



Independent Pricing and Regulatory Tribunal
New South Wales

Network Operators' Reporting Manual
under the *Water Industry Competition Act 2006 (NSW)*

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Version control

Issue number	Date issued	Notes
1	1 July 2009	First release
2	9 June 2010	Additional template for nil returns
3	24 June 2015	Additional insurance expert's requirement in 2.6.1 and report template in Appendix I. Additional notification requirements before/after changes in insurance coverage in 2.6.2. Additional template for immediate licence breach reporting in Appendix D. Updated standard licence clauses in the list of licence obligations and reporting frequency in Appendix E. Updated IPART's contact details. Information restructured to improve readability.
4	10 August 2015	Provided clarification on the definition of connection point in Appendix G following stakeholder feedback. Added notification requirement for changes in environmental mitigation measures for new licensees where applicable. Document issued as final.
5	1 June 2016	Amended notification requirements before/after changes in insurance coverage in 2.6.2. Updated signature requirements. Document issued as final, effective from 1 July 2016.
6	27 April 2018	Amended Performance Indicators Appendices. Reporting date updated to 1 September. Removed NIL returns template, formatting and minor editorial updates. Draft for consultation.

Invitation for submissions

IPART invites written comment on this document and encourages all interested parties to provide submissions addressing the matters discussed.

Submissions are due by 24 May 2018

We would prefer to receive them electronically via our online submission form <www.ipart.nsw.gov.au/Home/Consumer_Information/Lodge_a_submission>.

You can also send comments by mail to:

Water Utility Performance Indicators Review
Independent Pricing and Regulatory Tribunal
PO Box K35
Haymarket Post Shop NSW 1240

Late submissions may not be accepted at the discretion of the Tribunal. Our normal practice is to make submissions publicly available on our website <www.ipart.nsw.gov.au> as soon as possible after the closing date for submissions. If you wish to view copies of submissions but do not have access to the website, you can make alternative arrangements by telephoning one of the staff members listed on the previous page.

We may choose not to publish a submission - for example, if it contains confidential or commercially sensitive information. If your submission contains information that you do not wish to be publicly disclosed, please indicate this clearly at the time of making the submission. However, it could be disclosed under the *Government Information (Public Access) Act 2009* (NSW) or the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), or where otherwise required by law.

If you would like further information on making a submission, IPART's submission policy is available on our website.

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1 Introduction

1.1 Legislative framework

Licensees must ensure compliance with all licence conditions and other applicable obligations under the *Water Industry Competition Act 2006* (NSW) (the WIC Act), the *Water Industry Competition (General) Regulation 2008* (NSW) (the WIC (General) Regulation) and any Codes of Conduct.¹ The WIC Act, the WIC (General) Regulation and the Licence impose licence conditions, and may refer to other legislation, statutory instruments or documents.² Compliance requirements imposed on a licensee can vary depending on the nature, scale and complexity of its authorised activities.

The Independent Pricing and Regulatory Tribunal (IPART) is responsible for administering the licences and provides advice to the Minister for **Energy and Utilities**. To assist licensees in reporting against licence conditions, we have produced reporting manuals for Network Operators and retail suppliers licensed under the WIC Act that:

- ▼ consolidate licence obligations for each licence type (in summary form)
- ▼ detail reporting requirements, including the format and the reporting timetable, and
- ▼ detail the range of performance indicators.

The reporting manuals do not reproduce in full the licence obligations for each licence type, and it is still necessary for the licensee to refer to the relevant source document for full details of the obligation.

All compliance reporting under the reporting manuals is exception-based. This means that only licence **non-compliances** are required to be reported.

IPART's reporting obligation

On or before **1 September** in each year, IPART must provide to the Minister a report on the extent to which licensees have complied, or failed to comply, with the conditions imposed on their licences during the 12 months ending on 30 June in that year.³ The Minister must lay the report before both Houses of Parliament as soon as practicable after receiving it.⁴

¹ For example, the Water Industry Code of Conduct, the Marketing Code of Conduct and the Transfer Code of Conduct.

² For example, licence conditions require compliance with the Codes of Conduct, infrastructure operating plans, water quality plans and sewage management plans, and with aspects of the *Environmental Planning and Assessment Act 1979* (NSW), *Protection of the Environment Operations Act 1997* (NSW), *Public Health Act 2010* (NSW), Plumbing Code of Australia, Australian Drinking Water Guidelines and Australian Guidelines for Water Recycling.

³ *Water Industry Competition Act 2006* (NSW), s 89(1).

⁴ *Water Industry Competition Act 2006* (NSW), s 89(2).

Licensee's reporting obligation

It is a standard licence condition that the licensee must prepare and submit compliance reports in accordance with the applicable reporting manual.⁵

In addition, a licence may be subject to other conditions that specifically require the licensee to notify, provide documentation or report to IPART in accordance with the applicable reporting manual.⁶ It is the licensee's responsibility to be aware of the conditions that apply to its licence.

Licensees should contact IPART if they are not certain of the reporting frequency applicable to their licence conditions.

⁵ The Licensee must prepare and submit reports in accordance with the Reporting Manual.

⁶ These could be special licence conditions in Schedule A of the licence or other standard licence conditions in Schedule B of the licence.

2 Compliance reporting requirements

It is the responsibility of the licensees to rectify any non-compliance as soon as possible, and report these non-compliances to IPART in accordance with this reporting manual.

We have classified non-compliances as either requiring:

- ▼ immediate reporting (section 2.1), or
- ▼ annual reporting (section 2.3).

This classification is based on the risk of a non-compliance with the licence conditions impacting public health, the environment and consumers. Appendix A sets out the reporting frequency for each licence condition set out in the legislation and standard licence⁷, ie, it lists which licence conditions, if non-compliant, should be reported 'immediately', and which should be reported 'annually'. Licensees should contact IPART if they are not certain of the reporting frequency applicable to their licence conditions.

We also have immediate reporting requirements for certain incidents:

- ▼ immediate incident reporting (section 2.2).

2.1 Immediate non-compliance reporting

As soon as the licensee becomes aware that a non-compliance requiring immediate reporting is likely to occur, or has occurred, the licensee should notify IPART, via:

- ▼ (02) 9113 7722 (Director, Regulation & Compliance)
- ▼ (02) 9113 7704 (Executive Director, Regulation & Compliance)

and, email:

- ▼ compliance@ipart.nsw.gov.au.

⁷ Based on current standard licence conditions template dated March 2015.

The type of information about a licence **non-compliance** that should be reported is provided in **Schedule A of Appendix B**.

- ▼ The licensee should provide follow-up written confirmation to IPART's Chief Executive Officer within five business days, using the template provided in **Appendix B**.
- ▼ Depending on how long it may take to rectify the **non-compliance**, periodic reporting may also be required.
- ▼ Once the licence **non-compliance** has been rectified, the licensee should notify IPART's Director, **Regulation & Compliance**, in writing via compliance@ipart.nsw.gov.au, of the actual date that full compliance was reached.

2.2 Immediate incident reporting

Some incidents require the licensee to notify us and/or other stakeholders immediately.

It is a condition of a Network Operator's licence that any incident in the conduct of the licensee's activities that threatens, or could threaten, water quality, public health or safety must be reported immediately to:

- ▼ the Minister for Health
- ▼ the Minister for **Energy and Utilities**
- ▼ IPART
- ▼ any licensed retail supplier that supplies water or provides sewerage services by means of the licensee's infrastructure, and
- ▼ any other licensed Network Operator or public water utility whose infrastructure is connected to the licensee's infrastructure.⁸

The events or incidents that require immediate notification are not further defined by the WIC (General) Regulation. The licensee is responsible for determining whether an incident falls into this category. The licensee should assess, and keep up to date, the likelihood and consequence of any potential incidents that could impact water quality, public health or safety in its risk assessment for the specific scheme.

