



NEW SOUTH WALES GOVERNMENT

Water Industry Competition Act 2006 (NSW)

Retail supplier's licence

Licence no. 13_001R

Flow Systems Pty Ltd

(ACN 136 272 298)



New South Wales

Water Industry Competition Act 2006 (NSW)

Section 15

**Notice of Decision -
Variation of Retail Supplier's
Licence No. 13_001R**

I, The Hon. Melinda Pavey, MP, Minister for Water, Property and Housing, have decided to amend Flow Systems Pty Ltd (ACN 136 272 298) licence number 13_001R (**Licence**) under section 15 of the *Water Industry Competition Act 2006 (NSW)* (**Act**). The reasons for my decision are set out below.

I have considered and accepted the Independent Pricing and Regulatory Tribunal (**IPART**)'s advice and recommendations in its report to me on the 5-year review of the licence. I attach IPART's report (**Attachment A**).

I have also had regard to the licensing principles set out in section 7 of the Act in considering whether or not to amend the licence conditions and what conditions should be imposed on the Licence.

I attach the Licence, as varied (**Attachment B**).

The Hon. Melinda Pavey, MP
Minister for Water, Property and Housing

Dated this 03 day of 09 20 19



New South Wales

Water Industry Competition Act (NSW) 2006

Section 10

Notice of Decision - Application for a Variation of Retail Supplier's Licence Licence no. 13_001R

I, The Hon. Donald Harwin MLC, Minister for Energy and Utilities, have decided to grant Flow Systems Pty Ltd (ACN 136 272 298) (**Applicant**)'s application (**Application**) to vary retail supplier's licence number 13_001 (Licence) under section 10 (1) of the Water Industry Competition Act 2006 (NSW) (**Act**). The reasons for my decision are set out below.

I have considered the Independent Pricing and Regulatory Tribunal (**IPART**)'s advice and recommendations in its report to me on the Application. I attach IPART's report (**Attachment A**). I have also considered further advice provided by my Department.

Based on my consideration of IPART's report and my Department's advice:

- a) I am satisfied that the Applicant is not a disqualified corporation for the purposes of section 10(3)(a) of the Act;
- b) I am satisfied that the Applicant is not a corporation that is a related entity (within the meaning of the *Corporations Act 2001* (Cth)) 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 would authorise if granted, for the purposes of section 10(3)(b) of the Act; and
- c) I am satisfied as to each of the criteria set out in section 10(4) of the Act.

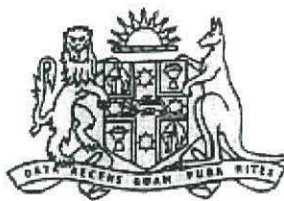
I have also had regard to the licensing principles set out in section 7 of the Act in considering whether or not to grant the licence and what conditions should be imposed on any such licence granted.

I attach the licence, as varied
(**Attachment B**).

A handwritten signature in black ink, appearing to read 'Donald Harwin'.

The Hon. Donald Harwin, MLC
Minister for Energy and Utilities

Dated this 13th day of October 2017



New South Wales

Water Industry Competition Act 2006

Section 10(5)

Notice of Decision - Application to vary a Retail Supplier's licence no. 13_001R from Flow Systems Pty Ltd

I, the Hon. Niall Blair MLC, Minister for Lands and Water, have considered the advice and recommendations made by the Independent Pricing and Regulatory Tribunal (**IPART**) in its report to me on the application to vary the retail supplier's licence no. 13_001R under the *Water Industry Competition Act 2006* (**Act**) from Flow Systems Pty Ltd (ACN 136 272 298) (**Applicant**). I attach a copy of IPART's report (**Attachment A**).

Based on my consideration of IPART's report and additional advice from the Department of Primary Industries:

- (a) I am satisfied that the Applicant is not a disqualified corporation for the purposes of section 10(3)(a) of the Act;
- (b) I am satisfied that the Applicant is not a corporation that is a related entity (within the meaning of the *Corporations Act 2001* (Cth)) 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 authorises, for the purposes of section 10(3)(b) of the Act;
- (c) I am satisfied as to each of the criteria set out in section 10(4) of the Act; and
- (d) I have had regard to the licensing principles set out in section 7 of the Act in determining whether or not to grant the variation to the licence.

For the reasons set out above, I have determined to grant a variation of the Applicant's retail supplier's licence no. 13_001R. I attach a copy of the licence (**Attachment B**).

This is notice of my reasons and decision for the purposes of section 10(5) of the Act.


.....
The Hon. Niall Blair, MLC
Minister for Lands and Water

Dated this 12th day of May 2016



New South Wales

Water Industry Competition Act 2006 Section 10(5)

Notice of Decision – Application for a Variation of Retail Supplier's Licence Licence No. 13_001R

I, The Hon. Niall Blair MLC, Minister for Lands and Water, under section 10(5) of the *Water Industry Competition Act 2006* (the Act), have considered and accepted the advice and recommendation made by the Independent Pricing and Regulatory Tribunal of New South Wales (IPART) in its report to me on the application by Flow Systems Pty Ltd (ACN 136 272 298) (Applicant) to vary its retail supplier's licence no. 13_001R. I attach IPART's report (**Attachment A**).

Based on my consideration and acceptance of IPART's report:

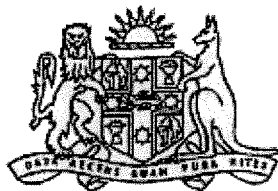
- (a) I am satisfied that the Applicant is not a disqualified corporation for the purposes of section 10(3)(a) of the Act;
- (b) I am satisfied that the Applicant is not a corporation that is a related entity (within the meaning of the *Corporations Act 2001* (Cth)) of a disqualified corporation that would have a direct interest in, or influence on, the carrying out of the activities that the licence would authorise (if granted), for the purposes of section 10(3)(b) of the Act; and
- (c) I am satisfied as to each of the criteria set out in section 10(4) of the Act.

I have also had regard to the licensing principles set out in section 7 of the Act in considering whether or not to grant the variation to the licence.

I have therefore determined to grant a variation of the Applicant's retail supplier's licence no. 13_001R. I hereby attach a copy of the licence, as varied (**Attachment B**).


