 2016

Dear Member

NOTICE OF MEETING

You are hereby requested to attend a meeting of the **Shoalhaven Heads Estuary Taskforce** to be held on **Wednesday 30 March, 2016**, commencing at **4.00pm** in the City Administrative Centre, Bridge Road, Nowra in Jervis Bay Room 1&3 for consideration of the following business.

Yours faithfully

R D Pigg
General Manager

Please note that refreshments will not be supplied at this meeting

BUSINESS OF MEETING

1. Apologies
2. Minutes of Previous Meeting
3. Declaration of Interest
4. Report of Planning and Development
5. Addendum Reports
6. General Business

MEMBERSHIP – Quorum (3)

Clr Guile - Chairperson	Graeme Philpott
Clr Gash - Mayor	Allan Richardson
Clr Wells	Mike James
Clr Kearney	Phil Guy
Clr McCrudden	David Lamb
Gerald Groom	Bob Williamson
Jessica Zealand	Barry/Brian Allen
State Member – Gareth Ward MP (Nominee - Paul Ell)	Craig Peters Stephen Short

Cell Phones:

Council's Code of Meeting Practice states, "All cell phones are to be turned off for the duration of the meeting".

Purpose

- Examine options for pursuing a partial or complete opening of Shoalhaven Heads
- Review Councils current Entrance and Estuary Management Plans for Shoalhaven Heads
- Report directly to Council

Objectives

1. Address the current build up of sedimentation and sand levels within the estuary.
2. Investigate the viability of options to create greater flow and movement of water within the estuary, including a Permanent Opening.
3. Update and review the Shoalhaven River Entrance Management Plan to include provisions that restore, maintain and sustain the health of the Shoalhaven Heads estuary; not just for the purpose of Flood Mitigation.
4. Ensure the objectives and actions for sustaining the Shoalhaven River within the Shoalhaven River Estuary Management Plan are effective.
5. Challenge the Healthy River Commission assertion in the Shoalhaven Estuary Management Plan (Clause: 4.3.1.2) as unacceptable to the community of Shoalhaven Heads.
6. Formulate a time lined programme of actions to achieve the above requests.

MINUTES OF THE SHOALHAVEN HEADS ESTUARY TASKFORCE MEETING HELD ON WEDNESDAY 9 DECEMBER 2015 IN JERVIS BAY ROOM 1, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4.02PM

The following members were present:

Clr Guile – Chairperson
Clr Kitchener
Clr White
Clr Wells
Gareth Ward MP – arrived at 4.07pm
Graeme Philpott
Mike James
Allan Richardson
Phil Guy
Gerry Groom
David Lamb
John Greenaway
Steve Short

Others Present:

Russ Pigg – General Manager
Tim Fletcher – Director Planning and Development
Kelie Lowe – Environmental Services Manager
Isabelle Ghetti – Natural Resources & Floodplain Manager
Ailsa Schofield – Senior Floodplain Engineer

Apologies

Apologies were received from Jessica Zealand, Clr Kearney, Clr Gash

1. Minutes of Previous Meeting

MOTION

Moved: Phil Guy / Second: Clr Wells

RESOLVED that the Minutes of the meeting of the Shoalhaven Heads Estuary Taskforce held on Wednesday 23rd September 2015 be confirmed.

CARRIED

Business arising from the previous Minutes:

Phil advised that in the previous minutes a motion to provide the report regarding lessons learnt from the recent flood was not in the minutes.

Staff advised that the report had been provided to the members.

PLANNING AND DEVELOPMENT

2. Study to investigate options for improving flows of the Shoalhaven River at Shoalhaven Heads File 9825E
-

Note: The Committee welcomed Dr Will Glamore

Dr Glamore advised that there will be no formal presentation and that he would just talk to the Committee in relation to the report (Management Options for Improving Flows in the Shoalhaven River at Shoalhaven Heads).

Note: Gareth Ward MP arrived at the meeting.

