

# WIC Act licence application

August 2021

## About this document

Use this form to apply for a network operator's licence and/or a retail supplier's licence under the *Water Industry Competition Act 2006* (WIC Act). You must attach all supporting documentation as indicated in this form.

Please read the **WIC Act Licence Application Guide** document before you begin to fill in the application form. If you need further help in preparing your application, visit the IPART website, or email [wica@ipart.nsw.gov.au](mailto:wica@ipart.nsw.gov.au) or phone (02) 9290 8412.

## Meaning of icons in this form



Indicates an instruction for completing this form.



Indicates a document or supporting evidence to be provided with the application.



Important information to assist you with completing the application.



Indicates the legislative instrument or administrative reason/s for the question.

## How to complete this application form

1. Provide a response to all required questions.
2. Where an attachment is required, provide the complete file name for the attachment in the file name field in this form (include in the file name the number of the question to which the file relates and the document extension). If included as part of a larger document, please specify the relevant pages in that document in this form.
3. This form will become a public document. Confidential or commercially sensitive information should be provided as attachments and clearly labelled as 'Confidential' in the file name.
4. Review the completed application form and supporting documentation to ensure that they are concise, complete, relevant and accurate.

## About the application

### 1. Name and location of the proposed scheme



Provide the details as specified in the table.

Name of applicant corporation

Kooragang Water Pty Ltd ('KWLP')

Scheme name

Kooragang Industrial Water Scheme ('KIWS')

Local government area(s) where the proposed scheme is located.

Newcastle City Council

### 2. Are you applying for a new licence or a variation to an existing licence?



Check the box that is applicable. You can only check one box.



New licence

Go to **Question 3**



Variation to an existing licence

Go to **Question 5**

### 3. What type of new licences and services are you applying for?



A retail supplier's licence authorises the licensee to supply water or provide sewerage services by means of water industry infrastructure. A network operator's licence authorises the licensee to construct, maintain and operate water industry infrastructure.



Check the boxes that are applicable.

Retail supplier's licence



Supply non-potable water



Supply drinking water



Sewerage service

Network operator's licence



Non-potable water infrastructure



Drinking water infrastructure



Sewerage infrastructure

#### 4. What type of properties are you proposing to service?



We use property type and number estimates to understand the scheme you are proposing when assessing the application. The information provided here may be indicative only. The type and number of properties will not be restricted by a licence.

A property means any single real property proposed to be connected to the system and a charge for the service is levied on the owner of the real property. For example, residential properties include single dwellings and each apartment in a high-rise residential complex. Shopping centres with separate connections for each shop are to be counted as one commercial property.



Indicate what type of customers you expect to service by checking the applicable boxes for each licence type (retail, network or both). Provide an estimate of the number of properties for each customer type.

##### Retail Supplier's Licence

<input type="checkbox"/>	Non-potable services to small retail customers (i.e. <b>less than 15ML/year/customer</b> )	No. of properties:	
<input checked="" type="checkbox"/>	Non-potable services to customers other than small retail customers	No. of properties:	2
<input type="checkbox"/>	Drinking water services to small retail customers (i.e. <b>less than 15ML/year/customer</b> )	No. of properties:	
<input checked="" type="checkbox"/>	Drinking water services to customers other than small retail customers	No. of properties:	1
<input type="checkbox"/>	Sewerage services to small retail customers (i.e. <b>less than 10.5 ML/year/customer</b> )	No. of properties:	
<input type="checkbox"/>	Sewerage services to customers other than small retail customers	No. of properties:	

##### Network Operator's Licence

<input type="checkbox"/>	Residential properties	No. of properties:	
<input type="checkbox"/>	Commercial properties	No. of properties:	
<input checked="" type="checkbox"/>	Industrial properties	No. of properties:	2
<input type="checkbox"/>	Other customer type	Specify customer type and no. of properties:	



Go to **Question 8**.

5. Which licence requires a variation and for which activities?



Check the boxes that are applicable. Provide the licence number of the licence that requires the variation.

Retail supplier's licence

Licence no.:

- ☐
- Non-potable water activities authorised

☐☐

Go to **Question 6**

Go to **Question 6**

Go to **Question 6**

Network operator's licence

Licence no.:

- ☐
- Non-potable water activities authorised

☐☐

Go to **Question 7**

Go to **Question 7**

Go to **Question 7**

6. What are the proposed licence scope variations in your retail supplier's licence?



A proposed variation to the activities authorised in the licence is a 'licence scope variation'.



Check the boxes that are applicable to your proposed variations.

Activities authorised	Authorised persons	Persons or classes of persons	Area of operations	Authorised purposes	Others
Non-potable water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drinking water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Describe the proposed change to each of the variations that you have identified above. Add more rows if required.

Type of change	Activity currently authorised	Activity currently in operation	Activity proposed to be varied
<i>E.g. area of operations for non-potable water service</i>	<i>E.g. area specified in Table 1.4 of the licence</i>	<i>E.g. all of the area as specified in Table 1.4 of the licence</i>	<i>E.g. expansion of the area of operations to service an additional 100 lots to the west of the area of operations</i>

## 7. What are the proposed licence scope variations in your network operator's licence?



A proposed variation to the activities authorised in the licence is a 'licence scope variation'.



Check the boxes that are applicable to your proposed variations.

Activities authorised	Authorised persons	Infrastructure and purposes	Area of operations	Authorised purposes	Others
Non-potable water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drinking water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Describe the proposed change to each of the variations that you have identified above. Add more rows if required.

Type of change	Activity currently authorised	Activity currently in operation	Activity proposed to be varied
<i>E.g. end uses of non-potable water</i>	<i>E.g. toilet flushing and washing machines</i>	<i>E.g. all of the authorised end uses</i>	<i>E.g. include additional end use for ornamental water features</i>

## About the applicant

### Questions for all applicants



All applicants must provide answers to **Questions 8 to 16**.

## 8. Which corporation is applying for a licence?




Under section 8(1) of the WIC Act, an application for a licence can only be made by, or on behalf of, a corporation.




Provide information about the applicant corporation.


Corporation name	Kooragang Water Pty Ltd
ABN (not required if providing ACN)	12 609 789 808
ACN (not required if providing ABN)	609 789 808
Address of registered office	Suite 1005, 147 Pirie Street, Adelaide SA 5000
Address of principal place of business	17 Channel Road, Mayfield West NSW 2304

9. Who are your contacts for this application?

 Provide details of your primary and secondary contacts.


Contact	Primary contact	Secondary contact
Full name	Craig Heidenreich	Brad Rea
Job title	Chief Operating Officer	Risk and Compliance Officer
Contact number		
Email address		

 We may have questions regarding the financial information you provide to support your application.


 Provide contact details for an authorised representative to clarify financial information provided in the application (e.g. accountant, Financial Controller, CFO or external Auditor).

Contact	Authorised representative
Full name	Adam Stevens
Job title/ Relationship with applicant	Chief Financial Officer, WUA
Firm name (if applicable)	
Contact number	
Email address	
If required, may we contact this authorised representative to clarify any information provided?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

10. Is the applicant or its related entities a disqualified corporation?

 We will use the information to check the status of **each Director and person concerned in the management of** the applicant corporation, and related entities that would have a direct or indirect interest in, or influence on, the carrying out of the activities that the licence would authorise if granted during the application assessment.

If the applicant or related entities (in some circumstances) are disqualified corporations then do not proceed with this application before contacting us to discuss. Refer to the [WIC Act Licence Application Guide](#) for more information on disqualified corporations, the definition of a related entity, the definition of "person concerned in the management of" and applications under the WIC Act.

 Provide the following information specified in the table. Include information for the applicant corporation and any related entity of the applicant corporation that would have a direct or indirect interest in, or influence on, the carrying out of the activities that the licence would authorise if granted. Add more rows if required.

