

State Water Corporation Operating Licence 2013-2018

Water Licensing – Operating Licence
2013- 2018

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1 Licence and Licence authorisation

1.1 Purpose of this Licence

1.1.1 This Licence is granted to enable and require State Water to carry out its functions within its Area of Operations on the terms and conditions set out in this Licence. This Licence sets out the terms and conditions under which State Water is to:

- a) meet the objectives and other requirements imposed on it in the Act and other applicable law;
- b) provide, construct, operate, manage and maintain efficient, co-ordinated and commercially viable systems and services to capture, store and release water;
- c) comply with the performance standards specified in this Licence;
- d) comply with the reporting obligations set out in the Reporting Manual;
- e) be subject to Operational Audits; and
- f) where conferred on State Water by this Licence, undertake specified functions of:
 - i) the Minister administering the *Water Management Act 2000* (NSW) and the *Water Act 1912* (NSW); and
 - ii) the Ministerial Corporation under any Act or law.

1.1.2 To the extent permitted by any applicable law, this Licence authorises State Water to carry out its functions:

- a) outside the State; and
- b) within the area of operations of:
 - i) Sydney Water Corporation;
 - ii) Sydney Catchment Authority;
 - iii) Hunter Water Corporation; or

iv) a Water Supply Authority,

subject to State Water obtaining the written agreement of the relevant body.

1.2 Duration of this Licence

1.2.1 The term of this Licence is 5 years from the Commencement Date.

[Note: This Licence starts on 1 July 2013, which means that it will end on 30 June 2018.]

1.3 Availability of Licence

1.3.1 State Water must make this Licence available free of charge:

- a) on its website for downloading by any person; and
- b) to the public on request.

1.4 Conferred functions

1.4.1 This Licence confers on State Water the functions specified in Schedule A to this Licence.

1.4.2 State Water must exercise any functions conferred on it under this Licence consistently with the *Water Management Act 2000* (NSW), the *Water Act 1912* (NSW), the *New South Wales – Queensland Border Rivers Act 1947* (NSW), any other relevant law and any relevant Water Management Plan.

1.4.3 By 1 October 2013, State Water must publish a statement setting out any agreed roles and responsibilities regarding the functions conferred on it under clause 1.4.1 and Schedule A, as agreed with the NSW Office of Water, the Ministerial Corporation or any other relevant government departments or agencies.

[Note: this obligation could be fulfilled by publishing those parts of any agreements (including memoranda of understanding) entered into by State Water and other government departments or agencies with which it shares the functions, which document roles and responsibilities regarding conferred functions.]

1.4.4 State Water must make the statement described in clause 1.4.3 available free of charge:

- a) on its website for downloading by any person; and
- b) to the public on request.

2 Water quality

2.1 Bulk Water supplied to Local Water Utilities for Drinking Water purposes

- 2.1.1 State Water must maintain a register of all Local Water Utilities:
- a) for which State Water maintains a Water Allocation Account; and
 - b) to which State Water delivers water that will be used for the purposes of Drinking Water (**Local Water Utility Customers**).
- The register must include contact details for each Local Water Utility Customer, and the Valley and approximate location from which each Local Water Utility Customer extracts water.
- 2.1.2 By 1 October 2013, State Water must develop and implement a procedure for providing information when requested by any Local Water Utility to inform that utility's Drinking Water quality assurance program (**LWU Information Request Procedure**).
- 2.1.3 State Water's LWU Information Request Procedure under clause 2.1.2 above must:
- a) describe how a Local Water Utility is to request information;
 - b) describe how State Water will respond to the request in a timely manner; and
 - c) define any fees or charges that will be charged by State Water to recover reasonable costs incurred for responding to an information request, how these will be calculated, and how they are to be paid.
- 2.1.4 State Water must make details of the LWU Information Request Procedure free of charge:
- a) on its website for downloading by any person; and
 - b) to the public on request.

