



NSW Legislative Assembly Hansard

Sydney Water Catchment Management Amendment (Warragamba) Bill

Extract from NSW Legislative Assembly Hansard and Papers Tuesday 26 September 2006.

Second Reading

Mr BOB DEBUS (Blue Mountains—Attorney General, Minister for the Environment, and Minister for the Arts) [9.05 p.m.]: I move:

That this bill be now read a second time.

The Sydney Water Catchment Management Amendment (Warragamba) Bill allows for a minor change to the Sydney Water Catchment Management Act 1998 to de-proclaim 494 hectares of the Warragamba Special Area. The amendment is necessary because Sydney Catchment Authority [SCA] Special Areas can, for very good reasons, be repealed only by an Act of Parliament. This change is important because it will allow the local Wollondilly Shire Council to access SCA land to provide important recreational opportunities to the local community. It will also streamline the regulatory processes because this land is presently being regulated to protect water quality despite the fact it is downstream of any water storage facilities. Special Areas are tracts of land adjacent to SCA dams. The SCA regulates access and other activities on these lands to protect the quality of the water in a dam, or to maintain ecological integrity. Restrictions on access and activities in Special Areas apply only to land owned by the SCA or the Crown and do not apply to privately owned land.

When the Warragamba Special Area was first proclaimed in 1942 it included the protection of a catchment area surrounding Warragamba Weir. The weir was part of the Warragamba Emergency Supply Scheme built in the 1940s as an emergency measure during the 1934 to 1942 drought, and it continued to be used during the construction of Warragamba Dam. Warragamba Weir is downstream of Warragamba Dam and has since been decommissioned. In other words, this portion of the Warragamba Special Area is an historical legacy because the weir is no longer used as a water supply source. That is, the area is outside the hydrological catchment because it no longer drains to any water supply. I can reassure the House that there is no intention to de-proclaim any Special Area lands upstream of the Warragamba Dam wall because those lands do form part of the hydrological catchment that drains into Lake Burragorang. These lands are vital for the protection of water quality in the lake and will remain Special Areas.

As I said, the bill has a very practical outcome. De-proclaiming this portion of the Warragamba Special Area means that the SCA can now formally consider and support the local council's request to acquire an SCA picnic ground that is adjacent to the council's community recreation facilities. The council facilities also include tennis courts and an oval. When the bill is enacted, the council will be in a position to consider constructing a proposed community centre and to provide additional open space for community recreation activities for Warragamba residents. I am aware that the honourable member for Camden supports this outcome for his local community. The aspirations of council to provide additional facilities to the community are not possible under the current Special Areas classification.

As I said, de-proclaiming the Warragamba Special Area will also result in the removal of unnecessary regulations that are presently placed on the Warragamba community. The portion of the Warragamba Special Area to be de-proclaimed includes the townships of Warragamba and Silverdale. While Special Area restrictions on access do not apply to privately owned land, some activities, such as the operation of on-site sewage management systems and animal husbandry, are strictly regulated in Special Areas regardless of the ownership of the land. The Government is keen to ensure that unnecessary regulations and impacts on private landowners are avoided. Where the bill de-proclaims Warragamba Special Area land, and that land contains Sydney Catchment Authority infrastructure, the land will be declared to be what is known as a "controlled area". This will occur under the Sydney Catchment Authority's existing regulation-making powers, ensuring continued restricted access to those lands containing water supply related infrastructure. I commend the bill to the House.