Company name	ABN/ ACN	Name and position title
Applicant corporation name		Name: Position title: <i>e.g. Director, CFO or COO</i>
Applicant corporation name		Name: Position title:
Relevant related entity's name		Name: Position title:
Relevant related entity's name		Name: Position title:

Kooragang Water Pty Ltd	12 609 789 808	Name: Position title:	Daniel Latham Chairman and Non-Executive Director
Kooragang Water Pty Ltd	12 609 789 808	Name: Position title:	Alan Wu Non-Executive Director
Kooragang Water Pty Ltd	12 609 789 808	Name: Position title:	Carmel Krogh Non-Executive Director
Kooragang Water Pty Ltd	12 609 789 808	Name: Position title:	Kurt Dahl CEO and Executive Director
Kooragang Water Pty Ltd	12 609 789 808	Name: Position title:	Bradley Rea Company Secretary
WUA MidCo Pty Ltd	29 616 197 703	Name: Position title:	Daniel Latham Chairman and Non-Executive Director
WUA MidCo Pty Ltd	29 616 197 703	Name: Position title:	Alan Wu Non-Executive Director
WUA MidCo Pty Ltd	29 616 197 703	Name: Position title:	Carmel Krogh Non-Executive Director
WUA MidCo Pty Ltd	29 616 197 703	Name: Position title:	Kurt Dahl CEO and Executive Director
WUA MidCo Pty Ltd	29 616 197 703	Name: Position title:	Bradley Rea Company Secretary
WUA TopCo Pty Ltd	87 616 144 471	Name: Position title:	Daniel Latham Chairman and Non-Executive Director
WUA TopCo Pty Ltd	87 616 144 471	Name: Position title:	Alan Wu Non-Executive Director
WUA TopCo Pty Ltd	87 616 144 471	Name: Position title:	Carmel Krogh Non-Executive Director
WUA TopCo Pty Ltd	87 616 144 471	Name: Position title:	Kurt Dahl CEO and Executive Director
WUA TopCo Pty Ltd	87 616 144 471	Name: Position title:	Bradley Rea Company Secretary
Water Utilities Australia Pty Ltd	48 129 876 213	Name: Position title:	Daniel Latham Chairman and Non-Executive Director
Water Utilities Australia Pty Ltd	48 129 876 213	Name: Position title:	Alan Wu Non-Executive Director
Water Utilities Australia Pty Ltd	48 129 876 213	Name: Position title:	Carmel Krogh Non-Executive Director
Water Utilities Australia Pty Ltd	48 129 876 213	Name: Position title:	Kurt Dahl CEO and Executive Director
Water Utilities Australia Pty Ltd	48 129 876 213	Name: Position title:	Bradley Rea Company Secretary
Water Utilities Australia Pty Ltd	48 129 876 213	Name: Position title:	Craig Heidenreich Chief Operating Officer



Water Utilities Australia Pty Ltd

48 129 876 213

Name:

Adam Stevens

Position title:

Chief Financial Officer

## 11. What is the level of expertise of senior personnel in your corporation?



We use this information to establish the applicant's level of organisational capacity. One aspect of organisational capacity can be demonstrated through the level of experience and abilities of senior personnel in the corporation who will be responsible to manage the licensed activities. This question asks for evidence of expertise of senior personnel in managing a corporation or working within the water or any other industry.

Examples of senior personnel may include Executive Directors, CEO, CFO, COO or Senior Managers.

Expertise might include relevant local and international experience, competence or qualifications in the water industry or other industries.



Attach the following information:

Details of senior personnel

See **Attachment 1: Details of senior personnel**

Resumes/CVs/ experience and role descriptions

See **Attachment 2: CVs of senior personnel**

## 12. How is your corporation organised?



We use this information to support the applicant's claim of organisational capacity.



Attach the following information:

Organisation chart outlining corporate structure

See **Attachment 3: Organisation structure diagram (Confidential)**

## 13. How is your corporate ownership structured?



The corporate group ownership information must identify any related entities that would have a direct or indirect interest in, or influence on, the carrying out of the activities that the licence would authorise if granted. The term 'related entity' is defined in the Corporations Act 2001 (Cth).



Describe the ownership structure of the applicant corporation, listing related entities and entities that have an ownership interest in the applicant corporation.

Describe the ownership structure of the applicant corporation

Kooragang Water Pty Ltd is a member of the Water Utilities Australia group of companies headed by WUA TopCo Pty Ltd. Kooragang Water Pty Ltd is 100% owned by WUA MidCo Pty Ltd which is 100% owned by WUA TopCo Pty Ltd.

WUA TopCo Pty Ltd is owned by First Sentier Investors (Australia) RE Limited as trustee of the Global Diversified Infrastructure Fund (Active), which is a member of the Mitsubishi UFJ Financial Group.

Within the Water Utilities Australia Group, Water Utilities Australia Pty Ltd is the company that employs the employees of the group. Water Utilities Australia Pty Ltd is also 100% owned by WUA MidCo Pty Ltd.

For further information about the Water Utilities Australia group structure, see **Attachment 4: Corporate structure diagram**.



Provide a corporate group chart that outlines the relationship between the applicant corporation and its ultimate holding company, including the names of any intermediate holding companies and other related entities.



Attach the following information:

Corporate Group chart

See **Attachment 4: Corporate structure diagram**

## 14. Third party activities



We use this information to assess organisational capacity.



For **network operator and retail licence applications**, provide details of all third parties who will undertake activities for which the applicant corporation is seeking a licence, (e.g. construction or operation of the reticulation network, management of the billing system), Insert more lines if required.

Corporation name

SUEZ Water Pty Ltd ('**SUEZ**')  
 Water Utilities Australia Pty Ltd ('**WUA**')

ABN/ ARBN/ ACN

SUEZ - ACN 051 950 068

WUA - ACN 129 876 213

Corporation's registered office address

SUEZ - Level 3, # Rider Boulevard, Rhodes, NSW, 2138

WUA - Suite 1005, 147 Pirie Street, Adelaide, SA , 5000

Provide a detailed description of the activities that the third party, named above, will undertake on the applicant corporation's behalf

### **SUEZ**

SUEZ provide management, operations, maintenance, capital works and customer interface support to KWPL through a long term Operation and Maintenance Agreement included in **Attachment 5: Suez O&M Agreement (Confidential)**.

SUEZ have also been contracted to undertake a capacity upgrade of the treatment plant to increase the capacity from 9MLD to 10.5MLD under a D&C Contract included in **Attachment 6: Suez D&C Agreement (Confidential)**.

### **WUA**

WUA provides management oversight to the scheme and manage the performance of SUEZ under the Operations and Maintenance Agreement.

WUA also undertakes customer engagement to ensure the obligations under the customers supply agreements are being met.

WUA provides resources to support KWPL under the KWPL Resources Deed included in **Attachment 7: KWPL Resources Deed (Confidential)**.

## 15. What insurance arrangements have been made?



It is a requirement for licensees to have appropriate insurance. See the [WIC Act Licence Application Guide](#) before answering this question.

Describe the types of insurance the applicant corporation has or intends to obtain for the activities to be licensed (including the level of cover (amount) the applicant corporation has or intends to have) for the:

- Construction phase
- Operations phase.

Provide a summary of itemised inclusions and exclusions for each type of insurance the applicant corporation holds.

Explain why the type and level of cover provided or proposed by the applicant corporation's insurer is sufficient and appropriate for the size and nature of the applicant corporation's proposed activities across all phases of the scheme.

Is the applicant corporation a subsidiary of another corporation and covered by the parent corporation's insurance policies?

See **Appendix 8: Marsh Insurance Report (Confidential)**, for details of insurance policies that cover the Kooragang Industrial Water Scheme.

See **Attachment 8: Marsh Insurance Report (Confidential)**, for details of inclusions and exclusions.

See **Attachment 8: Marsh Insurance Report (Confidential)**, for details of why the level of cover is sufficient and appropriate.

No, the insurance policies cover Kooragang Water Pty Ltd in its own right. See **Attachment 8: Marsh Insurance Report (Confidential)**, for details of insurance policies that cover the Kooragang Industrial Water Scheme.



Attach the following information:

Letter or report from insurance broker or expert (required)

Certificates of currency for all existing insurance policies (if applicable)

Policy schedules and wording for all existing or proposed policies (if applicable)

Parent company's insurance (include certificates of currency, relevant policy schedules, policy wording demonstrating that the subsidiary will be covered by the parent company's policies (if applicable))

See **Attachment 8: Marsh Insurance Report (Confidential)**.

See **Attachment 9: Insurance certificates of currency**.

See **Attachment 8: Marsh Insurance Report (Confidential)** for copies of policy schedules.

N/A

## 16. Does the applicant corporation have financial capacity?



It is a requirement that the applicant has, and will continue to have, the financial capacity to carry out the activities that the licence (if granted) would authorise.



See the Financial Capacity section of the [WIC Act Licence Application Guide](#) for further detail before attaching a response to this section.