[Note: The purpose of clause 2.1 is to ensure that there are mechanisms in place for State Water to share information which it currently collects with interested Local Water Utilities, where that information could usefully inform a Local

Water Utility's Drinking Water quality assurance program.]

3 | Water quantity

3.1 Delivery of water to Customers

- 3.1.1 State Water must take all reasonable steps to process all Water Orders promptly and efficiently.

[Note: Where a Customer places an incomplete or incorrect Water Order, State Water could fulfil this obligation by notifying that Customer promptly and efficiently of the error, and how to rectify it.]

- 3.1.2 State Water must take all reasonable steps to manage Water Orders so as to ensure the timely Delivery of water to its Customers.

- 3.1.3 State Water must maintain a Water Allocation Account for each access licence issued under the *Water Management Act 2000* (NSW) and each licence issued under the *Water Act 1912*(NSW) held by a Customer.

- 3.1.4 State Water must take all reasonable steps to conserve water and minimise water losses that result from undertaking its operations under this Licence.

[Note: The obligations imposed on State Water by this clause 3.1 are subject to the requirements of any water sharing plans or water management work approvals.]

3.2 Advance notification of changes to flow release patterns

- 3.2.1 State Water must maintain an effective system to provide advance notification of any significant changes to flow release patterns from its Water Management Works, to Customers and other stakeholders that have registered to be notified of such changes.

3.3 Water balance reporting

- 3.3.1 State Water must prepare water balance reports for each of the Valleys in which it operates, in accordance with the Reporting Manual.

4 Assets

4.1 Asset Management System

- 4.1.1 By 30 June 2018, State Water must develop a Management System that is consistent with:
- a) the *International Standard ISO 55001: 2013 Asset Management – Management systems - Requirements*; or
 - b) another asset management standard agreed to by IPART,
- (Asset Management System).**
- 4.1.2 In the case of an Asset Management System which is developed under the *International Standard ISO 55001: 2013 Asset Management – Management systems – Requirements*, State Water must ensure that:
- a) by 30 June 2018, the Asset Management System is certified by an appropriately qualified third party to be consistent with the International standard *ISO 55001:2013: Asset Management – Management systems - Requirements*; and
 - b) once the Asset Management System is certified under clause 4.1.2(a) above, the certification is maintained during the remaining term of this Licence.
- 4.1.3 State Water must ensure that, by 30 June 2018, the Asset Management System is fully implemented and that all relevant activities are carried out in accordance with the system.
- 4.1.4 Until the Asset Management System has been developed in accordance with clause 4.1.1 and certified in accordance with clause 4.1.2 (if applicable), State Water must:
- a) maintain programs to manage risks to its assets and to maintain the appropriate levels of service of those assets; and
 - b) ensure that all its activities are carried out in accordance with those programs.
- 4.1.5 Once the Asset Management System is certified in accordance with clause 4.1.2 (if applicable), State Water must notify IPART of any significant changes that it proposes to make to the Asset Management System in accordance with the Reporting Manual.

4.2 Water metering

- 4.2.1 State Water must read each of its Customers' meters.
- 4.2.2 Where provided for in any agreement between State Water and the Minister or the NSW Office of Water, State Water must:
- a) read Metering Equipment (if applicable); or
 - b) determine water extraction
- for groundwater and Unregulated River licence holders.
- 4.2.3 State Water may operate, replace, repair, maintain, remove, connect, disconnect or modify Metering Equipment installed under a government-funded meter program.

[Note: This clause 4.2 enables State Water to perform the metering functions set out in this clause for the purposes of section 22A(1) of the Act, subject to the terms and conditions of this Licence.]

