



DOC21/855879-1

Ms Michelle Coco  
Executive Director, Regulation and Compliance  
NSW Independent Pricing and Regulatory Tribunal  
PO Box K35  
HAYMARKET POST SHOP NSW 1240

Attention: [REDACTED]

Email: [REDACTED]

13 October 2021

Dear Ms Coco

### **Proposed interim operating licence – Water NSW**

I am writing in response to your letter to the Environment Protection Authority (EPA) dated 22 September 2021 (Ref: D21/21621) seeking feedback from the EPA on IPART's proposed deferral of its review of the Water NSW Operating Licence and seeking comments from the EPA on the proposed interim operating licence.

The EPA does not have any concerns to raise about IPART's deferral of its review of the operating licence.

The EPA has the following comments to offer on the proposed interim operating licence:

- Clause 6.14 of the operating licence requires Water NSW to maintain and comply with a memorandum of understanding with the EPA.
- There is a Memorandum of Understanding between the EPA and Water NSW and both organisations are in regular operational contact and maintain a Strategic Liaison Group which meets at least once per year.
- The Memorandum of Understanding (MoU) works effectively for both organisations. The EPA's involvement with WaterNSW is a collaborative one in which we work together to minimise health risks to drinking water. This includes coordination and collaboration of agency programs and legislation which is important to help address catchment pressures.
- Discussions under the MoU have included the regulation of activities scheduled under the *Protection of Environment Operations Act 1997*, informing land use planning and design of water services and infrastructure, and responding to major pollution incidents.

Both WaterNSW and the EPA are of the view that clause 6.14 of the operating licence is no longer required considering the maturity of the relationship and enduring cooperation on matters of common interest.

The EPA does not see any substantive benefit from retaining clause 6.14 that would outweigh the administrative and compliance costs associated with its retention. It is our understanding that WaterNSW will separately confirm to IPART its similar views on this topic.

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The EPA will continue to work closely with WaterNSW through the Strategic Liaison Group to help provide reliable and consistent environmental regulation.

Should you have any questions regarding the above, please do not hesitate to contact [REDACTED]  
[REDACTED] Manager Regulatory Operations, on [REDACTED] or  
[REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]  
**Director Regulatory Operations**