Attach the following information:

Follow the Financial Capacity section of the WIC Act Licence Application Guide and attach a response that supports the applicant's claim of continuing financial capacity.

See:

**Attachment 10: WUA MidCo Audited Statutory Accounts (Confidential)**

**Attachment 11: KWPL Management Accounts (Confidential)**

**Attachment 12: Orica Non-Potable Supply Agreement (Confidential)**

**Attachment 13: Orica Potable Supply Agreement (Confidential)**

**Attachment 14: NCIG Supply Agreement (Confidential)**

## The following questions are for applicants for a retail supplier's licence



Skip to **Question 23** and continue if you are applying for a **network operator's licence only**. Provide answers to **Questions 17 to 22 and 26** in this section if you are applying for a **retail supplier's licence**.

In order to recommend licences, we need to determine that the applicant has the financial and technical capacities to undertake the activities that will be authorised under the licence. The applicant may hold the relevant technical expertise or engage suitable expertise to meet this requirement.

## 17. Estimated cost of services to customers



For **retail supplier's licence applications**, we use this question to determine if the applicant will service small retail customers.

Is the applicant corporation applying for a retail supplier's licence to supply water or provide sewerage service to small retail customers (i.e. provide water at less than 15ML/year/customer or sewerage services at less than 10.5 ML/year/customer)?

Yes ☐ No ☒



If the answer is **Yes**, please indicate how much the applicant corporation will charge for its services.



Attach the following information:

The proposed price levels and structure for the first 10 years of operation.

N/A

18. What is your retail supplier experience?



We use this information to assess the applicant's technical capacity. Capacity can be demonstrated through experience or expertise in the water utilities or related industries in Australia or internationally.



Provide the information specified in the table.

For the applicant corporation, outline any current or past experience which demonstrates technical capacity for retail supply of water or sewerage services (and, if you are relying on third party for technical capacity (refer to your answer in **Question 14**), the nominated third parties' experience)

WUA MidCo Pty Ltd (**'WUA MidCo'**), as the 100% owner of KWPL, is also the 100% owner of AquaNet Sydney Pty Ltd (via the intermediate holding company WUA Sydney Holdings Pty Ltd) which holds a Retail Suppliers License (**'RSL'**) in NSW for retail supply of recycled water through the AquaNet Recycled Water scheme. Veolia Water Australia Pty Ltd (**'Veolia'**) provides Operations and Maintenance support for the scheme and Water Utilities Australia Pty Ltd (**'WUA'**), a 100% owned subsidiary of WUA Mid Co, provides management support for the overall performance of the scheme and the Veolia Operations and Maintenance agreement..

A copy of this Retail Supply License is provided in **Attachment 15: AquaNet Retail Supplier's Licence**.

Lightsview ReWater Supply Company Pty Ltd (**'Lightsview'**), a 100% owner subsidiary of WUA MidCo, holds a Water Retail License issued by ESCOSA for the supply of recycled water to the suburb of Lightsview in Adelaide, South Australia. Lightsview undertakes the treatment and supply of recycled stormwater to an existing 1,500 residential properties with an estimated 2,500 properties to be supplied upon full development. Lightsview undertakes all billing and customer service activities for the properties with all retail supply activities being undertaken in-house through resource support from WUA.

A copy of the Water Retail Licence for Lightsview is provided in **Attachment 16: Lightsview Water Retail Licence**.

SUEZ, as the Operations and Maintenance contractor to KWPL have previously held the RSL for the scheme. A copy of the SUEZ RSL is provided in **Attachment 17: Suez Retail Supplier's Licence**.

Upon issue of the RSL to KWPL, SUEZ have agreed to have their RSL cancelled as noted in **Attachment 18: Suez cancellation letter**.

Provide names of key personnel (including nominated third parties) and outline their technical capacity for retail supply of water or sewerage services

Key WUA personnel responsible for retail supply undertaken by KWPL include:

Kurt Dahl – CEO, WUA.

Craig Heidenreich – Chief Operating officer, WUA.

Brad Rea, Risk and Compliance Officer, WUA

Adam Stevens, Chief Financial Officer, WUA

Key SUEZ personnel responsible for the Operations and Maintenance contract include:

Mark Lautre – GM Operations, SUEZ

Dave Colley – KIWS Plant Manager, SUEZ

The experience of each of the key personnel in respect to the retail services is outlined in their CVs in **Attachment 2: CVs of senior personnel** and **Attachment 19: Suez key personnel CVs**.



Attach the following information:

Full and complete details of corporation's experience outlined above (where relevant, the third parties experience)

See:

**Attachment 15: AquaNet Retail Supplier's Licence**

**Attachment 16: Lightsview Water Retail Licence**

**Attachment 17: Suez Retail Supplier's Licence**

Resumes/CVs for key personnel outlined above

See: **Attachment 2: CVs of senior personnel** and **Attachment 19: Suez key personnel CVs**.

## 19. What management systems and processes will you have in place?



We use this information to assess the applicant's technical capacity.



Provide the information specified in the table.

Outline the systems and processes the applicant corporation will have in place to manage the retail services.

KWPL will employ similar process as those implemented by AquaNet for the AquaNet Scheme. These are outlined in the AquaNet Retail Supply Management Plan referenced below. The retail supply services will also be governed by the contractual arrangements outlined in the customer's respective Supply Agreements.



Attach the following information:

A draft or an existing Retail Supply Management Plan,

The Retail Supply Management Plan ('**RSMP**') for AquaNet is provided in **Attachment 20: AquaNet Retail Supply Management Plan**. A RSMP for KIWS will be developed reflecting the AquaNet RSMP upon issuing of this license to KWPL.

Retail supply for the KIWS is currently managed by SUEZ' RSMP under their RSL which is also attached in **Attachment 21: Suez Retail Supply Management Plan**.

The RSMP developed by KWPL for the scheme will reflect the AquaNet RSMP incorporating the relevant activities that will continue to be performed by SUEZ under the Operations and Maintenance Agreement.

## 20. Risk assessment



We use this information to assess the applicant's technical capacity. Refer to the [WIC Act Licence Application Guide](#) for further explanation of what the risk assessment should include.



Attach the following information:

Provide the risk assessment for the retail supplier activities related to the scheme

See:

**Attachment 22: KIWS Operational Risk Assessment**

**Attachment 23: KIWS Corporate Risk Assessment**

**Attachment 24: KIWS HACCP Risk Assessment**

## 21. Which water industry infrastructure will you use and at what volumes?



We need to identify which water utilities' infrastructure are you proposing will deliver the water and/or sewage services that you will retail. For example, it can be an existing network operator's infrastructure, an applicant for a network operator's licence, a public water utility or a local water utility.



Identify the owner of the infrastructure, the capacity of water source and the (allowable) daily extraction rate from the water source. You may refer to the attachments provided in **Question 30** if you are also applying for a network operator's licence at the same time.

Non-potable water infrastructure

Kooragang Water Pty Ltd, Total Capacity - 10.5MLD, Allowable Extraction Capacity - 10.5MLD

Drinking water infrastructure

Hunter Water Corporation – Total Capacity N/A, Allowable Extraction Capacity – N/A

KWPL has entered into a tri-partite agreement with Hunter Water and Orica to provide the retail supply of drinking water to Orica. Hunter Water continue to own and operate the network infrastructure and provide bulk drinking water to KWPL through a combined Treated Effluent and Potable Water supply Agreement.

The tri-partite Potable Water Agreement is provided in **Attachment 13: Orica Potable Supply Agreement (Confidential)**.

The Supply Agreement for the Supply of Treated Effluent and Potable Water is provided in **Attachment 25: HWC Supply Agreement (Confidential)**.

N/A

Sewerage services infrastructure





We are required to have regard to the sustainability of water resources in assessing your application.

If you are proposing to supply drinking water or non-potable water, sufficient quantities of the water supplied will have to be obtained from sources other than a public water utility.



Attach the following information:

Evidence to demonstrate that the volume to be extracted from the water source to supply non-potable water is allowed (e.g. agreement with the water source owner)

KWPL sources Treated Effluent from Hunter Water via the Shortland WWTP for treatment and supply to customers through its own network infrastructure. Customer agreements require a maximum of 10.5MLD of recycled water to be supplied from the scheme requiring 12.6MLD of Treated Effluent to be drawn from the Shortland WWTP outfall pipeline to the Hunter Estuary.

The Supply Agreement with Hunter Water for the Supply of Treated Effluent and Potable Water is provided in **Attachment 25: HWC Supply Agreement (Confidential)**.