Licensees should report such incidents in accordance with the document, "Incident Notification by Network Operators and Retail Suppliers" available from our website.⁹ **This document outlines the requirements for verbal and written notifications to IPART and other agencies when a notifiable incident occurs.**

2.3 Annual compliance reporting

Licensees are required to submit annual compliance reports to us detailing the licensee's compliance with its licence obligations, during the previous financial year ending 30 June. Reporting is exception-based. This means that only licence **non-compliances** are required to be reported. This requirement commences as soon as a licensee is granted a licence. A checklist for annual compliance reporting is provided in **Appendix C**.

⁸ *Water Industry Competition (General) Regulation 2008* (NSW), Schedule 2, Part 1, cl 1(2).

⁹ http://www.ipart.nsw.gov.au/Home/Industries/Water/Private_Sector_Licensing_WICA/Licence_Compliance_Reporting

Licensees must submit annual compliance reports to IPART by no later than **1 September** each year:

- ▼ If **construction or commercial** operation, **have commenced** in the licensed schemes, licensees should use the annual compliance report template provided in **Appendix D**. The licensee should also include any immediate **non-compliances** already reported, any breaches identified by operational audits during the financial year and performance indicators (see section 2.5). When reporting immediate **non-compliances** already reported or breaches identified during operational audits, the information provided in Schedule A of **Appendix D** should include an update of any further actions the licensee has taken with respect to the breach, or
- ▼ If the licensees have not commenced construction or commercial operation during the 12 months ending on 30 June, use the annual compliance report template in **Appendix D**, state where any information is not applicable, such as any indicators in **Schedule B**.
- ▼ The licensee should also include licence **non-compliances** identified in operational audits in their annual compliance reports.¹⁰

The annual compliance report must be prepared using all due care and skill, including to ensure that all information provided is accurate and reliable, and must be signed by a person authorised to sign on behalf of the licensee. Where the licensee is a company, it must be signed by either two Directors or a Director and the Company Secretary. Where this is not possible (for example, due to having a different corporate structure), the licensee should contact IPART for further advice on how the report must be signed.

Reporting performance indicators

Licensees are also required to report on IPART performance indicators as part of their annual compliance reports. Appendix E outlines these indicators.

Where an indicator is not relevant or applicable to a particular licensee's activities, the licensee should indicate in its annual compliance report 'not applicable' in relation to that particular indicator. If an indicator is relevant but the activity has not commenced, the licensee should report zero against that particular indicator.

The licensee may choose to include with the report an explanation of the licensee's performance, which details:

- ▼ major factors (both positive and negative) that have influenced the licensee's performance, both within and beyond the licensee's control, and
- ▼ reasons for any variation (both positive and negative) between the licensee's performance in the financial year and with performance in prior years.

2.3.1 Insurance expert's report

As a standard condition of the licence, licensees are required to provide a report from an insurance expert certifying that in the insurance expert's opinion, the type and level of the

¹⁰ For more information related to operational audits, see our relevant Audit Guidelines available on our website <http://www.ipart.nsw.gov.au>

insurance obtained by the licensee is appropriate for the size and nature of the activities authorised under the licence.

Appendix F contains a template an insurance expert’s report. The report may be formatted to suit the style of the author, as long as it contains all of the content in Appendix F. Schedule B of the Network Operator licence outlines requirements for the delivery of this report. We may request an additional insurance expert’s report in relation to the insurance held by the licensee at any time in accordance with Schedule B of the Network Operator’s licence.

2.3.2 Change in insurance coverage

Licence granted, varied or reviewed from March 2015

Licences varied or granted after March 2015 include a standard licence condition in relation to the requirement for licensees to report to IPART if there is to be a change in insurance.

Table 2.1 sets out the changes in insurance that licensees must report to IPART, the deadline for reporting, and the information to be included in the report.

Table 2.1 Insurance changes reporting

Change in insurance coverage includes		Period of notification	Information to provide to IPART where applicable
▼ Insurer		30 days	▼ Name and Australian financial services licence number of new insurer
▼ Underwriting panel		after the change	
▼ Type	Increase in coverage	30 days	▼ Name and Australian financial services licence number of new underwriting panel
▼ Scope		after the change	
▼ Sum insured/ Limit on the amount/ Limit on indemnity	Reduction in coverage	14 days	▼ New product disclosure statement(s)
		prior to change initiated by the insurer	
		45 days	▼ Reasons for change
		prior to change initiated by the licensee	▼ Revised certificate of currency once finalised

2.3.3 Environmental controls and mitigation measures

This requirement is only applicable to licensees issued with the relevant special licence conditions in Schedule A of their licences.

In certain circumstances, licensees are required to implement environmental mitigation measures to ensure the activities that the licence authorises are carried out in a manner that does not present a significant risk of harm to the environment. Often, the mitigation measures have been identified in the environmental assessments or risk assessments submitted as part of the licence application, and referred to within Schedule A of their licences.

Environmental Management Plans are specific plans prepared to ensure that relevant environmental mitigation measures are implemented during a scheme's construction or operation.

Changes to environmental assessments, environmental controls and mitigation measures

Some licensees require IPART's written approval prior to varying the environmental mitigation measures identified in the environmental assessments or risk assessments submitted as part of the licence application.

In these circumstances, licensees must provide IPART with written notification of the proposed variation three months prior to the commencement of those variation(s).

Licensees must ensure that their written notification includes the following details:

- ▼ relevant licence number and licence condition(s)
- ▼ a description of the environmental controls and mitigation measures before and after the proposed variation, reasons for the variation and a description of the consequences of implementing the variation(s)
- ▼ the title and date of the environment assessment report(s) where the environmental mitigation measures were originally identified
- ▼ attach any additional environmental assessments undertaken to support and justify the need for the proposed variation
- ▼ the expected date of the proposed variation, and
- ▼ proposed revisions to the Construction Environmental Management Plan (CEMP) and/or Operational Environmental Management Plan (OEMP) as a consequence of the proposed variation to the licensees' environmental mitigation measures.

2.3.4 Monitoring results

Any water quality or sewage monitoring that a licensee may be required to report in their annual compliance report, or undertake for the purposes of their licence or licence plans, must be conducted in accordance with the requirements set out below.

The following records must be kept (and provided if requested) of any samples collected:

- ▼ date on which the sample was taken
- ▼ time at which the sample was collected
- ▼ point or location at which the sample was taken, and
- ▼ chain of custody of the sample (if applicable).

A laboratory accredited for the specified tests by an independent body acceptable to NSW Health, such as the National Association of Testing Authorities (NATA) or equivalent, shall carry out all analyses of samples.

2.3.5 Information in relation to the register of licences

Under a standard licence condition, licensees must provide written notice within 14 days of changes to any of the following listed in IPART's Register of licences¹¹:

- ▼ any source from which the water handled by the Specified Water Industry Infrastructure is derived
- ▼ the Authorised Purposes of the water handled by the Specified Water Industry Infrastructure
- ▼ the identity of each licensed retail supplier or public water utility that has access to the infrastructure services provided by the Specified Water Industry Infrastructure for the purpose of providing water services to its customers
- ▼ any other water supply infrastructure to which the Specified Water Industry Infrastructure is connected
- ▼ the identity of each licensed retail supplier or public water utility that has access to infrastructure services provided by the Specified Water Industry Infrastructure for the purpose of providing sewerage services to its customers
- ▼ any other sewerage infrastructure to which the Specified Water Industry Infrastructure is connected, or
- ▼ the arrangements for the disposal of waste from the Specified Water Industry Infrastructure.

We will review this information and update our Register of licences. Please note that in some cases, a licence variation would be required prior to proceeding with the change.

2.3.6 Change to end-use(s)

Licensees must provide written notice at least three months before a proposed change in end-use(s) if the licensee proposes to operate the Specified Water Industry Infrastructure to supply water for an end-use which is not set out in the most recent Water Quality Plan provided to IPART.

The end-use(s) specified in the Water Quality Plan may be more narrowly defined than those specified in the licence. If the proposed end-uses are consistent with the authorised purposes specified in the licence, the Water Quality Plan would need to be updated. If the changes in authorised purposes are not consistent, a licence variation will be required.

2.3.7 Changes to Authorised Person(s)

Licensees must provide written notice to IPART as soon as practicable but no later than 28 days before an Authorised Person ceases providing any services in relation to the activities authorised by the relevant licence.

