



New South Wales

Water Industry Competition Act 2006 (NSW)

Section 10

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

I, The Hon. Melinda Pavey MP, Minister for Water, Property and Housing have decided to grant Flow Systems Operations (**Applicant**)'s (CAN 603 106 305) application (**Application**) for a network operator's licence under section 10(1) of the *Water Industry Competition Act 2006* (NSW) (**Act**) subject to the conditions set out in licence number 19_043, the Act and the *Water Industry Competition (General) Regulation 2008* (NSW). The reasons for my decision are set out below.

I have considered and accepted the Independent Pricing and Regulatory Tribunal's (**IPART**)'s advice and recommendations in its report to me on the Application. I attach IPART's report (**Attachment A**).

Based on my consideration and acceptance of IPART's report:

- (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 would authorise (if granted), for the purposes of section 10(3)(b) of the Act; and
- (c) I am satisfied as to each of the criteria set out in section 10(4) of the Act.

I have also:

- (a) had regard to the licensing principles set out in section 7 of the Act in considering whether or not to grant the licence and what conditions should be imposed on any such licence granted; and
- (b) examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the activity as required by section 5.5 of the *Environmental Planning and Assessment Act 1979* (NSW) (**EPA Act**).

I attach the licence (**Attachment B**).

The Hon. Melinda Pavey, MP
Minister for Water, Property and Housing

Dated this 26 day of June 2020