Evidence to demonstrate that the volume to be extracted from the water source to supply drinking water is allowed (e.g. agreement with the water source owner, water access licence)

KWPL source potable (drinking) water for supply to Orica from the Hunter Water potable water network. Prior to KWPL providing the retail supply to Orica, Hunter Water supplied Orica with potable water and managed this supply via their potable water network.

The supply of potable water to KWPL is governed by the Supply Agreement for the Supply of Treated Effluent and Potable Water is provided in **Attachment 25: HWC Supply Agreement (Confidential)**.

Evidence to demonstrate that the volume to be discharged to the receiving sewerage infrastructure to provide sewerage services is allowed (e.g. agreement with the receiving sewerage infrastructure owner)

N/A

## 22. Continuity of services



We are required to have regard to the protection of public health and consumers generally in assessing your application. This includes continuity of services. For example, we need to know how you would manage a disruption to a customer service centre that provided access to essential information about services. You may refer to the attachments provided in **Question 20** if the risk assessment has addressed the continuity of services.



Provide the information specified below:

Describe how the applicant corporation will ensure continuity of services to customers.

Include situations where the continuity of services could be disrupted, and how would these situations be managed.

KWPL provides recycled water supply to customers to replace their historical use of potable (drinking) water. The recycled water customers are required to maintain their potable water connections to ensure they can continue to operate their businesses in the event of a failure to supply recycled water. The use of recycled water does not replace the entire potable water consumption of the customers so they will retain their potable water connections regardless.

In the case of Orica, the supply of potable water is governed by a tri-partite Potable Water Agreement between KWPL, Orica and Hunter Water ensuring Hunter Water maintain their historical potable water supply obligations to Orica, via KWPL. The supply of potable water will be managed by Hunter Water in-line with its broader obligations under the Hunter Water Act.

The tri-partite Potable Water Agreement is provided in **Attachment 13: Orica Potable Supply Agreement (Confidential)**.

For NCIG, the Supply Agreement allows for the interruption to supply and NCIG are required to maintain their existing potable water connection to ensure they can manage their own continuity of operations. The NCIG Supply Agreement is provided in **Attachment 14: NCIG Supply Agreement (Confidential)**.



Attach the following information:

Plans or reports on how continuity of services will be managed.

Insert complete file name of attachment(s).

SUEZ, as the Operations and Maintenance contractor for the scheme, is responsible for ensuring the continuity of the existing scheme operations. The plans in place for managing these obligations include the following documents provided in **Attachment 26: Suez**

**Management Plans:**

- KIWS Strategic Asset Management Plan
- KIWS Incident Management Plan
- KIWS Business Continuity Plan

The delivery of the services by SUEZ is managed by KWPL under the Operations and Maintenance Agreement which is provide in **Attachment 5: Suez O&M Agreement (Confidential)**. This agreement includes a Performance management Framework (Schedule 9) which is designed to ensure the performance of SUEZ is delivering the intended outcomes of the scheme. SUEZ report monthly on scheme performance and bi-monthly Project Control Group Meetings are held between SUEZ and KWPL to discuss performance and ensure on-going compliance.

In addition to these plans covering the supply of recycled water, Orica is provided with backup drinking water by KWPL as outlined in Question 21.

NCIG are required to maintain their own back-up drinking water supply to ensure continuity of their business operations.



If you are applying for a **retail supplier's licence only**, skip to **Question 26** and continue. If you are applying for a **network operator's licence** at the same time, continue to complete this section of the form.

## The following questions apply to applicants for a network operator's licence



Provide answers to **Questions 23 to 26** if you are applying for a **network operator's licence**.

23. What is your network operator experience?



In order to recommend licences, we need to determine that the applicant has the technical capacity to undertake the activities that will be authorised under the licence. The applicant may hold the relevant technical expertise or engage suitable expertise to meet this requirement.



Provide information as specified in the table

For the applicant corporation, describe any current or past (and, where relevant, the nominated third parties') experience in:

- Construction, maintenance and operation of infrastructure (water or other)
- Identifying and managing environmental impacts. impacts relevant to the construction of water infrastructure

WUA MidCo Pty Ltd ('**WUA MidCo**'), as the 100% owner of KWPL, is also the 100% owner of Rosehill Network Pty Ltd (via the intermediate holding company WUA Sydney Holdings Pty Ltd) which holds a Network Operators License ('**NOL**') in NSW for operation of the AquaNet Recycled Water scheme. Veolia provides Operations and Maintenance support for the scheme and WUA, a 100% owned subsidiary of WUA Mid Co, provides management support for the overall performance of the scheme and the Veolia Operations and Maintenance agreement.

A copy of this Network Operators License is provided in **Attachment 27: Rosehill Network NOL**.

Lightsview ReWater Supply Company Pty Ltd ('**Lightsview**'), a 100% owner subsidiary of WUA Mid Co, holds a Water Retail License issued by ESCOSA for the supply of recycled water to the suburb of Lightsview in Adelaide, South Australia. Lightsview undertakes the treatment and supply of recycled stormwater to an existing 1,500 residential properties with an estimated 2,500 properties to be supplied upon full development. Lightsview undertakes all billing and customer service activities for the properties with all retail supply activities being undertaken in-house through resource support from WUA.

A copy of the Water Retail License for Lightsview is provided in **Attachment 16: Lightsview Water Retail Licence**.

SUEZ, as the Operations and Maintenance contractor to KWPL, have previously held NOL for the scheme. A copy of the SUEZ NOL is provided in **Attachment 28: Suez NOL**.

Upon issue of the RSL to KWPL, SUEZ have agreed to have their NOL cancelled as noted in **Attachment 18: Suez cancellation letter**.

The management of environmental impacts for the construction and operation of the infrastructure will be managed by SUEZ and KWPL under the respective QHSE Certified Management Systems which cover the identification and management of environmental risks. KWPL is certified to ISO14001:2015 under the global certification issued to WUA MidCo. Evidence of certification for WUA MidCo and SUEZ is provided in **Attachment 29: QHSE Certifications**.

Suez, in its roles as operator of KIWS, also holds an Environmental Protection Licence which is provided in **Attachment 30: Suez Environmental Protection Licence**.

Provide names of key personnel (including nominated third parties) and necessary skills for each of the following activities:

- Construction, maintenance and operation of infrastructure (water or other)
- Identifying and managing environmental impacts. impacts relevant to the construction of water infrastructure.

Key WUA personnel responsible for the operations undertaken by KWPL include:

Kurt Dahl – CEO, WUA.

Craig Heidenreich – Chief Operating officer, WUA.

Brad Rea, Risk and Compliance Officer, WUA

Adam Stevens, Chief Financial Officer, WUA

Key SUEZ personnel responsible for the Operations and Maintenance contract include:

Mark Lautre – GM Operations, SUEZ

Dave Colley – KIW Plant Manager, SUEZ

The experience of each of the key personnel in respect to the network operations services is outlined in their CVs in **Attachment 2: CVs of senior personnel** and **Attachment 19: Suez key personnel CVs**.



Evidence of identification and management of environmental impacts may include extracts from environmental impact assessments, construction environmental management plans, operational environmental management plans, environmental management systems.



Attach the following information:

Evidence of the applicant corporation experience (where relevant, the third party's experience) in infrastructure management and in identification and management of environmental impacts.

Resumes/ CVs for key personnel in infrastructure management and in identification and management of environmental impacts.

See: **Attachment 22: KIWS Operational Risk Assessment**.

See: **Attachment 2: CVs of senior personnel** and **Attachment 19: Suez key personnel CVs**.

## 24. How will you manage water quality?



You are required to demonstrate your capacity to manage water quality, consistent with

- the *Australian Drinking Water Guidelines*, and/or
- the *Australian Guidelines for Water Recycling*.

Your response should include a clear description of how and where the risk assessment has informed/will inform your water quality management plans(s).

You are also required to demonstrate your capacity to manage sewage conveyance, treatment and disposal, including:

- Undertake health and ecological assessments and address any concerns arising from any such assessment, and
- Dispose waste from the infrastructure.



Provide information as specified in the table

Describe the management systems and processes that the applicant corporation will have in place to manage drinking water, non-potable water quality.

Recycled water will be provided in accordance with the Recycled Water Management Plan developed by KWPL in accordance with the Australian Guidelines for Water Recycling which is provided in **Attachment 31: KWPL Recycled Water Management Plan**.

