

Water Industry Competition Act 2006

Schedule 4, clause 10

Notice of decision – Grant of scheme approval

Approval No. 25_036SA

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

The scheme approval takes effect on 1 March 2025.

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

The scheme 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



Scheme Approval

*Water Industry Competition Act
2006 (NSW)*

Scheme Approval no. 25_036SA
Ashbourne

Contents

Schedule A Version History

Schedule B Illustrative map

Schedule C Authorised drinking water infrastructure

Schedule D Authorised sewerage infrastructure

Item D1	Specified infrastructure	9
Item D2	Authorised purposes	9

Schedule E Authorised recycled water infrastructure

Schedule F Staged scheme

Schedule G Approval conditions

Item G1	Interpretation	12
Item G2	Standard approval conditions	12
Item G3	Special approval conditions	12

Schedule H Area of operations

Item H1	GIS coordinates for outer bounds of area of operations	14
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Schedule I Location of infrastructure

Item I1	GIS coordinates for location of water industry infrastructure	15
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Scheme Approval

Approval Authorisation Table

Scheme name	Ashbourne
Approval number	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(1)(f))	No
Area of operations (the Act, s 7F(1)(a))	The area specified in Schedule H. (The map in Schedule B shows a simple illustration of the area of operations. Refer to Schedule H for the precise area of operations.)
Authorised location of infrastructure, other than pipelines within the reticulation network connected to the infrastructure (the Act, s 7F(1)(b))	The locations specified in Schedule I. (The map in Schedule B shows a simple illustration of the locations of infrastructure. Refer to Schedule I for the precise location.)
Authorised classes (the Act, s 7F(1)(c))	<input type="checkbox"/> Infrastructure for the purpose of the production or supply of drinking water <input type="checkbox"/> Infrastructure for the purpose of the supply of drinking water <input checked="" type="checkbox"/> Infrastructure for the purpose of the collection and treatment of sewage for disposal and the disposal of the treated sewage <input type="checkbox"/> Infrastructure for the purpose of the collection and treatment of sewage for the production, supply and use of recycled water

- Infrastructure for the purpose of the capture and treatment of stormwater for the production, supply and use of recycled water
- Infrastructure for the purpose of the collection and further treatment of recycled water for the supply and use of the further treated recycled water
- Infrastructure for the purpose of the collection and treatment of groundwater for the production, supply and use of water
- Infrastructure for the purpose of the collection and treatment of wastewater, other than sewage, stormwater or recycled water, for the production, supply and use of water

Authorised drinking water infrastructure (the Act, s 7F(1)(d) and (e))	Not authorised
Authorised sewerage infrastructure (the Act, s 7F(1)(d) and (e))	Infrastructure for the purpose of the collection and treatment of sewage for disposal and the disposal of the treated sewage that: <ul style="list-style-type: none"> a. is specified in Schedule D, Item D1, b. has a design capacity of no more than 200 kilolitres of sewage processing capacity per day, and c. is to be operated for the purposes specified in Schedule D, Item D2.
Authorised recycled water infrastructure (the Act, s 7F(d) and (e))	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 construct the authorised infrastructure for the authorised purposes in the area of operations 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 6 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 G, Item G2 and the special approval conditions specified in Schedule G, Item G3.

Note: The Act and Regulation 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*.

area of operations means the area specified in the approval authorisation table.

authorised infrastructure means the water industry infrastructure specified in the approval authorisation table, including (as specified):

- a. authorised drinking water infrastructure,
- b. authorised sewage disposal infrastructure, and
- c. authorised recycled water infrastructure.

Regulations means any regulations made under the Act.

