



New South Wales

Water Industry Competition Act 2006

Section 10(5)

Notice of Decision - Application for a Network Operator's licence by Flow Systems Operations Pty Ltd

I, the Hon. Niall Blair MLC, Minister for Lands and Water, have considered the advice and recommendations made by the Independent Pricing and Regulatory Tribunal (**IPART**) in its report to me on the application for a network operator's licence under the *Water Industry Competition Act 2006* (**Act**) from Flow Systems Operations Pty Ltd (ACN 603 106 305) (**Applicant**). I attach a copy of IPART's report (**Attachment A**).

Based on my consideration of IPART's report and additional advice from the Department of Primary Industries:

- (a) I am satisfied that the Applicant is not a disqualified corporation for the purposes of section 10(3)(a) of the Act;
- (b) I am satisfied that the Applicant is not a corporation that is a related entity (within the meaning of the *Corporations Act 2001* (Cth)) of a disqualified corporation that would have a direct or indirect interest in, or influence on, the carrying out of the activities that the licence authorises, for the purposes of section 10(3)(b) of the Act;
- (c) I am satisfied as to each of the criteria set out in section 10(4) of the Act; and
- (d) I have had regard to the licensing principles set out in section 7 of the Act in determining whether or not to grant the licence and what conditions should be imposed on any such licence granted.

For the reasons set out above, I have determined to grant a network operator's licence to the Applicant, subject to the conditions in licence number 16_037, the Act and the *Water Industry Competition (General) Regulation 2008*. I attach a copy of the licence (**Attachment B**).

This is notice of my reasons and decision for the purposes of section 10(5) of the Act.


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The Hon. Niall Blair, MLC
Minister for Lands and Water

Dated this 12th day of May 2016