

**From:** Ministerial Correspondence Mailbox

[mailto: [REDACTED]]

**Sent:** Monday, 10 February 2020 9:06 PM

**To:** Robert Aposhian [REDACTED]

**Subject:** A reply to your correspondence to the Minister for Energy and Environment – MD19/6596  
(Your ref: D19/29723)

**Importance:** High

Dear Mr Aposhian

I refer to your letter to the Minister for Energy and Environment, the Hon Matt Kean MP, inviting submissions on applications for the following network operator licences (NOL) and retail supplier licences (RSL) under the *Water Industry Competition Act 2006*:

- Kyeema Wastewater Pty Ltd (Kyeema) operated Gundaroo Scheme in Yass Valley Council local government area (NOL and RSL applications); and
- Catherine Hill Bay Water Utility Pty Ltd Scheme (CHBWU) in the Lake Macquarie City Council local government area (NOL variation).

Your letter was also received by the Environment Protection Authority (EPA) and I am responding on behalf of both the Minister and the EPA.

As requested, I provide the following answers to your questions.

1. *Has Kyeema or CHBWU breached the POEO Act? If so provide details:*

The EPA is not aware of any breaches of the *Protection of Environment Operations Act 1997* (POEO Act) with respect to these schemes and has not taken any regulatory action against CHBWU or Kyeema .

I recommend that IPART also consults with Yass Valley Council and Lake Macquarie City Council as they are the appropriate regulatory authority for these schemes under the POEO Act.

2. *Are approvals required under the POEO Act?*

No further approvals are required under POEO Act.

The proposed variation to the Catherine Hill Bay Scheme seeks to alter the method of disposal of surplus recycled water to discharge via pipeline to Central Coast Council's Gwandalan Wastewater Treatment Plant, which holds an Environment Protection Licence (EPL). The Catherine Hill Bay Scheme does not trigger the requirement to hold an EPL and this situation remains unchanged by the proposed variation.

The Gundaroo Scheme proposes to service a 50-lot subdivision located at 4056 and 4078 Gundaroo Road, Gundaroo. The capacity of the sewage treatment plant is below the Schedule 1 threshold and does not trigger the need for an EPL.

3. *Are you aware of any unacceptable risks to the environment posed by the activities? If so what are the risks?*

The EPA is not aware of any unacceptable risks posed the environment posed by the activities.

4. *If granted, should the Kyeema network operator's licence or the CHBWU varied licence contain any specific conditions related to environment protection?*

The EPA does not recommend any further conditions.

If you have any further questions about the Catherine Hill Bay Scheme, please contact Mr Mark Hartwell, Head Regional Operations, Hunter South, EPA on [REDACTED] or at [REDACTED]. For questions about the Gundaroo Scheme, please contact Janine Goodwin, Unit Head, South East Region, Queanbeyan on [REDACTED] or at [REDACTED].

**CARMEN DYWER**  
**Executive Director, Regulatory Operations Regional**  
**Environment Protection Authority**



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