The written notice must also include details of how the services previously undertaken by the Authorised Person will continue to be undertaken.

¹¹ *Water Industry Competition (General) Regulation 2008* (NSW), cls 18(1) – 18(5).

2.3.8 Commencement of commercial operation

Licensees must provide to IPART written notice within 10 business days after commencing commercial operation of Specified Water Industry Infrastructure authorised by a Network Operator's licence.

Licensees must ensure that their written notification includes the following details:

- ▼ the relevant licence number
- ▼ the Specified Water Industry Infrastructure that has been brought into commercial operation, including a reference to the relevant table in the Network Operator's licence (if relevant), and
- ▼ the date commercial operation started.

2.4 How to lodge an annual compliance report

Licensees must lodge all annual compliance reports electronically to: compliance@ipart.nsw.gov.au, or to the last email address notified by IPART. If requested by IPART, the licensee must also submit a hard copy by mail. Licensees should provide the name and contact details (phone, email) of a primary contact and should provide an alternate contact for when the primary contact is unavailable.

Hard copy reports, if requested, must be sent to:

The Chief Executive Officer

Independent Pricing and Regulatory Tribunal of NSW

PO Box K35

Haymarket Post Shop NSW 1240

or to the last address notified by IPART.

Licensees are required to provide other information or notification to IPART as set out in conditions in Schedules A and B of their licence.

Unless otherwise stated, Licensees are required to provide the information or notification to IPART electronically and addressed to Director, Regulation & Compliance.

3 Process for revision

Appropriate reporting and auditing requirements for each condition may vary over time to reflect licensees' previous compliance performance and evolving regulatory and government policy frameworks.

Changes to **this** reporting manual, including amendments to the classification of licence obligations, may be necessary to:

- ▼ include new licence obligations
- ▼ delete redundant licence obligations
- ▼ reflect new government initiatives, and
- ▼ rectify problems identified through compliance monitoring and reporting.

We will consult the **affected** licensees and other interested stakeholders before making any significant revisions to the reporting requirements or indicators. We will then notify the stakeholders of the revisions to the reporting manual and the commencement date of any new reporting arrangements. In determining the commencement date for new reporting arrangements, we will allow a reasonable period for licensees to implement the new arrangements.



Appendices

A Licence obligations – reporting frequency

This Appendix sets out the reporting frequency allocated to each licence obligation. Each licence obligation has been classified with a reporting frequency of either ‘immediate’ or ‘annual’ reporting.

Immediate reporting is limited to those licence obligations where a **non-compliance is high risk**, for example, the **non-compliance** could threaten continuity of supply, public health or safety, or have a critical impact on the Government’s policy objective(s), or have significant impacts on other licensees.

Annual reporting is required for all other obligations. However, licensees should also include any ‘immediate’ licence **non-compliances** in the Annual Compliance Reports to IPART.

Licensees should read and understand the obligations applicable to them in their specific licences.

The licensee must identify which obligation **it is non-compliant with**, and note whether the reporting requirement is ‘immediate’ or ‘annual’ in accordance with this appendix. If ‘immediate’ reporting is required, refer to section 2.1. If ‘annual’ reporting is required, refer to section 2.3.

Examples:

- ▼ A licensee has started to supply non-potable water for an end-use which is not set out in the Recycled Water Quality Plan. The licensee has not notified IPART in writing three months before commencing such operation. As soon as it realised there is a breach, it should rectify the situation, and identify that it has breached licence condition B11.1. The reporting frequency is classified as ‘immediate’ (see #116 in Appendix A). The licensee should follow the immediate reporting requirements in section 2.1. The licensee should also report the breach in its annual compliance report, following the reporting requirements in section 2.3.
- ▼ A licensee has not read a water meter that it has installed to supply a premises for over 4 months. As soon as it is aware of such breach, it should rectify the situation, and identify that it has breached the licence condition set out in WIC (General) Regulation Schedule 1, clause 8(2)(b). The reporting frequency is classified as ‘annual’ (see #36 in Table A.2 below). The licensee should follow annual reporting requirements in section 2.3.

Table A.1 Network Operators – general reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
1	WIC Act section 14(3)	WIC Act section 14(3)	A Network Operator must pay the annual licence fee determined by the Minister.	Annual
2	WIC Act section 18(2)	WIC Act section 18(1)	A Network Operator must comply with any direction of the Minister to take specified action to reduce or eliminate a risk to public health or public safety arising from certain activities.	Immediate
3	WIC Act section 50(2)	WIC Act section 50(2)(a)	A Network Operator must be a member of an approved ombudsman scheme.	Annual
4	WIC Act section 50(2)	WIC Act section 50(2)(b)	A Network Operator must comply with any decision of the ombudsman under the scheme relating to a dispute or complaint involving the operator and an entitled person.	Annual
5	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(1)	A Network Operator must provide the Minister or IPART with such information as the Minister or IPART may require from time to time in relation to the Licensee's activities under licence, and must provide it within such time as specified in that direction.	Annual
6	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(2)(a)	A Network Operator must immediately notify IPART of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate ^b
7	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(2)(b)	A Network Operator must immediately notify the Minister administering the <i>Public Health Act 2010</i> (NSW) and the <i>Public Health Regulation 2012</i> (NSW) of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate ^b
8	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(2)(c)	A Network Operator must immediately notify the Minister administering Part 2 of the <i>Water Industry Competition Act 2006</i> (NSW) of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate ^b
9	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(2)(d)	A Network Operator must immediately notify any licensed retail supplier that supplies water or provides sewerage services by means of the licensee's infrastructure of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate ^b
10	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(2)(e)	A Network Operator must immediately notify any licensed Network Operator or public water utility whose infrastructure is connected to the licensed Network Operator's infrastructure of any incident in the conduct of its activities that threatens, or could threaten, water quality, public health or safety.	Immediate
11	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(3)(a)	A Network Operator must permit publication on IPART's website of matters as are required to be recorded on the Register of licences.	Annual
12	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(3)(b)	A Network Operator must permit the disclosure between relevant government agencies of information the Network Operator has provided to any one of them.	Annual
13	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 1(3)(c)	A Network Operator must permit disclosure to the general public of information about incidents reported to the Minister or relevant government authority.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
14	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 2(1)	A Network Operator must not bring any new water or sewerage infrastructure into commercial operation without the written approval of the Minister.	Immediate
15	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 2(2)(a)	The Network Operator must provide to the Minister a report, prepared by an approved auditor that indicates that the infrastructure complies with the requirements of the WIC (General) Regulation and any licence conditions.	Immediate
16	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 2(2)(b)	The Network Operator must provide to the Minister a report, prepared by an approved auditor that indicates that the infrastructure is capable of operating safely and in accordance with its infrastructure operating plan and its water quality or sewerage management plan, as the case requires.	Immediate
17	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 3(a)	The Network Operator must ensure that the water or sewerage infrastructure is properly designed and constructed, operated in a safe and reliable manner and maintained in a proper condition, having regard to the purposes for which it is licensed.	Annual
18	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 3(b)	The Network Operator must ensure that the water or sewerage infrastructure is properly designed and constructed, operated in a safe and reliable manner and maintained in a proper condition, having regard to the licence conditions.	Annual
19	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 3(c)	The Network Operator must ensure that the water or sewerage infrastructure is properly designed and constructed, operated in a safe and reliable manner and maintained in a proper condition, having regard to any publicly available standards or codes relating to its design, construction, operation and maintenance.	Annual
20	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 4(1)(a)	In its activities under the licence, a Network Operator must comply with the requirements of the <i>Environmental Planning and Assessment Act 1979</i> (NSW) and any environmental planning instruments under that Act.	Annual
21	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 4(1)(b)	In its activities under the licence, a Network Operator must comply with the requirements of the <i>Protection of the Environment Operations Act 1997</i> (NSW) and any regulations under that Act, in relation to the protection of the environment.	Annual
22	WIC (General) Reg cl 9	WIC (General) Reg Schedule 1, cl 5	A Network Operator must comply with any water industry code of conduct, marketing code of conduct and transfer code of conduct.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

^b Notification of an incident that threatens, or could threaten, water quality, public health or safety must be made in accordance with the document "Incident Notification by Network Operators and Retail Suppliers" available from our website at www.ipart.nsw.gov.au. However, where a Licensee has failed to provide immediate notification of an incident that should have been immediately notified, a breach of this licence obligation has occurred which must be reported immediately in accordance with sections 2.1 and 2.2 of this reporting manual.

