



Mr James Cox
Chief Executive Officer
IPART
PO Box Q290
QVB Post Office
SYDNEY NSW 1230

12/13601

Dear Mr Cox

I refer to your letter to the Hon Brad Hazzard MP, Minister for Planning and Infrastructure, concerning an application made by the Water Factory Company Pty Ltd under the *Water Industry Competition Act 2006* (WICA) for a retail supplier's licence. The Minister has asked me to reply on his behalf.

I note details for a retail supplier's licence for three new residential communities at Pitt Town, Central Park and Discovery Point have been provided in the application. The application also refers to the applicant's intention to seek such a licence for other residential community sites, however, no details on these sites have been included. Therefore, the Department is not in a position to comment on these additional sites.

The Department has previously advised you on planning matters concerning the Pitt Town and Central Park sites (dated 9 August 2010 and 4 April 2012 respectively). That advice remains applicable to the subject application and is attached for your information.

Drinking water and recycled water servicing infrastructure for parts of the Discovery Point site were granted project approval under Part 3A of the *Environmental Planning and Assessment Act 1979* on 19 March 2012 (application 10_0030) and 18 July 2012 (application 10_0031). Therefore, in light of these planning applications and the environmental impact assessment undertaken to date, there are no outstanding land use planning issues with respect to these two projects.

Please note however, the remaining areas of the Discovery Point site that may require water cycle servicing infrastructure would be subject to Development Applications, for which approval from Rockdale City Council is required. Therefore, you should consult with Rockdale City Council with respect to such works.

Should you require any further information or clarification on matters relating to the Central Park or Discovery Point sites, I have arranged for Mr Mark Schofield, Metropolitan and Regional Projects South, of the Department of Planning and

Infrastructure to assist you. For all other matters, I have arranged for Mr Glenn Snow, Infrastructure Projects, of the same Department to assist you. Mr Schofield and Mr Snow can be contacted on telephone numbers 02 9228 6362 and 02 9228 6352 respectively.

Yours sincerely

17.9.12

Chris Wilson
Executive Director
Major Projects Assessment



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Chief Executive Officer
IPART
PO Box Q290
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Yours sincerely

17.9.12

Chris Wilson
Executive Director
Major Projects Assessment

COPY

10/15037

Mr Colin Reid
Director, Water
Independent Pricing and Regulatory Tribunal
PO Box Q290
QVB Post Office
SYDNEY NSW 1230

Dear Mr Reid

I refer to your correspondence in relation to the application made by Pitt Town Water Factory Pty Ltd under the *Water Industry Competition Act 2006* (WICA) for a network operator's licence and a retail supplier's licence.

The licence applicant proposes to treat and supply recycled water for non-potable uses within the residential subdivision at Pitt Town (the Pitt Town Release Area). Concept plan approval was granted to Johnson Property Group for the Pitt Town Release Area under the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 10 July 2008. The concept approval included the provision of related infrastructure, including water supply mains and sewerage mains. It is noted Johnson Property Group, as part of the concept plan approval, had a sewer servicing strategy in place, which was prepared in consultation with Hawkesbury City Council. However, Johnson Property Group and Pitt Town Water Factory Pty Ltd have developed an alternative sewerage strategy to service the release area (the proposal). This alternative may alleviate the need for major sewerage infrastructure works at McGraths Hills arising from the development of the Pitt Town Release Area.

I note and agree that Part 3, Division 18, clause 106 of the *State Environmental Planning Policy (Infrastructure) 2007* would only apply to the proposal after a licence under the WICA has been granted. As such, this would result in a planning assessment process under Part 5 of the EP&A Act after such a licence is granted. I am advised that the Department of Planning is undertaking ongoing discussions with the Independent Pricing and Regulatory Tribunal and the NSW Office of Water, with regard to the application of the *State Environmental Planning Policy (Infrastructure) 2007* to the WICA licensing process.

I also wish to draw your attention to the following issues that should be considered during the assessment of the proposal. Firstly, Hawkesbury City Council should be consulted to ensure the proposal is consistent with any development application it may be in receipt of

for the carrying out of works associated with the Pitt Town Release Area, under Part 4 of the EP&A Act. Secondly, I note at the time of the concept plan approval for the Pitt Town Release Area, Johnson Property Group were in the final stages of constructing a water trunk main from a connection point at Windsor Road through to Pitt Town, as approved by Sydney Water Corporation. Therefore, Sydney Water Corporation should be consulted in addressing the water cycle and servicing management plans for the area. Lastly, in large flood events, the Pitt Town area becomes isolated and accordingly the NSW State Emergency Services (SES) has devised an evacuation plan for the area. The SES should be consulted in determining whether the proposed water recycling facility can be developed at Pitt Town without major flood evacuation route upgrades.

Should you require any further information on discussions between the Department of Planning and the Independent Pricing and Regulatory Tribunal regarding the *State Environmental Planning Policy (Infrastructure) 2007*, I have arranged for Mr Tim Still, Team Leader – Sector Strategies, at the Department of Planning, to assist. Mr Still may be contacted on (02) 9228 6530.

Yours sincerely

SIGNED

Tony Kelly MLC
Minister for Planning

- 9 AUG 2010



Planning & Infrastructure



12/06366

Ms Amanda Chadwick
Director, Water
Independent Pricing & Regulatory Tribunal
PO Box Q290
QVB POST OFFICE NSW 1230

Dear Ms Chadwick,


I refer to your letter of 14 March 2012, concerning the licence application made by Central Park Water Factory Pty Ltd under the *Water Industry Competition Act 2006*, for a network operator's and a retail supplier's licence.

I can confirm that Major Project MP09_0042 (as amended) approved space for a re-cycle water treatment plant in the basement area below the mixed use building on Block 2 of the Central Park site. Details of the re-cycle water treatment plant are yet to be submitted to the Department for assessment and approval.

I can advise that that the Department does not have any comment to provide in relation to the current licence request.

Should you have any further enquiries about this matter, I have arranged for Alan Bright, Metropolitan and Regional Projects South, of the Department of Planning and Infrastructure to assist you. Mr Bright can be contacted on telephone number 02 9228 6150.

Yours sincerely


Daniel Keary
A/Executive Director
Major Projects Assessment

4/4/12