



Independent Pricing and Regulatory Tribunal  
New South Wales

# Essential Energy's prices for water and sewerage services in Broken Hill

**From 1 July 2019 to 30 June 2022**

**DRAFT Determination**

**April 2019**

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# Preliminary

## 1 Scope of this determination

This determination fixes the maximum prices that Essential Energy may charge for the following services:

- (a) Water Supply Services;
- (b) Sewerage Services;
- (c) Trade Waste Services; and
- (d) Ancillary and Miscellaneous Customer Services,  
(together, the **Monopoly Services**).

## 2 Commencement and term of this determination

- (a) This determination commences on the later of:
  - (1) 1 July 2019; and
  - (2) the date that it is published in the NSW Government Gazette,  
(**Commencement Date**).
- (b) The maximum prices under this determination apply from the Commencement Date to 30 June 2022. The maximum prices under this determination prevailing at 30 June 2022 continue to apply beyond 30 June 2022 until this determination is revoked or replaced.

## 3 Replacement of an earlier determination

This determination replaces Determination No. 1 of 2014 – Essential Energy’s water and sewerage services in Broken Hill.

## 4 Pricing Schedules

The schedules listed in Table P.1 set out the maximum prices that Essential Energy may charge for supplying the Monopoly Services.

**Table P.1 Pricing schedules**

Schedule	Monopoly Services to which the schedule applies
Schedule 1	Water Supply Services
Schedule 2	Sewerage Services
Schedule 3	Trade Waste Services
Schedule 4	Ancillary and Miscellaneous Customer Services

## 5 Legislative background

### 5.1 IPART may set maximum prices for government monopoly services supplied by specified government agencies

Section 11(1)(a) of the IPART Act provides IPART with a standing reference for the determination of the pricing for a government monopoly service supplied by a government agency specified in Schedule 1 to the IPART Act.

### 5.2 The Monopoly Services are government monopoly services

- (a) The Monopoly Services are government monopoly services because they fall within the scope of the Order.
- (b) The Order applies to Essential Energy by operation of section 53(1)(b) of the *Interpretation Act 1987* (NSW). In March 2011, Country Energy changed its name to Essential Energy under the *Energy Services Corporations Amendment (Change of Name) Regulation 2011*.

### 5.3 Essential Energy is specified in Schedule 1 to the IPART Act

IPART has a standing reference to set maximum prices for Essential Energy because Schedule 1 to the IPART Act specifies that Essential Energy is a government agency.

### 5.4 IPART has set methodologies to fix maximum prices for certain services

This determination fixes the maximum price for some services and sets a methodology for fixing the maximum price for other services. IPART's reasons for setting a methodology for fixing some maximum prices are set out in Schedule 5.

## 6 Simplified outline

- (a) The following is a simplified outline of where to locate the maximum prices for:
  - (1) Water Supply Services; and
  - (2) Sewerage Services.



- (b) The simplified outline has been included for guidance purposes only and does not form part of this determination.

### Water charges (Schedule 1)

Property type	Water service charge	Water usage charge (Treated Water/ Untreated Water/ Chlorinated Water)
<b>Residential Properties (Individual Meter or Common Meter)</b>		
All Metered Residential Properties (Residential Properties with a single Individual Meter or multiple Individual Meters)	Table 1	Table 4
Residential Properties in Residential Multi-Premises or Residential Properties within Mixed Multi-Premises with one or more Common Meters	Table 1	Table 4 <sup>a</sup>
<b>Metered Non-Residential Properties (including in a Multi-Premises or Mixed Multi-Premises)</b>		
20mm Meter (single Individual Meter)	Table 1	Table 4
With a single Individual Meter of greater than 20mm, or multiple Individual Meters of any size	Table 2	Table 4
<b>Non-Residential Multi-Premises with one or more Common Meters/ Non-Residential Properties in Mixed Multi-Premises with one or more Common Meters</b>		
Non-Residential Multi-Premises with one or more Common Meters	Table 2 <sup>a</sup>	Table 4 <sup>a</sup>
Non-Residential Properties in Mixed Multi-Premises with one or more Common Meters	Table 1	Table 4 <sup>a</sup>
<b>Mining Customer Properties</b>		
Mining Customer Properties owned by Perilya Broken Hill Ltd and CBH Resources Ltd	Table 3	Table 4
Mining Customer Properties owned by New Mining Customers	Table 2	Table 4
<b>Other</b>		
Unmetered Properties (Residential or Non-Residential)	Table 1	Table 4 (based on a deemed consumption of 300kL of Treated Water, Chlorinated Water and/or Untreated Water – whichever is available to the Property – per year)
Unconnected Properties	N/A	N/A
Exempt Land	N/A	Table 4
Pipeline Properties with a single Individual Meter of 20mm	Table 1	Table 4
Pipeline Properties with a single Individual Meter greater than 20mm, or multiple Individual Meters of any size	Table 2	Table 4

**Note:** <sup>a</sup> For Multi-Premises that are served by one or more Common Meters, Essential Energy may choose to divide the water service charge (for Non-Residential Multi-Premises) and water usage charge among the Properties within the Multi-Premises (for example, based on unit entitlement, or the number of properties within the Multi-Premises), or it may send the bill to the body corporate.

**Sewerage charges (Schedule 2)**

Property type	Sewerage service charge	Sewerage usage charge
<b>Residential Properties (Individual Meter or Common Meter)</b>		
All Metered Residential Properties	Table 5	N/A
<b>Non-Residential Properties</b>		
Metered Non-Residential Properties (other than Mining Customer Properties)	Table 6 x DF <sup>b</sup>	Table 7
Mining Customer Properties with a single Individual Meter, or multiple Individual Meters	Table 6, applying a 100% DF <sup>b</sup>	Table 7
<b>Non-Residential Multi-Premises with one or more Common Meters / Non-Residential Properties in Mixed Multi-Premises with one or more Common Meters</b>		
Non-Residential Multi-Premises with one or more Common Meters <sup>c</sup>	Table 6 x DF <sup>ab</sup>	Table 7 <sup>a</sup>
Non-Residential Properties in Mixed Multi-Premises with one or more Common Meters <sup>c</sup>	Table 5	N/A
<b>Other</b>		
Unmetered Properties (Residential or Non-Residential)	Table 5	N/A
Unconnected Properties	N/A	N/A
Exempt Land	N/A	Table 7

<sup>a</sup> For a Non-Residential Multi-Premises that is served by one or more Common Meters, Essential Energy may choose to divide the sewerage service charge and the sewerage usage charge among the Properties within the Multi-Premises (for example, based on unit entitlement, or the number of properties within the Multi-Premises) or it may send the bill to the body corporate.

<sup>b</sup> DF refers to Discharge Factor.

<sup>c</sup> This does not apply where the Property within the Non-Residential Multi-Premises has an Individual Meter. In such case, the Property would be considered a Metered Non-Residential Property for charging purposes.

## Schedule 1 Water Supply Services

### 1 Application

This Schedule sets out the maximum prices that Essential Energy may charge for Water Supply Services.

### 2 Metered Residential Properties

#### 2.1 Application of this clause

This clause 2 applies to Metered Residential Properties that are connected to the Water Supply System.

