

Independent Pricing and Regulatory Tribunal
New South Wales

Licence Application Form

Network Operator and Retail Supplier Licence
Water Industry Competition Act 2006 (NSW)

Application
Water

August 2019

© Independent Pricing and Regulatory Tribunal (2019)

With the exception of any:

- (a) coat of arms, logo, trade mark or other branding;
- (b) third party intellectual property; and
- (c) personal information such as photos of people,

this publication is licensed under the Creative Commons Attribution-NonCommercial-NoDerivs 3.0 Australia Licence.



The licence terms are available at the Creative Commons website:
<https://creativecommons.org/licenses/by-nc-nd/3.0/au/legalcode>

IPART requires that it be attributed as creator of the licensed material in the following manner: © Independent Pricing and Regulatory Tribunal (2019).

The use of any material from this publication in a way not permitted by the above licence or otherwise allowed under the *Copyright Act 1968* (Cth) may be an infringement of copyright. Where you wish to use the material in a way that is not permitted, you must lodge a request for further authorisation with IPART.

Disclaimer

IPART does not guarantee or warrant, and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained in this publication.

Information in this publication is provided as general information only and is not intended as a substitute for advice from a qualified professional. IPART recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness and relevance of such information. Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

Nothing in this publication should be taken to indicate IPART's or the NSW Government's commitment to a particular course of action.

ISBN 978-1-76049-369-1

The Independent Pricing and Regulatory Tribunal (IPART)

IPART provides independent regulatory decisions and advice to protect and promote the ongoing interests of the consumers, taxpayers and citizens of NSW. IPART's independence is underpinned by an Act of Parliament. Further information on IPART can be obtained from IPART's website: <https://www.ipart.nsw.gov.au/Home>.

Enquiries regarding this document should be directed to a staff member:

Christine Allen (02) 9290 8412

Robert Aposhian (02) 9290 8406

Version control

Issue Number	Date issued	Notes
1	12 March 2019	First release
2	22 August 2019	Changed details for contact person for enquiries.



PUBLIC

Contents

1	Introduction	1
1.1	Who should complete this form?	1
1.2	How this form is structured	1
2	Statutory declaration	3
3	Acknowledgement	5
4	Licence application form schedules	7
4.1	Network operator's licence	7
4.2	Retail supplier's licence	7
A	Applicant corporation information	9
B	Financial capacity	18
C	Network operator's licence – technical capacity	21
D	Retail supplier's licence – technical capacity – water supply	29
E	Retail supplier's licence – technical capacity – sewerage services	31



PUBLIC

1 Introduction

The *Water Industry Competition Act 2006* (NSW) (WIC Act) came into force on 8 August 2008 and includes provisions for the licensing of private sector water utilities.

Under the WIC Act, the responsible portfolio Minister¹ (the Minister) is in charge of making decisions on granting or refusing the following licences:

- ▼ A **network operator's licence** for constructing, maintaining and operating water industry infrastructure
- ▼ A **retail supplier's licence** to supply water or provide sewerage services, by means of water industry infrastructure.

The Independent Pricing and Regulatory Tribunal of NSW (IPART) is responsible for receiving and assessing licence applications for these licences. It is also responsible for the ongoing administration and enforcement of these licences.

1.1 Who should complete this form?

This form is for corporations applying to become licensees under the WIC Act. Under section 8(1) of the WIC Act, an application for a licence can only be made by, or on behalf of, a corporation.

A copy of the WIC Act and the Water Industry Competition (General) Regulation 2008 (WIC Regulation) are available on the NSW Government's legislation website at www.legislation.nsw.gov.au.

You should complete this form according to the instructions outlined in the Application Form Guidance Document: Network Operator and Retail Supplier Licence, Water Industry Competition Act 2006 (NSW) (the Guidance Document). The Guidance Document and the Application Form are available on our website at www.ipart.nsw.gov.au.

Direct any questions to the Director, Regulation and Compliance via email, wica@ipart.nsw.gov.au or telephone, (02) 9290 8412.

1.2 How this form is structured

This form is structured into the following parts:

- ▼ Part 1 provides an introduction to the form
- ▼ Part 2 contains the Statutory Declaration that must accompany the application form
- ▼ Part 3 contains the Acknowledgement that must accompany the application form

¹ Currently the Minister for Energy and Utilities, December 2018.

-
- ▼ Part 4 contains the licence application form schedules. These schedules are:
- A) Applicant corporation information (to be completed by all applicants corporation)
 - B) Financial capacity (to be completed by all applicant corporations)
 - C) Network operator's licence – technical capacity
 - D) Retail supplier's licence – technical capacity – water supply
 - E) Retail supplier's licence – technical capacity – sewerage services.

PUBLIC

2 Statutory declaration

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

Statutory declaration

Provide a statutory declaration from:

- a) The Chief Executive Officer and a director of the applicant corporation (each must complete a separate declaration); or
- b) The sole director and Chief Executive Officer of the applicant corporation; or
- c) 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 Part 3 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 (eg, authorised witnesses in other jurisdictions).

I, do solemnly and sincerely declare that:

1. I am a ~~director/the Chief Executive Officer~~ the sole director and Chief Executive Officer [delete as applicable] 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).

Name of person making the declaration:

Colin Fisher

Title of person making the declaration:

Managing Director

Signature of person making the declaration:



Declared at

[place]: 602/6A Glen St Milsons Point

On [date]: 08 September 2020

In the presence of an authorised witness, who states:

I [insert name of authorised witness]

LIARA SURGUY

a [insert qualification to be authorised witness]

NSW JUSTICE OF THE PEACE (REG NO 181841)

certify the following matters concerning the making of this statutory declaration by the person who made it: [*cross out any text that does not apply]

1. *I saw the face of the person or ~~*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering.~~
2. *I have known the person for at least 12 months or ~~I have confirmed the person's identity using an identification document and the document I relied on was~~

[describe identification document relied on]

Signature of authorised witness:



Date:

8/9/2020

3 Acknowledgement

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.

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 departmental 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 departmental staff as outlined above.

Name of person making the acknowledgement:

Colin Fisher

Title of person making the acknowledgement:

[Director / Company Secretary]

Sole Director and Sole Secretary

On [date]: 08 September 2020

Signature of person making the acknowledgement:



Name of person making the acknowledgement:

Title of person making the acknowledgement:

[Director / Company Secretary]

On [date]:

Signature of person making the acknowledgement:

4 Licence application form schedules

All applicant corporations must complete the licence application form schedules relevant to its application for a licence.

Template documents to assist applicant corporations in completing the licence application form schedules are available in the Guidance Document.²

There are two types of licence covered by the licence application form schedules:

- ▼ A network operator's licence
- ▼ A retail supplier's licence.

