

Our ref: BN24/1825

Critical Infrastructure Reforms Team
Cyber and Infrastructure Security Group
Department of Home Affairs
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15 March 2024

Subject: Cyber Security Strategy Legislative Reforms Consultation

Dear Critical Infrastructure Reforms Team

Thank you for the opportunity to provide feedback on the *2023-2030 Australian Cyber Security Strategy: Cyber Security Legislative Reforms* Consultation Paper.

The Water Group in the Department of Climate Change, Energy the Environment and Water (DCCEEW-Water) leads the water sector in NSW to develop a strategic approach to managing water across the state. This includes managing regional and metropolitan water supply use and the state's surface and groundwater, developing and implementing plans for water security in NSW, and delivering major water infrastructure projects.

DCCEEW-Water have reviewed the Consultation Paper and provide the following comments:

Consultation paper reference	DCCEEW-Water comments
Measure 1 Page 11 - "Smart devices to be regulated"	DCCEEW-Water suggest considering whether or not smart meters and computers should be included in the definition as they can carry business critical information.
Measure 2 Page 15 - "Scope of reporting obligations" and "Which entities are required to report"	When considering the approach to who and what incidents should be reported, DCCEEW-Water suggest considering whether the criticality of the infrastructure and the severity of potential consequences could be relevant factors.

<p>Measure 2</p> <p>Page 16 - “no fault and no-liability” protection principles</p>	<p>When considering how the need for effective reporting (what information needs to be reported and the no fault and no liability principles) can be balanced with the public expectation that businesses are held accountable, it is important to properly consider incentives and disincentives to reporting.</p>
<p>Measures 3</p> <p>Page 19 - generally, also specifically “safe harbour vs limited use”</p> <p>Page 20 - “limiting the use of cyber incident information”</p> <p>Page 21 - “sharing cyber incident information”</p> <p>Measure 4</p> <p>Page 24 - “Function of the CIRB”</p> <p>Page 25 - “no fault principle”</p>	<p>DCCEEW-Water support in principle the establishment of the coordinator and the board to ensure incidents can be managed effectively and lessons are learnt. An adequate framework needs to be in place to balance the effective reporting of incidents with protection for entities and their staff.</p>
<p>Measure 4</p> <p>Page 25 - “Initiating a CIRB review”</p>	<p>In determining if an incident should be reviewed under the board, DCCEEW-Water suggest looking at the consequences and the uniqueness of the incident.</p>

If further information is required, please contact Jane Shepherd, A/Director Local Water Utilities via [REDACTED]

Yours sincerely,

[REDACTED]

Amanda Jones
Deputy Secretary Water
Water Group