#### 2.2 Metered Residential Properties with a single Individual Meter, or multiple Individual Meters

The maximum price that Essential Energy may levy for supplying Water Supply Services to a Metered Residential Property to which this clause 2 applies, is the sum of:

- (a) the **water service charge** in Table 1 for the applicable period; and
- (b) the total of the **water usage charges** for each type of water supplied calculated by multiplying:
  - (1) the usage charge in Table 4 for the applicable period and type of water supplied; and
  - (2) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

### 3 Residential Property in a Residential Multi-Premises or Residential Property within a Mixed Multi-Premises with one or more Common Meters

#### 3.1 Application of this clause

This clause 3 applies to Residential Properties which:

- (a) do not have a single Individual Meter, or multiple Individual Meters;
- (b) are not Pipeline Properties; and
- (c) are in a Residential Multi-Premises or within a Mixed Multi-Premises, where that Residential Multi-Premises or Mixed Multi-Premises:
  - (1) has one or more Common Meters; and

(2) is connected to the Water Supply System.

### **3.2 Residential Property in a Residential Multi-Premises or Residential Property within a Mixed Multi-Premises with one or more Common Meters**

- (a) The maximum price that Essential Energy may levy for supplying Water Supply Services to a Residential Property to which this clause 3 applies, is the sum of:
- (1) the **water service charge** in Table 1 for the applicable period; and
  - (2) subject to clause 3.3, the total of the **water usage charges** for each type of water supplied calculated by multiplying:
    - (A) the usage charge in Table 4 for the applicable period and type of water supplied; and
    - (B) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.
- (b) Essential Energy may bill the total of the water usage charges levied for the Residential Properties in a Multi-Premises in accordance with clause 3.2(a)(2) by:
- (1) dividing the total of the water usage charges among those Residential Properties (for example, based on unit entitlement or the number of Properties in the Multi-Premises); or
  - (2) billing the total of the water usage charges to the body corporate of the Multi-Premises (if applicable).

### **3.3 Maximum water usage charge for each Residential Property**

For the purposes of clause 3.2, the water usage charge for each Residential Property that is in a Residential Multi-Premises or within a Mixed Multi-Premises, cannot exceed the total of the water usage charges calculated under clause 3.2(a)(2) for the Residential Multi-Premises or Mixed Multi-Premises (as the case may be).

## **4 Metered Non-Residential Properties (other than Pipeline Properties and Mining Customer Properties)**

### **4.1 Application of this clause**

This clause 4 applies to Metered Non-Residential Properties which:

- (a) are connected to the Water Supply System; and
- (b) are not Pipeline Properties or Mining Customer Properties.

### **4.2 Metered Non-Residential Properties with a single Individual Meter of 20mm**

The maximum price that Essential Energy may levy for supplying Water Supply Services to a Metered Non-Residential Property to which this clause 4 applies, where that Property has a single Individual Meter of 20mm, is the sum of:

- (a) the **water service charge** in Table 1 for the applicable period; and

- (b) the total of the **water usage charges** for each type of water supplied calculated by multiplying:
  - (1) the usage charge in Table 4 for the applicable period and type of water supplied; and
  - (2) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter.

#### **4.3 Metered Non-Residential Properties with a single Individual Meter greater than 20mm, or multiple Individual Meters**

The maximum price that Essential Energy may levy for supplying Water Supply Services to a Metered Non-Residential Property to which this clause 4 applies, where that Property has a single Individual Meter that is greater than 20mm, or multiple Individual Meters (of any size), is the sum of:

- (a) the **water service charge** in Table 2 for the applicable period and applicable Meter size for each Meter; and
- (b) the total of the **water usage charges** for each type of water supplied calculated by multiplying:
  - (1) the usage charge in Table 4 for the applicable period and type of water supplied; and
  - (2) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

## **5 Non-Residential Properties in a Multi-Premises with one or more Common Meters (other than Pipeline Properties or Mining Customer Properties)**

### **5.1 Application of this clause**

This clause 5 applies to Non-Residential Properties which:

- (a) do not have a single Individual Meter, or multiple Individual Meters;
- (b) are not Pipeline Properties or Mining Customer Properties; and
- (c) are in a Multi-Premises, where that Multi-Premises:
  - (1) has one or more Common Meters; and
  - (2) is connected to the Water Supply System.

### **5.2 Non-Residential Multi-Premises with one or more Common Meters**

- (a) The maximum price that Essential Energy may levy for supplying Water Supply Services to a Non-Residential Multi-Premises consisting of Non-Residential Properties to which this clause 5 applies, is the sum of:
  - (1) the **water service charge** calculated as follows:

$$SC - IM$$

Where:

**SC** = the water service charge in Table 2 for the applicable period and applicable Meter size for each Common Meter; and

**IM** = the sum of any water service charges levied under clauses 4.2 and 4.3 in respect of each Property within that Multi-Premises with an Individual Meter that is downstream of a Common Meter that services the Multi-Premises; and

- (2) subject to clause 5.4, the total of the **water usage charges** for each type of water supplied calculated by multiplying:
  - (A) the usage charge in Table 4 for the applicable period and type of water supplied; and
  - (B) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.
- (b) Essential Energy may bill the charges levied in accordance with clause 5.2(a) by:
  - (1) billing the water service charge and the total of the water usage charges to the body corporate of the Non-Residential Multi-Premises; or
  - (2) dividing the water service charge and the total of the water usage charges among the Non-Residential Properties within the Non-Residential Multi-Premises (for example, based on unit entitlement or the number of Properties in the Multi-Premises).

### 5.3 Non-Residential Property within a Mixed Multi-Premises with one or more Common Meters

- (a) The maximum price that Essential Energy may levy for supplying Water Supply Services to a Non-Residential Property to which this clause 5 applies and that is within a Mixed Multi-Premises, is the sum of:
  - (1) the **water service charge** in Table 1 for the applicable period; and
  - (2) subject to clauses 5.3(c) and 5.4, the total of the **water usage charges** for each type of water supplied calculated by multiplying:
    - (A) the usage charge in Table 4 for the applicable period and type of water supplied; and
    - (B) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.
- (b) Essential Energy may bill the total of the water usage charges levied for the Non-Residential Properties in a Mixed Multi-Premises in accordance with clause 5.3(a)(2) by:
  - (1) dividing the total of the water usage charges among the Properties within the Mixed Multi-Premises (for example, based on unit entitlement or the number of Properties in the Multi-Premises); or
  - (2) billing the total of the water usage charges to the body corporate of the Mixed Multi-Premises (if applicable).

- (c) The total of all water usage charges billed by Essential Energy for a Mixed Multi-Premises must not exceed the water usage charge for water supplied to that Mixed Multi-Premises as measured by all Meters.

#### 5.4 Calculation of total volume and usage charges

- (a) For the purposes of clauses 5.2 and 5.3, the total volume of water for Non-Residential Properties to which this clause 5 applies is calculated as follows for the relevant Meter Reading Period:
  - (1) the total volume of water for Non-Residential Properties measured by all Common Meters for the relevant Multi-Premises, less
  - (2) the total volume of water for Non-Residential Properties measured by any Individual Meters which are downstream of a Common Meter that services that Multi-Premises.
- (b) For the purposes of clauses 5.2 and 5.3, the total of the water usage charges for each Non-Residential Property that is within a Non-Residential Multi-Premises or Mixed Multi-Premises cannot exceed the total of the water usage charges for the water supplied to the Multi-Premises as measured by all Common Meters for that Multi-Premises.

