

10 September 2024

Marcus Crudden
Executive Director, Price Monitoring and Regulation
Essential Services Commission

Via email: water@esc.vic.gov.au

Dear Marcus,

Draft decision paper and guideline for reporting non-compliance with the Water Industry Standards

Thank you for your email dated Tuesday 13 August 2024 and appreciate the opportunity you have provided for Coliban Water to provide feedback on the draft guideline for self-reporting non-compliance with the Water Industry Standard.

At the outset, we would like to express our thanks for the Commission's hospitality on Tuesday 3 September and the in-person workshop and consultation on the draft guidelines. We strongly support these measures and the opportunity to participate in the workshop was greatly valued and appreciated.

The opportunity to meet the Commission's representatives face to face and provide direct input and feedback to the case studies reviewed on the day, provided insight into how our own processes will play into the Industry Standards and highlighted the importance of these codes and customer protections they provide.

Using the feedback proforma provided in the draft decision paper, please find our feedback below:

Are there any further areas of the reporting obligation in the Water Industry Standards that should be included in the draft guideline?

We have no further suggestions for additional inclusions in the guidelines. We do believe that greater consideration be given to 'tool sets' to assist water corporations in identifying reportable events and assessing these events for material adverse impact and materiality on a widespread basis.

Are there any changes that should be made to the self-reporting examples that would better assist a water business to understand and comply with its self-reporting obligation?

We would support and request a definition of the term 'widespread' in this context and further guidance provided given the large disparities between urban regional and urban metro water corporations, with a focus on numbers or percentage of customers under a 'widespread' scenario.

The initial draft currently out for consultation had different reporting requirements for the severity of the incident tiers. We support this approach based on materiality. Particularly for widespread operational impacts or natural disaster, allowing corporations to direct focus on restoring service. We also support the inclusion of a complete report being provided to the ESC outlining the remedial actions undertaken.

Additional guidance for sewer intrusions/spills is supported and how this might link back into material adverse impact in these instances, and we would suggest a worked example of a privacy breach and sewer intrusion would be valuable in understanding the Commissions reporting expectations.

Are there any changes that should be made to the draft self-reporting template to support appropriate reporting as part of the initial report and at 20 business days after identification?

We appreciate the Commissions focus on reporting not being an onerous resource intense task on water corporations. We do believe that whilst the content headers and information being sought is appropriate, we would like to highlight that at 20 days, investigations, reviews and solutions may continue to be a work in progress and that further information may be ascertained outside the 20-day component currently suggested.

We would also suggest that the format of the report does not provide for a user-friendly experience when reviewing and would suggest consideration be given to a tabular style report. Additionally, we would also support an approach like that used by the Energy Water Ombudsman Victoria (EWOV), with a portal style capture of information that could in due course provide as a repository for de-identified case studies.

We look forward to further opportunities with the Commission to understand and align to the intent of both the self-reporting aspects and the application of industry standards as a whole across Victoria.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Wells', written in a cursive style.

Damian Wells
Managing Director