

NSW

The Hon Kristina Keneally MP

Minister for Planning | Minister for Redfern Waterloo



Mr James Cox  
Chief Executive Officer  
Independent Pricing and Regulatory Tribunal  
PO Box Q290  
QVB POST OFFICE NSW 1230

8 JAN 2009

Dear Mr Cox

I refer to your correspondence in relation to the licence application jointly made by SPI Rosehill Network Pty Ltd and Rosehill Network Pty Ltd under the *Water Industry Competition Act 2006* for a network operator's licence.

I am advised that the recycled water distribution network and associated works the subject of SPI Rosehill and Rosehill Network's licence application form one part of a broader proposal for the Rosehill Recycled Water Scheme. The Scheme will be assessed and determined by me under Part 3A of the *Environmental Planning and Assessment Act 1979*.

At this time there has been no Environmental Assessment for the Scheme submitted to the Department of Planning. If an Environmental Assessment is submitted in future, it will be publicly exhibited for comment before I determine the application. I have requested that the Department offer you the opportunity to comment on the proposal at that time.

I have no objection to the issue of a licence to SPI Rosehill and Rosehill Network under the *Water Industry Competition Act 2006*, provided the terms of such a licence do not preempt or conflict with a determination under the *Environmental Planning and Assessment Act 1979*. I am advised that representatives of the Department of Planning and the Independent Pricing and Regulatory Tribunal have already met to establish informal administrative arrangements to ensure that any approvals under the two separate statutes are complementary and consistent, where relevant.

Should you require any further information or clarification on the above matters, I have arranged for Mr Chris Wilson, Executive Director – Major Project Assessments in the Department of Planning to assist. Mr Wilson may be contacted on (02) 9228 6189.

Yours sincerely

The Hon Kristina Keneally MP