## 6 Mining Customer Properties

### 6.1 Application of this clause

This clause 6 applies to Mining Customer Properties which:

- (a) are connected to the Water Supply System; and
- (b) have a single Individual Meter or multiple Individual Meters.

### 6.2 Mining Customer Properties owned by Perilya Broken Hill Ltd

The maximum price that Essential Energy may levy for supplying Water Supply Services to all Mining Customer Properties owned by Perilya Broken Hill Ltd, or on which Perilya Broken Hill Ltd carries out mining and exploration activities, is the sum of:

- (a) the **water service charge** in Table 3 for Perilya Broken Hill Ltd and the applicable period; and
- (b) the total of the **water usage charges** for each type of water supplied calculated by multiplying:
  - (1) the usage charge in Table 4 for the applicable period and type of water supplied; and
  - (2) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

### 6.3 Mining Customer Properties owned by CBH Resources Ltd

The maximum price that Essential Energy may levy for supplying Water Supply Services to all Mining Customer Properties owned by CBH Resources Ltd, or on which CBH Resources Ltd carries out mining and exploration activities, is the sum of:

- (a) the **water service charge** in Table 3 for CBH Resources Ltd and the applicable period; and
- (b) the total of the **water usage charges** for each type of water supplied calculated by multiplying:
  - (1) the usage charge in Table 4 for the applicable period and type of water supplied; and
  - (2) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

### 6.4 Mining Customer Property owned by a New Mining Customer

The maximum price that Essential Energy may levy for supplying Water Supply Services to a Mining Customer Property owned by a New Mining Customer, or on which a New Mining Customer carries out mining and exploration activities, is the sum of:

- (a) the **water service charge** in Table 2 for the applicable period and applicable Meter size for each Meter; and
- (b) the total of the **water usage charges** for each type of water supplied calculated by multiplying:
  - (1) the usage charge in Table 4 for the applicable period and type of water supplied; and
  - (2) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

## 7 Pipeline Properties

### 7.1 Application of this clause

This clause 7 applies to Pipeline Properties that:

- (a) are connected to the Water Supply System; and
- (b) have a single Individual Meter or multiple Individual Meters.

### 7.2 Pipeline Properties with a single Individual Meter of 20mm

The maximum price that Essential Energy may levy for supplying Water Supply Services to a Pipeline Property where that Property has a single Individual Meter of 20mm is the sum of:

- (a) the **water service charge** in Table 1 for the applicable period; and



- (b) the Untreated Water usage charge in Table 4 for the applicable period, multiplied by the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter.

### 7.3 Pipeline Properties with a single Individual Meter greater than 20mm, or multiple Individual Meters

The maximum price that Essential Energy may levy for supplying Water Supply Services to a Pipeline Property where that Property has a single Individual Meter that is greater than 20mm, or multiple Individual Meters (of any size) is the sum of:

- (a) the **water service charge** in Table 2 for the applicable period and applicable Meter size for each Meter; and
- (b) the Untreated Water usage charge in Table 4 for the applicable period, multiplied by the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

## 8 Unmetered Properties connected to the Water Supply System

The maximum price that Essential Energy may levy for supplying Water Supply Services to an Unmetered Property connected to the Water Supply System is the sum of:

- (a) the **water service charge** in Table 1 for the applicable period; and
- (b) the total of the **water usage charges** for each type of water supplied calculated by multiplying:
  - (1) the usage charge in Table 4 for the applicable period and type of water supplied; and
  - (2) the volume of water (in kL) supplied, which is taken to be 300kL for the applicable period.

## 9 Unconnected Properties

The maximum price that Essential Energy may levy for supplying water services to an Unconnected Property is zero.

## 10 Exempt Land

The maximum price that Essential Energy may levy for supplying Water Supply Services to Exempt Land is the total of the **water usage charges** for each type of water supplied calculated by multiplying:

- (a) the usage charge in Table 4 for the applicable period and type of water supplied; and

- 
- (b) the volume of water (in kL) supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

## Tables 1 to 4

**Table 1 Water service charges for (i) Metered Residential Properties; (ii) Residential Properties in a Residential Multi-Premises or Mixed Multi-Premises with one or more Common Meters; (iii) Metered Non-Residential Properties with a single Individual Meter of 20mm (other than Pipeline Property or Mining Customer Property) (iv) Non-Residential Properties within Mixed Multi-Premises with one or more Common Meters; (v) Unmetered Properties (Residential and Non-Residential); and (vi) Pipeline Properties with a single Individual Meter of 20mm**

	1 July 2019 to 30 June 2020 (\$ per year)	1 July 2020 to 30 June 2021 (\$ per year)	1 July 2021 to 30 June 2022 (\$ per year)
Water service charge	333.25	333.25 x CPI1	333.25 x CPI2

**Table 2 Water service charges for (i) Metered Non-Residential Properties with a single Individual Meter greater than 20mm, or multiple Individual Meters of any size (other than Pipeline Property or Mining Customer Property); (ii) Non-Residential Multi-Premises with one or more Common Meters; (iii) New Mining Customer Properties; and (iv) Pipeline Properties with an Individual Meter greater than 20mm, or multiple Individual Meters of any size**

Meter size	1 July 2019 to 30 June 2020 (\$ per year)	1 July 2020 to 30 June 2021 (\$ per year)	1 July 2021 to 30 June 2022 (\$ per year)
20mm	333.25	333.25 x CPI1	333.25 x CPI2
25mm	520.70	520.70 x CPI1	520.70 x CPI2
40mm	1,333.00	1,333.00 x CPI1	1,333.00 x CPI2
50mm	2,082.82	2,082.82 x CPI1	2,082.82 x CPI2
80mm	5,332.01	5,332.01 x CPI1	5,332.01 x CPI2
100mm	8,331.26	8,331.26 x CPI1	8,331.26 x CPI2
150mm	18,745.34	18,745.34 x CPI1	18,745.34 x CPI2
For Meter sizes not specified above, this formula applies to each Meter:	$\frac{(\text{Meter size})^2 \times (\text{20mm water service charge for the applicable period})}{400}$		

**Table 3 Water service charges for Mining Customer Properties of Perilya Broken Hill Ltd and CBH Resources Ltd**

	1 July 2019 to 30 June 2020 (\$ per year)	1 July 2020 to 30 June 2021 (\$ per year)	1 July 2021 to 30 June 2022 (\$ per year)
Perilya Broken Hill Ltd	2,809,457	2,809,457 x CPI1	2,809,457 x CPI2
CBH Resources Ltd	674,481	674,481 x CPI1	674,481 x CPI2

**Table 4 Water usage charges**

	1 July 2019 to 30 June 2020 (\$ per kL)	1 July 2020 to 30 June 2021 (\$ per kL)	1 July 2021 to 30 June 2022 (\$ per kL)
Treated Water	1.83	1.83 x CPI1	1.83 x CPI2
Chlorinated Water	1.24	1.30 x CPI1	1.36 x CPI2
Untreated Water	1.61	1.61 x CPI1	1.61 x CPI2

## Schedule 2 Sewerage Services

### 1 Application

This Schedule sets out the maximum prices that Essential Energy may charge for Sewerage Services.

