

24 May 2017

IPART
PO Box K35, Haymarket Post Shop
Level 15, 2-24 Rawson Place
SYDNEY NSW 2000

WITHOUT PREJUDICE

ATTN : The Chief Executive Officer – Mr Hugo Harmstorf

Dear Sir,

**Northern Water Solutions Pty Ltd – Cobaki – Network Operator and Retail Supplier -
Application 17th March 2017 – Public Comment**

We make reference to the licence application recently posted on the IPART website in relation to the Northern Water Solutions Pty Ltd (NWS) WICA application for the Cobaki development (the NWS Application).

Solo Water Pty Ltd and our subsidiary companies Catherine Hill Bay Water Utility Pty Ltd and Wilton Water Pty Ltd have previously submitted to IPART WICA applications for network operator and retail supplier licences. Although the Wilton Water application was withdrawn when the project was cancelled, the applications associated with the Catherine Hill Bay Water Utility Scheme were accepted and the licences were granted to Solo Water and Catherine Hill Bay Water Utility during 2016. Solo Water or its subsidiaries own or licence the copyright in all Solo Water IPART Applications (the 'Solo Water Applications') comprising written descriptions of the Scheme, plans, diagrams and reports.

It has come to our attention that parts of the Solo Water Application have been copied or substantially reproduced in the NWS Application. By way of example, the layout and large portions of the wording of the Solo Water Integrated Water Management Plan has been substantially reproduced in the NWS Integrated Water Management Plan. Further, the NWS Customer Complaints Procedure table of contents contains a subsection entitled 'Solo Water Contact Numbers' and the Sewerage Risk Assessment still contains the words Wilton Water.

This is clear evidence that the NWS document has been copied from Solo Water's Application and indicates that the content of the documents (which is not publicly available) may not be the original work of NWS. These examples are by no means an exhaustive list of the literary or artistic works within the NWS Application that are infringing and is an illustrative sample only.

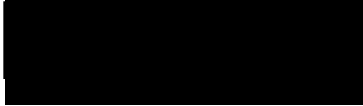
NWS has signed a statutory declaration, which among other things, declares that the information in the application is true and correct and that the NWS is aware of the requirements under the *Water Industry Competition Act 2006* (NSW).

We submit that where the material in NWS's application substantially reproduces a third party's copyright material, it should not be relied upon as demonstrating that NWS itself has the necessary

capacity to carry out the activities of the licence if granted and is a relevant 'other' matter to be taken into account by the Minister when considering whether NWS is a fit and proper applicant.

Please contact the undersigned should you wish to discuss this matter further.

Yours faithfully,



.....
Solo Water Pty. Limited.
Board of Directors
Rhys Richards - Chairperson