5 Customers

5.1 Valley-based customer service committees (excluding Fish River Water Scheme Customers)

- 5.1.1 State Water must regularly consult with Valley-based customer service committees (CSCs) to enable Customer involvement in issues relevant to the performance of State Water's obligations to Customers under this Licence or the customer service charter referred to in clause 5.2 of this Licence.
- 5.1.2 For each CSC, State Water must invite at least 1 representative from each of the groups or bodies identified in paragraphs (a) to (e) below to be a member of that CSC:
- a) Customers which are Unregulated River water users;
 - b) Customers which are groundwater users;
 - c) the NSW environmental water entitlement holder;
 - d) the Commonwealth Environmental Water Holder; and
 - e) the relevant Catchment Management Authority;

For the purposes of this clause 5.1.2, Customer does not include a Fish River Water Scheme Customer.

- 5.1.3 State Water must provide the CSCs with adequate information within its possession or under its control to enable the CSC to discharge the tasks assigned to it, other than information or documents over which State Water or another person claims confidentiality or legal professional privilege and subject to any limitations on disclosure of the information at law.

5.2 Customer Service Charter (excluding Fish River Water Scheme Customers)

- 5.2.1 State Water must, in consultation with the CSCs, establish and maintain a customer service charter (**Customer Service Charter**).
- 5.2.2 The Customer Service Charter must set out the mutual responsibilities and obligations of State Water and its Customers (excluding Fish River Water Scheme Customers) consistently with this Licence, the Act, the *Water Management Act 2000* (NSW), the *Water Act 1912* (NSW) and any other applicable law.
- 5.2.3 State Water must make the Customer Service Charter available free of charge:
- a) on its website for downloading by any person; and
 - b) to the public on request.

5.3 Fish River Customer Council

- 5.3.1 State Water must regularly consult with a Fish River Customer Council to enable Fish River Water Scheme Customer involvement in issues relevant to the performance of State Water in its obligations to Fish River Water Scheme Customers under this Licence and any Fish River Customer Contract.
- 5.3.2 State Water must invite at least 1 representative from each of the entities identified in paragraphs (a) to (d) below to be a member of the Fish River Customer Council:
- a) Lithgow City Council;
 - b) Oberon Council;
 - c) Delta Electricity, a statutory State owned corporation constituted under the *Energy Services Corporations Act 1995* (NSW); and
 - d) Sydney Catchment Authority, a statutory corporation constituted under the *Sydney Water Catchment Management Act 1998* (NSW),
(Fish River Customer Council).
- 5.3.3 State Water must provide the Fish River Customer Council with adequate information within its possession or under its control so as to enable the Fish River Customer Council to discharge the tasks assigned to it, other than information or documents over which State Water or another person claims confidentiality or privilege and subject to any limitations on disclosure of the information at law.

5.4 Fish River Customer Contracts

- 5.4.1 State Water must enter into and maintain an agreement with each of its Fish River Water Scheme Customers during the term of this Licence, for the water supply arrangements for the Fish River Water Supply Scheme.
- 5.4.2 The terms of the agreements must, as a minimum, include provisions on:
- a) the standard of the quality of water to be supplied by State Water;
 - b) the continuity of water to be supplied by State Water (that is, provisions relating to interruption, disconnection and reconnection to supply);
 - c) the metering arrangements;
 - d) the costs to be paid by Fish River Water Scheme Customers for the supply of water and other services to them; and
 - e) any other terms agreed between State Water and its Fish River Water Scheme Customers.

5.5 Code of practice on payment difficulties

- 5.5.1 State Water must develop, maintain and fully implement a code of practice (the **Code**) relating to Customers having payment difficulties, which must:
- a) provide for deferred payment or payment by instalment for Customers who are required to pay Bills and who are experiencing payment difficulties; and
 - b) identify the circumstances under which State Water may suspend water access licences, and an overview of the process that must be followed prior to suspension.
- 5.5.2 State Water must set out details of the Code in the Customer Service Charter.
- 5.5.3 State Water must provide information on the Code free of charge:
- a) to Customers, at least once annually with their Bills;
 - b) on its website for downloading by any person; and
 - c) to the public on request.