### 2 Residential Properties

#### 2.1 Residential Property connected to the Sewerage System

The maximum price that Essential Energy may levy for supplying Sewerage Services to a Residential Property connected to the Sewerage System is the sewerage service charge in Table 5 for the applicable period.

### 3 Metered Non-Residential Properties

#### 3.1 Application of this clause

This clause 3 applies to Metered Non-Residential Properties that are connected to the Sewerage System.

#### 3.2 Metered Non-Residential Property (other than a Mining Customer Property)

The maximum price that Essential Energy may levy for supplying Sewerage Services to a Non-Residential Property (other than a Mining Customer Property) to which this clause 3 applies, is the sum of:

- (a) a **sewerage service charge** calculated as follows:

$$SC \times DF$$

Where:

**SC** = the total of the sewerage service charges in Table 6 for the applicable period and applicable Meter size for each Meter; and

**DF** = the Discharge Factor for that Property; and

- (b) the **sewerage usage charge** calculated in accordance with clause 5.1.

### 3.3 Mining Customer Property with a single Individual Meter or multiple Individual Meters

The maximum price that Essential Energy may levy for supplying Sewerage Services to a Non-Residential Property which is a Mining Customer Property and to which this clause 3 applies, is the sum of:

- (a) the **sewerage service charge** in Table 6 for a 100mm Meter for the applicable period; and
- (b) the **sewerage usage charge** calculated in accordance with clause 5.1.

[Note: The sewerage service charge for a Mining Customer Property is to be multiplied by a Discharge Factor of 100%.]

## 4 Non-Residential Properties in a Multi-Premises with one or more Common Meters

### 4.1 Application of this clause

This clause 4 applies to Non-Residential Properties which:

- (a) do not have a single Individual Meter or multiple Individual Meters; and
- (b) are in a Multi-Premises, where that Multi-Premises:
  - (1) has one or more Common Meters; and
  - (2) is connected to the Sewerage System.

### 4.2 Non-Residential Multi-Premises with one or more Common Meters

- (a) The maximum price that Essential Energy may levy for supplying Sewerage Services to a Non-Residential Multi-Premises to which this clause 4 applies is the sum of:
  - (1) a **sewerage service charge** calculated as follows:

$$SC \times DF - IM$$

Where:

**SC** = the total of the sewerage service charges in Table 6 for the applicable period and applicable Meter size for each Meter;

**IM** = the sum of any sewerage service charges levied under clauses 3.2 and 3.3 in respect of each Property in that Multi-Premises with an Individual Meter which is downstream of a Common Meter that services the Non-Residential Multi-Premises; and

**DF** = the Discharge Factor for that Property; and

- (2) the **sewerage usage charge** calculated in accordance with clause 5.2.

- (b) Essential Energy may levy the sewerage service charge calculated under clause 4.2(a) by:
- (1) dividing the sewerage service charge among the Non-Residential Properties within the Non-Residential Multi-Premises (for example, based on unit entitlement or the number of Properties in the Multi-Premises); or
  - (2) billing the sewerage service charge to the body corporate of the Non-Residential Multi-Premises (if applicable).

#### **4.3 Non-Residential Properties within a Mixed Multi-Premises with one or more Common Meters**

The maximum price that Essential Energy may levy for supplying Sewerage Services to a Non-Residential Property to which this clause 4 applies within a Mixed Multi-Premises is the sewerage service charge in Table 5 for the applicable period.

## **5 Sewerage usage charges**

### **5.1 Metered Non-Residential Property (with one or more Individual Meters) or Exempt Land**

The maximum sewerage usage charge that Essential Energy may levy for a Meter Reading Period for supplying Sewerage Services to:

- (a) a Metered Non-Residential Property which has one or more Individual Meters; or
- (b) Exempt Land,

is calculated as follows:

$$(W \times DF) \times UC$$

Where:

**W** = the water (Treated Water, Chlorinated Water and Untreated Water, as applicable) used (in kL) by that Non-Residential Property or Exempt Land for the Meter Reading Period as measured by the Meter or Meters;

**DF** = the Discharge Factor for that Metered Non-Residential Property or Exempt Land; and

**UC** = the sewerage usage charge in Table 7 for the Meter Reading Period corresponding to the applicable period.

### **5.2 Non-Residential Multi-Premises with one or more Common Meters**

- (a) The maximum sewerage usage charge that Essential Energy may levy for a Meter Reading Period for supplying Sewerage Services to a Non-Residential Multi-Premises with one or more Common Meters is calculated as follows:

$$(\{W - IM\} \times DF) \times UC$$

Where:

**W** = the total volume of water (Treated Water, Chlorinated Water and Untreated Water, as applicable) used (in kL) for the Meter Reading Period as measured by all Common Meters for that Multi-Premises;

**IM** = the total volume of water (Treated Water, Chlorinated Water and Untreated Water, as applicable) used (in kL) for the Meter Reading Period as measured by any Individual Meters servicing Properties in that Multi-Premises, where those Individual Meters are downstream of any Common Meters for that Multi-Premises;

**DF** = the Discharge Factor for that Multi-Premises; and

**UC** = the sewerage usage charge in Table 7 for the Meter Reading Period corresponding to the applicable period.

- (b) Essential Energy may levy the sewerage usage charge calculated under clause 5.2(a) by:
- (1) dividing the sewerage usage charge among the Non-Residential Properties within the Non-Residential Multi-Premises (for example, based on unit entitlement or the number of Properties in the Multi-Premises); or
  - (2) billing the sewerage usage charge to the body corporate of the Non-Residential Multi-Premises (if applicable).

## 6 Unmetered Properties connected to the Sewerage Supply System

The maximum price that Essential Energy may levy for supplying Sewerage Services to an Unmetered Property that is connected to the Sewerage System is the sewerage service charge in Table 5 for the applicable period.

## 7 Unconnected Properties

The maximum price that Essential Energy may levy for supplying Sewerage Services to an Unconnected Property is zero.

## 8 Exempt Land

The maximum price that Essential Energy may levy for supplying Sewerage Services to Exempt Land is the sewerage usage charge calculated in accordance with clause 5.1.



## Tables 5 to 7

**Table 5 Sewerage service charge for (i) Residential Properties; (ii) Non-Residential Properties within Mixed Multi-Premises with one or more Common Meters and (iii) Unmetered Properties**

	1 July 2019 to 30 June 2020 (\$ per year)	1 July 2020 to 30 June 2021 (\$ per year)	1 July 2021 to 30 June 2022 (\$ per year)
Sewerage service charge	530.89	530.89 x CPI1	530.89 x CPI2
Includes deemed usage component	117.16	117.16 x CPI1	117.16 x CPI2

[Note 1: The deemed usage component is a component of, and not additional to, the sewerage service charge.]