This plan has been developed following the Hazard and Critical Control Point (HACCP) analysis provided in **Attachment 24: KIWS HACCP Risk Assessment**, and the KIWS Validation Report provided in **Attachment 32: KIWS Validation Report**. These obligations will be managed by KWPL with the support of SUEZ via the Operations and Maintenance Agreement. Both SUEZ and KWPL operate Quality Management Systems certified to ISO9001 and KIWS is covered in the scope of their respective certifications.

SUEZ reports on the performance of the scheme monthly, and bi-monthly Project Control. Group meetings are held between key SUEZ and KWPL personnel to review the scheme performance.

KWPL reports bi-monthly to the WUA Board on overall scheme performance and annual IPART compliance reports and audits will further verify the performance of the scheme.

Potable water is provided via the tri-partite Potable Water Agreement is provided in **Attachment 13: Orica Potable Supply Agreement (Confidential)**.

The Supply Agreement for the Supply of Treated Effluent and Potable Water is provided in **Attachment 25: HWC Supply Agreement (Confidential)**.

The obligations for the safe supply of potable water are managed by Hunter Water under their broader obligations under the *Hunter Water Act*.

N/A

Describe the management systems and processes that the applicant corporation will have in place to for sewage management.





You need to provide evidence that you can develop compliant management plans such as a Water Quality Management Plan (based on the 12 elements of the relevant framework) for water infrastructure, and sewerage management plan for sewerage infrastructure.



Attach the following information:

A draft or an existing Water Quality Management Plan.

The Water Quality Management Plan for Rosehill Network Pty Ltd is provided in **Attachment 33: Rosehill Network Water Quality Management Plan**. A Water Quality Management Plan for KIWS will be developed reflecting the Rosehill Network Water Quality Management Plan upon issuing of this license to KWPL.

A draft or an existing Sewage Management Plan.

N/A

## 25. How will you manage water industry infrastructure?



You are required to demonstrate technical capacity in managing water industry infrastructure, including

- design, construct, operate and maintain the infrastructure (including life span of infrastructure, system redundancy and renewal of infrastructure)
- ensure continued safe and reliable performance of the infrastructure
- ensure continuity of supply of water or sewerage services
- provide alternative water supplies when the infrastructure is inoperable
- undertake the maintenance, monitoring and reporting of standards of service.



Provide information as specified in the table

Describe the management systems and processes that applicant corporation will have in place to manage drinking water, non-potable water, and/or sewerage infrastructure.

The Infrastructure Operating Plan ('IOP') for Rosehill Network Pty Ltd is provided in **Attachment 34: Rosehill Network Infrastructure Operating Plan**. A IOP for KIWS will be developed by KWPL reflecting the Rosehill Network IOP upon issuing of this license to KWPL. Operation of the infrastructure for the KIWS is currently managed by SUEZ' via their KIWS Strategic Asset Management Plan ('**KIWS SAMP**') which is attached in **Attachment 35: KIWS Strategic Asset Management Plan**.

The IOP developed by KWPL for the KIWS will reflect the AquaNet IOP incorporating the relevant activities that will continue to be performed by SUEZ which are reflected in their existing KIWS SAMP.

These obligations will be managed by KWPL with the support of SUEZ via the Operations and Maintenance Agreement. Both SUEZ and KWPL operate Quality Management Systems certified to ISO9001 and KIWS is covered in the scope of their respective certifications.

SUEZ reports on the performance of the scheme monthly, and at least quarterly Project Control, Group meetings are held between key SUEZ and KWPL personnel to review the scheme performance.

KWPL reports bi-monthly to the WUA Board on overall scheme performance and annual IPART compliance reports and audits will further verify the performance of the scheme.



Attach the following information:

Evidence of the applicant corporation's capacity to develop and implement relevant management plans such as a draft Infrastructure Operating Plan for water and sewerage infrastructure.

See:

**Attachment 33: Rosehill Network Water Quality Management Plan**

**Attachment 34: Rosehill Network Infrastructure Operating Plan**

**Attachment 35: KIWS Strategic Asset Management Plan**

## 26. Provide other supporting information



If you would like to provide further information to support the applicant corporation's organisational, financial and technical capacities, please outline it here. This applies to **both network operator and retailer supplier applicants**.

Outline the applicant corporation's organisational, financial and technical capacities to undertake the activities that the licence will authorise.

N/A



Attach the following information:

Details of attached additional supporting information.

N/A

## About the scheme



If you are applying for a **retail supplier's licence**, please provide answers to **Questions 27 and 28**, and then proceed to sign the statutory declaration and acknowledgement in **Questions 40 and 41**. If you are applying for a **network operator's licence**, please provide answers to **all the questions** in the remainder of this form.

### 27. Area of operations



We use this information to define the area of operations in the licence. See the [WIC Act Licence Application Guide](#) for further explanation of what the descriptions and attachments should include.



Describe the area of operations for each type of infrastructure or service where applicable.

Area of operations for your network operator's licence

The KIWS includes assets within the local within the City of Newcastle as outlined below:

The KIWS Treatment Plant is located on land owned by KW/PL located at Lots 87, 88, 89 & 90, DP270249 on Chanel Drive in Mayfield West.

Refer to **Attachment 36: KIWS Network Map** for a map of the Kooragang Network.

Area of operations for your retail supplier's licence

As above.



Attach the following information:

Map(s) of the area of operations in PDF for network and/or retail licence.

ESRI Shapefile(s) (or other ArcGIS/QGIS compatible files) of the area of operations that contains as a minimum:

- the proposed boundary of the area of operations
- the lot boundary with lot and DP numbers
- street names
- local government area boundary

Coordinates (using MGA zone 56) for the boundary of the area of operations.

See: **Attachment 36: KIWS Network Map**

To be provided.

To be provided.

### 28. End uses for non-potable water



Refer to [WIC Act Licence Application Guide](#) for examples of end uses that are commonly used in WIC Act schemes.



Provide details of the end uses that you proposed to provide. We use the information to define the authorised purposes for non-potable water in the licence.

End uses for non-potable water

Industrial Use (unrestricted)  
Fire fighting

Industrial uses include:  
Cooling Tower Make-up  
Wash down  
Dust suppression



If you are applying for a **retail supplier's licence only**, go to **Questions 40 and 41** to sign the statutory declaration and acknowledgement. Please continue if you are applying for a **network operator's licence** at the same time.

## 29. Staging of the scheme and the infrastructure



We use information about staging of the scheme and infrastructure to assess the applicant's technical capacity to service the scheme.



Provide details on the proposed **staging of the scheme and water industry infrastructure** if relevant. Attach relevant supporting documents below.

Describe the staging of the proposed scheme and the water industry infrastructure. Please include:

- Major milestone dates
- Which stage(s) of the proposed scheme is proposed to be constructed, maintained and operated under this licence application?
- What is the scale of the scheme (e.g. by number of connections, customers) in each stage?
- What is the scale of infrastructure (e.g. by length of reticulation, volumetric units of treatment plant) in each stage?

The KIWS was originally commissioned in 2013/14 and included the original treatment plant with a recycled water capacity of 9MLD, the distribution network, and associated brine and backwash water disposal infrastructure. This serviced the original foundation customer Orica.

Expansions of the scheme to service Newcastle Coal Infrastructure Group ('**NCIG**') is underway involving an upgrade to the KIWS treatment plant to increase capacity to 10.5MLD and the installation of a connection to NCIG.

The connection to NCIG is due to be completed by June 2022

The upgrade of the treatment plant is due to be completed by October 2022.



Attach the following information:

Works program that supports the proposed staging of the scheme and water industry infrastructure described. It must include, as a minimum, the items listed above.

A copy of the project schedule for the NCIG Connection and the KIWS Plant Upgrade are provided separately in **Attachment 37: NCIG Connection Project Schedule**.

### 30. Water industry infrastructure, source water and volumes



We use this information to define the water industry infrastructure and purposes of the infrastructure in the network operator's licence. We will also have regard to the sustainability of water resources in assessing your application. We will list each water source in a publicly available Licence Register and use maximum capacities to determine licence fees.



Describe the infrastructure that you proposed to construct, operate and maintain for the capture, storage, conveyance/ reticulation and treatment of water and/or sewage and provide the details specified in the table.

Volume generated is the volume expected to be supplied to customers after treatment for drinking water or non-potable water services. For an applicant that provides sewerage services only, volume generated is the volume expected to be disposed of to the environment or to other licensed facilities after treatment. Please specify the unit (e.g. kL/day).