Minister for Lands and Water

Dated this 27th day of August 2015



New South Wales

Water Industry Competition Act 2006

Variation of Retail Supplier's Licence Licence No. 13_001R

I, the Hon. Niall Blair MLC, Minister for Lands and Water, under section 10 of the *Water Industry Competition Act 2006*, make the following variation to the retail supplier's licence no. 13_001R granted to:

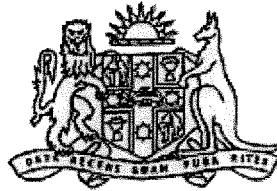
Flow Systems Pty Ltd (ACN 136 272 298)

- i) Delete Schedule B and replace with new Schedule B (attached to this notice).
- ii) Delete Schedule C and replace with new Schedule C (attached to this notice).
- iii) Insert Attachment A (attached to this notice).

A handwritten signature in black ink, consisting of a large, stylized 'N' followed by a horizontal line.

Minister for Lands and Water

Dated this 27th day of August 2015



New South Wales

Water Industry Competition Act 2006 Section 10(5)

Notice of Decision – Application for a Variation of Retail Supplier's Licence Licence No. 13_001R

I, The Hon. Niall Blair MLC, Minister for Lands and Water, under section 10(5) of the *Water Industry Competition Act 2006*, have considered and accepted the advice and recommendation made by the Independent Pricing and Regulatory Tribunal of New South Wales (IPART) in its report to me on the application by Flow Systems Pty Ltd (ACN 136 272 298) (Applicant) to vary its retail supplier's licence no. 13_001R. I attach IPART's report (**Attachment A**).

Based on my consideration and acceptance of IPART's report:

- (a) I am satisfied that the Applicant is not a disqualified corporation for the purposes of section 10(3)(a) of the Act;
- (b) I am satisfied that the Applicant is not a corporation that is a related entity (within the meaning of the *Corporations Act 2001* (Cth)) of a disqualified corporation that would have a direct interest in, or influence on, the carrying out of the activities that the licence would authorise (if granted), for the purposes of section 10(3)(b) of the Act; and
- (c) I am satisfied as to each of the criteria set out in section 10(4) of the Act.

I have also had regard to the licensing principles set out in section 7 of the Act in considering whether or not to grant the variation to the licence.

I have therefore determined to grant a variation of the Applicant's retail supplier's licence no. 13_001R. I hereby attach a copy of the licence (**Attachment B**).

A handwritten signature in black ink, appearing to be "Niall Blair", written over a dotted line.

Minister for Lands and Water

Dated this *14th* day of *May* 20*15*



New South Wales

Water Industry Competition Act 2006

Variation of Retail Supplier's Licence Licence No. 13_001R

I, the Hon. Niall Blair MLC, Minister for Lands and Water, under section 10 of the *Water Industry Competition Act 2006*, make the following variation to the licence conditions of the retail supplier's licence no. 13_001R granted to:

Flow Systems Pty Ltd (ACN 136 272 298)

- i) Delete clause B3.3 and replace with new clause B3.3 (within Schedule B attached to this notice).
- ii) Delete Schedule C and replace with new Schedule C (attached to this notice).

A handwritten signature in black ink, consisting of a large, stylized 'N' followed by a horizontal line.

Minister for Lands and Water

Dated this 14 day of May 2015



New South Wales

Water Industry Competition Act 2006

Section 10(5)

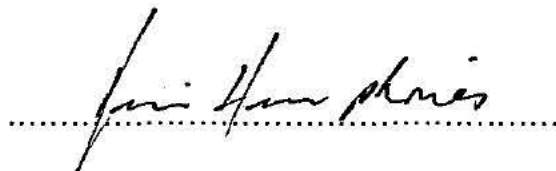
Notice of Decision

Variation of retail supplier's licence No. 13_001R

I, Kevin Humphries MP, Minister for Natural Resources, Lands and Water, under section 15 of the *Water Industry Competition Act 2006*, make the following variation to the licence conditions of the retail supplier's licence No 13_001R granted to:

Flow Systems Pty Ltd (ABN 28 136 272 298)

- a) Delete Schedule C and replace with new Schedule C (attached to this notice).


.....

Minister for Natural Resources, Lands and Water

Dated this 20th day of Oct. 2014



New South Wales

WATER INDUSTRY COMPETITION ACT 2006 (NSW)

Section 10(5)

Notice of Decision

**Variation of licence conditions for retail supplier's licence
No. 13_001R**

I, Kevin Humphries, Minister for Natural Resources, Lands and Water, under section 15 of the *Water Industry Competition Act 2006* (NSW), make the following variation to the licence conditions of the retail supplier's licence No. 13_001R granted to Flow Systems Pty Ltd (ABN 28 136 272 298):

- a) delete Schedule C and replace with new Schedule C (attached to this notice);
- b) replace any reference in the licence to "Water Factory Company Pty Ltd" with "Flow Systems Pty Ltd"; and
- c) amend any reference in the licence to "Discovery Point Water Factory Pty Ltd" with "Discovery Point Water Pty Ltd".

A handwritten signature in black ink, appearing to read 'K. Humphries', written over a dotted line.

Minister for Natural Resources, Lands and Water

Dated this

7th

day of

July

2014

PRELIMINARY

1. Summary

- 1.1. This Licence is granted under section 10(1) of the Act.
- 1.2. The Act prohibits a person from supplying water, or providing a sewerage service, by means of any water industry infrastructure, otherwise than under the authority of a licence. This Licence authorises the Licensee and other Authorised Persons to carry out such activities that would otherwise be prohibited under the Act.

2. Outline

- 2.1. This Licence is divided into the following sections and schedules:

Section 1 authorises the supply of non-potable water (if applicable).
Section 2 authorises the supply of drinking water (if applicable).
Section 3 authorises the supply of sewerage services (if applicable).
Schedule A sets out special Ministerially-imposed licence conditions that are specific to this Licence.
Schedule B sets out Ministerially-imposed licence conditions that generally apply to retail suppliers' licences granted under the Act.
Schedule C sets out relevant scheme details
Schedule D sets out definitions and interpretation provisions.