**Table 6 Sewerage service charges for (i) Non-Residential Properties (other than a Mining Customer Property); (ii) Mining Customer Property with Individual Meters (of any size) and (iii) Non-Residential Properties in a Multi-Premises with one or more Common Meters**

Meter size	1 July 2019 to 30 June 2020 (\$ per year)	1 July 2020 to 30 June 2021 (\$ per year)	1 July 2021 to 30 June 2022 (\$ per year)
20mm	591.04	591.04 x CPI1	591.04 x CPI2
25mm	923.49	923.49 x CPI1	923.49 x CPI2
40mm	2,364.14	2,364.14 x CPI1	2,364.14 x CPI2
50mm	3,693.97	3,693.97 x CPI1	3,693.97 x CPI2
80mm	9,456.56	9,456.56 x CPI1	9,456.56 x CPI2
100mm	14,775.88	14,775.88 x CPI1	14,775.88 x CPI2
150mm	33,245.73	33,245.73 x CPI1	33,245.73 x CPI2
For Meter sizes not specified above, this formula applies to each Meter:	$\frac{\text{(Meter size)}^2 \times \text{(20mm sewerage service charge for the applicable period)}}{400}$		

[Note: The prices in Table 6 assume the application of a Discharge Factor of 100%. The relevant Discharge Factor may vary from case to case, as determined by Essential Energy for the relevant Property or, in the case of a Non-Residential Multi-Premises which has a Common Meter, for that Multi-Premises. A pro rata adjustment shall be made where the DF percentage is less than or greater than 100%.]

**Table 7 Sewerage usage charge for (i) Non-Residential Properties; and (ii) Exempt Land**

	<b>1 July 2019 to 30 June 2020 (\$ per kL)</b>	<b>1 July 2020 to 30 June 2021 (\$ per kL)</b>	<b>1 July 2021 to 30 June 2022 (\$ per kL)</b>
Sewerage usage charge	1.30	1.30 x CPI1	1.30 x CPI2

## Schedule 3 Trade Waste Services

### 1 Application

This schedule sets out the maximum prices that Essential Energy may charge for Trade Waste Services.

### 2 Categories for pricing purposes

Maximum prices for Trade Waste Services have been determined for five categories:

- (a) Category 1 Trade Waste Discharge;
- (b) Category 1a Trade Waste Discharge;
- (c) Category 2 Trade Waste Discharge;
- (d) Category 3 Trade Waste Discharge; and
- (e) Trade Waste discharged by a Mining Customer Property.

### 3 Category 1 Trade Waste Discharge

The maximum price that Essential Energy may levy for Category 1 Trade Waste Discharge is calculated as follows:

$$TW1 = C1 + A1 + T1 + (U \times V)$$

Where:

**TW1** = maximum price for Category 1 Trade Waste Discharge;

**C1** = applicable annual Trade Waste fee for the relevant period;

**A1** = Trade Waste discharge application fee for the relevant period (if applicable);

**T1** = Trade Waste re-inspection fees for the relevant period (if applicable); and

**U** = Trade Waste usage charge for the relevant period,

each as set out in Tables 8 and 9 and as varied by clause 8; and

**V** = Volume of Liquid Trade Waste discharged to the Sewerage System.

## 4 Category 1a Trade Waste Discharge

The maximum price that Essential Energy may levy for Category 1a Trade Waste Discharge is calculated as follows:

$$TW1a = C1a + A1a + T1a + (U \times V)$$

Where:

**TW1a** = maximum price for Category 1a Trade Waste Discharge;

**C1a** = applicable annual Trade Waste fee for the relevant period;

**A1a** = Trade Waste discharge application fee for the relevant period (if applicable);

**T1a** = Trade Waste re-inspection fees for the relevant period (if applicable); and

**U** = Trade Waste usage charge for the relevant period,

each as set out in Tables 8 and 9 and as varied by clause 8; and

**V** = Volume of Liquid Trade Waste discharged to the Sewerage System.

## 5 Category 2 Trade Waste Discharge

The maximum price that Essential Energy may levy for Category 2 Trade Waste Discharge is calculated as follows:

$$TW2 = C2 + A2 + T2 + (U \times V)$$

Where:

**TW2** = maximum price for Category 2 Trade Waste Discharge;

**C2** = applicable annual Trade Waste fee for the relevant period;

**A2** = Trade Waste discharge application fee for the relevant period (if applicable);

**T2** = Trade Waste re-inspection fees for the relevant period (if applicable);

**U** = Trade Waste usage charge for the relevant period,

each as set out in Tables 8 and 9 and as varied by clause 8; and

**V** = Volume of Liquid Trade Waste discharged to the Sewerage System.

## 6 Category 3 Trade Waste Discharge

The maximum price that Essential Energy may levy for Category 3 Trade Waste Discharge is calculated as follows:

$$TW3 = C3 + A3 + T3 + (FWD \times B) + (U \times V)$$

Where:

**TW3** = maximum price for Category 3 Trade Waste Discharge;

**C3** = applicable annual Trade Waste fee for the relevant period;

**A3** = Trade Waste discharge application fee for the relevant period (if applicable);

**T3** = Trade Waste re-inspection fees for the relevant period (if applicable);

**FWD** = annual food waste disposal charge for the relevant period; and

**U** = Trade Waste usage charge for the relevant period;

each as set out in Tables 8 and 9 and as varied by clause 8;

**B** = number of beds in the hospital, nursing home or other facility in which the food waste disposal unit is installed; and

**V** = Volume of Liquid Trade Waste discharged to the Sewerage System.

## 7 Trade Waste discharged by a Mining Customer Property

- (a) If Essential Energy has a trade waste agreement in respect of the discharge of Trade Waste from a Mining Customer Property, then notwithstanding clauses 3 to 6, the maximum price that Essential Energy may levy for Trade Waste discharged from a Mining Customer Property is calculated as follows:

$$TWM = M + (U \times V)$$

Where:

**TWM** = maximum price for Trade Waste from a Mining Customer Property;

**M** = the annual Trade Waste fee per operating mine set out in Table 8 and as varied by clause 8;

**U** = Trade Waste usage charge for the relevant period as set out in Table 9 and as varied by clause 8; and

V = Volume of Liquid Trade Waste discharged to the Sewerage System.

- (b) If Essential Energy does not have a trade waste agreement in respect of the discharge of Trade Waste by a Mining Customer Property, the maximum price that may be levied by Essential Energy for:
- (1) Category 1 Trade Waste Discharge;
  - (2) Category 1a Trade Waste Discharge;
  - (3) Category 2 Trade Waste Discharge; or
  - (4) Category 3 Trade Waste Discharge,

is to be determined in accordance with clauses 3 to 6 (as applicable) as though the Trade Waste was discharged pursuant to an agreement with Essential Energy.

## 8 Escalation for CPI increase

The maximum price in Table 8 is to be increased for the following periods as follows:

- (a) from **1 July 2020 to 30 June 2021** - the corresponding charge is to be multiplied by CPI<sub>1</sub>; and
- (b) from **1 July 2021 to 30 June 2022** - the corresponding charge is to be multiplied by CPI<sub>2</sub>.