5.6 Internal Complaints Handling Procedure

- 5.6.1 State Water must maintain a procedure for receiving, responding to and resolving Complaints, which is consistent with the *Australian Standard AS ISO 10002-2006: Customer satisfaction - Guidelines for complaints handling in organizations* (ISO 10002:2004, MOD) (**Internal Complaints Handling Procedure**).
- 5.6.2 State Water must ensure that the Internal Complaints Handling Procedure is fully implemented and that all relevant activities are carried out in accordance with the procedure.
- 5.6.3 State Water must provide information on the Internal Complaints Handling Procedure which explains how to make a Complaint and how the Internal Complaints Handling Procedure works free of charge:
- a) to Customers, at least once annually with their Bills;
 - b) on its website for downloading by any person; and
 - c) to the public on request.

5.7 External dispute resolution scheme

- 5.7.1 State Water must be a member of the Energy and Water Ombudsman NSW for the resolution of disputes between State Water and its Customers.
- 5.7.2 State Water must provide free of charge information that explains the operation of the dispute resolution service provided by the Energy and Water Ombudsman NSW (including any rights to have a Complaint or dispute referred to the Energy and Water Ombudsman NSW and how the dispute resolution service can be accessed):
- a) to Customers, at least once annually with their Bills;
 - b) on its website for downloading by any person; and
 - c) to the public on request.

6 Environmental management

6.1 Environmental management

- 6.1.1 By 30 June 2018, State Water must develop a Management System which is consistent with the *Australian Standard AS/NZS ISO 14001:2004: Environmental Management Systems - Requirements with guidance for use* (**Environmental Management System**).
- 6.1.2 State Water must ensure that:
- a) by 30 June 2018, the Environmental Management System is certified by an appropriately qualified third party to be consistent with the *Australian Standard AS/NZS ISO 14001:2004: Environmental Management Systems - Requirements with guidance for use*; and
 - b) once the Environmental Management System is certified under clause 6.1.2(a), the certification is maintained during the remaining term of this Licence.
- 6.1.3 State Water must ensure that by 30 June 2018, the Environmental Management System is fully implemented and that all relevant activities are carried out in accordance with the system.
- 6.1.4 Until the Environmental Management System has been developed and certified in accordance with clauses 6.1.1 and 6.1.2, State Water must:
- a) maintain programs to manage risks to the environment from carrying out its activities; and
 - b) ensure that all its activities are carried out in accordance with those programs.
- 6.1.5 Once the Environmental Management System is certified in accordance with clause 6.1.2, State Water must notify IPART of any significant changes that it proposes to make to the Environmental Management System in accordance with the Reporting Manual.

7 | Performance monitoring

7.1 Operational Audits

- 7.1.1 IPART may undertake, or may appoint an Auditor to undertake, an audit on State Water's compliance with:
- a) this Licence;
 - b) the Reporting Manual; and
 - c) any matters required by the Minister,
(Operational Audit).
- 7.1.2 State Water must provide IPART or any Auditor with all information in its possession, or under its custody or control, which is necessary to conduct the Operational Audit, including whatever information is reasonably requested by IPART or an Auditor.
- 7.1.3 State Water must provide the information requested under clause 7.1.2 within a reasonable time of it being requested.
- 7.1.4 For the purposes of any Operational Audit or verifying a report on an Operational Audit, State Water must, within a reasonable time of being required by IPART or an Auditor, permit IPART or the Auditor to:
- a) have access to any works, premises or offices occupied by State Water;
 - b) carry out inspections, measurements and tests on, or in relation to, any such works, premises or offices;
 - c) take on to any such premises, works or offices any person or equipment necessary for the purposes of performing the Operational Audit or verifying any report on the Operational Audit;
 - d) inspect and make copies of, and take extracts from, any books and records of State Water that are maintained in relation to the performance of State Water's obligations under this Licence (including under the Reporting Manual); and

- e) discuss matters relevant to the Operational Audit or any report on the Operational Audit with State Water, including any of State Water's officers and employees.

