

Enforcement Action Notice 08/2021

6 August 2021

\$30,000 penalty issued to WaterNSW

IPART has taken action against WaterNSW for contravening clause 2.1.3 of the WaterNSW operating licence.

WaterNSW breached this clause by failing to maintain a compliant Water Quality Management System for the Fish River Water Supply Scheme.

Monetary penalty

IPART imposed the penalty on WaterNSW under section 17 of the *Water NSW Act 2014* (NSW) (Act) for contravention of the Water NSW operating licence. WaterNSW paid the penalty on 29 July 2021.

Contravention

The action relates to identified deficiencies in the Water Quality Management System for the Fish River Supply Scheme that could affect WaterNSW's ability to provide assurances on its water quality and processes. The audit did not identify any actual instances of adverse impacts on water quality during the audit period.

IPART considered that a monetary penalty was an appropriate action to achieve our regulatory objectives, particularly to focus WaterNSW on the importance of its Water Quality Management System, and to deter future contraventions by WaterNSW and other water utilities.

Since the audit, IPART has continued to engage with WaterNSW and sought a formal response, including actions taken to address the identified non-compliances. WaterNSW's response provided this information. IPART acknowledges that WaterNSW has taken significant steps to address the contravention and related issues with the Fish River Water Supply Scheme. These will be tested at a future audit.

Compliance and enforcement

IPART administers the WaterNSW operating licence under the Act. We monitor compliance with obligations to protect public health, consumers and the environment. For public water utilities such as WaterNSW, IPART undertakes annual audits to monitor compliance with licence conditions.

Monetary penalties and orders requiring specified remedial action are amongst the tools IPART can use to enforce compliance. Further information about IPART's approach to compliance and regulation can be found in the [IPART Compliance and Enforcement Policy](#).