## Tables 8 to 9

**Table 8 Fixed Trade Waste Charges for categories 1, 1a, 2 and 3**

Description of charge	1 July 2019 to 30 June 2020 (\$ per year)
Annual Trade Waste fee for Category 1 Trade Waste Discharge	97.63
Annual Trade Waste fee for Category 1a Trade Waste Discharge	97.63
Annual Trade Waste fee for Category 2 Trade Waste Discharge	196.28
Annual Trade Waste fee for Category 3 Trade Waste Discharge	656.98
Annual Trade Waste fee per operating mine	1,636.35
Trade Waste discharge application fee	241.03
Trade Waste re-inspection fee	89.50
Food waste disposal charge	30.51/bed

**Table 9 Volumetric Trade Waste Charges for all discharges**

Description of charge	1 July 2019 to 30 June 2020 (\$ per kL)	1 July 2020 to 30 June 2021 (\$ per kL)	1 July 2021 to 30 June 2022 (\$ per kL)
Trade Waste usage charge	0.18	0.37 x CPI1	0.55 x CPI2

## Schedule 4 Ancillary and Miscellaneous Customer Services

### 1 Application

This Schedule sets out the maximum prices that Essential Energy may charge for Ancillary and Miscellaneous Customer Services.

### 2 Ancillary and miscellaneous customer charges

The maximum price that Essential Energy may levy for supplying an Ancillary and Miscellaneous Customer Service listed in the relevant table is:

- (a) from **1 July 2019 to 30 June 2020** - the corresponding charge in Table 10;
- (b) from **1 July 2020 to 30 June 2021** - the corresponding charge in Table 10 multiplied by CPI<sub>1</sub>; and
- (c) from **1 July 2021 to 30 June 2022** - the corresponding charge in Table 10 multiplied by CPI<sub>2</sub>.



## Table 10

Table 10 Charges for Ancillary and Miscellaneous Customer Services

No	Ancillary and Miscellaneous Customer Services	\$
1	<b>Conveyancing certificate</b> Statement of outstanding charges	
	a) Full certificate with meter read	75.11
	b) Updated meter read request (special meter read)	56.29
	c) Full certificate with history search	132.21
	d) Urgent full certificate with meter read (within 48 hours)	130.18
2	<b>Meter test</b> Refunded if meter is $\pm 3\%$	78.05
3	<b>Drainage diagram</b>	22.02
4	<b>Plumbing inspection</b>	36.41
5	<b>Plumbers application</b>	38.90
6	<b>Site inspection for water and sewerage</b>	125.09
7	<b>Statement of available water pressure</b>	181.03
8	<b>Building plan approval – extension</b>	35.14
9	<b>Building plan approval – new connection</b>	53.09
10	<b>Fire Service application</b>	92.85
11	<b>Relocation/increase in size of water service</b> (tapping fee)	89.90
12	<b>Backflow prevention device testing and certification</b> (per hour plus materials)	75.26
13	<b>Install water service</b>	
	a) 20mm service up to 3 metres	770.89
	b) 20mm service over 3 metres and less than 30 metres	1,989.25
	c) All others	By quote
14	<b>Alter existing water service</b>	
	a) Actual cost	By quote
	b) Relocate existing service	By quote
15	<b>Downgrade meter size</b>	
	a) 25mm to 20mm	99.11
	b) All others	By quote
16	<b>Repair damaged water service</b>	
	a) First repair within 5 year period	Nil
	b) Second and subsequent repairs (per hour plus materials)	99.11
17	<b>Rectification of illegal service</b>	241.03
18	<b>Replace damaged water meter</b>	
	a) First replacement in a 5 year period	Nil
	b) 20mm	115.94
	c) 25mm	228.83
	d) 32mm	332.56
	e) 40mm	801.40

Table 10

	f) 50mm	999.71
	g) 80mm	1,098.36
	h) 100mm or greater	By quote
19	<b>Water service disconnection</b>	
	a) First disconnect within 1 year period	Nil
	b) Capping	96.67
	c) 20mm to 25mm	161.70
	d) Greater than 25mm	By quote
	e) Bitumen repairs (\$ per metre) (minimum 1 metre)	18.81
20	<b>Water service reconnection</b>	
	a) First reconnect within 1 year period	Nil
	b) Un-capping	103.73
	c) 20mm to 25mm	173.91
	d) Greater than 25mm	By quote
	e) Bitumen repairs (\$ per metre) (minimum 1 metre)	18.81
21	<b>Asset location</b>	
	a) Major or critical infrastructure (per hour)	99.11
	b) Minor or non-critical initial location	Nil
	c) Reinspect asset location (per hour)	99.11
22	<b>Relocate existing stop valve or hydrant</b>	By quote
23	<b>Replace water main before customer installations</b>	By quote
24	<b>Standpipe hire</b>	
	a) Monthly (minimum charge)	32.04
	b) Annually	384.43
	c) Water usage charges (\$ per kL)	
	i. Treated	1.83
	ii. Untreated	1.63
25	<b>Personal service of final warning notice</b>	21.92
26	<b>Water reconnections – after restrictions</b>	
	a) During business hours	94.58
	b) Outside business hours	131.19

## Schedule 5 Statement of reasons for setting methodologies

### 1 Legislative framework

Under section 13A of the IPART Act, IPART may not choose to make a determination that involves setting the methodology for fixing a maximum price, unless the Tribunal is of the opinion that it is impractical to make a determination directly fixing the maximum price. If IPART makes a determination that involves setting the methodology for fixing a maximum price then it must include in its determination a statement of the reasons why it chose to set a methodology.

### 2 Statement of reasons

#### 2.1 Methodology for certain water service charges

IPART has set a methodology for fixing the maximum price for Water Supply Services to Non-Residential Multi-Premises with one or more Common Meters under clause 5.2 of Schedule 1. IPART has chosen to set this methodology to take into account the water service charge levied under clauses 4.2 and 4.3 of Schedule 1 in respect of each Property within the Multi-Premises with an Individual Meter which is downstream of a Common Meter that services the Multi-Premises.

#### 2.2 Methodology for sewerage service charges

- (a) IPART has set a methodology for fixing the maximum price for Sewerage Services to Metered Non-Residential Properties in clause 3.2 of Schedule 2. IPART has chosen to set this methodology to take into account the Discharge Factor applicable to the Property.
- (b) IPART has set a methodology for fixing the maximum price for Sewerage Services to Non-Residential Properties in Multi-Premises with one or more Common Meters in clause 4.2 of Schedule 2. IPART has chosen to set this methodology to take into account the sewerage service charges levied under clauses 3.2 and 3.3 of Schedule 2 in respect of each Property within the Multi-Premises with an Individual Meter which is downstream of a Common Meter that services the Multi-Premises, and the Discharge Factor applicable to the Property.

#### 2.3 Methodology for sewerage usage charges

- (a) IPART has set a methodology for fixing the maximum sewerage usage charges for Metered Non-Residential Properties in clause 5.1 of Schedule 2. IPART has chosen to set this methodology to take into account the water used in the Meter Reading

Period, the Discharge Factor applicable to the Property, the sewerage usage charge and the volume of sewage discharged.

