



## New South Wales

### ***Water Industry Competition Act 2006***

#### **Section 10(5)**

#### **Notice of Decision - Application for a Network Operator's licence by Flow Systems Operations Pty Ltd**

I, the Hon. Niall Blair MLC, Minister for Lands and Water, have considered the advice and recommendations made by the Independent Pricing and Regulatory Tribunal (**IPART**) in its report to me on the application for a network operator's licence under the *Water Industry Competition Act 2006* (**Act**) from Flow Systems Operations Pty Ltd (ACN 603 106 305) (**Applicant**). I attach a copy of IPART's report (**Attachment A**).

Based on my consideration of IPART's report and additional advice from the Department of Primary Industries:

- (a) I am satisfied that the Applicant is not a disqualified corporation for the purposes of section 10(3)(a) of the Act;
- (b) I am satisfied that the Applicant is not a corporation that is a related entity (within the meaning of the *Corporations Act 2001* (Cth)) of a disqualified corporation that would have a direct or indirect interest in, or influence on, the carrying out of the activities that the licence authorises, for the purposes of section 10(3)(b) of the Act;
- (c) I am satisfied as to each of the criteria set out in section 10(4) of the Act; and
- (d) I have had regard to the licensing principles set out in section 7 of the Act in determining whether or not to grant the licence and what conditions should be imposed on any such licence granted.

For the reasons set out above, I have determined to grant a network operator's licence to the Applicant, subject to the conditions in licence number 16\_037, the Act and the *Water Industry Competition (General) Regulation 2008*. I attach a copy of the licence (**Attachment B**).

This is notice of my reasons and decision for the purposes of section 10(5) of the Act.

  
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The Hon. Niall Blair, MLC  
Minister for Lands and Water

Dated this 12<sup>th</sup> day of May 2016