Appendix A: Roles and responsibilities of stakeholders

Sydney Catchment Authority

The roles and responsibilities of the Sydney Catchment Authority (SCA) are specified by the Sydney Water Catchment Management Act 1998. Section 13 of this Act identifies the SCA’s role to manage and protect the catchment areas and catchment infrastructure works, be it a supplier of bulk water, or to regulate certain activities within, or affecting, the outer catchment and inner catchment areas. The principal objectives of the SCA, defined in the Act, are to ensure the catchment areas and infrastructure are managed and protected to promote water quality, the protection of public health and safety and the protection of the environment. The Act also enables an Operating Licence to be issued to authorise the SCA to provide, construct, operate, manage and maintain systems and services, in order to achieve its objectives.

The Act also requires the SCA to make arrangements with Sydney Water Corporation on the standard of the quality of the water supplied from the Sydney Drinking Water Catchment (the Catchment) to Sydney Water. The Bulk Water Supply Agreement (BWSA) addresses the supply of raw water to customers (primarily Sydney Water). This agreement specifies the quality of raw water that is to be supplied to the water filtration plants.

The SCA has a Water Management Licence, administered by the NSW Office of Water (NOW – formerly Department of Water and Energy), for its activities in relation to the abstraction and use of water from identified water sources and water management works. The licence also specifies the quantity of water that must be made available for environmental purposes.

The SCA regulates activities in the special and controlled areas likely to impact on its ability to supply high quality raw water to its customers through the Sydney Water Catchment Management Regulation 2008. The SCA jointly manages the Special Areas with the Department of Environment Climate Change and Water (DECCW) under the Special Areas Strategic Plans of Management. The Plan sets the framework for a high level of protection of the natural and cultural heritage in these areas, and maintain the areas as intact buffers for the storages.

The Sydney Water Catchment Management Regulation 2008 allows SCA to exercise power under the Protection of the Environment Operations Act 1997 for non-scheduled activities. These powers may be exercised when protecting catchment areas or protecting and enhancing the quality of water in catchment areas.

The SCA is also involved in the development and assessment processes in the Catchment under the Environmental Planning and Assessment Act 1979 (EP&A Act) through a concurrence role of the Regional Environmental Plan N.1 (REP 1) which replaces the previous SEPP 58, assisting in the protection of Sydney’s drinking water supply.
Department of Environment Climate Change and Water NSW

On 11 June 2009, the Premier announced significant public sector reforms to reduce the number of agencies from 160 to 13. As part of this reform, the NSW Government brought together a number of environment and natural resource management related responsibilities and services into one organisation to:

- provide an integrated response to the unprecedented challenges of climate change
- progress reforms in sustainable management and regulation of our natural resources
- effectively manage our terrestrial and marine parks and reserves.

DECCW builds on the strengths of its combined agencies and uses that knowledge, science, innovation, and regulatory and field experience to tackle priority environmental, climate change, natural resource and cultural heritage issues for NSW.

The Government has combined responsibilities of the former Department of Environment and Climate Change with the water responsibilities of the former Department of Water and Energy. DECCW reports to the Minister for Climate Change and the Environment and the Minister for Water.

As part of the public sector reform, the new NSW Office of Water (NOW) has been established within DECCW. NOW is responsible for strategic management of the State’s surface water and groundwater resources.

DECCW is the lead NSW Government department with responsibility for protecting and caring for our environment, managing water resources and developing and coordinating programs to address the impacts of climate change in NSW.

DECCW employs over 4000 staff, many of whom work in regional areas, bring an exceptional range of expertise to DECCW’s work, including policy, science, education, regulation, planning, communication, land management and fire fighting.

The Parks and Wildlife Group (PWG) within DECCW has a critical role in the joint management of Special Areas with SCA. The role includes the responsibility to comply with all applicable Acts and Regulations, agreed standard operating procedures, guidelines and all reasonable SCA directives for the purposes of enhancing or maintaining water quality and for compliance by the SCA with its statutory objectives.

Industry & Investment NSW

Industry & Investment NSW (I&I NSW) was formed in July 2009 by bringing together a number of former NSW Government departments and authorities. These partner agencies include the Department of Primary Industries (including Forests NSW), Department of Energy, and Department of State and Regional Development (including Tourism NSW).