Dr Glamore and the Committee discussed the following:

- The Draft Report is a total summary from an environmental perspective.
- The data doesn't show that there is a significant problem with the water quality in environmental perspective.
- There is a lack of recent data and they worked with what data and information that was available.
- Addressing certain issues can be done through re doing the flood study.
- The main cost in relation to any grain is how deep it needs to be, the 2-3m depth cost is in the report.
- The funding for the review of the lower Shoalhaven was not successful. Staff will need to prioritise work projects as to what can be done with Council funding.

The Committee asked if a levy can be put on the rates of affected areas to cover the cost of a flood study.

Russ Pigg advised that an increase in general purpose rating would require extensive community consultation along with other formalities.

Kelie Lowe stated that a report would be required to go to council in relation to funding for a flood study. \$100,000 over 3 years would be required for the lower Shoalhaven flood study

Gareth Ward advised that the State funding is approved through OEH, it is never guaranteed, however a meeting can be arranged with OEH and staff to talk about why Shoalhaven City Council was not successful and can talk about approaches for future funding.

Allan Richardson would like to see the parameters widened on Page 51 of the report and the options of closed vs open to be considered.

Ailsa Schofield advised that Council will now need to do the flood study by itself given that Council was not successful with the funding application. Council will need to prioritise the studies and projects, and approach in stages.

Graeme Philpott said that the Taskforce was supposed to be kept informed of boat moorings.

The Committee raised an interesting topic that Cleary Bros had previously offered to conduct dredging in the lower estuary, will there be consideration for that type of arrangement in the future.

Isabelle Ghatti advised that an example was the Expression of Interest for the Currumbene Creek dredging; the industry was not satisfied that it was commercially viable.

Dr Glamore advised that they exercised the idea of a rock/retaining wall to push water up into the bay, however to make it go far enough to make an impact, the wall will need to go almost up to the bay.

Clr Wells advised that the DA approval for a rock wall would have been given back in the 70's however to access the site the contractors would need to traverse Council land.

Tim Fletcher advised that its hard to comment on dredging near Old Mans Island without further investigation.

MOTION: Moved: Graeme Philpott / Second: Allan Richardson

RECOMMENDED that:

- a) The Shoalhaven Heads Estuary Taskforce support the findings of the investigations into improving flows for the Shoalhaven River; and
- b) Council adopt the report and implement its recommendations;
- c) The parameters of the proposed flood study be widened to consider whether or not an open entrance at Shoalhaven Heads would reduce the impact of flooding and whether the long term economic benefits of so doing, would justify the cost of creating such an entrance;
- d) Council consider quality testing in Shoalhaven Heads throughout the tidal cycle;
- e) Council thank Will Glamore for the thorough report

CARRIED

3. Additional Item – Dredging – Shoalhaven Heads File 4025E, 9825E

MOTION: Moved: Clr Wells / Second: Stephen Short

RECOMMENDED that:

- a) Council request the consultant to undertake a desktop analysis of various options of the channel on the north side of Old Man Island to determine flow potentials of those options and the cost of the canal be funded from existing resources, which if found to be inadequate with the subject of the December quarterly review;
- b) Results of the desktop analysis be reported back to the committee.

CARRIED

4. Recommendations from Strategy and Assets Committee for the Lower Shoalhaven River
File 4355E, 1799E

MOTION: Moved: Phil Guy / Second: David Lamb

RESOLVED that the report regarding Recommendations from Strategy and Assets Committee for the Lower Shoalhaven River be received for information.

CARRIED

MOTION: Moved: Gareth Ward MP / Second: Graeme Philpott

RECOMMENDED that Council:

- a) Convene through the office of Gareth Ward MP, a meeting with OEH and other relevant agencies to discuss the holistic approach to the lower Shoalhaven river management scheme;
- b) Also invite the Minister for Environment (the Hon Mr Mark Speakman MP) to meet at Shoalhaven Heads with members of the taskforce to discuss future options for the lower Shoalhaven estuary.
- c) Report back to the Committee once the above meetings have taken place.