4.1 Network operator's licence

Under the WIC Act, a network operator's licence is required by proponents who wish to construct, maintain and operate water industry infrastructure. This includes all infrastructure required to produce, filter, store, convey, reticulate or treat water and sewage, and to dispose of any waste produced. Water includes potable (drinking) water and non-potable (recycled) water.

Applicant corporations applying for a network operator's licence must complete the following schedules (see Table 4.1):

- A. Applicant corporation information**
- B. Financial capacity**
- C. Network operator's licence – technical capacity.**

4.2 Retail supplier's licence

Under the WIC Act a retail supplier's licence is required by proponents who wish to supply water or provide sewerage retailing services.

Applicant corporations applying for a retail supplier's licence must complete the following schedules (see Table 4.1):

- A. Applicant corporation information**
- B. Financial capacity.**

² IPART, *Application Form – Guidance Document*, March 2019.

Applicant corporations applying for a retail supplier's licence that will supply water (including drinking water and/or non-potable water) must also complete the following schedule (see Table 4.1):














D. Retail supplier's licence – technical capacity – water supply.

Applicant corporations applying for a retail supplier's licence that will supply sewerage services must also complete the following schedule (see Table 4.1):

E. Retail supplier's licence – technical capacity – sewerage supply.

Applicant corporations applying for a retail supplier's licence that will supply both water and sewerage services must also complete both of schedules D and E (see Table 4.1).

Table 4.1 Completing the licence application form schedules

Applies to	Licence application form schedule				
	A	B	C	D	E
Network operator's licence					
Retail supplier's licence					
Water supply (drinking water and/or non-potable water)					
Sewerage services					
Both water supply and sewerage services					

A Applicant corporation information

Table A.1 Corporation details

Provide applicant corporation's name, ABN/ACN, registered and business addresses.	
Corporation name	Aquacell Pty Ltd
ABN	79 072 487 015
ACN	072 487 015
Address of registered office	Suite 4, 95 Henry Street Penrith NSW 2750
Address of principal place of business	Suite 602, 6A Glen Street Milsons Point NSW 2061 Australia

Table A.2 Contact details

Provide primary and secondary contacts, with all relevant details (ie, names, addresses, email and telephone/mobile phone contacts).	
Primary Contact	
Full name and position/title	Colin Fisher, Managing Director
Business telephone number	02 4721 0545
Mobile number	Refer to confidential application
Email	colinf@aquacell.com.au
Postal address	Suite 602, 6A Glen Street Milsons Point NSW 2061 Australia
Secondary Contact	
Full name and position/title	Tass Meli, Operations Manager
Business telephone number	02 4721 0545
Mobile number	Refer to confidential application
Email	tassm@aquacell.com.au
Postal address	Suite 602, 6A Glen Street Milsons Point NSW 2061 Australia

Table A.3 Directors

Provide the following information (details may be included in an Appendix A3).

a) The names, position title, date of birth and address of the Chief Financial Officer, Chief Executive Officer and any other persons concerned in the management of the applicant corporation.

For each person

Full name	Colin Fisher
Position title	Director
Date of birth	Refer to confidential application
Residential address	Refer to confidential application

b) A chart outlining the relationship between the applicant corporation and its ultimate Australian holding company, including the names of any intermediate holding companies.
Attach the organisation chart as Appendix A3(b).

The Applicant Corporation is 100% privately owned, has no parent company, and no operating subsidiaries. All shares are owned by Colin and Libby Fisher. Accordingly, no ownership chart has been attached in addition to the Organisational Chart provided at Appendix A6.

c) Resumes for CEO (or equivalent) and relevant key managers outlining relevant local and international experience in the water industry and matching role descriptions.
Attach resumes/CVs/experience and role descriptions as Appendix A3(c).

The key personnel roles for this project are:

- Aquacell CEO and Project Manager
- Aquacell Technical Manager
- Aquacell Operations Manager
- Aquacell Production Manager.

An Organisational Chart is attached as Appendix A6 and resumes of key personnel are attached as Appendix A3(c).

d) Referees for relevant schemes. **Attach the list of referees/schemes as Appendix A3(d).**

A list of referees for relevant schemes is provided at Appendix A3(d).

Table A.4 Scheme summary

Provide scheme details below.	
<i>Scheme name</i>	67 Kurrajong Road, Kurrajong
<i>Location (include local government area, Lot and DPs)</i>	
<p>The development is located at 67 Kurrajong Rd, Kurrajong with a property description formally defined as Lot 1 in DP1185012. It is located on the southern side of Kurrajong Road to the east of the intersection of Kurrajong Road with the Old Bells Line of Road, in the local government area of the City of Hawkesbury.</p>	
<i>Describe the scheme:</i>	
<p><i>Provide a summary of each type of product to be captured by the scheme (eg, drinking water, recycled water, sewage, stormwater), the volumes generated and the treatment process to be used, including average and maximum capacity.</i></p>	
<p>The scheme will provide sewerage services only. There is no effluent reuse/recycling proposed for this site, only treated wastewater disposal. Potable water is supplied by Sydney Water's existing potable reticulation; however, Council do not intend to provide sewer reticulation for this area.</p>	
<p>The infrastructure will consist of sewer reticulation from each dwelling, a sewer pump station, two buffer tanks, a sewage treatment plant, a sludge tank for offsite disposal of solids, a treated wastewater storage tank and sub-surface disposal. Treated wastewater will be delivered via a pressurised, metered reticulated main to a dedicated 1,880 m² area of the development containing subsurface absorption trenches for disposal.</p>	
<p>The Aquacell S20 sewage treatment plant will include pre-screening, biological treatment and membrane filtration through a membrane bioreactor and UV disinfection.</p>	
<p>The infrastructure will be designed to treat 21 kL/day effluent based on an expected average generation of 15.8 kL/day.</p>	
<p>Refer to section C1 for further details of the scheme.</p>	
<i>Describe end uses</i>	
<p>The treated wastewater is intended <u>only</u> for disposal via the dedicated subsurface absorption trench area within the 67 Kurrajong Rd development. The treatment process and associated risk has been assessed on that basis, and although the water quality may exceed the requirements, it is not intended for reuse or disposal by any other means.</p>	
<i>Describe effluent/ waste products and disposal options (include volumes generated)</i>	
<p>The effluent/ waste product will be residential sewage. Wastewater generation rates have been calculated in accordance with AS/NZS 1547 (2012) as follows:</p>	
<ul style="list-style-type: none">- Equivalent Person (EP) design flow rate = 150 L/day- Mean persons/dwelling (ABS Census, 2011) = 3- Mean Daily flow rate/dwelling = 450 L/day- Equivalent Tenements (ET) = 35- Design Daily flow rate = 15.8 kL/day- Design with 33% increase as 'buffer' = 21.0 kL/day	

Provide scheme details below.