- (b) IPART has set a methodology for fixing the maximum sewerage usage charges for Metered Non-Residential Multi-Premises with one or more Common Meters in clause 5.2 of Schedule 2. IPART has chosen to set these methodologies to take into the volume of water used in the Meter Reading Period, the Discharge Factor applicable to the Multi-Premises, the sewerage usage charge and the volume of sewage discharged.

## **2.4 Methodology for Trade Waste charges**

IPART has set methodologies for fixing the maximum price for Trade Waste Services in Schedule 3. IPART has chosen to set these methodologies because the cost of each category of Trade Waste discharge depends on a number of variables; for example, applicable fees, the annual food waste disposal in the relevant period, the number of beds in the facility in which the food waste disposal unit is installed and a usage charge.

## Schedule 6 Definitions and interpretation

### 1 Definitions

#### 1.1 General definitions

In this determination:

**Ancillary and Miscellaneous Customer Services** means the ancillary and miscellaneous customer services referred to in clause 2(d) of the Order.

**Category 1 Trade Waste Discharge** means Trade Waste discharge which:

- (a) arises from an activity conducted on a Non-Residential Property;
- (b) is deemed by Essential Energy to be of a low risk nature and to require nil or minimal pre-treatment prior to its discharge into the Sewerage System; and
- (c) is discharged pursuant to a trade waste agreement with Essential Energy.

**Category 1a Trade Waste Discharge** means Trade Waste discharge which:

- (a) arises from an activity conducted on a Non-Residential Property;
- (b) is deemed by Essential Energy to be of a low risk nature but to require a more sophisticated prescribed pre-treatment than Category 1 Trade Waste Discharge prior to its discharge into the Sewerage System; and
- (c) is discharged pursuant to a trade waste agreement with Essential Energy.

**Category 2 Trade Waste Discharge** means Trade Waste discharge which:

- (a) arises from an activity conducted on a Non-Residential Property;
- (b) is deemed by Essential Energy to be of a medium risk nature but to require a prescribed type of liquid trade waste pre-treatment prior to being discharged into the Sewerage System; and
- (c) is discharged pursuant to a trade waste agreement with Essential Energy.

**Category 3 Trade Waste Discharge** means Trade Waste discharge which:

- (a) arises from an activity conducted on a Non-Residential Property;
- (b) is deemed by Essential Energy to be of either a high volume (over 20kL per day) or of an industrial nature and to require a prescribed type of liquid trade waste pre-treatment prior to being discharged into the Sewerage System; and
- (c) is discharged pursuant to a trade waste agreement with Essential Energy.

**CBH Resources Ltd** means CBH Resources Limited ACN 009 423 858 and includes any related body corporate within the definition of section 50 of the *Corporations Act 2001* (Cth) that is a Mining Customer.

**Chlorinated Water** means water that has been treated with a chlorine disinfection process, but not filtered to remove solids and organic particles.

**Commencement Date** is defined in clause 2(a) of the Preliminary section of this determination.

**Common Meter** means a Meter which services a Multi-Premises, where the Meter measures the water usage at that Multi-Premises but not at each relevant Property located on or within that Multi-Premises.

**Community Development Lot** has the meaning given to that term under the *Community Land Development Act 1989* (NSW).

**Company Title Building** means a building owned by a company where the issued shares of the company entitle the legal owner to exclusive occupation of a specified Company Title Dwelling within that building.

**Company Title Dwelling** means a dwelling within a Company Title Building.

**Corporation** has the meaning given to that term under section 57A of the *Corporations Act 2001* (Cth).

**Determination No. 1 of 2014** means IPART's Determination No. 1, 2014 entitled 'Essential Energy's water and sewerage services in Broken Hill – Review of prices from 1 July 2014 to 30 June 2018'.

**DF or Discharge Factor** means:

- (a) in relation to a Property other than a Mining Customer with a single Individual Meter, or multiple Individual Meters, the percentage of water supplied to that Property which Essential Energy estimates to be discharged into the Sewerage System;
- (b) in relation to a Property other than a Mining Customer Property within a Multi-Premises with one or more Common Meters, the percentage of water supplied to that Multi-Premises which Essential Energy estimates to be discharged into the Sewerage System;
- (c) in relation to a Multi-Premises, the percentage of water supplied to that Multi-Premises which Essential Energy estimates to be discharged into the Sewerage System; and
- (d) in relation to a Mining Customer Property with a single Individual Meter, or multiple Individual Meters – 100%.

**Domestic Equivalent** means a concentration or level the same as would be found in household sewage.

**Essential Energy** means the corporation established under the *Energy Services Corporations Act 1995* (NSW).

**Exempt Land** means land to which section 312 of the Water Management Act applies.

**GST** means the Goods and Services Tax as defined in *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**Individual Meter** means a Meter which services a Property, where the Meter measures the water usage at that Property.

**IPART** means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

**IPART Act** means the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW).

**kL** means kilolitre or one thousand litres.

**Local Government Act** means the *Local Government Act 1993* (NSW).

**Menindee Pipeline** means the water pipeline which runs from Menindee to Broken Hill.

**Meter** means an apparatus for the measurement of water.

**Metered Non-Residential Property** means a Non-Residential Property that is serviced by a single Individual Meter or multiple Individual Meters.

**Meter Reading Period** means a period equal to the number of days between:

- (a) the date (Last Reading Date) on which Essential Energy last read the Meter or is taken to have read the Meter, including by estimating consumption for the Property or Multi-Premises (as the case may be); and
- (b) the date (Earlier Reading Date) immediately preceding the Last Reading Date on which Essential Energy read the Meter or is taken to have read the Meter, including by estimating consumption for the Property or Multi-Premises (as the case may be),

which period includes the Last Reading Date but does not include the Earlier Reading Date.

**Metered Residential Property** means a Residential Property that is serviced by a single Individual Meter or multiple Individual Meters.

**Mining Customer** means any Corporation which undertakes the mining or exploration activities on a Mining Customer Property, including CBH Resources Ltd and Perilya Broken Hill Ltd.

**Mining Customer Property** means a Property that is a Non-Residential Property in the Broken Hill area and on which the primary activity that is undertaken is mining or exploration activities.

**Mixed Multi-Premises** means a Multi-Premises which contains both Residential Properties and Non-Residential Properties.

**Monopoly Services** means the Monopoly Services as defined in clause 1 of the Preliminary section of this determination.

**Multi-Premises** means a premises where there is more than one Property.

**Multi-Premises Property** includes:

- (a) a Strata Title Lot; and
- (b) a part of a building lawfully occupied or available for occupation (other than a Strata Title Building to which paragraph (a) applies).

**New Mining Customer** means any Corporation other than Perilya Broken Hill Ltd or CBH Resources Ltd:

- (a) which undertakes mining or exploration activities on a Mining Customer Property after the Commencement Date; or
- (b) that acquires, takes control or management of a Corporation which undertakes mining and exploration activities on a Mining Customer Property after the Commencement Date.

**Non-Residential Multi-Premises** means a Multi-Premises containing only Non-Residential Properties.

**Non-Residential Property** means a Property that is not:

- (a) a Residential Property; or
- (b) land that has no capital improvements and no connection to the Water Supply System.

**Order** means the *Independent Pricing and Regulatory Tribunal (Country Energy) Order 2008* published in the New South Wales Government Gazette No. 147 on 14 November 2008.

