



The Hon. Robyn Parker MP
Minister for the Environment
Minister for Heritage

MD13/4389

Ms Pamela Soon
Acting Chief Executive Officer
Independent Pricing and Regulatory Tribunal
PO Box Q290
QVB POST OFFICE NSW 1230

Dear Ms Soon

Thank you for your letter regarding the licence application by Catherine Hill Bay Water Utility Pty Ltd to provide water and sewerage services to Catherine Hill Bay.

I have been advised by the Environment Protection Authority (EPA) that any proposal to supply sewerage services will probably need to be assessed under the *Environmental Planning and Assessment Act 1979*. The EPA will often provide technical advice to the consent authority before a determination of a development proposal, particularly if the proponent requires EPA licensing.

In this instance, it is appropriate for the EPA to wait for the consent authority to submit technical documentation before it determines whether it will make a submission.

Information in the *Network Operator and Retail Supplier Licence Application Form* that accompanied your letter, states that the proposed wastewater treatment plant will have a peak design of 330 kilolitres per day for a 2200 equivalent person pollutant load. The EPA advised that based on the limited information available it would appear that the proponent will not require EPA licensing under the provisions of *Protection of the Environment Operations Act 1997* (POEO Act). This is because the capacity of the proposed sewerage system is less than the Schedule 1 limit outlined in the POEO Act.

The proponent may, however, apply to the EPA for a licence to conduct non-scheduled activities. This licence would give the proponent protection in relation to water pollution, provided that any discharges were carried out in accordance with the terms of the licence. If the proponent is not licenced under the POEO Act, then Lake Macquarie City Council would be the appropriate regulatory authority.

If you have any further questions on this issue, Mr Mark Hartwell, Head, Regional Operations, Hunter, EPA, can be contacted on 4908 6816 or by email at hunter.region@epa.nsw.gov.au.

I trust this information is of assistance.

Yours sincerely


Robyn Parker MP 9/10/13
Minister for the Environment