CARRIED

GENERAL BUSINESS

5. Additional Item

The Chairperson and the Committee thanked Gareth Ward MP and Dr Glamore for attending the meeting.

There being no further business, the meeting concluded, the time being 5.30pm.

Clr Guile
CHAIRPERSON

REPORT OF GENERAL MANAGER
SHOALHAVEN HEADS ESTUARY TASKFORCE
WEDNESDAY, 30TH MARCH 2016

PLANNING AND DEVELOPMENT

1. **Study to investigate options for improving flows of the Shoalhaven River at Shoalhaven Heads-update** **File 9825E**
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SECTION MANAGER: Kelie Lowe

PURPOSE:

To update the Taskforce members on the status of this project.

RECOMMENDED that:

- a) **A memo from Dr Will Glamore on the additional investigation be included as an appendix to the report 'Management Options for improving flows of the Shoalhaven River at Shoalhaven Heads'**
- b) **Dr William Glamore be invited to a public meeting at Shoalhaven Heads to present the findings of his report**
- c) **A brochure summarising the findings of the report be sent to all Shoalhaven Heads residents and be placed on Council's internet**
- d) **A media release be organised to present the findings of the report**
- e) **Progress on the status of implementation of the recommendations of the report be presented to Council on a regular basis through its Natural Resources and Floodplain Management Committee**
- f) **That members of the Taskforce be thanked for their active contributions to this study.**

OPTIONS

- 1. **Adopt the recommendation of this report.**
- 2. **Propose and justify an alternate recommendation.**

DETAILS

At its last meeting, the taskforce considered a draft report from Dr Will Glamore. Following discussion on the draft report, a series of recommendations to Council were made, these recommendations were related to:

Additional investigation;

- i) implementation at Dr Glamore's report recommendations; and
- ii) meeting with State Government.

These recommendations from the Taskforce were reported to the Council meeting on Tuesday 15th December 2015. Council's resolution and progress on implementation is described below.

Additional investigation

Following consideration of the Taskforce recommendations, Council resolved on 15 December 2015 (min 15.823) that:

- a) *Council request the consultant to undertake a desktop analysis of various options of the channel on the north side of Old Man Island to determine flow potentials of those options and the cost of the canal be funded from existing resources, which if found to be inadequate with the subject of the December quarterly review; and*
- b) *Results of the desktop analysis be reported back to the committee.*

Status: Council engaged Dr William Glamore on 22 December 2015 to carry out the additional modelling as requested by the taskforce and Council. A desktop analysis of expanding the channel to the north side of Old Man Island to determine flow potentials (with an open entrance) using the existing hydrodynamic model modified with an open entrance at Shoalhaven Heads and two alternate channel dimensions was undertaken. Dr Will Glamore will attend the meeting to present the results of the additional work and discuss the findings with committee members.

Implementation of investigations into improving flows for the Shoalhaven River recommendations

Following consideration of the Taskforce recommendations, Council resolved on 15 December 2015 (min 15.822) that:

- a) *The Shoalhaven Heads Estuary Taskforce support the findings of the investigations into improving flows for the Shoalhaven River;*
- b) *Council adopt the report and receive report back on the implementations of its recommendations;*
- c) *The parameters of the proposed flood study be widened to consider whether or not an open entrance at Shoalhaven Heads would reduce the impact of flooding and whether the long term economic benefits of so doing, would justify the cost of creating such an entrance;*
- d) *Council consider additional water quality testing in Shoalhaven Heads throughout the tidal cycle;*
- e) *Council thank Will Glamore for the thorough report.*

Status:

The recommendations of the report from Dr William Glamore are summarised in the table below together with comments on implementation