Table A.2 Network Operators – water infrastructure – general reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
23	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(1)(a)	Before commencing to operate water infrastructure commercially/Within 6 months of being granted a Network Operator's licence for water infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to the design, construction, operation and maintenance of the infrastructure, including particulars as to the life-span of the infrastructure, the system redundancy built into the infrastructure and the arrangements for the renewal of the infrastructure.	Immediate
24	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(1)(b)	Before commencing to operate water infrastructure commercially/Within 6 months of being granted a Network Operator's licence for water infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to the continued safe and reliable performance of the infrastructure.	Immediate
25	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(1)(c)	Before commencing to operate water infrastructure commercially/Within 6 months of being granted a Network Operator's licence for water infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to the continuity of water supply.	Immediate
26	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(1)(d)	Before commencing to operate water infrastructure commercially/Within 6 months of being granted a Network Operator's licence for water infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to alternative water supplies when the infrastructure is inoperable.	Immediate
27	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(1)(e)	Before commencing to operate water infrastructure commercially/Within 6 months of being granted a Network Operator's licence for water infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to the maintenance, monitoring and reporting of standards of service.	Immediate
28	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(2)(a)	The Network Operator must ensure that the infrastructure operating plan is fully implemented and kept under regular review and all of the Network Operator's activities are carried out in accordance with that plan.	Annual
29	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(2)(b)	The licensee must, if the Minister so directs, amend its infrastructure operating plan in accordance with the Minister's direction.	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
30	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(3)(a)	If any significant change is made to its infrastructure operating plan (or the Minister or IPART demands it), the Network Operator must provide a copy of the amended plan to IPART and an approved auditor, and provide the Minister or IPART with a report, prepared by the approved auditor, regarding the adequacy of the plan and the condition of its infrastructure having regard to the purposes for which it was licensed.	Annual
31	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 6(3)(b)	Alternatively, the Network Operator must pay the Minister's or IPART's cost of investigation into the adequacy of the plan or condition of the infrastructure.	Annual
32	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 7(4)(a)	The Network Operator must ensure that its water quality plan is fully implemented and kept under regular review and the Network Operator's activities are carried out in accordance with that plan.	Annual
33	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 7(4)(b)	If the Minister so directs, amendments to the Network Operator's water quality plan are made in accordance with the Minister's direction.	Annual
34	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 7(5)(a)	If any significant change is made to its water quality plan (or the Minister or IPART demands it), the Network Operator must provide IPART with an amended copy of the plan and provide the Minister or IPART with a report, prepared by an approved auditor, regarding the adequacy of the plan.	Annual
35	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 7(5)(b)	Alternatively, the Network Operator must pay the Minister's or IPART's costs of conducting an investigation into the adequacy of the plan.	Annual
36	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 8(1)	Any water meter that is connected to a Network Operator's water main must comply with the requirements of the <i>Plumbing Code of Australia</i> .	Annual
37	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 8(2)(a)	While water is being supplied to premises in respect of which a water meter has been installed, a Network Operator must ensure that the water meter is properly maintained and periodically tested.	Annual
38	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 8(2)(b)	While water is being supplied to premises in respect of which a water meter has been installed, a Network Operator must ensure that the water meter is read at intervals of no more than 4 months.	Annual
39	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 8(2)(c)	While water is being supplied to premises in respect of which a water meter has been installed, a Network Operator must ensure that written notice of each meter reading is sent to the relevant licensed retail supplier.	Annual
40	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 11	Customer's installations are not to be connected to the Network Operator's water main or sewer main unless the installation complies with the <i>Plumbing and Drainage Act 2011</i> (NSW).	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
41	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 12(a)	The Network Operator must have an internet website on which a plan showing the nature and general location of the infrastructure is available for inspection by members of the public.	Annual
42	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 12(d)	The Network Operator must have an internet website on which the most recent auditor's report under clause 6 that applies to the Network Operator is available for inspection by members of the public.	Annual
43	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 12(e)	The Network Operator must have an internet website on which the most recent auditor's report under clause 7 that applies to the Network Operator is available for inspection by members of the public.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.3 Network Operators – water infrastructure for drinking water only – reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
44	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 7(1)(a)	Before commencing to operate water infrastructure commercially/Within 6 months of being granted a Network Operator's licence for water infrastructure, the licensed Network Operator must prepare, and forward to IPART, a water quality plan in relation to the water supplied from the infrastructure that specifies how the 12 elements for the framework for the management of drinking water quality, as detailed in the <i>Australian Drinking Water Guidelines</i> , have been addressed and will be implemented.	Annual
45	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 7(2)	A Network Operator's water quality plan in relation to water infrastructure for drinking water must be consistent with the <i>Australian Drinking Water Guidelines</i> .	Annual
46	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 9(a)	A Network Operator of water infrastructure to supply drinking water must ensure the water supplied is fit for human consumption.	Immediate
47	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 9(b)	A Network Operator of water infrastructure to supply drinking water must ensure the water supplied complies with any requirements of the licence conditions.	Immediate
48	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 9(c)	A Network Operator of water infrastructure to supply drinking water must ensure the water supplied complies with any requirements under the <i>Public Health Act 2010</i> (NSW) and the <i>Public Health Regulation 2012</i> (NSW) in relation to the supply of safe drinking water.	Immediate

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.4 Network Operators – water infrastructure for non-potable water only – reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
49	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 7(1)(b)	Before commencing to operate water infrastructure commercially/Within 6 months of being granted a Network Operator's licence for water infrastructure, the licensed Network Operator must prepare, and forward to IPART, a water quality plan in relation to the non-potable water supplied from the infrastructure that specifies how the 12 elements for the framework for the management of recycled water quality, as detailed in the <i>Australian Guidelines for Water Recycling</i> , have been addressed and will be implemented, and, having regard to those guidelines, the purposes for which the water may be used /not used.	Annual
50	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 7(3)	A Network Operator's water quality plan in relation to water infrastructure for non-potable water must be consistent with the <i>Australian Guidelines for Water Recycling</i> .	Annual
51	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 10(a)	The Network Operator under a licence for water infrastructure to supply non-potable water for a particular purpose must ensure that the water supplied is fit for that purpose.	Annual
52	WIC (General) Reg cl 9(a)	WIC (General) Reg Schedule 1, cl 10(b)	The Network Operator under a licence for water infrastructure to supply non-potable water for a particular purpose must ensure that the water supplied complies with any requirements of the licence conditions.	Immediate

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.5 Network Operators - sewerage infrastructure – general reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
53	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(1)(a)	Before commencing to operate sewerage infrastructure commercially/Within 6 months after being granted a Network Operator's licence for sewerage infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to the design, construction, operation and maintenance of the infrastructure, including particulars as to the life-span of the infrastructure, the system redundancy built into the infrastructure and the arrangements for the renewal of the infrastructure.	Immediate
54	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(1)(b)	Before commencing to operate sewerage infrastructure commercially/Within 6 months after being granted a Network Operator's licence for sewerage infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to the continued safe and reliable performance of the infrastructure.	Immediate

