



Planning



Mr James Cox
Acting Chairman and CEO
Independent Pricing and Regulatory Tribunal
PO Box Q290
QVB Post Office
Sydney NSW 1230

11/01132

Dear Mr Cox

I refer to your letter to the Hon Tony Kelly MLC, Minister for Planning, concerning the combined licence application made by Orica Australia Pty Limited, under the *Water Industry Competition Act 2006* (WICA), for a network operator's licence and a retail supplier's licence. The Minister has asked me to reply on his behalf.

I am advised that the former Department of Environment and Conservation (now the Department of Environment, Climate Change and Water), as the nominated determining authority, has granted approval to the development of the Botany Groundwater Cleanup project, which includes the Groundwater Treatment Plant, under Part 5 of the *Environmental Planning and Assessment Act 1979*. If you have not already done so, you may therefore wish to consult directly with the Department of Environment, Climate Change and Water, in relation to the project and coordination with the WICA licensing process.

I am further advised that the approval permits the recycled treated water infrastructure outlined in Orica's WICA application. As such, it is considered that there are no outstanding land use planning issues with the project. I raise no objection to the Independent Pricing and Regulatory Tribunal determining the WICA application in due course.

Should you require any further information or clarification on the above matters, I have arranged for Mr Daniel Keary, Director of Infrastructure Projects in the Department of Planning to assist. Mr Keary may be contacted on (02) 9228 6373.

Yours sincerely


Richard Pearson
Deputy Director General
Development Assessment and Systems Performance