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



D08/4988

13 JAN 2009

Dear Mr Cox

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

I am advised that the recycled water facility and associated works the subject of Veolia Water'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 Veolia Water under the *Water Industry Competition Act 2006*, provided the terms of such a licence do not pre-empt 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