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
55	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(1)(c)	Before commencing to operate sewerage infrastructure commercially/Within 6 months after being granted a Network Operator's licence for sewerage infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to the continuity of sewerage services.	Immediate
56	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(1)(d)	Before commencing to operate sewerage infrastructure commercially/Within 6 months after being granted a Network Operator's licence for sewerage infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to alternative sewerage services when the infrastructure is inoperable.	Immediate
57	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(1)(e)	Before commencing to operate sewerage infrastructure commercially/Within 6 months after being granted a Network Operator's licence for sewerage infrastructure, a Network Operator must prepare and forward to IPART an infrastructure operating plan that indicates the arrangements the Network Operator has made, or proposes to make, in relation to the maintenance, monitoring and reporting of standards of service.	Immediate
58	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(2)(a)	The infrastructure operating plan is fully implemented and kept under regular review and all of the Network Operator's activities are carried out in accordance with that plan.	Annual
59	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(2)(b)	If the Minister has directed, amendments to the Network Operator's infrastructure operating plan, such amendments were completed in accordance with the Minister's direction.	Annual
60	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(3)(a)	If any significant change is made to its infrastructure operating plan (or the Minister or IPART demands it), the Network Operator must provide a copy of the amended plan to IPART and an approved auditor and provide the Minister or IPART with a report, prepared by the approved auditor, regarding the adequacy of the plan and the condition of its infrastructure having regard to the purposes for which it was licensed.	Annual
61	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 13(3)(b)	Alternatively, the Network Operator must pay the Minister's or IPART's cost of investigation into the adequacy of the plan or condition of the infrastructure.	Annual
62	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 14(1)(a)	Before commencing to operate sewerage infrastructure commercially/Within 6 months after being granted a Network Operator's licence for sewerage infrastructure, a Network Operator must prepare and forward to IPART a sewage management plan that indicates the manner in which health and ecological assessments will be undertaken and any concerns arising from any such assessment addressed.	Immediate
63	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 14(1)(b)	Before commencing to operate sewerage infrastructure commercially/Within 6 months after being granted a Network Operator's licence for sewerage infrastructure, a Network Operator must prepare and forward to IPART a sewage management plan that indicates the arrangements for the disposal of waste from the infrastructure.	Immediate

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
64	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 14(3)(a)	A Network Operator must ensure its sewage management plan is fully implemented and kept under regular review and all its activities are carried out in accordance with the plan.	Annual
65	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 14(3)(b)	A Network Operator must, if the Minister so directs, amend its sewage management plan in accordance with the Minister's direction.	Annual
66	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 14(4)(a)	On demand by the Minister or IPART, or if any significant change is made to its sewage management plan, a Network Operator must provide the Minister or IPART with a report, prepared by an approved auditor, as to the adequacy of its plan.	Annual
67	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 14(4)(b)	Alternatively, the Network Operator must pay the Minister's or IPART's costs in conducting an investigation into the adequacy of its plan.	Annual
68	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 16(a)	A Network Operator must have an internet website on which a plan showing the nature and general location of the infrastructure is available for inspection by members of the public.	Annual
69	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 16(b)	The Network Operator must have an internet website on which the <i>Infrastructure Operating Plan</i> is available for inspection by members of the public.	Annual
70	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 16(c)	The Network Operator must have an internet website on which the <i>Sewage Management Plan</i> is available for inspection by members of the public.	Annual
71	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 16(d)	The Network Operator must have an internet website on which the most recent auditor's report under clause 13 that applies to the Network Operator is available for inspection by members of the public.	Annual
72	WIC (General) Reg cl 9(b)	WIC (General) Reg Schedule 1, cl 16(e)	The Network Operator must have an internet website on which the most recent auditor's report under clause 14 that applies to the Network Operator is available for inspection by members of the public.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.6 Network Operators – Monopoly suppliers – reporting requirements

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
73	WIC Act section 53(1)	WIC Act section 53	A monopoly supplier must, in accordance with the declaration for that service, supply that service to any eligible premises to which the owner of the premises requests the supplier to provide that service.	Annual

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.7 Network Operators - reporting requirements under Schedule A of the licence

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
74	Licence, Schedule A - Ministerially-imposed licence conditions	Schedule A, cl A1.1 Table 1.1, A2.1 Table 2.1, A3.1 Table 3.1	The Network Operator and the authorised third parties have constructed, operated and/or maintained the water industry infrastructure	Immediate
75	Licence, Schedule A - Ministerially-imposed licence conditions	Schedule A, cl A1.1 Table 1.2, A2.1 Table 2.2, A3.1 Table 3.2	The Network Operator and the authorised third parties have constructed, operated and/or maintained the water industry infrastructure specified in the licence.	Immediate
76	Licence, Schedule A - Ministerially-imposed licence conditions	Schedule A, cl A1.1 Table 1.3, A2.1 Table 2.3, A3.1 Table 3.3	The Network Operator and the authorised third parties have constructed, operated and/or maintained the water industry infrastructure for the authorised purposes.	Immediate
77	Licence, Schedule A - Ministerially-imposed licence conditions	Schedule A, cl A1.1 Table 1.4, A2.1 Table 2.4, A3.1 Table 3.4	The water industry infrastructure constructed, operated and/or maintained by the Network Operator or an authorised third party does not extend outside the area of operations.	Immediate

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.8 Network Operators - reporting requirements under Schedule B of licence

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
78	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B1	The Network Operator must have the technical capacity to carry out the activities authorised by the licence. If the Licensee ceases to have this capacity, it must report this to IPART immediately.	Immediate
79	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B1	The Network Operator must have the financial capacity to carry out the activities authorised by the licence. If the Licensee ceases to have this capacity, it must report this to IPART immediately.	Immediate
80	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B1	The Network Operator must have the organisational capacity to carry out the activities authorised by the licence. If the Licensee ceases to have this capacity, it must report this to IPART immediately.	Immediate
81	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B2.1(a) or 2.2(a)(i)	Before commencing to commercially operate the <i>Specified Water Industry Infrastructure</i> under the licence, the Network Operator must obtain insurance that is appropriate for the size and nature of the activities authorised under the Licence.	Immediate
82	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B2.1(b) or 2.2(a)(ii)	Before commencing to commercially operate the <i>Specified Water Industry Infrastructure</i> under the licence, the Network Operator must provide a copy of each certificate of currency of the insurance obtained to IPART.	Immediate
83	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B2.1(c) or 2.2(b)	Before commencing to commercially operate the <i>Specified Water Industry Infrastructure</i> under the licence/Within 6 months of the date on which the licence is granted or by a later date specified by IPART (if any), the Network Operator must demonstrate that the insurance obtained is appropriate for the size and nature of the activities authorised under the licence by providing a report to IPART from an Insurance Expert that: (i) certifies that in the Insurance Expert's opinion, the type and level of the insurance obtained by the licensee is appropriate for the size and nature of the activities authorised by the licence (ii) is in the form prescribed by the reporting manual (see Appendix I).	Immediate
84	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.1	The Network Operator must maintain insurance that is appropriate for the size and nature of the activities authorised under the licence.	Immediate
85	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.2	The Network Operator must provide a copy of each certificate of currency of the insurance maintained by the Licensee to IPART in accordance with the reporting manual.	Immediate