Average and maximum capacities refer to the treatment process capacities. Please specify the unit (e.g. kL/day).

Describe the proposed infrastructure to supply  
**non-potable**

Supply of recycled water will involve the following key assets:

- Treated effluent diversion pipeline from Shortland WWTP outfall pipeline (owned by Hunter Water) to the KIWS treatment plant,
- The KIWS treatment plant,
- Distribution network for transfer of recycled water to customers, and
- A brine disposal pipeline from the KIWS treatment plant to the Hunter Water sewer.

Water source(s), including water for top-up

Treated effluent is sourced from the outfall pipeline from the Shortland WWTP via the Supply Agreement with Hunter Water for the Supply of Treated Effluent and Potable Water is provided in **Attachment 25: HWC Supply Agreement (Confidential)**.

KWPL provides Orica with potable water which can be used in lieu of recycled water via the tri-partite Potable Water Agreement provided in **Attachment 13: Orica Potable Supply Agreement (Confidential)**.

NCIG are required to maintain their own potable water back-up supply.

Describe the proposed treatment processes

The original KIWS treatment plant involves the following key process steps and resulted in production of 9MLD of recycled water:

- Chloramine dosing – prevent microbiological growth in the process and ensure no free chlorine on the RO membranes,
- Autostrainers (Amiad) to remove coarse particulates upstream of the MF membranes,
- Microfiltration – removal of fine solids and pathogens and protection of the RO membranes,
- Reverse Osmosis, removal of salts and pathogens,
- Degas tower – to remove CO<sub>2</sub> from the RO permeate,
- Chlorination – pathogen inactivation and inactivation of other microorganisms to limit regrowth during storage and distribution, and
- Dechlorination – to remove free chlorine for supply to customers in-line with contract requirements.

An additional treatment process is being constructed to include an additional Reverse Osmosis treatment unit to treat the brine produced from the original Reverse Osmosis system. This unit, referred as the Brine Recovery unit ('**BRU**'), will treat 3MLD of brine to produce a further 1.5MLD of recycled water.

Volume generated

9MLD – average volume to be supplied

Average capacity

9MLD – average capacity = original plant capacity

Maximum capacity

10.5MLD – maximum capacity of plant = maximum contracted flow to customers.

Describe the proposed infrastructure to supply **drinking water**

KWPL source potable (drinking) water for supply to Orica from the Hunter Water potable water network. Prior to KWPL providing the retail supply to Orica, Hunter Water supplied Orica with potable water and managed this supply via their potable water network.

The supply of potable water by Hunter Water to KWPL is governed by the Supply Agreement for the Supply of Treated Effluent and Potable Water is provided in **Attachment 25: HWC Supply Agreement (Confidential)**.

The agreement for the retail supply of drinking water between Orica and KWPL is governed by the tri-partite Potable Water Agreement provided in **Attachment 13: Orica Potable Supply Agreement (Confidential)**.

Water source(s)

Drinking water is sourced from Hunter Water as described above.

Describe the proposed treatment processes

KWPL do not undertake treatment of drinking water, drinking water is supplied treated by Hunter Water as described above.

Volume generated

N/A

Average capacity

N/A

Maximum capacity

N/A

Describe the proposed infrastructure to provide **sewerage services**

N/A

Describe the proposed treatment processes

N/A

Volume generated

N/A

Average capacity

N/A

Maximum capacity

N/A



Attach the following information:

Process flow diagram, schematic or drawing of general arrangements.

Relevant concept design drawings and site plans.

Evidence to demonstrate that the type of source water has the available quantity (e.g. flow analysis).

Evidence to demonstrate that the type of source water has the available quality (e.g. characteristics studies).

Evidence to demonstrate that the volume to be extracted from the water source is allowed (e.g. agreement with the water source owner, water access licence).

Evidence to support the proposed volumes of water and/or sewage expected to be generated and used (e.g. water balance report).

The Process Flow Diagram for the original plant is provided in **Attachment 38: KIWS Process Flow Diagram**, along with the Process Flow Diagram for the KIWS Plant (BRU) Upgrade.

The Design Report for the original plant is provide in **Attachment 39: KIWS Original Design Report**.

The Concept Report for upgrade of the KIWS treatment plant to incorporate the BRU is included in **Attachment 40: BRU Upgrade Concept Report**.

The existing plant has been operational since 2014 and was designed to produce 9MLD of product water from 12.6MLD of treated effluent. This was based on the original Design Report for the scheme provided In **Attachment 39: KIWS Original Design Report**.

The original plant design results in 3MLD of waste brine production and SUEZ have designed the plant upgrade to treat the waste brine to generate a further 1.5MLD of product water.

A flow analysis for the BRU upgrade project is considered in the Concept Report above.

The Process Flow Diagram for the KIWS Plant (BRU) Upgrade provides updated flow data for the KIWS Treatment Plant once the BRU upgrade is complete. Stream 9 of the PFD is the Primary RO Permeate which is shown to have a maximum flow of 437.6m<sup>3</sup>/hr (10.5MLD).

The maximum contracted supply volume for the customers of the scheme = 10.5MLD.

The suitability of the source water is considered in the Concept Report above.

Treated effluent supply volumes (12.6MLD maximum) are noted in Schedule 1 of the Supply Agreement with Hunter Water for the Supply of Treated Effluent and Potable Water is provided in **Attachment 25: HWC Supply Agreement (Confidential)**.

Bulk supply of drinking water by Hunter Water to KWPL of for Orica is governed by the following agreements:

Supply Agreement with Hunter Water for the Supply of Treated Effluent and Potable Water is provided in **Attachment 25: HWC Supply Agreement (Confidential)**.

Tri-partite Potable Water Agreement provided in **Attachment 13: Orica Potable Supply Agreement (Confidential)**.

Prior to these agreements the supply of drinking water to Orica was undertaken by Hunter Water. Under these agreements KWPL only provides a retail interface and the supply of drinking water continues to be undertaken operationally by hunter Water under their broader obligations under the Hunter Water Act.



### 31. Interconnections



We are required to describe any other water infrastructure to which the infrastructure is connected in the Licence Register. We also require this information to determine if a Code of Conduct is necessary to delineate responsibilities of different parties involved in or interconnected to the scheme, if a licence is granted.



We are required to have regard to the protection of consumers generally in assessing your application.



Provide details of any interconnections with another party's water infrastructure, and connection point to customers.

Describe any interconnections between the proposed water industry infrastructure and other water infrastructure not part of this scheme (e.g. interconnections with public water utilities or other licenced network operators).

Who is responsible for the construction, operation and maintenance for each piece of infrastructure described above?

Describe the connection point to customers or end users (e.g. customer connection point may be a water meter).

Who is responsible for the construction, operation and maintenance for each piece of infrastructure described above?



Attach the following information:

Diagram (e.g. a process flow diagram) that shows all interconnections with other infrastructure and/or end users.

KWPL sources treated effluent from Hunter Water's Shortland WWTP Outfall pipeline.  
KWPL discharges waste brine to the Hunter Water sewer system via the Burwood Beach WWTP sewer network via a manhole on the Pacific Highway opposite Purdue Avenue, Mayfield West.  
KWPL discharges waste backwash water to the Hunter Water sewer on Chanel Road to the KIWS treatment plant.  
KWP source drinking (potable) water for supply to Orica from the Hunter Water drinking water network at the Orica flowmeter.

The KIWS Scheme assets are operated and maintained by KWPL and are delivered through the Operations and Maintenance Agreement with SUEZ.

Construction of the BRU upgrade at the KIWS Treatment Plant is being undertaken by SUEZ for KWPL under the D&C Agreement.

Hunter Water are responsible for the construction, operation and maintenance of their infrastructure.

The connection to Orica is the flowmeter located on the north-western edge of the Orica site on Heron Road, Kooragang Island.

The new connection to NCIG is the flowmeter located on the eastern end of their site on Raven Street, Kooragang Island.

The KIWS Scheme assets are operated and maintained by KWPL, and are delivered through the Operations and Maintenance Agreement with SUEZ.

Orica and NCIG are required to maintain the assets downstream of the flowmeter.

See: **Attachment 41: KIWS Interconnections Diagram**

### 32. Waste products generated and disposal



Waste products can include screenings, waste sludge, brine, etc. Please provide details about the disposal of effluent in **Question 33** in this application form.



