

Water Industry Competition Act 2006
Schedule 4, clause 10
Notice of decision – Grant of operational approval
Approval No. 25_0520A

The Independent Pricing and Regulatory Tribunal (**IPART**) grants an operational approval for True Water's Ashbourne scheme under Schedule 4, clause 10(1) of the *Water Industry Competition Act 2006 (Act)*.

The operational approval takes effect on 1 March 2025.

In considering whether to grant the operational approval and what conditions to impose on the approval, IPART had regard to the objects in sections 2A and 5A of the Act.

The operational approval is attached.

12/02/2025

X



Signed by: carmel.donnelly@ipart.nsw.gov.au

Carmel Donnelly PSM
Chair

On behalf of the Independent Pricing and Regulatory Tribunal



Operational Approval

*Water Industry Competition Act 2006
(NSW)*

Operational Approval no. 25_052OA
Ashbourne

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Operational Approval

APPROVAL AUTHORISATION TABLE

Scheme name (the Act, s 7F(2)(a))	Ashbourne
Approval number	25_052OA
Related scheme approval (the Act, s 7F(2)(a))	25_036SA
Version history	Current approval in force since: 1 March 2025. Details about grant, variation, replacement, cancellation or surrender of this approval are set out in Schedule A.
Regulated scheme (retailer required)	Yes
Staged scheme (the Act, s 7F(2)(c))	No
Authorised purposes for drinking water infrastructure (the Act, s 7F(2)(b))	Not authorised
Authorised purposes for sewerage infrastructure (the Act, s 7F(2)(b))	Production of treated effluent from sewage. Treatment of sewage. Filtration of sewage. Storage of sewage. Conveyance of sewage. Disposal of treated effluent from sewage to irrigation areas (no secondary purpose or permitted end-uses).
Authorised purposes for recycled water infrastructure (the Act, s 7F(2)(b))	Not authorised.

Approval Terms

1. Grant and authorisation

- 1.1 The Independent Pricing and Regulatory Tribunal grants this approval under the Act, Schedule 4, clause 10(1).

Note: This approval is deemed to be an approval granted under section 7B of the Act.

- 1.2 This approval authorises the registered operator to operate the authorised infrastructure for the authorised purposes in accordance with the specifications set out in this approval.

Note: This clause authorises the registered operator to carry out certain activities that would otherwise be prohibited under section 6A of the Act. This authorisation does not provide an exemption from obligations under other laws unless expressly provided by those laws.

2. Approval conditions

- 2.1 The authorisation in this approval is subject to the standard approval conditions specified in Schedule C, Item C2 and the special approval conditions specified in Schedule C, Item C3.

Note: The Act and Regulations contain additional conditions.

3. Interpretation

- 3.1 Expressions used in this approval that are defined in the Act or Regulations have the meanings set out in the Act or the Regulation unless the context otherwise requires.

- 3.2 In this approval, unless the context otherwise requires:

- (a) the singular includes the plural and vice versa,
- (b) a reference to this approval includes any schedule to this approval,
- (c) a reference to a schedule is to a schedule to this approval, and
- (d) explanatory notes and headings do not form part of this approval, but in the case of uncertainty may be relied on for interpretation purposes.

- 3.3 In this approval:

Act means the *Water Industry Competition Act 2006*.

authorised infrastructure means the water industry infrastructure specified in the related scheme approval.

authorised purposes mean the purposes specified for the relevant infrastructure in the final column of the approval authorisation table.

Regulations means any regulations made under the Act.

related scheme approval means the scheme approval identified as such in the final column of the approval authorisation table.

Schedule A Version History

Current approval in force since	1 March 2025
Original grant date	23 August 2024
Transition date	Transitioned approval, granted under the Act, Schedule 4, cl. 10(1): 1 March 2025
Variation history	Varied under the Act, s. 7K(6) on: Not applicable
Replacement history	Not applicable
Cancellation or surrender	Not applicable

Schedule B Staged scheme

Item B1 Authorised Stage

Not applicable.

Schedule C Approval conditions

Item C1 Interpretation

If any condition, or part of any condition, is unlawful, that condition, or part of the condition, is severable and does not affect the validity of the approval or the balance of the conditions or condition.

Item C2 Standard approval conditions

C2.1 Limitations on which infrastructure may be operated

- 2.1.1 The registered operator must operate only that authorised infrastructure which is either:
- (a) existing infrastructure; or
 - (b) infrastructure that extends or expands existing infrastructure, but only if the infrastructure:
 - (i) involves the same technology as that used in connection with the existing infrastructure, and
 - (ii) is consistent with any applicable asset management plan or system, water quality management system, and sewage management plan or system for the existing infrastructure; and
 - (iii) is in the area of operations specified in Schedule H of the related scheme approval; and
 - (iv) is located in the location specified in Schedule I of the related scheme approval, unless the infrastructure is pipelines within the reticulation network.
- 2.1.2 In this condition C2.1, **existing infrastructure** means that authorised infrastructure which existed at 16 August 2024.

Item C3 Special approval conditions

C3.1 [Not applicable]

C3.2 Environmental risk mitigation measures

- 3.2.1 The registered operator must implement environmental risk mitigation measures substantially consistent with the environmental risk mitigation measures identified in the SEE where the registered operator carries out any activities authorised by this approval.
- 3.2.2 In this condition C3.2, SEE means the document titled "*Statement of Environmental Effects, Proposed Interim Wastewater Treatment System, Chelsea Gardens, Moss Vale, Premise*", Final, prepared by Premise and dated 27 October 2020, and does not include any modified version of that document or any documents replacing it.

C3.3 Management of designated irrigation areas

- 3.3.1 The registered operator must manage irrigation of designated irrigation areas in accordance with the recommendations in the LCA and as detailed in the EMP.
- 3.3.2 The registered operator must:
- (a) monitor the condition of soil in designated irrigation areas on an annual basis;
 - (b) report to IPART:
 - (i) any deterioration to soil conditions below the level recommended in the LCA; and
 - (ii) details of the measures that the registered operator will take to mitigate that soil deterioration; and
 - (c) implement the measures to mitigate soil deterioration notified to IPART under paragraph (b).
- 3.3.3 The registered operator must maintain records of its activities under this condition C3.3, including the results of its monitoring activities and implementation of measures to mitigate soil deterioration.
- 3.3.4 In this condition C3.3:
- (a) **designated irrigation areas** means any area identified as a 'designated irrigation area' in the LCA,
 - (b) **EMP** means the "*Effluent Management Plan*", version EMP-ASHBv2, 7 November 2022, prepared by True Water DTR Pty Ltd.
 - (c) LCA means the "*Land Capability Assessment for Recycled Water Application, Chelsea Gardens Estate, Moss Vale*", SEEC Pty Ltd, 19 October 2020.

C3.4 [Not applicable]