- 2.2. In addition to the conditions in Schedules A and B to this Licence, the Act and Regulation also contain conditions that apply to this Licence. Nothing in Schedules A or B modify or affect the conditions imposed on this Licence by the Act or Regulation.

SECTION 1 – ACTIVITIES AUTHORISED - NON-POTABLE WATER SUPPLY

Subject to the conditions imposed by the Act, the Regulation and Schedules A and B of this Licence, this Licence authorises the Licensee and any Authorised Persons specified in Table 1.1 to supply non-potable water:

- a) by means of the water industry infrastructure specified in Table 1.2;
- b) to the persons or classes of persons specified in Table 1.3;
- c) within the area of operations specified in Table 1.4; and
- d) for one or more of the authorised purposes for non-potable water specified in Table 1.5.

Table 1.1 Authorised Persons

[Not applicable]

Table 1.2 Water industry infrastructure

The water industry infrastructure detailed in Schedule C, Table C.1.

Table 1.3 Person or classes of persons

Persons within the area of operations detailed in Schedule C, Table C.1.

Table 1.4 Area of operations

The area of operations detailed in Schedule C, Table C.1.

Table 1.5 Authorised purposes for non-potable water

The authorised purposes detailed in Schedule C, Table C.1.

SECTION 2 – ACTIVITIES AUTHORISED - DRINKING WATER SUPPLY

Subject to the conditions imposed by the Act, the Regulation and Schedules A and B of this Licence, this Licence authorises the Licensee and any Authorised Persons specified in Table 2.1 to supply drinking water:

- a) by means of the water industry infrastructure specified in Table 2.2; and
- b) to the persons or classes of persons specified in Table 2.3;
- c) within the area of operations specified in Table 2.4; and
- d) for one or more of the authorised purposes for drinking water specified in Table 2.5.

Table 2.1 Authorised Persons

[Not applicable]

Table 2.2 Water industry infrastructure

The water industry infrastructure detailed in Schedule C, Table C.2.

Table 2.3 Person or classes of persons

Persons within the area of operations detailed in Schedule C, Table C.2.

Table 2.4 Area of operations

The area of operations detailed in Schedule C, Table C.2.

Table 2.5 Authorised purposes for drinking water

The authorised purposes detailed in Schedule C, Table C.2.

SECTION 3 – ACTIVITIES AUTHORISED - SEWERAGE SERVICES

Subject to the conditions imposed by the Act, the Regulation and Schedules A and B of this Licence, this Licence authorises the Licensee and any Authorised Persons specified in Table 3.1 to provide sewerage services:

- a) by means of the water industry infrastructure specified in Table 3.2;
- b) to the persons or classes of persons specified in Table 3.3;
- c) within the area of operations specified in Table 3.4; and
- d) for one or more of the authorised purposes for sewerage services specified in Table 3.5.

Table 3.1 Authorised Persons

[Not applicable]

Table 3.2 Water industry infrastructure

The water industry infrastructure detailed in Schedule C, Table C.3.

Table 3.3 Person or classes of persons

Persons within the area of operations detailed in Schedule C, Table C.3.

Table 3.4 Area of operations

The area of operations detailed in Schedule C, Table C.3.

Table 3.5 Authorised purposes for sewerage services

The authorised purposes detailed in Schedule C, Table C.3.

SCHEDULE A – SPECIAL MINISTERIALLY-IMPOSED LICENCE CONDITIONS

This schedule sets out the conditions which the Minister imposes pursuant to section 13(1)(b) of the Act. In addition to these special Ministerially-imposed conditions, the Licensee is subject to obligations imposed by the Act, the Regulation and the standard Ministerially-imposed licence conditions set out in Schedule B. The Minister may vary the conditions in this schedule or impose new conditions, provided there is no inconsistency with the conditions imposed by the Act or the Regulation.

A1 If requested by IPART, the Licensee must prepare and provide IPART with:

- a) a report, to IPART's satisfaction, outlining:
 - (i) evidence of discussions with intended customer(s) or formal agreement(s) with customer(s); and
 - (ii) the curriculum vitae of the key personnel involved in the operation and management of the activities authorised by this Licence, and
- b) a statement:
 - (i) identifying any third party providing customer services under this Licence; and
 - (ii) outlining the enforceable controls the Licensee has in place to enable it to effectively respond to any suspected breaches of these Licence conditions.

SCHEDULE B – GENERAL MINISTERIALLY IMPOSED LICENCE CONDITIONS

1. Ongoing capacity to operate

- 1.1. The Licensee must have the technical, financial and organisational capacity to carry out the activities authorised by this Licence. If the Licensee ceases to have this capacity, it must report this to IPART in accordance with the Reporting Manual.

2. Maintaining appropriate insurance

- 2.1. The Licensee must hold insurance that is appropriate for the size and nature of the activities that the Licensee is carrying out under this Licence.
- 2.2. The Licensee must provide a copy of each certificate of currency of the insurance maintained by the Licensee to IPART in accordance with the Reporting Manual.
- 2.3. Before commencing any of the activities authorised by this Licence, the Licensee must demonstrate that the insurance held is appropriate for the size and nature of the activities, by providing a report to IPART from an Insurance Expert that:
- a) certifies that in the Insurance Expert's opinion, the type, scope and limit of the insurance held by the Licensee is appropriate for the size and nature of the activities; and
 - b) is in the form prescribed by the Reporting Manual.
- 2.4. *[Not applicable]*
- 2.5. If, in relation to the activities authorised by this Licence, there is, or is to be a change in either of the following, the Licensee must provide a report to IPART in accordance with the Reporting Manual:
- a) the insurer or underwriting panel in respect of an insurance policy held by the Licensee; or
 - b) the type, scope or limit on the amount of insurance held by the Licensee.
- 2.6. From time to time when requested in writing by IPART, the Licensee must provide a report to IPART, in the manner and form and within the timeframes specified by IPART, from an Insurance Expert certifying that in the Insurance Expert's opinion the type, scope and limit on the amount of insurance held by the Licensee is appropriate for the size and nature of the activities that the Licensee is carrying out under this Licence.