The treated wastewater is to be discharged to the environment via sub-surface disposal absorption trenches within a dedicated area of the development. The size of the disposal area was calculated based on the 21.0 kL/day design flow. Treated wastewater disposal within individual lots was also investigated as an option but was not considered viable due to lack of control over activities on individual lots and potential complications in obtaining access for maintenance. In the event of infrastructure failure, pump out of tanks would be arranged.

List of all planning, environmental and other legislative approvals already obtained and those that are still required

Planning approval granted by the Land & Environment Court on 30 June 2017 (PRJM Pty Ltd v Hawkesbury City Council) with supplementary approval granted on 15 August 2017 (PRJM Pty Ltd v Hawkesbury City Council (No.2)) clarifying the requirement for a WICA licence. Issuing of the WICA licence is a requirement prior to the issuing of the Construction Certificate (Condition 27 of the Development Consent).

References:

- Appendix C12(a) LEC 1339
- Appendix C12(b) LEC 1434
- Appendix C12(c) Condition of Consent DA0830/15 - 37 Lot Subdivision of 67 Kurrajong Rd, Kurrajong

List the staging of works, including a program of the main stages

WICA licence is a requirement for issuing of the Construction Certificate (Condition 27 of consent at Appendix A4(b)). The following timelines are anticipated following the approval of the WICA licences:

- allow 6 weeks for obtaining Construction Certificate
- allow 4-6 weeks for installation of drainage lines following granting of Construction Certificate
- allow 6 months following installation of drainage lines for the installation of the wastewater system.

List the total number and type of customers to be serviced

The scheme will service residential customers at 35 residential dwellings. This project is being developed as a community title with a community association responsible for the ongoing needs of the residents. Aquacell's customer will be the community association, known as 67 Kurrajong Rd Community Association (KCA).

Describe the preferred timeline for the licensing of each stage of the work

As soon as a Network Operator Licence and Retail Supplier Licence is obtained, the developer will obtain a Construction Certificate for commencement of the works. The applicant would appreciate review and determination of this application as soon as possible within IPART's timeframes. The developer will need to commence the construction work within five years of 15/08/2017, the date the final consent orders were handed down.

Table A.5.1 Experience – Network Operator

Provide the following information (details may be included in Appendices A5.1(a) and A5.1(b)).	
<p>a) Describe the applicant corporation's current experience in (and, where relevant, the nominated third parties' experience in):</p> <ul style="list-style-type: none"> Construction, maintenance and operation of water and/or other utility infrastructure such as gas, electricity or telecommunications Environmental management activities relevant to the construction of water infrastructure. Evidence may include: extracts from environmental impact assessments, construction environmental management plans, operational environmental management plans, environmental management systems. This can include interstate and international experience 	<p>Provide full and complete details in Appendix A5.1(a).</p> <p>Aquacell's construction, operations and maintenance experience is demonstrated by its past performance on similar projects, including full compliance in recent audits with examples as follows:</p> <ul style="list-style-type: none"> Appendix A5.1(a)(i) Operational Audit Report – Tallowood, Kurrajong. Appendix A5.1(a)(ii) Operational Audit Report – 1 Bligh St, Sydney <p>Examples of Aquacell's environmental management activities include:</p> <ul style="list-style-type: none"> Appendix A5.1(a)(iii) Environmental Management Procedure Appendix A5.1(a)(iv) Example Health and Environment Management Plan for Hopkins Correctional Centre Recycled Water Scheme Appendix A5.1(a)(v) Example Environmental Management Plan for 1 Bligh Street, Sydney
<p>b) Provide resumes/CVs for key personnel (including nominated third parties) outlining relevant local and international experience and necessary skills for each of the following activities:</p> <ul style="list-style-type: none"> Construction, operations and maintenance Environmental management. 	<p>Provide full and complete details for relevant personnel in Appendix A5.1(b).</p> <p>Resumes of key Aquacell personnel are attached as Appendix A3(c).</p> <p>Refer to Appendix A5.1(b) for a capability statement and CV for PRJM Pty Ltd, the third party responsible for civil works including reticulation and disposal infrastructure.</p>

Table A.5.2 Experience – Retail Supplier

Provide the following information (details may be included in Appendices A5.2(a) and A5.2(b)).	
<p>a) Describe the applicant corporation's current experience in (and, where relevant, the nominated third parties' experience in):</p> <ul style="list-style-type: none"> – the supply of water or the provision of sewerage services. Also outline any previous experience in the retailing of other services such as gas, electricity or telecommunications. 	<p>Provide full and complete details in Appendix A5.2(a).</p> <p>Aquacell has continually held a Retail Supplier Licence (09_004R) for provision of non-potable water supply services since February 2010 and has since extended this licence to additional schemes. Refer to Appendix A5.2(a).</p>
<p>b) Provide resumes/CVs for key personnel (including nominated third parties) outlining relevant local and international experience and necessary skills for each of the activities to be licensed:</p> <ul style="list-style-type: none"> – Retailing activities relevant to operating a utility. 	<p>Provide full and complete details for relevant personnel in Appendix A5.2(b).</p> <p>Resumes of key Aquacell personnel are attached as Appendix A3(c).</p>

Table A.6 Corporate structure

Provide an organisational management chart and an ownership chart in Appendix A6.

Describe the structure of the applicant corporation, including a list of the entities that have an ownership interest in the applicant corporation, whether legal or equitable. The charts should clearly show how the corporation is managed, and all entities that have an ownership interest in the applicant corporation.

The Applicant Corporation is 100% privately owned, has no parent company, and no operating subsidiaries. All shares are owned by Colin and Libby Fisher. Accordingly, no ownership chart has been attached in addition to the Organisational Chart provided at Appendix A6.

Table A.7 Disqualified corporations

Provide the completed disqualified corporations and related entities chart in Appendix A7.

Provide additional information, as described in Appendix B of the Guidance Document, to allow a search for and assessment of each Director, the applicant corporation, and 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.

Refer to Appendix A7.

Table A.8 Insurances

Attach copies of all relevant insurance certificates and relevant policy schedules and policy wording (eg, Product Disclosure Statements) in Appendix A8.

a) 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.

Aquacell holds the following relevant insurances:

- Professional Indemnity Insurance (\$5 million)
- Public Liability (\$20 million)
- Business Insurance
- Workers Compensation Insurance

b) Where available, provide:

- Certificates of currency for all existing insurance policies
- Relevant policy schedules and policy wording for current and future policies. Ensure the inclusions and exclusions of the policies are mentioned.

Certificates of currency are provided at Appendices A8(b)(i)-(iv). Policy schedules and policy wording are provided at Appendices A8(b)(v-vii).

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

A summary of key inclusions and exclusions for each of the abovementioned insurance policies is included in the Davelcorp Insurance Broker's Report provided at Appendix A8(d)(ii). A cover letter for the report is provided at Appendix A8(d)(i).