7.2 Reporting

7.2.1 State Water must comply with its reporting obligations set out in this Licence and in the Reporting Manual, which include:

- a) reporting to IPART in accordance with the Reporting Manual and this Licence, and
- b) making reports and other information publicly available,

in the manner set out in the Reporting Manual.

7.2.2 State Water must maintain sufficient record systems that enable it to report accurately in accordance with this Licence and the Reporting Manual (including its performance against the performance indicators specified in the Reporting Manual).

7.2.3 In the case of any ambiguity in the interpretation or application of any performance indicators specified in the Reporting Manual, IPART's interpretation or assessment of the indicators will prevail.

7.2.4 State Water must maintain sufficient record systems to enable it to measure accurately its performance against any system performance indicators specified in any instruments that give effect to the National Water Initiative.

7.3 Provision of information

7.3.1 If IPART requests that State Water provide information relating to the performance of its obligations under clause 7.2, State Water must provide the information requested within a reasonable time of IPART's request, including providing IPART with physical and electronic access to the records required to be kept under clause 7.2.2.

7.3.2 State Water must provide IPART with such information as is reasonably required to enable IPART to conduct any review or investigation of State Water's obligations under this Licence.

7.3.3 If State Water contracts out any of its activities to third parties (including a subsidiary) it must take all reasonable steps to ensure that, if required by IPART or an Auditor, any such third parties provide information and do the things specified in this clause 7 as if that third party were State Water.

- 7.3.4 If IPART or an Auditor requests information under this clause 7 which is confidential, the information must be provided to IPART or the Auditor, subject to IPART or the Auditor entering into reasonable arrangements to ensure that the confidential information is not disclosed to third parties, without the consent of State Water.

8 End of term review

8.1 End of Term Review

- 8.1.1 In or around the first quarter of 2017, a review of this Licence will commence to investigate:
- a) whether this Licence is fulfilling its objectives; and
 - b) any issues which have arisen during the term of this Licence, which may affect the effectiveness of this Licence,
- (End of Term Review).**
- 8.1.2 State Water must provide to the person undertaking the End of Term Review such information as is reasonably required to enable the person to undertake the End of Term Review.

9 Notices

Any notice or other communication given under this Licence must be made in writing addressed to the intended recipient at the address shown below or the last address notified by the recipient.

State Water	IPART
The Chief Executive Officer State Water Corporation PO Box 1018 Dubbo NSW 2830	The Chief Executive Officer Independent Pricing and Regulatory Tribunal PO Box Q290 QVB Post Office NSW 1230

10 Definitions and interpretation

10.1 Definitions

In this Licence:

Act means the *State Water Corporation Act 2004* (NSW).

Area of Operations has the meaning given in the Act.

Asset Management System has the meaning given in clause 4.1.1.

Auditor means a person appointed by IPART to undertake an Operational Audit.

Bill means a bill sent by State Water to a Customer for the provision of services supplied by State Water.

Border Rivers means “Carrier Rivers” as defined in *New South Wales - Queensland Border Rivers Act 1947* (NSW).

Border Rivers Commission means the commission constituted under the *New South Wales - Queensland Border Rivers Act 1947* (NSW).

Bulk Water means water delivered to meet the needs of the environment and State Water’s Customers.

Catchment Management Authority means those authorities listed in Schedule 1 of the *Catchment Management Authorities Act 2003* (NSW).

Commencement Date is the date by law on which this Licence commences.

[Note: The date on which a Licence commences is ordinarily specified in the NSW Government Gazette when the Governor grants or renews this Licence under the Act.]

Complaint means an expression of dissatisfaction made by a Customer to State Water in relation to its services or its complaints-handling process, where a response or resolution is explicitly or implicitly expected.

CSC has the meaning given in clause 5.1.1.

Code has the meaning given in clause 5.5.1.

Customer means any person:

- a) authorised under the *Water Management Act 2000* (NSW) or the *Water Act 1912* (NSW) to take and use water and to whom State Water delivers water; or
- b) to whom State Water provides a service and includes Fish River Water Scheme Customers and environmental water entitlement holders.