[Note: The circumstances in which IPART may request a report under clause 2.6 include (but are not limited to) the following:

- *where IPART considers that there may be a change in the type, scope or limit on the amount of insurance held by the Licensee in relation to activities that the Licensee is carrying out under this Licence;*
- *where there is a change in the type or extent of activities authorised by this Licence; or*
- *where IPART or an approved auditor considers that the type, scope or limit on the amount of insurance held by the Licensee may not be appropriate for the size and nature of the activities that the Licensee is carrying out under this Licence.]*

3. Complying with NSW Health requirements

- 3.1. The Licensee must carry out the activities authorised by this Licence in compliance with any requirements of NSW Health that:
- a) IPART has agreed to; and
 - b) are notified from time to time to the Licensee by IPART in writing.

4. Complying with Audit Guidelines

- 4.1. The Licensee must comply with any Audit Guidelines issued by IPART.

5. Reporting in accordance with the Reporting Manual

- 5.1. The Licensee must prepare and submit reports in accordance with the Reporting Manual.

6. Reporting information in relation to the register of licences

- 6.1. The Licensee must notify IPART, and provide IPART with details, of any change in relation to the following, in accordance with the Reporting Manual within 14 days of the change:
- a) any licensed network operator or public water utility from whose water industry infrastructure the Licensee supplies water to its customers;
 - b) any source from which the water handled by the water industry infrastructure referred to in clause 6.1a) is derived;
 - c) whether or not any of the Licensee's customers are Small Retail Customers;
 - d) any order under section 54 of the Act by which the Licensee is declared to be a retailer of last resort; and

- e) any licensed network operator or public water utility by means of whose sewerage infrastructure the Licensee provides sewerage services to its customers.

7. Delineating responsibilities

- 7.1. If a code of conduct has not been established under clause 25 of the Regulation, the Licensee must, by a date specified by IPART, establish a code of conduct (Licensee's Code of Conduct) in accordance with this clause 7.
- 7.2. Before commencing to supply water or provide sewerage services by means of the Licensed Water Industry Infrastructure under this Licence or by a later date specified by IPART (if any), the Licensee's Code of Conduct must be agreed in writing between:
 - a) the Licensee; and
 - b) each licensed network operator, licensed retail supplier and/or public water utility that:
 - i) supplies water or provides sewerage services by means of any water industry infrastructure that is connected to the Licensed Water Industry Infrastructure; or
 - ii) constructs, maintains or operates any water industry infrastructure that is connected to the Licensed Water Industry Infrastructure.
- 7.3. *[Not Applicable]*
- 7.4. The Licensee's Code of Conduct must set out the respective responsibilities of the entities specified in clause 7.2 by, at a minimum, providing for:
 - a) who is responsible for repairing, replacing or maintaining any pipes, pumps, valves or storages or other infrastructure connecting the Licensed Water Industry Infrastructure to the other water industry infrastructure;
 - b) who is responsible for water quality;
 - c) who is liable in the event of the unavailability of water;
 - d) who is liable in the event of failure of any water industry infrastructure;
 - e) the fees and charges payable in respect of the use of the water industry infrastructure; and
 - f) who is responsible for handling customer complaints.
- 7.5. The Licensee must not contravene the Licensee's Code of Conduct to the extent that it makes the Licensee responsible or liable for the matters set out in it.

8. Infrastructure to be used

- 8.1. The Licensee must only source and supply water by means of water industry infrastructure, if that water industry infrastructure is maintained and operated by a licensed network operator or public water utility.
- 8.2. The Licensee must only provide sewerage services by means of water industry infrastructure, if that water industry infrastructure is maintained and operated by a licensed network operator or public water utility.

9. Notification of supply of water or provision of sewerage services

- 9.1. Each time the Licensee commences to supply water under this Licence, the Licensee must:
- a) notify IPART in accordance with the Reporting Manual that it has commenced to supply water to customers by means of the relevant Licensed Water Industry Infrastructure; and
 - b) provide such notification within 10 days after such commencement.
- 9.2. Each time the Licensee commences to provide sewerage services under this Licence, the Licensee must:
- a) notify IPART in accordance with the Reporting Manual that it has commenced to provide sewerage services to customers by means of the relevant Licensed Water Industry Infrastructure; and
 - b) provide such notification within 10 days after such commencement.

SCHEDULE C – RELEVANT SCHEME DETAILS

Table C.1 Non-potable water supply

Scheme	Water industry infrastructure	Authorised purposes	Area of operations
Box Hill North Scheme	The water industry infrastructure specified in clause S1, Table 1.2 of the Box Hill North Network Operator's Licence.	The authorised purposes specified in clause S1, Table 1.3 of the Box Hill North Water Network Operator's Licence.	The area of operations specified in clause S1, Table 1.4 of the Box Hill North Water North Network Operator's Licence.
Central Park Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Central Park Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Central Park Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Central Park Water Network Operator's Licence.
Discovery Point Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Discovery Point Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Discovery Point Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Discovery Point Water Network Operator's Licence.
Green Square Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Green Square Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Green Square Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Green Square Water Network Operator's Licence.
Huntlee Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Huntlee Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Huntlee Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Huntlee Water Network Operator's Licence.
North Cooranbong Scheme	The water industry infrastructure specified in Schedule A, Tables 1.2A and 1.2B of the Cooranbong Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Cooranbong Water Network Operator's Licence.	The area of operations specified in Schedule A, Tables 1.4A and 1.4B of the Cooranbong Water

			Network Operator's Licence.
Pitt Town Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Pitt Town Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Pitt Town Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Pitt Town Water Network Operator's Licence.
Shepherds Bay Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Shepherds Bay Water Network Operator's Licence.	The authorised purposes specified in Table 1.4 of the Shepherds Bay Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.3 of the Shepherds Bay Water Network Operator's Licence.
Wyee Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Wyee Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Wyee Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Wyee Water Network Operator's Licence.

