

Mr Robert Aposhian
Principal Analyst
[REDACTED]

Dear Mr Aposhian,

Licence Application under Water Industry Competition Act 2006 for Kyeema Wastewater Pty Ltd

I refer to your letter of 11 December 2019 bearing reference D19/29726 inviting submissions on application for a network operator's licence and retail supplier's licence from Kyeema Wastewater Pty Ltd under the *Water Industry Competition Act 2006* which will, if licences granted, authorise the construction and operation of a sewage treatment plant and retailing of the sewerage services to a 50 lot subdivision at 4056 & 4078 Gundaroo Road, Gundaroo.

For your information, Council at its meeting of 22 May 2019 considered Development Application DA190011 for a 50 lot subdivision of 4056 & 4078 Gundaroo Road, Gundaroo under Part 4 of the *Environmental Planning & Assessment Act 1979*. At that meeting Council resolved the commencement of Development Consent be deferred until such time that applicant has suitably addressed the requirements for obtaining IPART approval for the sewage treatment plant.

I have attached a copy of the report considered by Council at its meeting of 22 May 2019 that identifies issues regarding maintenance, dispute resolution, managing environmental threats, monitoring ground and surface water contamination.

The risk that the operator may abandon the sewerage scheme following completion of development was identified through the assessment process. In the event that this risk transpired it is important to note that Council is opposed to being declared a retailer of last resort and becoming responsible for ongoing functioning and maintenance of the scheme. This has been conveyed in the conditions of the development consent.

Moreover, if a public road or public reserve is damaged through burst infrastructure or during installation & maintenance, the licenced operator of the scheme is responsible to restore, replace or reconstruct any damage caused to public roads or public reserves.

I have included a copy of the deferred commencement development consent that contains conditions in relation to protection of the environment for your information.

I hope this will assist you. Should you wish to discuss the matter please do not hesitate to contact Muzaffar Rubbani of Development Services on [REDACTED]

Yours sincerely,

[REDACTED]
John Mannweiler
Development Control Manager