



Ms Liz Livingstone
Chief Executive Officer
IPART

By email: wica@ipart.nsw.gov.au

Dear Ms Livingstone

Thank you for your letter to the Hon Rob Stokes MP, Minister for Planning and Public Spaces, regarding an application by Green Square Water Pty Ltd (GSW) for a variation to network operator's licence 15_031 and Flow Systems Pty Ltd for variation to its retail supplier's license 13_001R for the Green Square recycled water scheme. Your letter has been forwarded to the Department of Planning, Industry and Environment (the Department) for response.

To address the questions in your letter:

- 1. Have GSW, Flow Systems or the City of Sydney been subject to any of the following enforcement actions under the EP&A Act: negotiated outcome, warning letter, enforceable undertaking, order from the Minister, court order or successful prosecution? If so, please provide details of the enforcement action(s).***

A review of our records by the Department's compliance team did not find any enforcement action being undertaken or carried out against these organisations.

- 2. Do you consider that our understanding, based on GSW's advice, of the approvals that GSW has obtained and requires under the EP&A Act (as outlined in Attachment A) is correct for the activities the variation to GSW's existing network operator's licence would authorise, if granted? If not, in your opinion, what approvals have been or are required to be obtained?***

I note Attachment A of your letter outlines the development consents (as modified) obtained under the EP&A Act for developments at Green Square. It is noted that the Council of the City of Sydney is the consent authority responsible for granting those development consents. The Department does not have any issues with the conclusion reached by IPART in relation to this matter, but recommends that IPART consult with Council to seek any advice on statutory planning pathways for development of the recycled water scheme.

- 3. Are you aware of any unacceptable risks to the environment posed by the activities to be licensed under the licence variations, if granted? If so, what are these risks?***

As the Department is not involved in the assessment of the potential environmental risks of the developments noted in Attachment A, it has no specific comments.

4. If granted, should the network operator's licence (variation) contain any specific conditions in relation to protection of the environment? If so, what conditions do you recommend?

As stated in item 3, the Department is not involved in the assessment of the developments and as such has no specific comments on recommended conditions.

If you have any further queries, please contact Dominic Crinnion, [REDACTED], at the Department on [REDACTED].

Yours sincerely

[REDACTED]

4.12.19

Karen Harragon

[REDACTED]

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