Table C.2 – Drinking water supply

Scheme	Water industry infrastructure	Authorised purposes	Area of operations
Central Park Scheme	The water industry infrastructure specified in Schedule A, Table 3.2 of the Central Park Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 3.3 of the Central Park Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 3.4 of the Central Park Water Network Operator's Licence.
Discovery Point Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Discovery Point Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Discovery Point Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Discovery Point Water Network Operator's Licence.
Huntlee Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Huntlee Water	The authorised purposes specified in Schedule A, Table 2.3 of the Huntlee	The area of operations specified in Schedule A, Table 2.4 of the Huntlee

	Network Operator's Licence.	Water Network Operator's Licence.	Water Network Operator's Licence.
North Cooranbong Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Cooranbong Water Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Cooranbong Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Cooranbong Water Network Operator's Licence.
Shepherds Bay Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Shepherds Bay Water Network Operator's Licence.	The authorised purposes specified in Table 2.2 of the Shepherds Bay Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.3 of the Shepherds Bay Water Network Operator's Licence.
Wyee Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Wyee Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Wyee Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Wyee Water Network Operator's Licence.

Table C.3 Provision of sewerage services

Scheme	Water industry infrastructure	Authorised purposes	Area of operations
Box Hill North Scheme	The water industry infrastructure specified in clause S3, Table 3.2 of the Box Hill North Network Operator's Licence.	The authorised purposes specified in clause S3, Table 3.3 of the Box Hill North Water Network Operator's Licence.	The area of operations specified in clause S3, Table 3.4 of the Box Hill North Water North Network Operator's Licence.
Central Park Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Central Park Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Central Park Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Central Park Water Network Operator's Licence.

Discovery Point Scheme	The water industry infrastructure specified in Schedule A, Table 3.2 of the Discovery Point Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 3.3 of the Discovery Point Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 3.4 of the Discovery Point Water Network Operator's Licence.
Pitt Town Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Pitt Town Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Pitt Town Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Pitt Town Water Network Operator's Licence.
Huntlee Scheme	The water industry infrastructure specified in Schedule A, Table 3.2 of the Huntlee Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 3.3 of the Huntlee Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 3.4 of the Huntlee Water Network Operator's Licence.
North Cooranbong Scheme	The water industry infrastructure specified in Schedule A, Tables 3.2A and 3.2B of the Cooranbong Water Operator's Licence.	The authorised purposes specified in Schedule A, Tables 3.3A and 3.3B of the Cooranbong Water Network Operator's Licence.	The area of operations specified in Schedule A, Tables 3.4A and 3.4B of the Cooranbong Water Network Operator's Licence.
Shepherds Bay Scheme	The water industry infrastructure specified in Table 3.2 of the Shepherds Bay Water Network Operator's Licence.	The authorised purposes specified in Table 3.2 of the Shepherds Bay Water Network Operator's Licence.	The area of operations specified in Table 3.3 of the Shepherds Bay Water Network Operator's Licence.
Wyee Scheme	The water industry infrastructure specified in Schedule A, Table 3.2 of the Wyee Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 3.3 of the Wyee Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 3.4 of the Wyee Water Network Operator's Licence.

SCHEDULE D – INTERPRETATION AND DEFINITIONS

1. Interpretation

1.1. In this Licence, unless the context requires otherwise:

- a) the singular includes the plural and vice versa;
- b) headings are used for convenience only and do not affect the interpretation of this Licence;
- c) a reference to a document includes the document as modified from time to time and any document replacing it;
- d) a reference to a “person” includes a natural person and any body or entity whether incorporated or not;
- e) a reference to a clause is to a clause in this Licence;
- f) a reference to a section is to a section in this Licence;
- g) a reference to a schedule is to a schedule to this Licence;
- h) 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; and
- i) explanatory notes do not form part of this Licence, but in the case of uncertainty may be relied on for interpretation purposes.

2. Definitions

2.1. Expressions used in this Licence that are defined in the Act or the Regulation have the meanings set out in the Act or the Regulation.

2.2. In this Licence:

Act	means the <i>Water Industry Competition Act 2006</i> (NSW).
Audit Guidelines	means the document titled “ <i>Audit Guideline – Water Industry Competition Act 2006</i> ”, which is prepared by IPART and is available on IPART’s website at www.ipart.nsw.gov.au , and any other guidelines issued by IPART in relation to audits under the Act.

Authorised Person	means each person specified in, as applicable: section 1, Table 1.1; section 2, Table 2.1; and section 3, Table 3.1.
Authorised Purposes	means the authorised purposes specified in, as applicable: section 1, Table 1.5; section 2, Table 2.5; and section 3, Table 3.5.
Box Hill North Network Operator's Licence	means network operator's licence no. 16_037 granted to Flow Systems Operations Pty Ltd (ACN 603 106 305) (as varied by the Minister from time to time)
Central Park Water Network Operator's Licence	means network operator's licence no. 12_022 granted to Central Park Water Factory Pty Ltd (ACN 151 072 838) (as varied by the Minister from time to time).
Cooranbong Water Network Operator's Licence	means network operator's licence no. 15_033 granted to Cooranbong Water Pty Ltd (ACN 169 450 453) (as varied by the Minister from time to time).
Discovery Point Water Network Operator's Licence	means network operator's licence no. 13_025 granted to Discovery Point Water Factory Pty Ltd (ACN 142 392 541) (as varied by the Minister from time to time).
Green Square Water Network Operator's Licence	means network operator's licence no. 15_031 granted to Green Square Water Pty Ltd (ACN 163 432 906) (as varied by the Minister from time to time).
Huntlee Water Network Operator's Licence	means network operator's licence no. 15_030 granted to Huntlee Water Pty Ltd (ACN 167 418 608) (as varied by the Minister from time to time).

Insurance Expert	means an insurance broker which holds an Australian financial services licence under Part 7.6 of the <i>Corporations Act 2001</i> (Cth) that authorises the broker to provide financial product advice for, and deal in, contracts of insurance within the meaning of Chapter 7 of that Act.
IPART	means the Independent Pricing and Regulatory Tribunal of New South Wales established under the <i>Independent Pricing and Regulatory Tribunal Act 1992</i> (NSW).
Licence	means this retail supplier's licence granted under section 10 of the Act.
Licensed Water Industry Infrastructure	means the water industry infrastructure by means of which the non-potable water, drinking water and/or sewerage services (as applicable) under this Licence are supplied.
Licensee	means Flow Systems Pty Ltd (ACN 136 272 298).
Licensee's Code of Conduct	has the meaning given in Schedule B, clause 7.1.
Minister	means the Minister responsible for Part 2 of the Act.
NSW Health	means the Water Unit of NSW Ministry of Health and any of the local health districts as defined by the NSW Ministry of Health.
Pitt Town Water Network Operator's Licence	means network operator's licence no. 10_014 granted to Pitt Town Water Factory Pty Ltd (ACN 141 705 660) (as varied by the Minister from time to time).
Plan	means the retail supply management plan that the Licensee is required to prepare under the Regulation.
Regulation	means the <i>Water Industry Competition (General) Regulation 2008</i> (NSW).