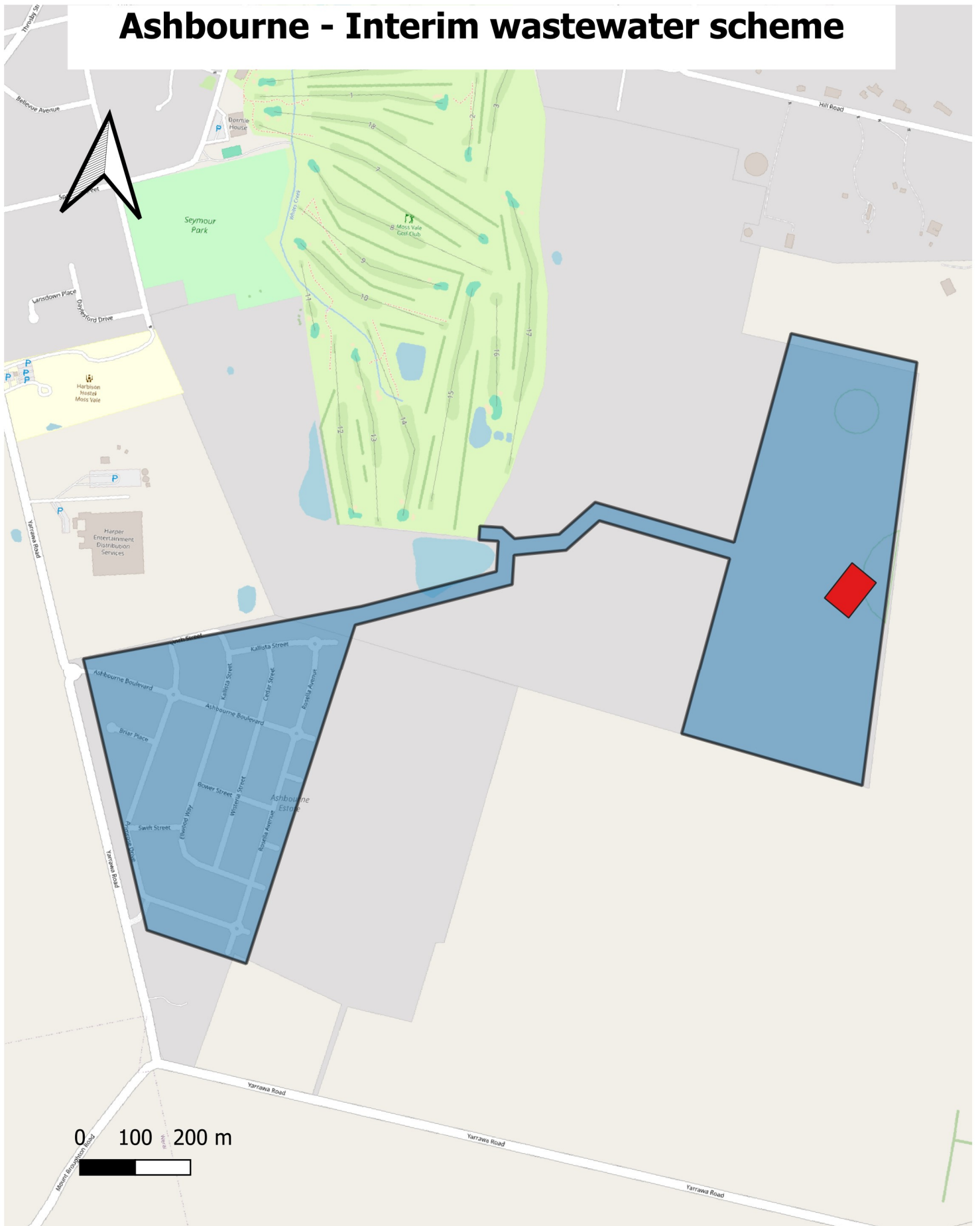
Schedule A Version History



Current approval in force since	1 March 2025
Original grant date	24 October 2023
Transition date	Transitioned approval granted under the Act, Schedule 4, cl 10(1) on: 1 March 2025
Variation history	Varied under the Act, s. 7K(6) on: Not applicable Varied under the Act, s. 10 or s. 15 (now repealed) on: Not applicable
Replacement history	Not applicable
Cancellation or surrender	Not applicable

Schedule B Illustrative map

The area of operations and authorised location of infrastructure are set out in Schedule H and Schedule I using GIS coordinates. The map in this schedule is included for illustrative purposes only. If there is an inconsistency between the map and the GIS coordinates in Schedule H or Schedule I, the GIS coordinates prevail unless they contain an obvious error or misdescription. If there is an obvious error or misdescription, this map may be used as an interpretative tool to assist to identify the boundary.

Ashbourne - Interim wastewater scheme



-  The location that the water industry infrastructure, other than pipelines within the reticulation network connected to the infrastructure, is authorised to be constructed
-  The area (area of operations) within which the water industry infrastructure, including a reticulation network connected to the infrastructure is authorised to be constructed

Schedule C Authorised drinking water infrastructure

Not authorised.

Schedule D Authorised sewerage infrastructure

Item D1 Specified infrastructure

The following sewerage infrastructure used, or to be used, for or in connection with the collection and treatment of sewage for disposal and disposal of the treated sewage:

- (a) sewage reticulation network and pumping stations,
- (b) storage tanks, and
- (c) treatment plant and ancillary infrastructure.

Item D2 Authorised purposes

The authorised purposes for which the sewerage infrastructure specified in Item D1 is intended to be operated are the:

- (a) production of treated effluent from sewage,
- (b) treatment of sewage,
- (c) filtration of sewage,
- (d) storage of sewage,
- (e) conveyance of sewage,
- (f) disposal of treated effluent from sewage to irrigation areas (no secondary purpose or permitted end-uses).