I&I NSW was established to assist in building a diversified state economy that creates jobs. The department aims to attract investment to NSW and support innovative, sustainable and globally competitive industries through strong technical knowledge and scientific capabilities. They do this through effective partnerships with industry sectors and by linking them to the state’s knowledge and skills capacity.

I&I NSW (Minerals and Petroleum Division) is responsible for approving, regulating and monitoring mining and associated activities in NSW. It has a role in the
rehabilitation of abandoned and derelict mine sites. They also have a role in managing mine subsidence.

The department’s Agriculture Division conducts agricultural research and provides practical and sustainable farm production and environmental advice to commercial farmers, graziers, horticulturists, agribusiness and other groups. There are extensive areas of agriculture in the Catchment.

The Fishing and Aquaculture Division is responsible for the sustainable management of commercial and recreational fishing, the protection of aquatic threatened species, populations and ecological communities, the protection of key aquatic habitats and the conservation of aquatic biodiversity. It carries out scientific research and resource management compliance and also provides management and advisory services. In consultation with industry and the community, the Division develops policies and regulations on the sustainable use of the state’s aquatic resources. The Division has undertaken substantial fish sampling in the Catchment.

Forest NSW is responsible for sustainably managing more than two million hectares of public native forests and a large area of planted forests in NSW. There are some areas of State Forest in the Catchment.

**NSW Department of Planning**

The Department of Planning (DoP) is involved in the planning, policy and regulation in relation to the natural and built environment, rural and urban management (including urban growth, renewal and consolidation) and the development of housing policies.

DoP prepared the Drinking Water Catchments Regional Environmental Plan No. 1 (which from July 2009 is deemed a State environmental planning policy (SEPP)) in conjunction with the SCA. The SEPP is a regional plan for the environmental, social and economic future of the catchments that supply drinking water to Sydney, Blue Mountains and the Illawarra. SCA is working with local communities and landholders to implement the plan.

**NSW Office of Water**

The NSW Office of Water (NOW) delivers the Government’s policy and reform agenda for the water in NSW. It provides policy, legislative, regulatory and management advice in relation to surface water and groundwater to the Minister for Climate Change and the Environment, and the Minister for Water.

NOW works with water users, government agencies and other stakeholders towards achieving the secure and sustainable allocation of water between communities, industry, farmers and the environment; and reliable and sustainable urban water and energy supplies.

Key services provided by NOW that contribute to these results include:

- preparing statutory plans to guide water sharing between users and the environment
- administering water licences and approvals (including structures on designated floodplains), assessing resource availability, allocating available water to licensees, monitoring compliance and, where necessary taking appropriate enforcement action
- developing and implementing water trading rules supporting effective market operation
• monitoring and evaluating water resource quantity and quality, and associated ecosystems
• liaising with other States and the Commonwealth to support implementation of the National Water Initiative and Murray–Darling basin reforms
• urban water planning and policy in support of the Metropolitan Water Plan
• leadership and guidance in best-practice management, operation and maintenance for non-metropolitan urban water utilities, supervising and monitoring utility performance, including financial support for backlog water and sewerage infrastructure.

**NSW Department of Health**

The primary aim of the NSW Department of Health (NSW Health) is to ensure the public is provided with the best possible health care, and thus has a role in ensuring safe drinking water. NSW Health monitors the quality of drinking water through information provided by the agencies it regulates, and develops standards and guidelines for the treatment of waste water.

It reviews the monitoring program for pathogens undertaken by Sydney Water and the SCA. The Chief Health Officer of NSW Health has the power to restrict or prevent the use of water that is considered unfit for human consumption.

**Catchment management authorities**

Thirteen catchment management authorities (CMAs) have been established across the state by the NSW Government to ensure that regional communities have a significant say in how natural resources are managed in their catchments. There are three CMAs within the Catchment, namely the Sydney Metropolitan, Hawkesbury–Nepean and Southern rivers.