Reporting Manual	means the document titled "Retail Supplier's Reporting Manual", which is prepared by IPART and is available on IPART's website at www.ipart.nsw.gov.au .
Shepherds Bay Network Operator's Licence	means network operator's licence no. 17 042 granted to Flow Systems Operations Pty Ltd (ACN 603 106 305) (as varied by the Minister from time to time).
Small Retail Customer	has the meaning given to that term in the Regulation.
Area of Operations	means the area of operations specified in, as applicable: section 1, Table 1.4; section 2, Table 2.4; and section 3, Table 3.4.
Water Industry Infrastructure	means the water industry infrastructure specified in, as applicable: section 1, Table 1.2; section 2, Table 2.2; and section 3, Table 3.2.
Wyee Water Network Operator's Licence	means network operator's licence no. 14_026 granted to Wyee Water Pty Ltd (ACN 160 953 775) (as varied by the Minister from time to time).

SCHEDULE A – SPECIAL MINISTERIALLY-IMPOSED LICENCE CONDITIONS

This schedule sets out the conditions which the Minister imposes pursuant to section 13(1)(b) of the Act. In addition to these special Ministerially-imposed conditions, the Licensee is subject to obligations imposed by the Act, the Regulation and the standard Ministerially-imposed licence conditions set out in Schedule B. The Minister may vary the conditions in this schedule or impose new conditions, provided there is no inconsistency with the conditions imposed by the Act or the Regulation.

A1 If requested by IPART, the Licensee must prepare and provide IPART with:

- a) a report, to IPART's satisfaction, outlining:
 - (i) evidence of discussions with intended customer(s) or formal agreement(s) with customer(s); and
 - (ii) the curriculum vitae of the key personnel involved in the operation and management of the activities authorised by this Licence, and
- b) a statement:
 - (i) identifying any third party providing customer services under this Licence; and
 - (ii) outlining the enforceable controls the Licensee has in place to enable it to effectively respond to any suspected breaches of these Licence conditions.

SCHEDULE B – GENERAL MINISTERIALLY IMPOSED LICENCE CONDITIONS

1. Ongoing capacity to operate

- 1.1. The Licensee must have the technical, financial and organisational capacity to carry out the activities authorised by this Licence. If the Licensee ceases to have this capacity, it must report this to IPART in accordance with the Reporting Manual.

2. Maintaining appropriate insurance

- 2.1. The Licensee must hold insurance that is appropriate for the size and nature of the activities that the Licensee is carrying out under this Licence.
- 2.2. The Licensee must provide a copy of each certificate of currency of the insurance maintained by the Licensee to IPART in accordance with the Reporting Manual.
- 2.3. Before commencing any of the activities authorised by this Licence, the Licensee must demonstrate that the insurance held is appropriate for the size and nature of the activities, by providing a report to IPART from an Insurance Expert that:
- a) certifies that in the Insurance Expert's opinion, the type, scope and limit of the insurance held by the Licensee is appropriate for the size and nature of the activities; and
 - b) is in the form prescribed by the Reporting Manual.
- 2.4. *[Not applicable]*
- 2.5. If, in relation to the activities authorised by this Licence, there is, or is to be a change in either of the following, the Licensee must provide a report to IPART in accordance with the Reporting Manual:
- a) the insurer or underwriting panel in respect of an insurance policy held by the Licensee; or
 - b) the type, scope or limit on the amount of insurance held by the Licensee.
- 2.6. From time to time when requested in writing by IPART, the Licensee must provide a report to IPART, in the manner and form and within the timeframes specified by IPART, from an Insurance Expert certifying that in the Insurance Expert's opinion the type, scope and limit on the amount of insurance held by the Licensee is appropriate for the size and nature of the activities that the Licensee is carrying out under this Licence.

[Note: The circumstances in which IPART may request a report under clause 2.6 include (but are not limited to) the following:

- *where IPART considers that there may be a change in the type, scope or limit on the amount of insurance held by the Licensee in relation to activities that the Licensee is carrying out under this Licence;*
- *where there is a change in the type or extent of activities authorised by this Licence; or*
- *where IPART or an approved auditor considers that the type, scope or limit on the amount of insurance held by the Licensee may not be appropriate for the size and nature of the activities that the Licensee is carrying out under this Licence.]*

3. Complying with NSW Health requirements

- 3.1. The Licensee must carry out the activities authorised by this Licence in compliance with any requirements of NSW Health that:
- a) IPART has agreed to; and
 - b) are notified from time to time to the Licensee by IPART in writing.

4. Complying with Audit Guidelines

- 4.1. The Licensee must comply with any Audit Guidelines issued by IPART.

5. Reporting in accordance with the Reporting Manual

- 5.1. The Licensee must prepare and submit reports in accordance with the Reporting Manual.

6. Reporting information in relation to the register of licences

- 6.1. The Licensee must notify IPART, and provide IPART with details, of any change in relation to the following, in accordance with the Reporting Manual within 14 days of the change:
- a) any licensed network operator or public water utility from whose water industry infrastructure the Licensee supplies water to its customers;
 - b) any source from which the water handled by the water industry infrastructure referred to in clause 6.1a) is derived;
 - c) whether or not any of the Licensee's customers are Small Retail Customers;
 - d) any order under section 54 of the Act by which the Licensee is declared to be a retailer of last resort; and

- e) any licensed network operator or public water utility by means of whose sewerage infrastructure the Licensee provides sewerage services to its customers.