Recommendations of report	Comments on implementation
<p>1. A catchment wide approach to water quality is encouraged to address acid sulphate soils discharges, point source contamination issues, nutrient concerns and riverbank erosion/sediment transport. This recommendation aligns with HRC (1999) and the Estuary Management Plan (2008) recommendations.</p>	<p>Acid Sulphate Soils issues are currently being managed through the staged implementation of the Lower Shoalhaven River Drainage Remediation Action Plan (WRL, 2014). The first stage include a best practice demonstration site and engagement/education of farmers in partnership with LLS (value \$100,000). Partnership with LLS to engage with dairy farmers on ASS issues should also result in better awareness of catchment impact and improved practices.</p> <p>A budget bid was prepared for consideration in Councils 2016/17 budget to purchase and install an in-stream water quality monitoring buoy.</p>
<p>2. The Shoalhaven River flood study should be reviewed and updated to incorporate modern computational methods. Originally completed in 1990, the flood study for the region could be improved to address:</p> <ul style="list-style-type: none">• Refined entrance design levels, opening dynamics and dredging effects;• The role of Berry's Canal as the preferential flow path during moderate to large floods in light of the expansion of the canal and the implications to discharge at the Shoalhaven Heads entrance;• Implications of Broughton Creek flooding levels and alternative triggers for localised floods;• Concerns with vegetation encroachment at the entrance and infilling dynamics of the bay;• Climate change implications.	<p>The Shoalhaven River Flood Study is due to be reviewed as the floods of June 2013 and August 2015 provide good information for calibrating a new contemporary flood model.</p> <p>Council will aim to start the review, of the flood study in 2016/17 financial year and will request funding from the State Government flood program.</p> <p>The brief to the consultant will include the recommendations of this report</p>
<p>3. An educational program is recommended to highlight that the water quality within and around Shoalhaven Heads is of good quality, that circulation is sufficient, and that the estuary undergoes cyclical processes</p>	<p>Educational material will be developed as part of the current project by Dr Will Glamore and his team. It is proposed that a brochure summarising the findings of Dr Will Glamore report be distributed to all Shoalhaven residents and placed on Council's website.</p>

<p>naturally opening and closing the entrance. The education campaign should also ensure that the community is prepared for future flood events, understand the broad acre acid sulphate soil concerns in the estuary and acknowledge the temporary nature of the shoals within the bay.</p>	<p>In addition it is proposed to hold a public meeting with Dr Will Glamore at Shoalhaven Heads to present the findings of this study.</p>
<p>4. Significant efforts should be made to address water quality issues affecting the oyster industry at Berry's Bay. A catchment approach is recommended to identify pollutant sources, undertake corrective measures and improve response measures to floods and fresh water events. The numerical model developed for this study could be used to further refine salinity and rainfall values currently used as the 'conditionally restricted' or 'closed' triggers. These triggers should align with the variable nature of the estuary.</p>	<p>Onsite sewage management at St Andrew's Way is continuing to be monitored and reviewed with a view to improve sewage management and potential impacts on oyster industry. A benefit cost analysis for connection to the sewer is also being undertaken.</p> <p>Nowra and Bomaderry STPs/REMS upgrade in progress.</p> <p>Partnership with LLS to engage with dairy farmers on ASS issues should also result in better awareness of catchment impact and improved practices.</p> <p>Council, NSW food authority, ocean watch, NSW ERPA, oyster growers meet to discuss and progress this issue. Meeting on 23/10/2015 showed general support for numerical model to be developed to refine oyster closure triggers and duration with potential funding from the Aquaculture Research and Advisory Committee</p>

In regard to item d), of the December resolution, a budget bid application has been prepared for Council consideration in the 2016/17 budget preparation by Environmental Services staff. The application is to deploy another water quality monitoring probe attached to a buoy or alternatively to the jetty at Shoalhaven Heads with a view to monitoring salinity in real time. Data collected would be available on Council's website in due course. At the time of writing this report the status of the budget bid has not been finalised.