- d) 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. Your explanation should show how the proposed insurance policies appropriately cover the risks of the applicant corporation's risk assessment. You should also obtain a letter or report from an insurance broker to support your explanation on the appropriate level of cover for the applicant corporation's scheme.

Aquacell undertakes comprehensive whole-of-business and project-specific assessments annually to ensure that its insurance arrangements are adequate for its requirements. This has been reviewed by Aquacell's insurance broker under the requirements for ensuring Aquacell's obligations under the WICA licence are met (Appendix A8(d)). The size, nature and identified risks for this scheme are similar to those of Aquacell's existing schemes, in particular the Tallowood scheme.

- e) If the corporation applying for a licence is a subsidiary of another corporation and is covered by the parent corporation's insurance policy/ies, provide certificates of currency and relevant policy schedules and policy wording demonstrating that the subsidiary will be covered by the parent company's policies.

Not applicable.

Table A.9 Other relevant information

Provide any additional relevant information in Appendix A9.

Provide other relevant information to outline the applicant corporation's organisational capacity to undertake the activities that the licence will authorise. These may include:

- ▼ Business and management systems, and whether they are certified or consistent with an appropriate standard
- ▼ Business risk assessments
- ▼ Cross-organisational guarantees and third party agreements.

Aquacell employs an Integrated Management System (IMS) which is based on the ISO 9001 system. This system is currently not certified but is a goal of the company in the future. It has been audited under our current WICA licence obligations on several occasions.

Aquacell undertakes comprehensive whole-of-business and project-specific assessments annually.

Aquacell has been contracted by PRJM Pty Ltd for the construction, operation and maintenance of the sewage treatment plant. PRJM will subcontract the civil works to specialist companies with extensive experience in their respective fields who can guarantee their work and have the appropriate insurances. A copy of the heads of agreement between Aquacell and PJRM is provided at Appendix A9. This will be developed into a formal contract once the license is granted.

Table A.10 Third party activities

If the applicant corporation intends to use third parties to undertake any **significant** activities for which the applicant corporation is seeking a licence, (eg, construction of the reticulation network, management of the billing system), provide their details below. If there are multiple third parties, provide the details for each party as well as an explanation of the activities it will be undertaking.

Corporation name

PRJM Pty Ltd

ABN/ARBN

ACN

65 133 002 829

133 002 829

Corporation's registered office address

7 Ferncreek Court

KELLYVILLE NSW 2155

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

Civil Works including earthworks, pavements, kerb and guttering, stormwater drainage.

Co-ordination and management of subcontracting works for: water supply tanks and reticulation, sewer reticulation, electrical infrastructure works external to the site.

Design of water supply and sewer reticulation for the development.

Installation of sub-surface disposal system including pumps, absorption trenches and connection to the sewage treatment facility.

Installation of water supply and sewer reticulation for the development:

- Water supply storage tanks and pumps
- Water supply pipe reticulation, valves and hydrants
- Sewer manholes
- Sewer pipe reticulation.

Installation of internal electrical conduits, cabling, switchboards, lighting and pits for the development.

B Financial capacity

The responses to the following questions will be used to assess the applicant corporation's financial capacity to undertake the activities the licence will approve (WIC Act section 10(4)(a)).

See the Guidance Document for further information on our assessment of financial capacity.

Table B.1 Financial capacity of the applicant corporation

How will the applicant corporation's activities be financed?
Is the applicant corporation a new corporation, or does it have a financial history? (An applicant corporation may not have a financial history if it is a newly formed corporation).
If the applicant corporation is a newly formed corporation (ie, without financial history), provide the following: <ul style="list-style-type: none"> ▼ Copies of any financial guarantee, deed of indemnity or any other instrument that supports the applicant corporation's financial capacity. ▼ If a guarantee is to be provided by a parent or related entity, provide financial statements for the guarantor entity for the latest three financial reporting years. ▼ If the applicant corporation is a new corporation financed through alternative arrangements (eg, debt or equity), provide a letter from a financial institution (eg, bank, credit union or the government) certifying an existing or proposed line of credit or financial support. Also provide a copy of any guarantee or deed of indemnity provided by an entity, such as a holding company or Director. Provide financial statements for the latest three financial reporting years demonstrating the financial viability of the guarantor.
For all applications provide (for the applicant corporation or a guarantor): <ul style="list-style-type: none"> ▼ The latest three years of historical financial statements, including: <ul style="list-style-type: none"> – Profit and Loss Statement, also called the Statement of Financial Performance – Balance Sheet, also called the Statement of Financial Position – Cash Flow Statement, also called the Statement of Cash Flows. ▼ To ensure that financial reports are accurate the accounts should be accompanied by: <ul style="list-style-type: none"> – A registered company auditor's report confirming the accounts are accurate, and/or – Tax return documents for the last three years which can be used to verify the income and expenses in the financial statements. ▼ Where the reporting date of the most recent financial statements is more than three months prior to the application date, provide management accounts (eg, a profit and loss statement, trial balance or trading statement). These should be supported by the most recent bank reconciliation and a copy of the relevant bank statement. ▼ From the most recent accounts, an aged creditors report. ▼ From the most recent accounts, an aged debtors report. ▼ A list of suppliers, identifying any major or critical suppliers. ▼ A list of customers, identifying any major or critical customers. ▼ A three year forecast of profitability for the applicant corporation, including a forecast Profit and Loss Statement, Balance Sheet and Cash Flow Statement.
Provide all requested information in Appendix B1.

Table B.2 Financial viability of the scheme

What is the projected financial performance of the scheme?
<i>For the scheme, provide at least ten years of detailed forecast cash flows. The cash flow forecast should include:</i>
<ul style="list-style-type: none">▼ <i>Major income and expense items including (as relevant):</i><ul style="list-style-type: none">– Customer fees and charges income– Connection fees income– Developer contributions/subsidies– Capital expenditure– Operating and management costs– Bulk services charges and/or network operator fees and charges– Overheads and management fees– Sinking funds/contingency– Compliance costs.▼ <i>If the scheme is to be conducted in stages, the cash flow forecast should reflect this.</i>▼ <i>Any provisions made for unexpected operational costs or non-planned maintenance.</i>▼ <i>Key assumptions, including forecast (as relevant):</i><ul style="list-style-type: none">– Lot sales– Occupancy rates or any other drivers of cash inflows– Rates paid for bulk services (eg, bulk water or sewerage)– Waste disposal fees, and/or– Any other relevant key assumptions.
<i>Provide the information in spreadsheet form (eg, Excel spreadsheet) in Appendix B2.</i>

Table B.3 Contextual information

Provide other relevant information that may inform the assessment of financial capacity of the applicant corporation.
<i>For the applicant corporation, in addition to information already provided regarding financial support (eg, guarantees, debt and equity), provide:</i>
<ul style="list-style-type: none">▼ <i>Where the licensee is a part of a corporate group, the corporate group structure (including parent corporate group and details of ownership)</i>▼ <i>Equity structure (ie, equity holders, types of shares, options, quantities of shares and options etc)</i>▼ <i>Agreements, contracts or covenants that may impact the financial capability of the licensee, and/or</i>▼ <i>Any other information that may inform the assessment of financial capacity of the applicant corporation.</i>
<i>Provide all requested information in Appendix B3.</i>

Table B.4 Estimated price for services

For retail supplier licence applications, how much will the applicant corporation charge for its services?

