



**The Hon Niall Blair MLC**  
Minister for Primary Industries  
Minister for Regional Water  
Minister for Trade and Industry

OM17/2184

Your ref: D17/25238

Mr Rob O'Neill  
General Manager, Licensing and Compliance  
IPART  
PO Box K35  
HAYMARKET POST SHOP NSW 1240

Dear Mr O'Neill

Rob

Thank you for the Independent Pricing and Regulatory Tribunal's (IPART) invitation of 17 October 2017 to make a submission on the application by Northern Water Solutions Pty Ltd (NWS) for a network operator and retail supplier licence under the Water Industry Competition Act 2006 (WICA).

I am advised that the licence application applied for under the WICA is to construct, maintain and operate water industry infrastructure and to provide water supply and sewerage services to the proposed Kings Forest Estate located at Tweed Coast Road in the local government area of Tweed Shire Council.

It is my understanding that the development will source potable water from Tweed Shire Council. If the development only sources water in this way, there is no requirement for a water access licence or work approval under the Water Management Act 2000 (WMA).

However, a controlled activity approval may also be required under the WMA if a specified controlled activity will be carried out in, on or under waterfront land. Determination of a controlled activity approval will be made once NWS releases further details of the infrastructure and activities of water access.

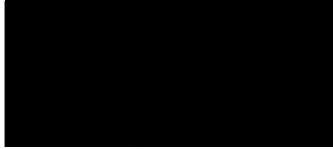
I note that any water and waste water treatment and recycling systems proposed by a regional NSW local water utility, such as Tweed Shire Council, would go through Department of Industry-Water's rigorous section 60 assessment and an approval process under the Local Government Act 1993. In this case where section 60 approval process is not available, it is understood that IPART will carefully scrutinise that the treatment systems and recycling operations proposed by NWS are appropriate and prudent and would meet the relevant Guidelines including the Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) to ensure that the residents in Kings Forest Estate are protected.

I also note that NWS will be the sole operator for water supply and sewerage services to the Kings Forest Estate. Therefore IPART should carefully consider the appropriate pricing regime, particularly in regard to ongoing charges and connection fees, to ensure that the customers of the estate are not unduly disadvantaged.

.../2

Thank you for your interest in this matter.

Yours sincerely



22 DEC 2017

**The Hon Niall Blair MLC**  
**Minister for Primary Industries**  
**Minister for Regional Water**  
**Minister for Trade and Industry**