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
86	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.3	If there is to be a change in: <ul style="list-style-type: none"> a) the insurer or underwriting panel in respect of an insurance policy held by the Licensee; or b) the type, scope or limit on the amount of insurance held by the Licensee, in relation to the activities authorised under this licence, the Licensee must provide a report to IPART in accordance with the reporting manual.	Immediate
87	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.4	When requested in writing by IPART, the Network Operator must provide a report to IPART, in the manner, form and time specified by IPART, from an Insurance Expert, certifying that in the Insurance Expert's opinion, the type and level of insurance held by the licensee is appropriate for the size and nature of the activities authorised under the licence.	Immediate
88	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B3.5	The Network Operator must maintain professional indemnity insurance during the Design Phase and for a minimum period of 6 years from the date of the completion of the Design Phase.	Annual
89	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B4	The Network Operator must carry out activities authorised by the licence in compliance with any requirements of NSW Health that IPART has agreed to and are notified from time to time to the Licensee by IPART in writing.	Immediate
90	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B5	The Network Operator must comply with any Audit Guidelines issued by IPART.	Annual
91	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B6	The Network Operator must prepare and submit reports in accordance with the reporting manual.	Annual
92	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(a)	Within 14 days of any change to any source from which the water handled by the <i>Specified Water Industry Infrastructure</i> is derived, the Network Operator must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
93	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(b)	Within 14 days of any change to the Authorised Purposes of the water handled by the <i>Specified Water Industry Infrastructure</i> , the Network Operator must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
94	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(c)	Within 14 days of any change to the identity of each licensed retail supplier or public water utility that has access to the infrastructure services provided by the <i>Specified Water Industry Infrastructure</i> for the purpose of supplying water to its customers, the Network Operator must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
95	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(d)	Within 14 days of any change to any other water infrastructure to which the <i>Specified Water Industry Infrastructure</i> is connected, the Network Operator must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
96	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(e)	Within 14 days of any change to the identity of each licensed retail supplier or public water utility that has access to infrastructure services provided by the <i>Specified Water Industry Infrastructure</i> for the purpose of providing sewerage services to its customers, the Network Operator must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
97	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(f)	Within 14 days of any change to any other sewerage infrastructure to which the <i>Specified Water Industry Infrastructure</i> is connected, the Network Operator must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
98	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B7.1(g)	Within 14 days of any change to the arrangements for the disposal of waste from the <i>Specified Water Industry Infrastructure</i> , the Network Operator must notify IPART, and provide details, of the change in accordance with the reporting manual.	Immediate
99	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B8.1	The Network Operator must undertake any monitoring that is required for the purposes of the licence, any Plan, the Act or the WIC (General) Regulation in accordance with this clause.	Annual
100	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B8.2(a)	The Network Operator must keep records of any samples taken for monitoring purposes specified in the <i>Water Quality Plan</i> on the date on which the sample was taken.	Annual
101	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B8.2(b)	The Network Operator must keep records of any samples taken for monitoring purposes specified in the <i>Water Quality Plan</i> at the time at which the sample was collected.	Annual
102	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B8.2(c)	The Network Operator must keep records of any samples taken for monitoring purposes specified in the <i>Water Quality Plan</i> at the point or location at which the sample was taken.	Annual
103	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B8.2(d)	The Network Operator must keep records of any samples taken for monitoring purposes specified in the <i>Water Quality Plan</i> at the chain of custody of the sample (if applicable).	Annual
104	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B8.3	The Network Operator must ensure that analyses of all samples taken for the purposes of Verification Monitoring are carried out by a laboratory accredited for the specified tests by an independent body that is acceptable to NSW Health, such as the National Association of Testing Authorities, or an equivalent body.	Annual
105	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B9	Whenever the Network Operator makes a significant amendment to a Plan, the Licensee must provide a copy of the amended Plan to IPART at the same time that it provides a copy to the approved auditor engaged to prepare a report as to the adequacy of the amended Plan, as required under the WIC (General) Regulation.	Immediate

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
106	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.1	Delineating responsibility – interconnections If a code of conduct has not been established under cl. 25 of the WIC (General) Regulation, the Licensee must establish its own code of conduct by the date specified by IPART.	Annual
107	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.2(a)	The Network Operator's <i>Code of Conduct</i> must set out of the respective responsibilities of the Licensee	Annual
108	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.2(b),(c)	The Network Operator's <i>Code of Conduct</i> must set out of the respective responsibilities of each licensed Network Operator, licensed retail supplier and/or public water utility that supplies water, provides sewerage services or constructs, maintains or operates any other water industry infrastructure in the <i>Specified Area of Operations</i> , by, at a minimum, providing for, if the <i>Specified Water Industry Infrastructure</i> is connected to any other water industry infrastructure, who is responsible for repairing, replacing or maintaining any pipes, pumps, valves, storages or other infrastructure connecting the <i>Specified Water Industry Infrastructure</i> to the water industry infrastructure.	Annual
109	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.2(d)	The Network Operator's <i>Code of Conduct</i> must set out the respective responsibilities of who is responsible for water quality.	Annual
110	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.2(e)	The Network Operator's <i>Code of Conduct</i> must set out who is liable in the event of unavailability of water.	Annual
111	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.2(f)	The Network Operator's <i>Code of Conduct</i> must set out who is liable in the event of failure of the Specified Water Industry Infrastructure.	Annual
112	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.2(g)	The Network Operator's <i>Code of Conduct</i> must set out the fees and charges payable in respect of the use of the Specified Water Industry Infrastructure.	Annual
113	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.2(h)	The Network Operator's <i>Code of Conduct</i> must set out who is responsible for handling customer complaints.	Annual
114	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.3 or B10.4	Before the Network Operator brings the <i>Specified Water Industry Infrastructure</i> into commercial operation or by a later date specified by IPART (if any)/Within 6 months of the date on which the licence is granted or by a later date specified by IPART (if any), the Licensee's <i>Code of Conduct</i> must agree in writing between the Licensee and other licensed Network Operators, licensed retail suppliers and/or public water utilities	Annual

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^a
115	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B10.5	The Network Operator must not contravene the Licensee's <i>Code of Conduct</i> to the extent that it makes the Licensee responsible or liable for the matters set out in it.	Annual
116	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B11.1	If the Network Operator proposes to operate the <i>Specified Water Industry Infrastructure</i> to supply water for an end-use which is not set out in the most recent Water Quality Plan provided to IPART, the Licensee must notify IPART in writing at least 3 months before commencing such operation.	Immediate
117	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B12.1	If an Authorised Person ceases, proposes to cease, or receives notification to cease providing any of the services relating to the activities authorised by this licence, the Network Operator must provide IPART with written notice as soon as practicable but no later than 28 days before the date of cessation of the services. The written notice must include details of how the services previously undertaken by the Authorised Person will continue to be undertaken.	Immediate
118	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B13.2(a)	If the Network Operator has brought any <i>Specified Water Industry Infrastructure</i> into commercial operation, the Licensee must notify IPART in accordance with the reporting manual that it has brought the relevant <i>Specified Water Industry Infrastructure</i> into commercial operation	Immediate
119	Licence, Schedule B - Ministerially-imposed licence conditions	Schedule B, cl B13.2(b)	If the Network Operator has brought any <i>Specified Water Industry Infrastructure</i> into commercial operation, the Licensee must provide such notification within 10 days after it has brought the relevant <i>Specified Water Industry Infrastructure</i> into commercial operation.	Immediate

^a This refers to the timing of reporting on a non-compliance with the obligation in this table.

Table A.9 Network Operators – specified Licensees only^a

#	Licence Condition	Obligations under condition	Brief description of obligation	Reporting ^b
#	[Licensee's name], Licence number #	Schedule A, cl A#	[Brief description]	[Immediate/ Annual]
#	[Licensee's name], Licence number #	Schedule A, cl A#	[Brief description]	[Immediate/ Annual]

^a Some Licensees will be subject to non-standard Ministerially-imposed licence conditions specific to their licensed activities. At this point in time, IPART anticipates that non-standard Ministerially-imposed licence conditions will be the exception, rather than the rule. Please contact IPART if this applies to your licence.

^b This refers to the timing of reporting on a non-compliance with the obligation in this table.

B Immediate non-compliance breach report template

Immediate licence breach report

Time of licence breach *[Insert date and time]*

Submitted by [Licensee]

ACN: [ACN]

[Licensee] reports as follows:

1. The company currently holds the following New South Wales WIC Act Licence(s) (strike out any that do not apply):
 - Retail Supplier
 - Network Operator
2. On *[Insert date]* and at *[insert time]*, **there was/were (a) non-compliance(s)** with the following licence clause(s):

[Insert licence clauses(s) that were not compliant]
3. This report has been prepared by [Licensee] with all due care and skill, **using all reasonable efforts to verify** that all information provided in the report is **true and correct**, in full knowledge of conditions to which **the Licensee** is subject and in compliance with IPART's current Network Operator's Reporting Manual under the *Water Industry Competition Act 2006* (NSW).
4. Schedule A provides information on the licence non-compliance(s) incurred by [Licensee].
5. Once the licence non-compliance(s) have been rectified, [Licensee] will notify IPART of the actual date of full compliance.

IPART should liaise with [Name of primary contact] when communicating with [Licensee] with regard to the non-compliance. [Name of primary contact] may be contacted at [telephone number], [email address].

If [Name of primary contact] is unavailable at any time, IPART should liaise with [Name of alternate contact]. [Name of alternate contact] may be contacted at [telephone number], [email address].