Customer Service Charter has the meaning given in clause 5.2.1.

Delivery means the water management service provided by State Water to satisfy Water Orders, customer contracts including Fish River Customer Contracts, and environmental requirements, subject to any physical supply constraints. This incorporates the operation of State Water's Water Management Works, and State Water's internal procedures, including the management of Water Allocation Accounts.

Drinking Water means water intended, or likely to be used, primarily for human consumption but which has other personal, domestic or household uses such as bathing and showering.

Energy and Water Ombudsman NSW means the NSW industry complaints scheme for the energy and water industry of that name and any successor to that scheme.

Environmental Management System has the meaning given in clause 6.1.1.

Fish River Customer Contract means any agreement entered into between State Water and a Fish River Water Scheme Customer in accordance with clause 5.4.

Fish River Customer Council has the meaning given in clause 5.3.

Fish River Water Supply Scheme means the Fish River water supply scheme as defined in the Act.

Fish River Water Scheme Customer means any person to whom State Water makes available water by the operation of the Fish River Water Supply Scheme.

Hunter Water Corporation has the meaning given to it under the *Hunter Water Act 1991* (NSW).

Internal Complaints Handling Procedure has the meaning given in clause 5.6.1.

IPART means the Independent Pricing and Regulatory Tribunal of New South Wales constituted by the IPART Act.

IPART Act means the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW).

Licence means this operating Licence granted under section 11 of the Act to State Water or any renewal of it, as in force at the relevant time.

Local Water Utility has the meaning given to that term in the *Water Management Act 2000* (NSW).

Local Water Utility Customer has the meaning given in clause 2.1.1.

LWU Information Request Procedure has the meaning given in clause 2.1.2.

Management System means a set of procedures to be followed by State Water to develop and implement its policies and objectives and to manage any of its activities, products, functions or services, and includes organisational structure, planning activities, responsibilities, practices, processes and resources.

Metering Equipment has the meaning given in the Act.

Minister means, unless the contrary intention appears, the Minister administering the Act.

[Note: As at the Commencement Date, the Minister administering the Act is the Minister for Primary Industries jointly with the Minister for Regional Infrastructure and Services.]

NSW Health means the Water Unit of the Ministry of Health.

Operational Audit has the meaning given in clause 7.1.1.

Reporting Manual means the document titled “State Water Corporation Reporting Manual” dated July 2013, which is prepared by IPART and is available on IPART’s website at www.ipart.nsw.gov.au, as updated from time to time.

State Water means the State Water Corporation constituted as a statutory State owned corporation by the Act.

Sydney Catchment Authority has the meaning given to it under the *Sydney Water Catchment Management Act 1998* (NSW).

Sydney Water Corporation has the meaning given to it under the *Sydney Water Act 1994* (NSW).

Unregulated River has the meaning given to that term under the *Water Management Act 2000* (NSW).

Valley means a river valley.

Water Allocation Account has the meaning given to it under the *Water Management Act 2000* (NSW) or means an account for a water access licence set

up under the administrative procedures implemented under the *Water Act 1912* (NSW).

Water Management Work has the meaning given to it under the *Water Management Act 2000* (NSW).

Water Order means a request by a Customer, made in accordance with the relevant conditions imposed on the relevant:

- a) water access licence, to take water under the *Water Management Act 2000* (NSW); or
- b) entitlement, to take water under section 20AF of the *Water Act 1912* (NSW).

Water Supply Authority means a body listed under Schedule 3 of the *Water Management Act 2000* (NSW).