**Perilya Broken Hill Ltd** means Perilya Broken Hill Limited ACN 099 761 289 and includes any related body corporate within the definition of section 50 of the *Corporations Act 2001* (Cth) that is a Mining Customer.

**Pipeline Property** means a Property which may access Untreated Water from the Menindee Pipeline or the Umberumberka Pipeline (or, in the event that the Menindee Pipeline is decommissioned, could access Untreated Water from the Menindee Pipeline immediately prior to it being decommissioned).



**Property** includes:

- (a) a Strata Title Lot;
- (b) a Company Title Dwelling;
- (c) a Community Development Lot
- (d) a Retirement Village;
- (e) a building, or part of a building, occupied or available for occupation as a separate place of domicile or separate place of business, other than a building to which paragraphs (a) to (d) apply; or
- (f) land (including Vacant Land); but

excludes a Retirement Village Unit.

**Rateable Land** has the meaning given to that term under the Local Government Act.

**Residential Multi-Premises** means a Multi-Premises containing only Residential Properties.

**Residential Property** means a Property, other than a Pipeline Property or a Retirement Village, where:

- (a) in the case of that Property being Rateable Land, that Property is categorised as:
  - (1) residential under section 516 of the Local Government Act; or
  - (2) farmland under section 515 of the Local Government Act; or
- (b) in the case of the Property not being Rateable Land, the dominant use of the Property is:
  - (1) residential, applying the classifications in section 516 of the Local Government Act; or
  - (2) farmland, applying the classifications in section 515 of the Local Government Act.

**Retirement Village** has the meaning given to that term in the *Retirement Villages Act 1999* (NSW).

**Retirement Village Unit** means a unit located in a Retirement Village.

**Sewerage Services** means the sewerage services referred to in clause 2(b) of the Order.

**Sewerage System** means the sewerage system of Essential Energy.

**Strata Title Building** means a building that is subject to a strata scheme under the *Strata Schemes Development Act 2015* (NSW).

**Strata Title Lot** means a 'lot' as defined under *Strata Schemes Development Act 2015* (NSW).

**Trade Waste** means wastewater from commercial and industrial customers with concentrations of pollutants that exceed a Domestic Equivalent.

**Trade Waste Discharge Factor** is the ratio of the volume of liquid trade waste discharged into the sewerage system to the total water consumption expressed as a percentage.

**Trade Waste Services** means the trade waste services referred to in clause 3(c) of the Order.

**Treated Water** means water that has been treated with a disinfection process and filtered to a standard that is primarily intended for human consumption.

**Umberumberka Pipeline** means the water pipeline which runs from Umberumberka to Broken Hill.

**Unconnected Property** means:

- (a) in the context of Schedule 1, a Property that is not connected, but is reasonably available for connection, to the Water Supply System; and
- (b) in the context of Schedule 2, a Property that is not connected, but is reasonably available for connection, to the Sewerage System.

**Unmetered Property** means a Residential Property or a Non-Residential Property, which is not serviced by an Individual Meter or a Common Meter.

**Untreated Water** means water in its natural state, prior to any treatment process.

**Vacant Land** means an Unconnected Property with no capital improvements.

**Volume of Liquid Trade Waste** is the volume of water (Treated Water, Chlorinated Water and Untreated Water, as applicable) supplied (in kL) to the relevant Non-Residential Property for the Meter Reading Period as measured by the Meter or Meters, multiplied by the Trade Waste Discharge Factor.

**Water Management Act** means the *Water Management Act 2000* (NSW).

**Water Supply Services** means the water supply services referred to in clause 2(a) of the Order.

**Water Supply System** means the water supply system of Essential Energy.

## 1.2 Consumer Price Index

- (a) CPI means the consumer price index All Groups index number for the weighted average of eight capital cities, published by the Australian Bureau of Statistics, or if the Australian Bureau of Statistics does not or ceases to publish the index, then CPI will mean an index determined by IPART.

(b)

$$\text{CPI}_1 = \left( \frac{\text{CPI}_{\text{March2020}}}{\text{CPI}_{\text{March2019}}} \right)$$

$$\text{CPI}_2 = \left( \frac{\text{CPI}_{\text{March2021}}}{\text{CPI}_{\text{March2019}}} \right)$$

(c) The subscript (for example  $\text{March2019}$ ) when used in relation to the CPI in paragraph 1.2(b) refers to the CPI for the quarter and year indicated (in the example, the March quarter for 2019).

## 2 Interpretation

### 2.1 General provisions

In this determination, unless the contrary intention appears:

- (a) headings are for convenience only and do not affect the interpretation of this determination;
- (b) a reference to a schedule, annexure, clause or table is a reference to a schedule, annexure, clause or table to this determination unless otherwise indicated;
- (c) a construction that would promote the purpose or object expressly or impliedly underlying the IPART Act is to be preferred to a construction that would not promote that purpose or object;
- (d) words importing the singular include the plural and vice versa;
- (e) a reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, re-enactments or replacements of them;
- (f) where a word is defined, other grammatical forms of that word have a corresponding meaning;
- (g) a reference to a month is to a calendar month;
- (h) a reference to a financial year is a reference to a period of 12 months beginning on 1 July and ending on the following 30 June;
- (i) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to persons taking by novation), replacements and assigns; and
- (j) a reference to a body, whether statutory or not:
  - (1) which ceases to exist; or
  - (2) whose powers or functions are transferred to another body,
 is a reference to the body which replaces it or which substantially succeeds to its powers or functions.

## **2.2 Explanatory notes, simplified outlines, examples and clarification notices**

- (a) Explanatory notes, simplified outlines and examples do not form part of this determination, but in the case of uncertainty may be relied on for interpretation purposes.
- (b) IPART may publish a clarification notice in the NSW Government Gazette to correct any manifest error in this determination. Such a clarification notice is taken to form part of this determination.

## **2.3 Maximum prices exclusive of GST**

Maximum prices set out in this determination do not include GST.

For the avoidance of doubt, where GST is lawfully applied to maximum prices set out in this determination, the resulting GST inclusive price is consistent with this determination.

## **2.4 Rounding rule**

- (a) Any maximum price calculated in accordance with this determination is to be rounded to the nearest whole cent.
- (b) For the purposes of rounding a maximum price under clause 2.4(a), any amount that is a multiple of 0.5 cents (but not a multiple of 1 cent), is to be rounded up to the nearest whole cent.
- (c) The CPI multipliers calculated under clause 1.2 are to be rounded to three decimal places before adjusting a maximum price for inflation.
- (d) For the purposes of rounding the CPI multipliers under clause 2.4(c), any amount that is a multiple of 0.0005 (but not a multiple of 0.001) is to be rounded up to three decimal places.

## **2.5 Apparatus for checking quantity of water used**

For the purposes of this determination, where an apparatus is used by Essential Energy to check on the quantity of water use recorded by a Meter, that apparatus will not fall within the definition of a 'Meter'.

## **2.6 Charges may be levied on a pro-rata basis**

Essential Energy must levy any charge applying in this determination on a pro-rata basis, where:

- (a) a Meter Reading Period traverses more than one period; or
- (b) a billing period covers part of a period.