*Where the applicant corporation is applying for a **retail supplier's licence to supply water or provide sewerage service to residential households**, provide:*

- ▼ *Ten year forecasts of the cost to the licensee, per household, per year, to supply water and/or provide sewerage services (as is relevant).*
- ▼ *Details of how this cost would be recovered - that is, what are the details of who is expected to pay fees and charges (eg, customers, developers and/or grants and subsidies)?*
- ▼ *The proposed price levels and structure for the first ten years of operation.*

Provide all requested information in Appendix B4.

Table B.5 Contacts

For all applications, provide contact details for an authorised representative to clarify financial information provided in the application.

Does the applicant corporation have an accountant? If yes, provide the accountant's contact details.

Direct Accounting
Diane Azzopardi
Ph 02 4722 9999

Does the applicant corporation have an external auditor? If yes, provide the external auditor's contact details.

C/- Direct Accounting
Diane Azzopardi
Ph 02 4722 9999

If required, may we contact the accountant and/or external auditor to clarify any information provided?

Yes

Table B.6 Other information

Provide superannuation information as noted below.

For the applicant corporation, provide an extract of the superannuation payable ledger for the:

- ▼ *12 months ending on the date of the latest annual financial statements*
- ▼ *Period commencing on the date of the latest annual financial statements and ending on the date of the latest management accounting reports (if applicable).*

Provide all requested information in Appendix B6.

C Network operator's licence – technical capacity

The responses to the following questions will be used to assess the applicant corporation's technical capacity to undertake the activities the licence will approve (Act s.10(4)(a)).

See the Guidance Document for further information on our assessment of technical capacity.

Select the appropriate boxes for the infrastructure the corporation is applying for.

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | Water infrastructure – drinking water |
| <input type="checkbox"/> | Water infrastructure – non potable water (including recycled water) |
| <input checked="" type="checkbox"/> | Sewerage infrastructure |

Table C.1 Scheme description

Describe the proposed scheme in detail.

Include all infrastructure from catchment/treatment plant to tap/end user. You must:

- ▼ *Include a full description of any infrastructure used in the capture, storage, conveyance/reticulation, and treatment of water and/or sewage.*
- ▼ *Provide a full description of all end uses (including irrigation, dust suppression and other broad-acre uses), waste disposal streams and disposal options, and any end uses requiring Environment Protection Licences (EPLs) or other regulatory approvals or licences.*
- ▼ *Describe any staging requirements for the proposed scheme with a supporting works program.*
- ▼ *Provide relevant water source type, identification and characterisation studies.*

Your description should include the relevant concept design drawings, site plans, process flow diagrams and general arrangement drawings.

Provide all relevant documents in Appendix C1.

The infrastructure will consist of sewer reticulation from each dwelling, a sewer pump station, two buffer tanks, a sewage treatment plant, a sludge tank for offsite disposal of solids, a treated wastewater storage tank and subsurface disposal. The treated wastewater is to be discharged to the environment via sub-surface disposal absorption trenches within a dedicated area of the development. A process flow diagram is provided at Appendix C1.

The Aquacell S20 sewage treatment plant (STP) will include pre-screening, biological treatment and membrane filtration through a membrane bioreactor and UV disinfection. Refer to the draft *Sewage Management Plan* (Appendix C10(b)) for a detailed description of the treatment process and a treatment plant schematic.

The treated wastewater produced by the treatment process is intended for sub-surface disposal within a designated area of the 67 Kurrajong Rd Community development, and not for distribution beyond the boundaries of the disposal area. The treatment process and associated risk has been assessed on that basis, and although the water quality may exceed the requirements, it is not intended for reuse or disposal by any other means.

The water source is residential sewage and the infrastructure will be designed to treat 21 kL/day effluent based on an expected average generation of 15.8 kL/day. Refer to the *Martens Wastewater Management Plan* in Appendix C6(a) for further details.

Digested sludge produced at the STP would be typically pumped out by tanker truck once per annum. Based on the volumes of wastewater to be treated, an Environmental Protection Licence is not required (refer section C.12 below for more detail).

The scheme is intended to be constructed in one stage.

Table C.2 Existing activities

Has the corporation commenced any of the activities for which it is seeking a licence?	
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<p>If yes:</p> <ul style="list-style-type: none"> ▼ Briefly describe the activities that the applicant corporation has commenced (ie, built and/or operating) including the date(s) on which the activities commenced, and the customers being serviced <i>eg, construction of the network infrastructure July 2015, construction of the water treatment plant December 2015, operation of the water treatment plant June 2016, supply to small retail customers August 2016.</i> ▼ Provide an indicative timeline outlining the dates for the commencement of any other activities for which the applicant corporation is seeking a licence. 	
<p>If no, provide an indicative timeline outlining the major development milestones and dates for the commencement of the activities for which the applicant corporation is seeking a licence, if they have not yet commenced. <i>Eg, construction of the network infrastructure July 2020, construction of the water treatment plant December 2020, operation of the water treatment plant June 2021, supply to small retail customers August 2021.</i></p>	
<p>Provide all relevant documents and information in Appendix C2.</p>	
<p>WICA licence is a requirement for issuing of the Construction Certificate (Condition 27 of consent at Appendix A4(b)). The following timelines are anticipated following the approval of the WICA licences:</p> <ul style="list-style-type: none"> - allow 6 weeks for obtaining Construction Certificate - allow 4-6 weeks for installation of drainage lines following granting of Construction Certificate - allow 6 months following installation of drainage lines for the installation of the wastewater system, including commissioning, to the point required for Commercial Operation - allow 2 months for Commercial Operation audit, including IPART delegated approval for Commercial Operation - The system will be then ready for supply of small retail customers, depending on lot sales. 	

Table C.3 Area of operations

Describe the location of the proposed infrastructure.
<p><i>This description should include:</i></p> <ul style="list-style-type: none"> ▼ <i>Specific lot descriptors (eg, lot and DP numbers) that identify the location of the production, treatment, filtration and/or storage infrastructure.</i> ▼ <i>The location of infrastructure for the conveyance and/or reticulation of water by street name, local government area or other description as appropriate to the size of the scheme.</i> ▼ <i>The location of identified irrigation areas for disposal of recycled water.</i> <p>You should provide detailed maps to support the description of the area of operations. The map(s) should show the location of the proposed infrastructure from source to end use. Also provide any maps approved by the relevant planning authority.</p> <p>Provide these maps and descriptions in Appendix C3.</p>

The development is located at 67 Kurrajong Rd, Kurrajong with a property description formally defined as Lot 1 in DP1185012. The development is located within the Hawkesbury City Council local government area.