Meeting with State Government

Following consideration of the Taskforce recommendations, Council resolved on 15 December 2015 (min 15.824) to:

- a) *Convene through the office of Gareth Ward MP, a meeting with OEH and other relevant agencies to discuss the holistic approach to the lower Shoalhaven river management scheme;*

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- b) *Also invite the Minister for Environment (Mr Speakman) to meet at Shoalhaven Heads with members of the taskforce to discuss future options for the lower Shoalhaven estuary; and*
 - c) *Report back to the Committee once the above meetings have taken place.*

Status: Council has approached Gareth Ward to organise a site meeting with the Minister, members of the taskforce and state government agencies including Local Land Services so that a holistic, inter agency approach to the management of the Lower Shoalhaven River can be discussed. A meeting in Sydney with the Minister has been confirmed.

FINANCIAL IMPLICATIONS:

The total value of the study to date is \$99,800 (exc GST). The additional modelling work requested by the taskforce is valued at \$7,455 (exc GST). Bringing the overall cost to \$107,255 which is \$7,255 above the allocated \$100,000 for this project. The over expenditure has been funding from Council's flood budget.

Implementation of the reports recommendation will be accommodated through existing budget where possible, or subject to additional budget bids such as the \$10,280 for installation of a water quality buoy plus on-going maintenance.

COMMUNITY ENGAGEMENT:

The community will be engaged, informed and consulted as outlined in this report.

2. Boat Building Factory and Boat Mooring Facilities - 1178 Comerong Island Rd, Numbaa - Lot 2 DP 1077521 File DA84/2166

SECTION MANAGER: Cathy Bern.

PURPOSE:

Provide information as requested to the Shoalhaven Heads Estuary Taskforce on the proposed boat building facility at Numbaa and works currently being undertaken on-site.

DETAILS

Background

In 1984 a development application (DA84/2166) was submitted to construct a boat building factory with launching and mooring facilities at 1178 Comerong Island Rd, Numbaa - Lot 2 DP 1077521. The proposal included the relocation of a yacht factory from South Nowra to Numbaa which would permit the construction and launching of yachts up to 14m in length and the ability to moor yachts of up to 20m in length in the proposed basin mooring facility. The main reasons given for the proposal being the direct deep water access and thereby access to the ocean with no height restrictions such as power lines and bridges.

In 1989 Council issued development consent for the boat building factory and boat mooring facilities. The consent, as later amended, approved the construction of the factory building

and excavation of a boat basin opening into Berry's Canal (**Attachment A** – location plan). The basin was excavated in 1993 with excavated material stored on-site to provide fill material for the factory building. To date the factory has not been constructed and the boat basin has not been opened into Berry's Canal.

In 2012 Council approved a modification (DS12/1325) of the consent permitting excess excavated stockpiled material not required for the factory building to be screened, washed and removed from the site. In 2014 the consent was further modified (DS14/1014, DS14/1168 & DS14/1331) to permit additional excess stockpiled material to be removed from the site. Modification DS14/1014 also inserted new conditions 33 and 35 requiring an Acid Sulfate Soils Management Plan (ASSMP) and Construction and Environmental Management Plan (CEMP) to be submitted to Council prior to the opening of the basin to Berry's Canal. The CEMP to provide details on:

- the assessment of water quality in the basin and canal prior to opening,
 - specific measures that will be employed to prevent the release of water polluting Berry's Canal,
 - erosion and control measures for land based works, and
 - specific bank stabilisation works to be undertaken in and around the basin opening.
- # (**Attachment B** – S96 Modification Consent DS14/1014).

Current works on site

Works currently being undertaken on-site include the screening, washing and removal of excess stockpiled material located on the western, southern and eastern sides of the basin. An ASSMP has been submitted to Council and the CEMP is currently being developed.

Tim Fletcher
DIRECTOR, PLANNING AND DEVELOPMENT SERVICES