Signed for and on behalf of

[Insert Licensee's Name]

ACN *[Insert ACN of Licensee]*



[signature of Director/Company Secretary] *[signature of Director]*

Name of Director/Company Secretary Name of Director
[Print name] *[Print name]*

(Strike out any that do not apply)

Schedule A Details of licence non-compliance(s)

Details of licence non-compliance	
Date and time that IPART <i>Director, Regulation & Compliance</i> was verbally notified of the non-compliance	
The obligation with which the licensee is non-compliant	
Extent and nature of breach/ non-compliance (brief description)	
How many customers are affected?	
How many other licensees are affected?	
Reason(s) for the licence non-compliance	
Corrective action(s) taken to rectify the non-compliance and preventive actions taken to minimise reoccurrence of the non-compliance	
Contact details for person managing response to event	Name: Telephone number: Email address: Address:
Anticipated date of full compliance	

C Checklist for annual reporting

By no later than **1 September** each year, all licensees must lodge an electronic **copy, and if requested a hard copy,** of their Annual Compliance Report comprising of the following:

- Annual Compliance Report Certification (**Appendix D**)
- Licence non-compliance schedule (**schedule A in Appendix D**)
- Performance Indicators (**schedule B in Appendix D**)
- Name and contact details (phone, email) of the main person we can liaise with when assessing the licensee's compliance. Please also nominate an alternate person for those times when the main contact is unavailable.

D Annual compliance report template

Annual Compliance Report *[Insert Year]*

For 20__/__/__

Submitted by [Licensee]

ACN: [ACN]

To: The Chief Executive Officer
Independent Pricing and Regulatory Tribunal of NSW
PO Box K35
Haymarket Post Shop NSW 1240

[Licensee] reports as follows:

1. This report:
 - a) documents all non-compliances with the licence conditions to which [Licensee] is subject by virtue of its Network Operator's licence during [most recent financial year ending 30 June]; and
 - b) includes all Performance Indicators about [Licensee's] operations required to be reported in accordance with Schedule B of this Reporting Manual.
2. This report has been prepared by [Licensee] with all due care and skill, including to ensure that all information provided in the report is true and correct, in full knowledge of conditions to which [Licensee] is subject and in compliance with IPART's current Network Operator's Reporting Manual under the *Water Industry Competition Act 2006* (NSW).
3. Schedule A provides information on all obligations with which [Licensee] did not fully comply during [financial year].
4. Other than the information provided in Schedule A, [Licensee] has complied with all conditions to which it is subject.

IPART should liaise with [Name of primary contact] in regard to [Licensee] Annual Compliance Report. [Name of primary contact] may be contacted at [telephone number], [email address].

If [Name of primary contact] is unavailable at any time, IPART should liaise with [Name of alternate contact]. [Name of alternate contact] may be contacted at [telephone number], [email address].

Signed for and on behalf of
[Insert Licensee's Name]
ACN *[Insert ACN of Licensee]*

[signature of Director/Company Secretary]

[signature of Director]

Name of Director/Company Secretary
[Print name]

Name of Director
[Print name]

(Strike out any that do not apply)

Schedule A Non Compliances¹²

# ^a List obligations breached, including a brief description of each obligation ^b	Describe: i Date or period of licence breach ii Nature and extent of licence breach (including whether and how many customers and/or other licensees have been affected) iii Results of any monitoring (where applicable) iv Reasons for licence non-compliance v Remedial action taken vi Actual/anticipated date of full compliance
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[Insert rows as required]

^a See Appendix A. Licensees should indicate the relevant requirement number in column 1, for example, Network Operator #29.

^b See Appendix A. Licensees should include, for example: WIC (General) Reg cl 9, WIC (General) Reg Schedule 1, cl 1(1) - A Network Operator must provide the Minister or IPART with such information as required in relation to licensee's activities under licence.

¹² Licensees should report only non-compliances that were identified during the reporting period.

Schedule B

Table 1 - Performance indicators¹³

Indicator set	Performance indicator # ^a	Report in relation to indicator
Assets		

^c See Appendix E.

Note: This template is available in Excel format at IPART's website.

¹³ The Licensee must report against all applicable indicators, as determined by IPART in consultation with the Licensee.

E IPART performance indicators

The table in this Appendix E sets out the performance indicators developed by IPART that WIC Act Network Operators must report on.

Table E.1 Proposed IPART performance indicators

Performance area	Indicator number	Indicator	Definition
Assets	A1	Number of properties that experience an unplanned water interruption that lasts for more than five continuous hours	Number of properties that experience an unplanned water interruption that lasts for more than five continuous hours in the financial year.
	A2	Number of properties that experience three or more unplanned water interruptions that each lasts for more than one hour	Number of properties that experience three or more water interruptions that each lasts for more than one hour in the financial year.
	A3 ^a	Total number of unplanned water interruptions – water supply	The total number of unplanned interruptions where customers are without potable water supply, during the reporting year (interruptions).
	A4 ^b	Average duration of unplanned water interruptions – water supply	The average duration for which a customer is without potable water, due to an unplanned supply interruption during the reporting year minutes (minutes).
	A10	Number of properties that experience a water pressure failure	Number of properties that experience a water pressure failure in the financial year.
	A11	Number of properties (other than public properties) that experience an uncontrolled wastewater overflow in dry weather	Number of properties (other than public properties) that experience an uncontrolled wastewater overflow in dry weather in the financial year.
	A12	Number of properties (other than public properties) that experience three or more uncontrolled wastewater overflows in dry weather	Number of properties (other than public properties) that experience three or more uncontrolled wastewater overflows in dry weather in the financial year.

^a NWI indicator IC17

^b NWI indicator C15

Definitions

Property

Means any single real property which is connected to the water utility's drinking water supply system, to the water utility's sewerage system or to the water utility's non-potable (or recycled) water system and a charge for the services provided by one or more of those systems is levied on the owner of the real property;

Uncontrolled wastewater overflow

Refer to the WIC Act utility's current Infrastructure Operating Plan for a definition of when a property is taken to have experienced an Uncontrolled Wastewater Overflow.

Water Pressure Failure

Refer to the WIC Act utility's current Infrastructure Operating Plan for a definition of when a property is taken to have experienced Water Pressure Failure if it breaches the System Performance Standard for water pressure.

For the purpose of this indicator:

A Property is taken to have experienced a Water Pressure Failure:

- a) when a person notifies the water utility that the Property has experienced a Water Pressure Failure and the water utility confirms that the Property has experienced a Water Pressure Failure; or
- b) when the water utility identifies that the Property has experienced a Water Pressure Failure (including through its data collection systems and hydraulic analysis).

Despite above, a Property will not be taken to have experienced a Water Pressure Failure if that Water Pressure Failure occurred only because of:

- c) water usage in the case of a fire or other abnormal demand; or
- d) a short term or temporary operational problem (such as a main break) which is remedied within Four days of its commencement.

Unplanned Water Interruption

Means an event which:¹⁴

- a) commences when the supply of Drinking Water at the first cold water tap of a Property is interrupted without the Customer or Consumer having received prior notice of that interruption from the water utility; and
- b) ceases when a normal supply of Drinking Water is restored to the Property referred to in paragraph (a).

¹⁴ Sydney Water Operating Licence 2015-2020 12.1 Definitions and Hunter Water Operating Licence 2017-2022 7.1 Definitions

F Insurance expert's report template

It is a standard Licence condition for all licensed Network Operators under the WIC Act to obtain appropriate insurance prior to commencing commercial operation of the infrastructure (see Schedule B, clause B2 of the licence for full details).

Licensees must demonstrate that the insurance they have obtained is appropriate. This is established by providing a report to IPART from an insurance expert, certifying that in the insurance expert's opinion, the type and level of insurance obtained is appropriate for the size and nature of the activities authorised under the licence, and attaching all certificates of currency of insurances obtained. The insurance expert must be an insurance broker, holding an Australian financial services licence (AFSL) under Part 7.6 of the *Corporations Act 2001* (Cth) that authorises it to provide financial product advice for, and deal in, insurance contracts.