A locality plan and the property details are shown in Appendix C14(a) – Statement of Environmental Effects prepared by Nexus in December 2015.

The site boundary coordinates are provided in Appendix C3(a) and the location of the STP and Effluent Management Area within the site are included in Appendix C3(b).

A total disposal area of 1,880 m² will be provided in a designated area of the development owned by the 67 Kurrajong Rd Community Association. Refer to Appendix C6(a) for the Wastewater Management Plan – 67 Kurrajong Road, Kurrajong which contains information about the disposal area.

Table C.4 Interconnections

Describe any interconnections between the proposed water infrastructure and other infrastructure not part of this scheme (eg, interconnections with other licensed network operators or public utilities)

In your description, identify who is responsible for the construction, operation and maintenance of which infrastructure.

Where applicable, describe the connection point to customers or end users (eg, the customer connection point may be a water meter). In your description, identify who is responsible for the construction, operation and maintenance of each piece of infrastructure.

Identify all interconnections with other infrastructure and/or end users on the process flow diagram.

Provide all relevant documents in Appendix C4.

There are no interconnections with any other infrastructure.

Table C.5 End uses

Identify all intended end uses for each product supplied and waste products generated.

Provide evidence to support the proposed volumes of water expected to be generated and used.

Provide evidence to support the proposed quantity of waste products generated, and how the applicant corporation will dispose of it. Include any agreements with third parties, and regulatory approvals/licences.

The treated wastewater is intended only for subsurface disposal in the designated area within the 67 Kurrajong Rd development. The treatment process and associated risk has been assessed on that basis, and although the water quality may exceed the requirements, it is not intended for reuse or disposal by any other means.

The effluent/ waste product will be residential sewage. Wastewater generation rates have been calculated in accordance with AS/NZS 1547 (2012) as follows:

- Equivalent Person (EP) design flow rate = 150 L/day
- Mean persons/dwelling (ABS Census, 2011) = 3
- Mean Daily flow rate/dwelling = 450 L/day
- Equivalent Tenements (ET) = 35
- Design Daily flow rate = 15.8 kL/day
- Design with 33% increase as 'buffer' = 21.0 kL/day

Digested sludge produced at the STP would be typically pumped out by tanker truck once per annum. Waste sludge accumulated will likely be in the order of 40 L/d (2 kg @ 0.05% solids), which is equivalent to approximately 15 kL/year. Ultimately, the sludge accumulation rate may be somewhat lower or higher than this, and the removal rate may therefore either less frequent or perhaps up to 2-4 times per year. There are no agreements with third-parties for sludge removal; instead local third-parties are engaged to remove and dispose of sludge from site when required (see Appendix C5). Based on the volumes of wastewater to be treated, an Environmental Protection Licence is not required (refer section C.12 below for more detail).

Provide additional information in Appendix C5.

Table C.6 Water balance

Provide a detailed water balance for all products and all scheme stages.

Water balances are required for each stage of works, and must provide (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, eg, 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 waste/s*

Irrigation models should be run on the median and 95%-tile 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 water/sewage supplied and/or treated is accounted for.

Where relevant, support your assumptions by catchment and/or wastewater characterisation studies.

For all products supplied, provide detailed information on waste products generated and disposal options.

Provide a copy of the detailed water balance and assumptions, as well as any agreements and/or licences to access the source water in Appendix C6.

Refer to Appendix C6(a) for the *Wastewater Management Plan: 67 Kurrajong Road, Kurrajong, NSW* which contains the water balance and nutrient balance calculations. Wastewater generated will be disposed of via the absorption trenches in the designated disposal area. Any sludge generated (the sludge generation rate is calculated in Table C.5 above) will be trucked off site by a third party for disposal.

Refer to Appendix C6(b) for the Sydney Water Developer Works Deed to access potable water.

Table C.7 Volume details for services supplied

Describe the volume of water available from the proposed source.

For drinking water provide detailed information regarding the volume of water the applicant corporation will supply, agreements in place with other utilities and how the applicant corporation will ensure continuity of supply.

For recycled/non-potable water provide detailed information regarding the volume of water the applicant corporation will supply through treatment, agreements in place with other utilities and/or other recycled water users, and how the applicant corporation will ensure continuity of supply.

For sewage provide detailed information regarding the volume of sewage the applicant corporation will collect and treat, how the applicant corporation will dispose of waste products, and any agreements in place regarding the collection, storage and treatment of sewage. Also detail how the applicant corporation will ensure continuity of service.

Describe the volume of water available from the proposed source.

Provide details in a separate Appendix C7.

The infrastructure will be designed to collect and treat up to 21 kL/day of residential sewage based on an expected average generation of 15.8 kL/day. Approximately 15 kL/year of digested sludge produced at the STP would be typically pumped out by local third-party tanker truck once per annum.

Arrangements to ensure continuity of service are detailed in the *Infrastructure Operating Plan* (refer Appendix C10(a), in particular the following sections:

- Section 5. Asset Management
- Section 12. Emergency Pump out and Repairs.

Table C.8 Risk assessment

Provide the preliminary risk assessment for the scheme from source to end use.

The preliminary risk assessment should:

- ▼ Accurately identify any hazards present in the source water or likely to result from the proposed treatment process
- ▼ Address intended, inadvertent and unauthorised end uses (and therefore routes of exposure) to the water
- ▼ Identify any reasonably foreseeable risk event with the potential to expose people or the environment to hazards
- ▼ Outline the broad mitigation measures where the risk of exposure to a hazard is unacceptable to human health or the environment in order to reduce the risk of exposure
- ▼ Identify critical control points (CCPs) and water quality targets.

The preliminary risk assessment should also identify the events and circumstances that could adversely affect the applicant corporation's ability to carry out the activities for which the licence is sought (including any activities undertaken by a nominated third party), the probability of the occurrence of any such event or circumstance, and the measures to be taken by the applicant corporation to prevent or minimise the likelihood of any such event or circumstance.

The preliminary risk assessment should demonstrate the application of a consistent methodology for identifying hazards and assessing potential impacts and risks to health and the environment. We strongly recommend that the applicant corporation utilises an established risk management system, such as outlined in AS/NZS ISO 31000 (Risk management – Principles and Guidelines), which is consistent with the approach outlined in:

- ▼ *The Australian Drinking Water Guidelines (ADWG) (element 2), for drinking water*
- ▼ *The Australian Guidelines for Water Recycling (AGWR) (element 2), for non-potable water.*

The preliminary risk assessment should consider risks specific to the area of operations for which an application is sought. It should also address business and financial risks, and demonstrate/contain a statement that the licensee has consulted with NSW Health and the NSW Environment Protection Authority regarding health and environmental matters. A statement noting that the proposed treatment system meet the water quality targets for the intended end uses should also be included with the preliminary risk assessment.