10.2 Interpretation

- a) In this Licence, unless the contrary intention appears:
 - i) “person” includes an individual, a body corporate, an unincorporated body or other entity and one or more of each of them;
 - ii) headings are for convenience only and do not affect the interpretation of this Licence;
 - iii) notes do not form part of this Licence but may be used to assist with interpretation if there is an ambiguity;
 - iv) words importing the singular include the plural and vice versa;
 - v) a reference to a law or legislation (including the Act) includes regulations made under the law or legislation;
 - vi) a reference to regulations includes ordinances, codes, licences, orders, permits and directions;
 - vii) a reference to a law or regulation includes consolidations, amendments, variations, re-enactments, or replacements of any of them;
 - viii) a reference to a person includes a reference to the person’s executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation) and assigns;
 - ix) a reference to a year means a calendar year that ends on 31 December;
 - x) a reference to a financial year means a period of 12 months commencing on 1 July and ending on the following 30 June;
 - xi) a reference to a clause or schedule is to a clause of or schedule to this Licence; and
 - xii) a reference to a quarter is a period of three months beginning on 1 July, 1 October, 1 January or 1 April in a year.

- b) Terms defined in the Act, *Water Act 1912* (NSW), *Water Management Act 2000* (NSW) and *New South Wales – Queensland Border Rivers Act 1947* (NSW) have the same meaning in this Licence, unless a contrary definition is specified in this Licence.
- c) If any part of this Licence is prohibited, void, voidable, illegal or unenforceable, then that part is severed from this Licence but without affecting the continued operation of the remainder of this Licence.
- d) A reference in this Licence to any organisation, association, society, group, authority or body will, in the event of it ceasing to exist or being reconstituted, renamed or replaced or if its powers or functions are transferred to any other entity, body or group, refer respectively to any such entity, body, authority or group, established or constituted in lieu thereof or succeeding to similar powers and functions.
- e) A reference in this Licence to a document (original document) is a reference to the original document as amended or revised or, where the original document is replaced, to the replacing document, or the document that most closely approximates the original document.
- f) Information provided to IPART under this Licence may be used by IPART for the purpose of an investigation or report under the IPART Act in relation to State Water, or in the discharge of any function lawfully conferred on IPART.



Schedules

A Conferral of functions

The following functions under the specified sections of the *Water Management Act 2000* (NSW) are conferred on State Water by the Licence:

- a) approving the form of an application for an assignment dealing with an access licence under section 71L, subject to any requirement approved by the Minister administering the *Water Management Act 2000* (NSW);
- b) granting consents to temporary water transfers under sections 71T and 71V;
- c) debiting and crediting of water accounts under sections 76, 85 and 85A, subject to the condition that State Water provide water account information to NSW Office of Water;
- d) suspending access licences under section 78 and suspending approvals under section 109 in relation to a failure to pay any fees or charges imposed by State Water;
- e) authorising the taking of water by means of a metered work while its metering equipment is not operating properly under section 91I(3) subject to any requirement approved by the Minister administering the *Water Management Act 2000* (NSW);
- f) imposing and recovering fees and charges under section 114 consistent with any relevant determination in relation to the price of Bulk Water made by IPART or any other pricing authority vested with the power to determine water prices for State Water;
- g) making a temporary water restriction order under section 324 where water restrictions are required as a result of an emergency works failure. In such cases, State Water must notify in writing to the Deputy Commissioner, Water Regulation, NSW Office of Water as soon as practicable after making any direction;
- h) issuing certificates under section 362B, subject to any requirement approved by the Minister administering the *Water Management Act 2000* (NSW); and
- i) recovering fees and charges under sections 362A and 362C, subject to any requirement approved by the Minister administering the *Water Management Act 2000* (NSW).

The following functions under the specified sections of the *Water Act 1912* (NSW) are conferred on State Water by the Licence:

- a) entering any land to take levels, make surveys and marks, fix pegs and stakes and inspect any water works under section 22(1);

The following Functions specified under the specified sections of the *New South Wales – Queensland Border Rivers Act 1947* (NSW) are conferred on State Water by the Licence, subject to any requirement imposed by the Minister administering the *New South Wales – Queensland Border Rivers Act 1947* (NSW) or the Border Rivers Commission:

- a) constructing, maintaining, operating and controlling relevant works in New South Wales under section 14; and
- b) exercising the powers and obligations of a “Controlling Authority” under section 20.