Schedule E Authorised recycled water infrastructure

Not authorised.

Schedule F Staged scheme

Not applicable.

Schedule G Approval conditions

Item G1 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 G2 Standard approval conditions

G2.1 Maintaining appropriate insurance – design phase

2.1.1 The registered operator must hold, or ensure that any person it engages to design water industry infrastructure for the scheme holds, professional indemnity insurance in relation to the scheme during the design phase and for a minimum of 6 years from the date of the completion of the design phase.

2.1.2 In this condition G2.1, **design phase** means the period during which any design works are carried out in relation to the water industry infrastructure for the scheme.

Item G3 Special approval conditions

G3.1 [Not applicable]

G3.2 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 G3.2, **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.

G3.3 Construction Environmental Management Plan

3.3.1 The registered operator must ensure that the construction of any authorised infrastructure is carried out in accordance with the construction environmental management plan.

3.3.2 In this condition G3.3:

(a) **construction environmental management plan** means a site or project specific plan which:

(i) complies with the basic structure detailed in the environmental management plan guidelines; and

(ii) identifies how the licensee will implement the environmental risk mitigation measures identified in the SEE to the extent they relate to construction.

(b) **environmental management plan guidelines** means the document titled *Guideline for the Preparation of Environmental Management Plans*, 2004, published by the Department of Infrastructure, Planning and Natural Resources that provides guidance to stakeholders preparing environmental management plans for environmental impact assessments and approvals under the *Environmental Planning and Assessment Act 1979*.

G3.4 Establishment of designated irrigation areas

3.4.1 The registered operator must establish irrigation of designated irrigation areas in accordance with the recommendations in the LCA.

3.4.2 In this condition G3.4:

(a) **designated irrigation areas** means any area identified as a 'designated irrigation area' in the LCA and as detailed in the EMP.

(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*", 19 October 2020, prepared by SEEC Pty Ltd.

G3.5 [Not applicable]

G3.6 Suitable Bank Guarantee

3.6.1 Before commencing to operate any of the authorised infrastructure, and at all times afterwards until the fifth anniversary of the date any such infrastructure is first brought into operation, the registered operator must ensure that a suitable bank guarantee is in effect.

3.6.2 The registered operator must immediately provide a copy of the suitable bank guarantee and any related documents to IPART or the Minister upon request.

3.6.3 In this condition G3.6, **suitable bank guarantee** means a bank guarantee which:

(a) is issued by a reputable financial institution,

(b) provides guaranteed funding to the registered operator for the operation and maintenance of the authorised infrastructure of:

(i) at least \$1.5 million for the duration of the first year from the date any such infrastructure is first brought into operation, and

(ii) at least \$1.2 million for the duration of the second year, and

(iii) at least \$900,000 for the duration of the third year, and

(iv) at least \$600,000 for the duration of the fourth year, and

(v) at least \$300,000 for the duration of the fifth year, and

(c) ends on or after the fifth anniversary of the date any authorised infrastructure is first brought into operation.

Schedule H Area of operations

The area of operations is the area bounded by the GIS coordinates listed in Item H1.

Item H1 GIS coordinates for outer bounds of area of operations

Note: Coordinate reference system is MGA 56

No.	Eastings	Northings
1	259441.39	6172048.99
2	259439.97	6172103.9
3	259404.54	6172102.98
4	259403.89	6172128.05
5	259445	6172129.12
6	259468.98	6172111.09
7	259548.67	6172125.93
8	259608.55	6172189.2
9	259865.23	6172139.03
10	259935.05	6172523.91
11	260166.47	6172491.95
12	260134.69	6171719.42
13	259800.96	6171784.59
14	259859.77	6172108.91
15	259618.95	6172156.61
16	259563.71	6172098.23
17	259470.59	6172080.94
18	259471.96	6172028.02
19	259194.8	6171930.24
20	259051.85	6171301.12
21	258867.32	6171345.93
22	258709.81	6171826.37
23	259202.63	6171964.74
24	259441.39	6172048.99

Schedule I Location of infrastructure

The location of the following water industry infrastructure is to be within the area bounded by the GIS coordinates listed in Item I1:

- (a) [Not applicable]
- (b) Schedule D (sewerage infrastructure), Item D1(b) and Item D1(c)
- (c) [Not applicable]

Item I1 GIS coordinates for location of water industry infrastructure

Note: Coordinate reference system is MGA 56

Local water centre	No.	Eastings	Northings
	1	260083.628	6172020.917
	2	260036.883	6172053.007
	3	260081.041	6172120.754
	4	260127.787	6172088.664