Provide the preliminary risk assessment in Appendix C8.

A facilitated risk assessment workshop was conducted on 6 March 2020 with representatives from Aquacell, Martens and NSW Health's Nepean Blue Mountains Local Health District Public Health Unit in attendance. A draft Workshop Summary Paper, which has been circulated for comment by participants, is provided at Appendix C8.

Provide the preliminary risk assessment for the scheme from source to end use.

Table C.9 Management systems and processes – water

Describe the systems and processes the applicant corporation will have in place to manage the water infrastructure.

Describe how the 12 elements of the framework for the management of:

- a) Drinking water quality, as detailed in the ADWG, and/or*
- b) Recycled water quality, as detailed in the AGWR*

have been addressed and will be implemented and maintained. Your response should include a clear description (with supporting evidence) of how and where the risk assessment has informed/will inform your water quality management plans(s).

Provide evidence of the applicant corporation's capacity to develop and implement relevant management plans, including an Infrastructure Operating Plan and Water Quality Management Plan (based on the 12 elements of the relevant framework) in Appendix C9.

N/A

Table C.10 Management systems and processes - sewerage

Describe the systems and processes that the applicant corporation will have in place to manage the sewerage infrastructure.

Provide evidence of the applicant corporation's capacity to develop and implement an infrastructure operating plan in Appendix C10.

A draft *Infrastructure Operating Plan* and *Sewage Management Plan* have been developed for the project and are provided at Appendix C10(a) and C10(b), respectively.

Aquacell's response to previous questions raised by the Hawkesbury City Council and NSW Health are addressed in Appendix C10(c) Response to RFI3 and Appendix C10(d) Response to NSW Health, respectively.

Table C.11 Contingency plans

How will the applicant corporation ensure the continuity of the supply of water or the provision of sewerage services to customers? What contingency plans are in place in the case of failure of the infrastructure?

Provide a contingency plan in Appendix C11.

There are multiple redundancies built into the plant, as identified in the *Infrastructure Operating Plan* at Appendix C10(a). For example, if the treatment plant fails, there is approximately 13 days in which to rectify the problem as the buffer tanks have a combined capacity of 214 kL and the expected maximum sewage generation volume is 15.8 kL per day. If the buffer tanks are full, the excess wastewater can be trucked off site, using an approved tanker company to a local sewage treatment plant. The same contingency plan is applicable in the event of failure of the effluent disposal area; wastewater collected in the buffer tanks would be trucked off site until the disposal system was repaired, or replaced.

Table C.12 Regulatory approvals

List all relevant regulatory approvals.
<i>For the activities to be licensed, provide a list of all of the regulatory approvals that have been obtained and/or are required to be obtained under:</i>
<ul style="list-style-type: none">▼ <i>The Environmental Planning and Assessment Act 1979</i>▼ <i>The Protection of the Environment Operations Act 1997</i>▼ <i>Any other relevant legislation.</i>
<i>Attach copies of each approval (if granted) and any reports from the approval body.</i>
<i>Such approvals may include:</i>
<ul style="list-style-type: none">▼ <i>Development consents for a housing development under the Environmental Planning and Assessment Act 1979</i>▼ <i>Section 68 approval under the Local Government Act 1993</i>▼ <i>Environment Protection Licence under the Protection of the Environment Operations Act 1997</i>▼ <i>Any and all subsequent approved modifications.</i>
Provide a copy of any regulatory approvals and/or licences in Appendix C12.
<p>Planning approval granted by the Land & Environment Court on 30 June 2017 (PRJM Pty Ltd v Hawkesbury City Council) with supplementary approval granted on 15 August 2017 (PRJM Pty Ltd v Hawkesbury City Council (No.2)) clarifying the requirement for a WICA licence. Issuing of the WICA licence is a requirement prior to the issuing of the Construction Certificate (Condition 27 of the Development Consent).</p> <p>References:</p> <ul style="list-style-type: none">- Appendix C12(a) LEC 1339- Appendix C12(b) LEC 1434- Appendix C12(c) Condition of Consent DA0830/15 - 37 Lot Subdivision of 67 Kurrajong Rd, Kurrajong <p>As per the legal advice obtained by the developer, a section 68 approval is not required upon the issue of a license pursuant to section 6 of the Water Industry Competition Act 2006.</p> <p>Section 36 of Schedule 1 of the POEO Act states that an Environment Protection Licence (EPL) is required for sewage treatment systems that have a processing capacity that exceeds 2,500 persons equivalent or 750 kL/day, whichever is the greater where there is the discharge or likely discharge of wastes or by-products to land or waters. As the 67 Kurrajong Road scheme will be designed to treat up to 21 kL/day of effluent, it does not trigger the requirement for an EPL.</p>

Table C.13 Development consents and determinations

Has the scheme been dealt with under either Part 3A (now repealed), Part 4 or Part 5 of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act)? Refer to section 3.2 and Appendix C of the Guidance Document to inform your answer to this question.
Provide details of all relevant details in Appendix C13.
<p>As outlined in C.12 above, approval was granted under Part 4 of the EP&A Act by the Land & Environment Court on 30 June 2017 (PRJM Pty Ltd v Hawkesbury City Council). Issuing of the WICA licence is a requirement prior to the issuing of the Construction Certificate (Condition 27 of the Development Consent).</p> <p>References:</p> <ul style="list-style-type: none">- Appendix C12(a) LEC 1339- Appendix C12(b) LEC 1434- Appendix C12(c) Condition of Consent DA0830/15 - 37 Lot Subdivision of 67 Kurrajong Rd, Kurrajong

Table C.14 Environmental impact assessments

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.

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

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.

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

Provide a copy of any:

- ▼ **Environmental study**
- ▼ **Land capability or site suitability assessment**
- ▼ **Environmental risk assessment**
- ▼ **Determination reports**

in Appendix C14.

A Statement of Environmental Effects (prepared by Nexus) from December 2015 is attached as Appendix C14(a). This provides an overview of environmental issues associated with the development. An Environmental Site Assessment (prepared by CM Jewell & Associated) from September 2015 is also attached as Appendix C14(b). The land is zoned R2 Low Density Residential under the Hawkesbury LEP 2012.

Environmental risks were assessed at the risk assessment workshop conducted on 6 March 2020 (refer Appendix C8).

The draft Sewage Management Plan (Appendix C10(b)) also addresses issues around the mitigation and management of environmental impacts such as odour, noise, and truck movements as well as ongoing monitoring, recording and reporting plans.

An Odour Assessment of the sewage treatment plant was carried out by GHD and is attached as Appendix C14(c).

A Traffic Report was provided by Positive Traffic and is attached as Appendix C14(d).