Provide information as specified in the table

Describe the waste products generated from the infrastructure

The KIWS Scheme produces waste backwash water from the Micro-filtration process, and waste brine from the Reverse Osmosis process.

Identify the volume of the each of the waste products

Up to 0.6MLD of waste backwash water.

Up to 3MLD of waste brine.

Describe your proposed disposal options of each of the waste products

KWPL discharges waste brine to the Hunter Water sewer system via the Burwood Beach WWTP sewer network via a manhole on the Pacific Highway opposite Purdue Avenue, Mayfield West.

KWPL discharges waste backwash water to the Hunter Water sewer on Chanel Road to the KIWS treatment plant.

Do any disposal options require Environment Protection Licences (EPLs) or other regulatory approvals or licences?

The waste backwash water and brine are disposed of to the Hunter Water sewer system via the Trade Waste Agreement included in **Attachment 42: HWC Trade Waste Agreement (Confidential)**.



Attach the following information:

Evidence to support the proposed volume of waste products generated (e.g. calculations, modelling results).

The Design Report for the original plant is provide in **Attachment 39: KIWS Original Design Report**.

The Concept Report for upgrade of the KIWS treatment plant to incorporate the BRU is included in **Attachment 40: BRU Upgrade Concept Report**.

The Process Flow Diagram for the KIWS Treatment Plant (BRU) Upgrade is also provided in **Attachment 38** Stream 10-4 of the PFD shows the brine discharge with a maximum flow of 124.9m<sup>3</sup>/hr (3MLD).

The flow of waste backwash water is shown in the original plant Process Flow Diagram with Stream 5 showing a flow of 0.6MLD.

Evidence to demonstrate the disposal options are viable (e.g. agreements with third parties, regulatory approvals or licences held).

The Trade Waste Agreement for disposal of waste backwash water and brine to the Hunter Water sewer is provided in **Attachment 42: HWC Trade Waste Agreement (Confidential)**

### 33. Effluent disposal options



Describe how effluent, or treated wastewater, is proposed to be disposed. You do not need to answer this question if you are not applying for a network operator's licence to provide sewerage services.

Identify the volume of effluent generated from the proposed scheme

N/A

Describe your proposed disposal options

N/A

Do any disposal options require Environment Protection Licences (EPLs) or other regulatory approvals or licences?

See: **Attachment 30: Suez Environmental Protection Licence**



Attach the following information:

Evidence to support the proposed volume of effluent generated (e.g. calculations, modelling results).

N/A

Evidence to demonstrate the disposal options are viable (e.g. agreements with third parties, regulatory approvals or licences held).

N/A

## 34. Water balance



Water balance assessment must include (as a minimum):

- All assumptions used for modelling, and if assumptions do not meet industry standards, you must provide a statement of evidence to support the deviation.
- A sensitivity analysis around end use assumptions, including future disposal pathways, e.g. optional take up of recycled use in washing machines.
- Any storage requirements.
- All input and output volumes including peaking factors.
- All waste streams and fate of wastes.

Irrigation models should be run on the median and 95 percentile rainfall scenarios. Irrigation of treated effluent/ recycled water should have zero runoff and no more than 15mm deep percolation (inland) or zero (coastal) – as per the *EPA Guideline – Use of Effluent by Irrigation (2004)*.

Ensure that all products (e.g. drinking water, non-potable water, sewage) are accounted for.

We use this information to assess the applicant's technical capacity. We also use this information to assess the applicant's capacity to carry out the activities that the licence (if granted) would authorise in a manner that does not present a significant risk of harm to the environment.



Attach the following information:

Water balance assessment report for all products and all scheme stages.

See:

**Attachment 39: KIWS Original Design Report**

**Attachment 40: BRU Upgrade Concept Report**

Evidence to support your assumptions in the water balance assessment where relevant (e.g. catchment studies, wastewater characteristic studies).

See:

**Attachment 39: KIWS Original Design Report**

**Attachment 40: BRU Upgrade Concept Report**

## 35. Risk assessment



We use this information to assess the applicant's technical capacity. Refer to the [WIC Act Licence Application Guide](#) for the requirements for the risk assessment.



Attach the following information:

Provide the risk assessment for the network operation activities related to the scheme.

See: **Attachment 22: KIWS Operational Risk Assessment**

### 36. Continuity of services



We are required to have regard to the protection of public health and consumers generally in assessing your application. This includes continuity of services. For example, how would the you manage a failure in the treatment or reticulation infrastructure. You may refer to the attachments provided in **Question 35** if the risk assessment has addressed the continuity of services.



Provide the information specified below:

Describe how the applicant corporation will ensure continuity of services (drinking water, non-potable water and/or sewerage services where applicable) to retailers. Include situations where the continuity of services could be disrupted, and how would these situations be managed.

Refer to responses to Question 22



Attach the following information:

Plans or reports on how continuity of services will be managed (e.g. Infrastructure operating plan)

Refer to responses to Question 22

### 37. Summary of approvals under the EP&A Act



Refer to section 5.6 of the [WIC Act Licence Application Guide](#) to inform whether your scheme should be or has been dealt with under either Part 4 or Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

We also use this information, along with answers to Questions 38 and 39, to assess the applicant's capacity to carry out the activities that the licence (if granted) would authorise in a manner that does not present a significant risk of harm to the environment.



Please answer Yes or No in each cell. Provide a brief reason for why that Part of the EP&A Act applies, and if applicable, the date of the approvals and the approval reference numbers. Add more lines, if required.

#### Infrastructure component

#### Part 4 applicable?

#### Part 5 applicable?

Non-potable water or recycled water reticulation system

KIWS was assessed by Hunter Water Corporation pursuant to their development approval powers contained in the *State Owned Corporations Act* and *Hunter Water Act*. See:

**Attachment 43: Original KIWS Environmental Impact Assessment**

**Attachment 44: Original KIWS Review of Environmental Factors**

Non-potable water or recycled water treatment plant

Drinking water reticulation system

Drinking water treatment facility

Sewage reticulation system

Sewage treatment plant

### 38. Regulatory approvals



Regulatory approvals include planning, environmental and other legislative approvals required under the *EP&A Act*, *Local Government Act 1993*, *Protection of the Environment Operations Act 1997*, and any other relevant legislation.

List all the regulatory approvals that *have been obtained* for the proposed licence activities

See:

**Attachment 17: Suez Retail Supplier's Licence**

**Attachment 28: Suez NOL**

**Attachment 30: Suez Environmental Protection Licence**

**Attachment 43: Original KIWS Environmental Impact Assessment**

List all the regulatory approvals that *are to be obtained* for the proposed licence activities

The purpose of this application is to obtain a RSL and NOL in the name of Kooragang Water Pty Ltd.



Regulatory approvals may include development consents for a housing development (that includes water and sewerage infrastructure) under the EP&A Act, section 68 approval under the Local Government Act 1993 and Environment Protection Licence under the Protection of the Environment Operations Act 1997.



Attach copies of each approval and any reports from the approval body:

Evidence of regulatory approvals including any subsequent approved modifications for the proposed licence activities.

E.g. development consents, determinations, conditions of approvals.

See:

**Attachment 17: Suez Retail Supplier's Licence**

**Attachment 28: Suez NOL**

**Attachment 30: Suez Environmental Protection Licence**

**Attachment 43: Original KIWS Environmental Impact Assessment**

Maps or plans that show the locations (e.g. in lots and DPs) associated with the regulatory approvals in relation to the proposed area of operations identified in **Question 27**.

Insert complete file name of attachment(s).

### 39. Environmental impact assessments



As a minimum, your application must be accompanied by a Review of Environmental Factors (REF) (unless the development is a designated development, Part 5 development, or a major project, in which case either an environmental impact statement (EIS) or comprehensive environmental assessment is required). The REF must identify the environmental impacts of the proposed scheme, and the steps which will be taken to protect the environment or reduce harm to the environment.

Describe the studies that have been completed to investigate any environmental impacts (including water quality, quantity, air, odour, noise, sea level rise, biodiversity and Aboriginal cultural heritage) from the construction and operation of the infrastructure.

See:

**Attachment 43: Original KIWS Environmental Impact Assessment**

**Attachment 44: Original KIWS Review of Environmental Factors**

Where relevant, what land capability and/or site suitability assessments have been undertaken on the proposed land disposal (including irrigation) area?

N/A

Have the studies identified any significant environmental impacts from the scheme? If so, how are the environmental impacts proposed to be managed?

