



20 December 2023

Marcus Crudden  
Executive Director, Price Monitoring and  
Regulation  
Essential Services Commission  
Level 8, 570 Bourke Street  
MELBOURNE VICTORIA

By email: [water@esc.vic.gov.au](mailto:water@esc.vic.gov.au)

Dear Marcus

**RE: Yarra Valley Water's submission to the Essential Services Commission's  
November 2023 proposal to amend the Water Industry Standards**

We understand the Commission proposes to amend the Water Industry Standard, introducing a new obligation to report non-compliance and amending the existing clause in relation to family violence, with these changes to come into effect from 1 March 2024.

Thank you for the opportunity to review the Commission's proposals - our feedback on both matters under consideration is below.

New obligation to report non-compliance to the Commission.

We support the Commission providing greater clarity to ensure consistency across the Victorian water industry in relation to self-reporting of non-compliance against the Water Industry Standard.

Further, we support the collaborative approach proposed by the Commission to work with the sector in early 2024 to develop guidelines associated with this obligation, including defining key terms like 'material adverse impact'.

We note that the Commission has produced compliance and performance reporting guidelines applicable to all licenced Victorian electricity and gas retailers and gas distributors. We'd support similar guidelines that seek to clearly identify:

- Definition of key terms,
- Sections of the Water Industry Standard, and/or examples of non-compliances against the Water Industry Standard that would give rise to a material adverse impact,
- Expectations of the Commission in relation to the form of reporting including timeframes, minimum data and information requirements, and

- Implications if businesses fail to report non-compliances.

We look forward to working with the Commission in early 2024 to operationalise the obligation, including providing further detail on the matters suggested in the draft proposal and any others we've identified above.

#### Amended family violence provision.

Family violence has a devastating impact in our communities. It's of utmost importance to us that we uphold our responsibilities towards those affected, help prevent further harm and provide our customers and staff with the respect, care and support they need.

We strongly support changes to family violence provisions in the Water Industry Standard that aim to keep all people safe from perpetrators of family violence and the alignment of policies and procedures for these, including making them accessible in diverse languages based on a reasonable request to do so.

Based on our review, we don't foresee any challenges complying with the amended family violence provisions. In terms of implementation, once the Commission has finalised the guideline, we will need to consider any relevant updates to our Customer Charter which in turn will require both the approval of our Board and the Commission.

If you have any questions in relation to our response, please do not hesitate to contact Brett Mathieson, Manager Regulation, Planning and Water Resources Strategy on [REDACTED] or by email at [REDACTED]

Yours sincerely



**Pat McCafferty**  
Managing Director


#### Contact us

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