Finally, a *Review of Environmental Factors for Wastewater Management System at 67 Kurrajong Road* was prepared by Martens and attached at Appendix C14(e), with the report appendices attached at Appendix C14(e)(i).

D Retail supplier's licence – technical capacity – water supply

Table D.1 Scheme description

Describe the water infrastructure that the applicant corporation will access to supply water.
Not applicable

Table D.2 Volume of water

What volume of water is available from the proposed source?
<i>Where applicable, provide the capacity of the source and the (allowable) average daily extraction rate from the source. If there is more than one source, provide the requested information for each of the sources.</i>
<i>Where relevant, provide a copy of any agreements and/or licences to access the source water in Appendix D2.</i>
Not applicable

Table D.3 Class of customer

What customers or classes of customers does the applicant corporation propose to supply with water?
<i>Will the applicant corporation be supplying small retail customers with water (ie, less than 15ML/year)?</i>
Not applicable

Table D.4 Risk assessment

Provide the preliminary risk assessment for the retail activities related to the scheme.
<i>The risk assessment must identify the events and circumstances that could adversely affect the applicant corporation's ability to carry out the activities for which the licence is sought (including any activities undertaken by a nominated third party). It must also identify the probability of the occurrence of any such event or circumstance and the measures to be taken by the applicant corporation to prevent or minimise the likelihood of any such event or circumstance.</i>
<i>The preliminary risk assessment should demonstrate the application of a consistent methodology for identifying hazards and assessing potential impacts and risks. We strongly recommend that the applicant corporation utilises an established risk management system such as outlined in AS/NZS ISO 31000 (Risk Management– Principles and Guidelines).</i>
<i>Provide the risk assessment in Appendix D4.</i>
Not applicable

Table D.5 Contingency plan

How will the applicant corporation ensure continuity of the supply of water to customers?

What contingency plans are in place in the case of failure of the infrastructure? If the continuity of supply differs between customer classes, explain why, and define how the applicant corporation will maintain the different levels of service.

Provide a contingency plan in Appendix D5.

Not applicable

Table D.6 Management systems and processes

Describe the systems and processes that the applicant corporation will have in place to manage retail activities including billing systems and complaint and debt recovery procedures.

Provide evidence of the applicant corporation's capacity to develop and implement a retail supply management plan in Appendix D6.

Not applicable

E Retail supplier's licence – technical capacity – sewerage services

For applicant corporations applying for a retail supplier's licence for supply of sewerage services.

Table E.1 Scheme description

Describe the sewerage infrastructure that the applicant corporation will access to provide sewerage services.

The infrastructure will consist of sewer reticulation from each dwelling, a sewer pump station, two buffer tanks, a wastewater treatment plant, a sludge tank for offsite disposal of solids, a treated wastewater storage tank and sub-surface disposal. The treated wastewater is to be discharged to the environment via sub-surface disposal absorption trenches within a dedicated area of the development. A process flow diagram is provided at Appendix C1.

The Aquacell S20 sewage treatment plant will include pre-screening, biological treatment and membrane filtration through a membrane bioreactor and UV disinfection. Refer to the draft Sewage Management Plan (Appendix C10(b)) for a detailed description of the treatment process and a treatment plant schematic.

The treated water produced by the treatment process is intended for sub-surface disposal within a designated area of the 67 Kurrajong Rd Community development, and not for distribution beyond the boundaries of the disposal area. The treatment process and associated risk has been assessed on that basis, and although the water quality may exceed the requirements, it is not intended for reuse or disposal by any other means.

The water source is residential sewage and the infrastructure will be designed to treat 21 kL/day effluent based on an expected average generation of 15.8 kL/day. Refer to the Concept Wastewater Management Strategy at Appendix C6(a) for further details.

Table E.2 Class of customer

What customers or classes of customers does the applicant corporation propose to supply with sewerage services?

Will the applicant corporation be supplying small retail customers with sewerage services (ie, less than 10.5 ML/yr)?

Yes, the customers will be small retail customers.

Table E.3 Risk assessment

Provide the preliminary risk assessment for the retail activities related to the scheme.

*The risk assessment **must identify the events and circumstances** that could adversely affect the applicant corporation's ability to carry out the activities for which the licence is sought (including any activities undertaken by a nominated third party). It must also identify the probability of the occurrence of any such event or circumstance and the measures to be taken by the applicant corporation to prevent or minimise the likelihood of any such event or circumstance.*

The preliminary risk assessment should demonstrate the application of a consistent methodology for identifying hazards and assessing potential impacts and risks. We strongly recommend that the applicant

corporation utilises an established risk management system such as outlined in AS/NZS ISO 31000 (Risk Management– Principles and Guidelines).

Provide the risk assessment in Appendix E3.

A facilitated risk assessment workshop was conducted on 6 March 2020 with representatives from Aquacell, Martens and NSW Health's Nepean Blue Mountains Local Health District Public Health Unit in attendance. A draft Workshop Summary Paper, which has been circulated for comment by participants, is provided at Appendix C8.

A preliminary asset replacement risk assessment has also been conducted. Refer to the Infrastructure Operating Plan at Appendix C10(a).

Table E.4 Contingency plan

What contingency plans are in place in the case of failure of the infrastructure?

How will the applicant corporation ensure continuity of the provision of sewerage services to customers?

Provide a contingency plan in Appendix E4.

There are multiple redundancies built into the plant, as identified in the Infrastructure Operating Plan at Appendix C10(a). For example, if the treatment plant fails, there is approximately 13 days in which to rectify the problem as the buffer tanks have a combined capacity of 214 kL and the expected maximum sewage generation volume is 15.8 kL per day. Once the buffer tanks are full the excess wastewater can be trucked off site in the region with pump-out capability. The same contingency plan is applicable in the event of failure of the effluent disposal area; wastewater collected in the buffer tanks would be trucked off site until the disposal system was repaired, or a new one installed.

Table E.5 Management systems and processes

Describe the systems and processes that the applicant corporation will have in place to manage retail activities including billing systems, and complaint and debt recovery procedures.

Provide evidence of the applicant corporation's capacity to develop and implement a retail supply management plan in Appendix E5.

Aquacell has previously submitted to IPART, audited Retail Supply Management Plans (RSMP) for the Tallowood development (Tallowood Community Association). The Retail Supply Management Plan for Kurrajong will follow a similar format. We anticipate that our existing RSMP will be adjusted to manage this scheme.

In addition, relevant components of Aquacell's Integrated Management System (IMS) include:

- Appendix E5(a) Aquacell Customer Service Charter
 - Appendix E5(b) Aquacell Recycled Water Policy
 - Appendix E5(c) Aquacell Code of Practice for Customer Complaints
 - Appendix E5(d) Aquacell Complaints Handling and Dispute Resolution Policy
 - Appendix E5(e) Aquacell Code of Practice for Debt Recovery
-