The CMAs are locally driven organisations with a board that reports directly to the NSW Minister for Climate Change and the Environment. The CMAs are established under the *Catchment Management Authorities Act 2003* (CMA Act) to coordinate natural resource management (NRM) in each catchment. The CMAs are responsible for involving regional communities in management of the NRM issues facing their region, and are the primary means for the delivery of funding from the NSW and Australian governments to help land managers improve and restore the natural resources of the State.

CMAs are responsible for the development of Catchment Action Plans aimed at natural resource management at a catchment level. They work in partnership with the community, local government, State Government agencies, industry and individuals.

**Natural Resources Commission of New South Wales**

The Natural Resources Commission (NRC) was established by the *Natural Resources Commission Act 2003* with a broad function of providing the Government with independent advice on a range of natural resource management issues. The NRC reports jointly to the Premier and the Minister for Natural Resources. The NRC’s core functions are to:

• recommend state-wide standards and targets for natural resource management
• review and recommend the approval of Catchment Action Plans prepared by 13 CMAs across NSW
• audit CMAs’ implementation of these plans and their effectiveness in achieving state-wide standards and targets.
Other roles of the NRC include auditing Water Sharing Plans and other natural resource plans, and conducting inquiries into natural resource management issues as directed by the Government.

**Local councils**

Local councils have many roles and responsibilities in the Catchment, including as:

- a regulator under the *Protection of the Environment Operations Act 1997*
- a land-use planner using the *Environmental Planning and Assessment Act 1979*
- as an operator responsible for the management of infrastructure such as urban stormwater systems and sewerage services.

**Independent Pricing and Regulatory Tribunal of NSW**

The Independent Pricing and Regulatory Tribunal (IPART) has a range of roles, including setting maximum water prices and administering licences that authorise water utilities, including the Operating Licences issued to Sydney Water Corporation and the SCA. IPART are undertaking the end of term review of SCA’s Operating Licence in 2010.

**NSW Rural Fire Service**

The Rural Fire Service (RFS) is responsible for the coordination and planning of bushfire fighting and hazard reduction operations throughout NSW. At the local government scale, there are bushfire management committees included in the above role, including representatives from DECCW and the SCA. The SCA has worked with the RFS on improving fire management practices.

**Livestock health and pest authorities**

There are 14 Livestock health and pest authorities (LHPAs) in the state which are involved in the control of pest animal species and livestock diseases. They also have an advisory role to landholders. The SCA and the DECCW have worked with the LHPAs to ensure the coordination of pest control strategies in the Catchment.

**NSW Rural Assistance Authority**

The NSW Rural Assistance Authority administers assistance measures to rural producers and small businesses in regional NSW. For example, the Authority administers the Special Conservation Scheme to encourage improved and sustainable land management by farmers.

**Heritage Council of NSW**

The main role of the NSW Heritage Council is to implement the *NSW Heritage Act 1977*. This includes management design and implementation for heritage listings and an advisory role on matters affecting heritage sites. Heritage Council listings include both built and key natural environments. The Wingecarribee Swamp in the Catchment is a state listed natural site. There are many built sites of state and local heritage significance in the Catchment including Avon, Cataract and Cordeaux dams.
Dams Safety Committee
The statutory function of the Dams Safety Committee is to ensure that all prescribed dams in NSW are safe and maintained. The Committee must also ensure that mining operations near dams do not affect the integrity of the dam or create significant water loss from a storage.

Universities
Universities are often involved in providing expertise and research support for the SCA. For example, the University of NSW, Macquarie and Sydney universities have all been involved in research on pathogens.

Industry
Industry in the Catchment is diverse and includes: mining and extractive industry, forestry and horticulture, livestock and commercial industries, and telecommunication and energy-based industry. The environmental performance of all industry is regulated by either council, the SCA or DECCW under the Protection of the Environment Operations Act 1997 (EP&A Act). New industry is subject to development assessment processes under the EP&A Act, including SEPP 58 for developments with a high potential threat to water quality.

Residents
Individuals must seek council approval to conduct water supply work, draw water from a council water supply, conduct sewerage or storm-water works, or connect a private drain or sewer to a public drain or sewer. Residents can have a role in community groups which are active in decision making. All residents have a basic responsibility to prevent pollution.