No



Attach the following information:

Environmental impact assessments  
E.g. Environmental study, land capability or site suitability assessment, environmental risk assessment, determination reports.

See: **Attachment 43: Original KIWS Environmental Impact Assessment**

## Statutory declaration

### 40. Please sign the declaration for this application



A statutory declaration must be completed by all applicant corporations and submitted with their application.

Provide a statutory declaration from:

- The Chief Executive Officer and a Director of the applicant corporation (each must complete a separate declaration); or
- The sole Director and Chief Executive Officer of the applicant corporation; or
- Such other person that IPART agrees may provide the statutory declaration(s); to the effect that the information provided in the application is true and correct.

For the purposes of Question 10 of this application form, the statutory declaration should also state that the applicant corporation is neither:

- A disqualified corporation for the purpose of section 10(3)(a) of the *Water Industry Competition Act 2006 (NSW)* (WIC Act), nor
- A related entity 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 (the subject of the application in relation to which this declaration is made), if granted, would authorise, for the purpose of section 10(3)(b) of the WIC Act.

A statutory declaration must be certified by a NSW authorised witness from the following list:

- a justice of the peace
- a solicitor or barrister with a current New South Wales or interstate practising certificate
- a commissioner of the court for taking affidavits
- a notary public, or
- a person by law authorised to administer an oath (e.g. authorised witnesses in other jurisdictions).

I, do solemnly and sincerely declare that:

- 1. I am a Chief Executive Officer of the applicant corporation (named in this application form).
- 2. The information provided in this application is true and correct to the best of my knowledge.
- 3. I am aware of the requirements under the *Water Industry Competition Act 2006* (NSW) (WIC Act) for the licence being applied for.
- 4. The applicant corporation is not, for the purpose of section 10(3)(a) of the WIC Act, a disqualified corporation (as defined in the Dictionary of the WIC Act).
- 5. The applicant corporation is not, for the purpose of section 10(3)(b) of the WIC Act, a related entity of a disqualified corporation (as defined in the Dictionary of the WIC Act) that would have a direct or indirect interest in, or influence on, the carrying out of the activities that the licence (the subject of the application in relation to which this declaration is made), if granted, would authorise.
- 6. I have the authority to make this application on behalf of the applicant corporation (named in this application form).

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1900* (NSW).

In the presence of an authorised witness, who certify the following matters concerning the making of this statutory declaration by the person who made it: *I choose an item from each of the drop-down menu*

- 1. I saw the face of the person.
- 2. I have confirmed the person's identity using an identification document and the document I relied on was provided in the table below.



Provide details of the signatory and witness.

Details

Signatory

Witness

Full name

Kurt Dahl

Position/ title

Chief Executive Officer

Qualification to be authorised witness

N/A

Describe identification document relied on (if applicable)

N/A

**Kelly Ann-Marie McCabe**  
*A Justice of the Peace in  
and for the State of NSW*

**JP**  
Reg. No.  
252347





Sign the application form in the presence of a witness. Ensure that all questions have been completed before signing the form – signing here is the last thing that you do.



You may sign this form electronically (either in Microsoft Word or in Adobe PDF) or on a paper copy. If signing a paper copy, please scan the signed form to Adobe PDF before submitting.

Date of signing

14 MARCH 2022

Address of signing

168 ENTRANCE ROAD ERINA NSW 2250

Sign  
here

Signed by, or on behalf of, the applicant:

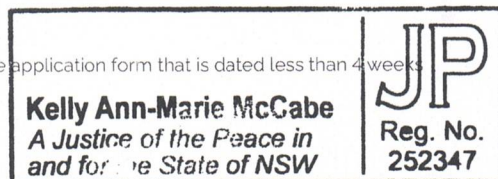
X

In the presence of a witness:

X



We require evidence of the signatory's authority to sign the application form that is dated less than 4 weeks from the date that the application is submitted.



**I, do solemnly and sincerely declare that:**

1. I am a Director of the applicant corporation (named in this application form).
2. The information provided in this application is true and correct to the best of my knowledge.
3. I am aware of the requirements under the *Water Industry Competition Act 2006* (NSW) (WIC Act) for the licence being applied for.
4. The applicant corporation is not, for the purpose of section 10(3)(a) of the WIC Act, a disqualified corporation (as defined in the Dictionary of the WIC Act).
5. The applicant corporation is not, for the purpose of section 10(3)(b) of the WIC Act, a related entity of a disqualified corporation (as defined in the Dictionary of the WIC Act) that would have a direct or indirect interest in, or influence on, the carrying out of the activities that the licence (the subject of the application in relation to which this declaration is made), if granted, would authorise.
6. I have the authority to make this application on behalf of the applicant corporation (named in this application form).

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1900* (NSW).

In the presence of an authorised witness, who certify the following matters concerning the making of this statutory declaration by the person who made it: *I choose an item from each of the drop-down menu*

1. ☒ I saw the face of the person.
2. ~~I have confirmed the person's identity using an identification document and the document I relied on was provided in the table below.~~



Provide details of the signatory and witness.

Details	Signatory	Witness
Full name	Danny Latham	MONIKA KIRSTEN MATHER
Position/ title	Chairman and Director	SOLICITOR OF THE SUPREME COURT OF NEW SOUTH WALES
Qualification to be authorised witness	N/A	
Describe identification document relied on (if applicable)	N/A	



Sign the application form in the presence of a witness. Ensure that all questions have been completed before signing the form – signing here is the last thing that you do.



You may sign this form electronically (either in Microsoft Word or in Adobe PDF) or on a paper copy. If signing a paper copy, please scan the signed form to Adobe PDF before submitting.

Date of signing

12 APRIL 2022

Address of signing

LEVELS, TOWER 3, INTERNATIONAL TOWERS  
300 BARANGAROO AVENUE, SYDNEY, NSW, 2000

Sign  
here

Signed by, or on behalf of, the applicant:

In the presence of a witness:

X

X



We require evidence of the signatory's authority to sign the application form that is dated less than 4 weeks from the date that the application is submitted.

# Acknowledgement

## 41. Please sign the acknowledgement for this application



All applicant corporations must sign an acknowledgement of IPART's intention to give copies of the application to relevant stakeholders.



An acknowledgement should be provided by:

- Company Secretary and a Director
- Two Directors
- In the case of a sole Director, the sole Director, or
- Such other person that IPART agrees may provide the acknowledgement.

The applicant corporation (as named in the application form accompanying this acknowledgement) acknowledges that IPART will give a copy of the applicant corporation's completed application form, including any confidential information contained in that application form, to the:

- Minister administering the *Water Industry Competition Act 2006* (NSW) (except Part 3)
- Minister administering the *Public Health Act 2010* (NSW)
- Minister administering Chapter 2 of the *Water Management Act 2000* (NSW)
- Minister administering the *Environmental Planning and Assessment Act 1979* (NSW)
- Minister administering the *Protection of the Environment Operations Act 1997* (NSW).

in accordance with section 9(1) of the *Water Industry Competition Act 2006* (NSW) and clause 17 of the *Water Industry Competition (General) Regulation 2008* (NSW).

In the interest of streamlining the processing of your application, indicate below whether or not you agree to a copy of your completed application form (including any confidential information contained in that application form) being provided on a confidential basis directly to relevant departmental staff who have the responsibility to advise the Ministers named above on issues relating to the provision of water and sewerage services.

☒ **I agree** that a copy of my completed application form (including any confidential information contained in that application form) may be provided to relevant department staff as outlined above.

☐ **I do not agree** that a copy of my completed application form (including any confidential information contained in that application form) may be provided to relevant department staff as outlined above.



Provide details of the signatories making the acknowledgement.



You may sign this form electronically (either in Microsoft Word or in Adobe PDF) or on a paper copy. If signing a paper copy, please scan the signed form to Adobe PDF before submitting.

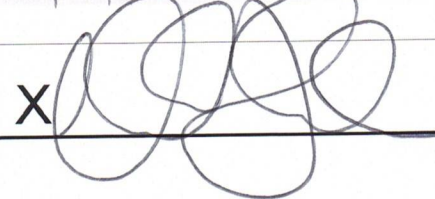
#### Details

Full name  
Position/title  
Date of signing  
Sign here

#### Signatory

Kurt Dahl  
Director

12/04/2022

X 

#### Signatory

Bradley Rea  
Company Secretary

14 April 2022

X 