7. Delineating responsibilities

7.1. If a code of conduct has not been established under clause 25 of the Regulation, the Licensee must, by a date specified by IPART, establish a code of conduct (Licensee's Code of Conduct) in accordance with this clause 7.

7.2. Before commencing to supply water or provide sewerage services by means of the Licensed Water Industry Infrastructure under this Licence or by a later date specified by IPART (if any), the Licensee's Code of Conduct must be agreed in writing between:

- a) the Licensee; and
- b) each licensed network operator, licensed retail supplier and/or public water utility that:
 - i) supplies water or provides sewerage services by means of any water industry infrastructure that is connected to the Licensed Water Industry Infrastructure; or
 - ii) constructs, maintains or operates any water industry infrastructure that is connected to the Licensed Water Industry Infrastructure.

7.3. *[Not Applicable]*

7.4. The Licensee's Code of Conduct must set out the respective responsibilities of the entities specified in clause 7.2 by, at a minimum, providing for:

- a) who is responsible for repairing, replacing or maintaining any pipes, pumps, valves or storages or other infrastructure connecting the Licensed Water Industry Infrastructure to the other water industry infrastructure;
- b) who is responsible for water quality;
- c) who is liable in the event of the unavailability of water;
- d) who is liable in the event of failure of any water industry infrastructure;
- e) the fees and charges payable in respect of the use of the water industry infrastructure; and
- f) who is responsible for handling customer complaints.

7.5. The Licensee must not contravene the Licensee's Code of Conduct to the extent that it makes the Licensee responsible or liable for the matters set out in it.

8. Infrastructure to be used

- 8.1. The Licensee must only source and supply water by means of water industry infrastructure, if that water industry infrastructure is maintained and operated by a licensed network operator or public water utility.
- 8.2. The Licensee must only provide sewerage services by means of water industry infrastructure, if that water industry infrastructure is maintained and operated by a licensed network operator or public water utility.

9. Notification of supply of water or provision of sewerage services

- 9.1. Each time the Licensee commences to supply water under this Licence, the Licensee must:
- a) notify IPART in accordance with the Reporting Manual that it has commenced to supply water to customers by means of the relevant Licensed Water Industry Infrastructure; and
 - b) provide such notification within 10 days after such commencement.
- 9.2. Each time the Licensee commences to provide sewerage services under this Licence, the Licensee must:
- a) notify IPART in accordance with the Reporting Manual that it has commenced to provide sewerage services to customers by means of the relevant Licensed Water Industry Infrastructure; and
 - b) provide such notification within 10 days after such commencement.

SCHEDULE C – RELEVANT SCHEME DETAILS

Table C.1 Non-potable water supply

Scheme	Water industry infrastructure	Authorised purposes	Area of operations
Box Hill North Scheme	The water industry infrastructure specified in clause S1, Table 1.2 of the Box Hill North Network Operator's Licence.	The authorised purposes specified in clause S1, Table 1.3 of the Box Hill North Water Network Operator's Licence.	The area of operations specified in clause S1, Table 1.4 of the Box Hill North Water Network Operator's Licence.
Central Park Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Central Park Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Central Park Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Central Park Water Network Operator's Licence.
Discovery Point Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Discovery Point Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Discovery Point Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Discovery Point Water Network Operator's Licence.
Green Square Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Green Square Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Green Square Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Green Square Water Network Operator's Licence.
Huntlee Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Huntlee Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Huntlee Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Huntlee Water Network Operator's Licence.
North Cooranbong Scheme	The water industry infrastructure specified in Schedule A, Tables 1.2A and 1.2B of the Cooranbong Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Cooranbong Water Network Operator's Licence.	The area of operations specified in Schedule A, Tables 1.4A and 1.4B of the Cooranbong Water

			Network Operator's Licence.
Pitt Town Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Pitt Town Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Pitt Town Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Pitt Town Water Network Operator's Licence.
Shepherds Bay Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Shepherds Bay Water Network Operator's Licence.	The authorised purposes specified in Table 1.4 of the Shepherds Bay Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.3 of the Shepherds Bay Water Network Operator's Licence.
Wye Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Wye Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Wye Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Wye Water Network Operator's Licence.

Table C.2 – Drinking water supply

Scheme	Water industry infrastructure	Authorised purposes	Area of operations
Central Park Scheme	The water industry infrastructure specified in Schedule A, Table 3.2 of the Central Park Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 3.3 of the Central Park Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 3.4 of the Central Park Water Network Operator's Licence.
Discovery Point Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Discovery Point Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Discovery Point Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Discovery Point Water Network Operator's Licence.
Huntlee Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Huntlee Water	The authorised purposes specified in Schedule A, Table 2.3 of the Huntlee	The area of operations specified in Schedule A, Table 2.4 of the Huntlee

	Network Operator's Licence.	Water Network Operator's Licence.	Water Network Operator's Licence.
North Cooranbong Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Cooranbong Water Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Cooranbong Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Cooranbong Water Network Operator's Licence.
Shepherds Bay Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Shepherds Bay Water Network Operator's Licence.	The authorised purposes specified in Table 2.2 of the Shepherds Bay Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.3 of the Shepherds Bay Water Network Operator's Licence.
Wyee Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Wyee Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Wyee Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Wyee Water Network Operator's Licence.

Table C.3 Provision of sewerage services

Scheme	Water industry infrastructure	Authorised purposes	Area of operations
Box Hill North Scheme	The water industry infrastructure specified in clause S3, Table 3.2 of the Box Hill North Network Operator's Licence.	The authorised purposes specified in clause S3, Table 3.3 of the Box Hill North Water Network Operator's Licence.	The area of operations specified in clause S3, Table 3.4 of the Box Hill North Water North Network Operator's Licence.
Central Park Scheme	The water industry infrastructure specified in Schedule A, Table 1.2 of the Central Park Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 1.3 of the Central Park Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 1.4 of the Central Park Water Network Operator's Licence.

