

Planning, Regulatory and Assessment
Reference: PB2018/14636

1 February 2019

Mr Hugo Harmstorf
Chief Executive Officer
Independent Pricing and Regulatory Tribunal
GPO Box K35
HAYMARKET POST SHOP NSW 1240



PO Box 489, Newcastle
NSW 2300 Australia
Phone 02 4974 2000
Facsimile 02 4974 2222
Email mail@ncc.nsw.gov.au
www.newcastle.nsw.gov.au

Reply by email: [REDACTED]

Dear Mr Harmstorf

NOTIFICATION OF LICENCE APPLICATIONS – WATER INDUSTRY COMPETITION ACT 2006

I refer to the Tribunal's letter of 5 December 2018 notifying City of Newcastle (CN) that WUA MidCo Pty Ltd have applied for a network operator's licence and a retail supplier's licence under the *Water Industry Competition Act 2006* (NSW) for the existing Kooragang Industrial Water Scheme (KIWS) and inviting CN to make a submission.

It is noted the applicant is seeking a retail supplier's licence to supply both drinking water and non-potable water. Given that the KIWS involves the supply of non-potable water to industrial customers, it is not clear from the exhibited Application Form why a licence for drinking water is being sought, the approved infrastructure to provide the water and the customers to be supplied with the drinking water. It is recommended further details be sought from the applicant in this regard.

Regarding your request seeking CN's confirmation that the Tribunal's understanding of the 'original determination' granted by the Hunter Water Corporation under Part 5 of the *Environmental Planning and Assessment Act, 1979* is correct, as CN was not the consent authority for this project we are not able to provide advice on this matter. I would suggest that such information be obtained from the applicant, it being noted that KIWS is owned by Kooragang Water Pty Ltd a subsidiary of the applicant company.

If you have any questions, please contact Geof Mansfield Principal Planner (Development) on [REDACTED]

Yours faithfully

[REDACTED]
[REDACTED]
Michelle Bisson
MANAGER REGULATORY PLANNING AND ASSESSMENT