The report must be in the form prescribed by the reporting manual. This form is set out below. The report should also set out the insurance expert's AFSL number and ABN (or attach a copy of an AFS licence register search from ASIC providing these details). The expert must be able to state in the report that they have no conflicts of interest preventing them from providing the report.

Licensees must submit this report to IPART, prior to commencing commercial operation. This report may take four to six weeks (or potentially longer) to obtain, as it will require the insurance expert to undertake or review a risk assessment of the licensed activities in order to provide the information required in the report. Licensees should allow for sufficient time to obtain the report before commencing commercial operation (or, for Brownfield schemes that have already commenced commercial operation, within six months of the date on which the licence is granted or by a later date specified by IPART (if any)).

Insurance expert's report template

The insurance expert's report required under licence condition B2 is to contain a certification statement with supporting attachments. The below certification statement is to be provided on the insurance broker's letterhead and signed by a Partner, Director or Senior Manager of the brokerage.

[Licensee's name and ACN] (Licensee) has engaged [Insurance broker's name, ACN and Australian financial services licence number] to provide this report to the Independent Pricing and Regulatory Tribunal (IPART).

This report concerns the licensee's insurance arrangements in relation to the activities authorised under the Network Operator's licence [insert No.] and/or retail supplier's licence [insert No.] (Licence) granted to the licensee under the *Water Industry Competition Act 2006* (NSW) (Act). Those activities are [enter a brief description of the authorised activities eg, the construction, operation and maintenance of and/or supply of recycled water from, the recycled water scheme at Rooty Hill]. The provision of this report is required by licence condition B2.

Licensee's Insurance Arrangements

The attached Schedule A sets out:

- ▼ the type and level of insurance obtained by the licensee in relation to the activities authorised under the licence (Licensee's Insurance Arrangements), and
- ▼ the reasons as to why the Licensee's Insurance Arrangements are appropriate for the size and nature of the activities authorised under the licence.

Certification

[Insurance broker's name] certifies to IPART that in its opinion, the Licensee's Insurance Arrangements are appropriate for the size and nature of the activities authorised under the Licence. In reaching this opinion, [Insurance broker's name] has:

- ▼ identified and analysed the key risks of the licensee undertaking the activities authorised by the licence as set out in the attached Schedule C, using the approach or methodology set out in the attached Schedule B
- ▼ reviewed the Licensee's Insurance Arrangements, and
- ▼ based on the information set out below:
 - considered whether the Licensee's Insurance Arrangements are appropriate for the size and nature of the activities authorised under the licence using the risk analysis set out in the attached Schedule C, and
 - considered any risks that remain wholly or partially uninsured and explained in the attached Schedule D what those risks are, why they are wholly or partially uninsured, and why this does not affect the certification given in this report.

In preparing this report, [Insurance broker's name] has:

- ▼ been briefed by the licensee on the activities authorised by the licence and on the Licensee's Insurance Arrangements

- ▼ reviewed the risk assessment in the following operational plans provided by the licensee:
 - Network Operator’s Water Quality Plan [*delete if not applicable*]
 - Network Operator’s Sewage Management Plan [*delete if not applicable*]
 - Network Operator’s Infrastructure Operating Plan [*delete if not applicable*]
 - Retail Supplier’s Retail Supply Management Plan [*delete if not applicable*]
- ▼ reviewed the risk register developed by the licensee
- ▼ reviewed evidence of the licensee’s current insurance policies, or of the insurance policies that the licensee will obtain before commencing commercial operation or supply of services, in the form of certificates of currency (where currently available) and the relevant policy schedules and policy wording. Where an insurance policy is written in a foreign language, [*Insurance broker’s name*] has reviewed an English translation or English summary of the policy, and
- ▼ [*insert details of other information/ documents reviewed or any other inquiries made*].

Acknowledgments

[*Insurance broker’s name*] has prepared this report for the licensee.

[*Insurance broker’s name*] acknowledges that IPART may disclose this report:

- ▼ to the Minister administering the Act (Minister) or the Department of Planning and Environment (which currently administers the Act on the Minister’s behalf), and
- ▼ under the *Government Information (Public Access) Act 2009* (NSW) or the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), or where otherwise required by law.

[*Insurance broker’s name*] also acknowledges that this report is for the benefit of the Minister and IPART, and that the Minister and IPART will rely on the report in performing their respective functions under the Act.

[*Include the following section if attaching certificates of currency to this report on behalf of the licensee*]

Certificates of Currency

All certificates of currency for the insurances are attached in Schedule E.

[*Insert page break*]

SCHEDULE A: Summary of current insurance arrangements

Include a brief statement of the insurance arrangements the licensee has or intends to have in place prior to commencing commercial operation and/or supply of services.

For each insurance policy, the following information is to be summarised:

Policy type/class	<i>(eg, Public & Products Liability, Professional Indemnity, Industrial Special Risks, Environmental Impairment Liability, Workers Compensation, etc)</i>
Parties Insured	<i>[full name of entity to be insured – ensure covers the licensee, particularly where the licensee is a subsidiary company]</i>
Policy number	
Policy period	
Insurer	
Risks/Interests insured	<i>[Summary of what the insurance covers]</i>
Limit of Liability, including notable sub-limits	<i>[eg, \$ amount/s or ‘as provided under Legislation’]</i>
Key Exclusions	
Policy Extensions	<i>[if applicable]</i>
Geographical Limits	
Evidence of Policy	<i>[ie, Policy Wording & Schedules (or Policy summary/translation where policy issued in another language); Certificate of Currency dated x (where available)]</i>
Appropriateness of Policy	<i>[insert commentary]</i>

[Insert page break]

SCHEDULE B: Risk profiling and analysis approach

Insert details of the approach used to identify and analyse risks. All business risks must be considered, whether insurable or not. The approach used should be consistent with the International Standard ISO 31000-2009, Risk Management – Principles and guidelines, as published by the International Organization for Standardization.

Explain how the risk is evaluated (or rated) and set out your risk evaluation criteria or descriptors in tables below.

[Insert page break]

SCHEDULE C: Insurable risk analysis – key risks

Set out in table form the following:

- ▼ each key risk identified, including a general risk type (eg, Product liability – water; Financial risks; etc) and a more detailed description of the risk or the risk scenario identified (eg, product causing property damage or personal injury; failure of critical equipment; inadequate funds available resulting in licensee’s bankruptcy; etc)
- ▼ your assessment or evaluation of the consequences of each key risk, including your risk rating (eg, this will be numbers and/ or descriptors, as described in Schedule B)
- ▼ an indication of whether or not the key risk is insurable or not (eg, yes/no/partially)
- ▼ an indication of what the applicable insurance or insurances for that key risk would be (ie, the policy type)
- ▼ an indication of whether the key risk is in fact insured (eg, yes/no/partially)
- ▼ any further insurance comments on the insurance cover for the risk (eg, extent of the cover) and the appropriateness of that cover (eg, This exposure will be picked up under the property policies of the asset owner; Generally the combined liability policy will provide cover for these risks, except in relation to...; etc)

[Insert page break]

SCHEDULE D: Wholly or partially uninsured risks

For each key risk that is currently wholly or partially uninsured, the following information should be set out in table form:

- ▼ a description of each wholly or partially uninsured risk (eg, Legislative non-compliances of WHS, environmental, etc; Asset damage; Inadequate funds available resulting in licensee's bankruptcy; etc)
- ▼ whether there is an available insurance solution (eg, Yes, No, Partial or an explanatory comment such as: 'A statutory liability policy is available to provide cover for innocent breaches of legislation', etc) and
- ▼ comment as to why the risk is wholly or partially uninsured, and why this does not affect the certification given in this report (eg, A commercial decision has been made to self insure these exposures, and it is not considered a material risk exposure with respect to the licensee's project; Responsibility for insurance of the asset rests with the owner of the asset, not the licensee; Such cover is not typically purchased due to the high cost of obtaining such cover and therefore the licensee's insurance arrangements are considered standard industry practice; etc).

[Insert page break]

SCHEDULE E: Certificates of currency

The insurance broker may attach certificates of currency to the report where the insurances are already in place. If the certificates of currency are not attached to the report, the licensee must separately provide them to IPART before commencing commercial operation or supply of services.