Discovery Point Scheme	The water industry infrastructure specified in Schedule A, Table 3.2 of the Discovery Point Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 3.3 of the Discovery Point Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 3.4 of the Discovery Point Water Network Operator's Licence.
Pitt Town Scheme	The water industry infrastructure specified in Schedule A, Table 2.2 of the Pitt Town Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 2.3 of the Pitt Town Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 2.4 of the Pitt Town Water Network Operator's Licence.
Huntlee Scheme	The water industry infrastructure specified in Schedule A, Table 3.2 of the Huntlee Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 3.3 of the Huntlee Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 3.4 of the Huntlee Water Network Operator's Licence.
North Cooranbong Scheme	The water industry infrastructure specified in Schedule A, Tables 3.2A and 3.2B of the Cooranbong Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Tables 3.3A and 3.3B of the Cooranbong Water Network Operator's Licence.	The area of operations specified in Schedule A, Tables 3.4A and 3.4B of the Cooranbong Water Network Operator's Licence.
Shepherds Bay Scheme	The water industry infrastructure specified in Table 3.2 of the Shepherds Bay Water Network Operator's Licence.	The authorised purposes specified in Table 3.2 of the Shepherds Bay Water Network Operator's Licence.	The area of operations specified in Table 3.3 of the Shepherds Bay Water Network Operator's Licence.
Wye Scheme	The water industry infrastructure specified in Schedule A, Table 3.2 of the Wye Water Network Operator's Licence.	The authorised purposes specified in Schedule A, Table 3.3 of the Wye Water Network Operator's Licence.	The area of operations specified in Schedule A, Table 3.4 of the Wye Water Network Operator's Licence.

SCHEDULE D – INTERPRETATION AND DEFINITIONS

1. Interpretation

1.1. In this Licence, unless the context requires otherwise:

- a) the singular includes the plural and vice versa;
- b) headings are used for convenience only and do not affect the interpretation of this Licence;
- c) a reference to a document includes the document as modified from time to time and any document replacing it;
- d) a reference to a "person" includes a natural person and any body or entity whether incorporated or not;
- e) a reference to a clause is to a clause in this Licence;
- f) a reference to a section is to a section in this Licence;
- g) a reference to a schedule is to a schedule to this Licence;
- h) 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; and
- i) explanatory notes do not form part of this Licence, but in the case of uncertainty may be relied on for interpretation purposes.

2. Definitions

2.1. Expressions used in this Licence that are defined in the Act or the Regulation have the meanings set out in the Act or the Regulation.

2.2. In this Licence:

Act	means the <i>Water Industry Competition Act 2006</i> (NSW).
Audit Guidelines	means the document titled " <i>Audit Guideline – Water Industry Competition Act 2006</i> ", which is prepared by IPART and is available on IPART's website at www.ipart.nsw.gov.au , and any other guidelines issued by IPART in relation to audits under the Act.

Authorised Person	means each person specified in, as applicable: section 1, Table 1.1; section 2, Table 2.1; and section 3, Table 3.1.
Authorised Purposes	means the authorised purposes specified in, as applicable: section 1, Table 1.5; section 2, Table 2.5; and section 3, Table 3.5.
Box Hill North Network Operator's Licence	means network operator's licence no. 16_037 granted to Flow Systems Operations Pty Ltd (ACN 603 106 305) (as varied by the Minister from time to time)
Central Park Water Network Operator's Licence	means network operator's licence no. 12_022 granted to Central Park Water Factory Pty Ltd (ACN 151 072 838) (as varied by the Minister from time to time).
Cooranbong Water Network Operator's Licence	means network operator's licence no. 15_033 granted to Cooranbong Water Pty Ltd (ACN 169 450 453) (as varied by the Minister from time to time).
Discovery Point Water Network Operator's Licence	means network operator's licence no. 13_025 granted to Discovery Point Water Factory Pty Ltd (ACN 142 392 541) (as varied by the Minister from time to time).
Green Square Water Network Operator's Licence	means network operator's licence no. 15_031 granted to Green Square Water Pty Ltd (ACN 163 432 906) (as varied by the Minister from time to time).
Huntlee Water Network Operator's Licence	means network operator's licence no. 15_030 granted to Huntlee Water Pty Ltd (ACN 167 418 608) (as varied by the Minister from time to time).

Insurance Expert	means an insurance broker which holds an Australian financial services licence under Part 7.6 of the <i>Corporations Act 2001</i> (Cth) that authorises the broker to provide financial product advice for, and deal in, contracts of insurance within the meaning of Chapter 7 of that Act.
IPART	means the Independent Pricing and Regulatory Tribunal of New South Wales established under the <i>Independent Pricing and Regulatory Tribunal Act 1992</i> (NSW).
Licence	means this retail supplier's licence granted under section 10 of the Act.
Licensed Water Industry Infrastructure	means the water industry infrastructure by means of which the non-potable water, drinking water and/or sewerage services (as applicable) under this Licence are supplied.
Licensee	means Flow Systems Ply Ltd (ACN 136 272 298).
Licensee's Code of Conduct	has the meaning given in Schedule B, clause 7.1.
Minister	means the Minister responsible for Part 2 of the Act.
NSW Health	means the Water Unit of NSW Ministry of Health and any of the local health districts as defined by the NSW Ministry of Health.
Pitt Town Water Network Operator's Licence	means network operator's licence no. 10_014 granted to Pitt Town Water Factory Ply Ltd (ACN 141 705 660) (as varied by the Minister from time to time).
Plan	means the retail supply management plan that the Licensee is required to prepare under the Regulation.
Regulation	means the <i>Water Industry Competition (General) Regulation 2008</i> (NSW).

Reporting Manual	means the document titled "Retail Supplier's Reporting Manual", which is prepared by IPART and is available on IPART's website at www.ipart.nsw.gov.au .
Shepherds Bay Network Operator's Licence	means network operator's licence no. 17 042 granted to Flow Systems Operations Pty Ltd (ACN 603 106 305) (as varied by the Minister from time to time).
Small Retail Customer	has the meaning given to that term in the Regulation.
Area of Operations	means the area of operations specified in, as applicable: section 1, Table 1.4; section 2, Table 2.4; and section 3, Table 3.4.
Water Industry Infrastructure	means the water industry infrastructure specified in, as applicable: section 1, Table 1.2; section 2, Table 2.2; and section 3, Table 3.2.
Wyee Water Network Operator's Licence	means network operator's licence no. 14_026 granted to Wyee Water Pty Ltd (ACN 160 953 775) (as varied by the Minister from time to time).

