

Water Industry Competition Act 2006
Schedule 4, clause 10
Notice of decision – Grant of retailer licence
Licence No. 24_0004R

The Independent Pricing and Regulatory Tribunal (**IPART**) grants Altogether Group Pty Ltd (ACN 136 272 298) a retailer licence under Schedule 4, clause 10(1) of the *Water Industry Competition Act 2006* (**Act**).

The retailer licence takes effect on 14 August 2024.

In considering whether to grant the retailer licence and what conditions to impose on the licence, IPART had regard to the objects in sections 2A and 5A of the Act.

The retailer licence is attached.

8/08/2024

X



Signed by: carmel.donnelly@ipart.nsw.gov.au

Carmel Donnelly PSM
Chair

On behalf of the Independent Pricing and Regulatory Tribunal



New South Wales Government

Water Industry Competition Act 2006 (NSW)

Retailer Licence no. 24_0004R

Altogether Group Pty Ltd

(ACN 136 272 298)

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Licence Authorisation Table

| | |
|---|--|
| Licencee | Altogether Group Pty Ltd ACN – 136 272 298 |
| Licence number | 24_0004R |
| Version history | Current licence in force since: 14 August 2024. Details about grant, variation, replacement, cancellation or surrender of this licence are set out in Schedule A. |
| Authorised activities (the Act, s 8F(a)) | Sale of water and/or sewerage services. |
| Authorised maximum scale (the Act, s 8F(b)) | 10,000 customer premises per scheme (Category R2) |

LICENCE TERMS

1. Grant and authorisation

1.1 The Independent Pricing and Regulatory Tribunal grants this licence under the Act, Schedule 4, clause 10(1).

Note: This licence is deemed to be a licence granted under section 8C of the Act.

1.2 The licensee is authorised to carry out the authorised activities in connection with the schemes for which the licensee is the registered retailer that do not exceed the authorised maximum scale.

1.3 This clause authorises the licensee to carry out certain activities that would otherwise be prohibited under sections 6B of the Act. This authorisation does not exempt the licensee from obligations under other laws unless expressly provided by those laws.

2. Licence conditions

2.1 The licensee must comply with the standard licence conditions specified in Schedule B, Item B2 and the special licence conditions specified in Schedule B, Item B3.

Note: The licensee must also comply with conditions specified in the Act and Regulations.

3. Interpretation

3.1 Expressions used in this licence that are defined in the Act or Regulations have the meanings set out in the Act or the Regulations unless the context otherwise requires.

3.2 In this licence, unless the context otherwise requires:

- a. the singular includes the plural and vice versa,
- b. a reference to this licence includes any schedule to this licence,
- c. a reference to a schedule is to a schedule to this licence, and
- d. explanatory notes and headings do not form part of this licence, but in the case of uncertainty may be relied on for interpretation purposes.

3.3 In this licence:

Act means the *Water Industry Competition Act 2006*.

authorised activities mean the activities specified in the licence authorisation table.

authorised maximum scale means the maximum scale of schemes specified in the licence authorisation table.

licensee means the person specified in the licence authorisation table.

Regulations means any regulations made under the Act.

Schedule A Version History

| | |
|--------------------------------|--|
| Current licence in force since | 14 August 2024 |
| Original grant date | 17 April 2013 |
| Transition date | Transitioned licence granted under the Act, Schedule 4, cl.10(1) on: 14 August 2024 |
| Variation history | Varied under the Act, s.10 (now repealed) on: 7 July 2014 (Discovery Point), 20 October 2014 (Wyee Water), 14 May 2015 (North Cooranbong), 27 August 2015 (Huntlee and Green Square), 12 May 2016 (Box Hill), 13 October 2017 (Shepherds Bay), 24 September 2020 (Green Square), 14 August 2020 (Cooranbong), 6 July 2021 (Box Hill), 18 October 2021 (Wyee Water – licence cancelled), 14 December 2022 (Cooranbong) Varied under the Act, s.15 (now repealed) on: 3 September 2019 Varied under the Act, s. 8M on: Not applicable |
| Replacement history | Not applicable |
| Cancellation or surrender | Not applicable |

Schedule B Licence Conditions

Item B1 Interpretation

1.1.1 In this schedule:

reporting manual means a document published on IPART's website from time to time setting out notification, information, consultation and reporting requirements for licensed operators.

1.1.2 If any condition, or part of any condition, is unlawful, that condition, or part of the condition, is severable and does not affect the validity of the licence or the balance of the conditions or condition.

Item B2 Standard licence conditions

B2.1 Maintaining appropriate insurance

2.1.1 The licensee must hold insurance of an appropriate type, scope and limit for the activities it carries out under this licence.

2.1.2 The licensee must provide a copy of each certificate of currency of the insurance held by the licensee to IPART in accordance with the reporting manual.

2.1.3 The licensee must notify IPART in accordance with the reporting manual of a change to:

- (a) the insurer or underwriters for an insurance policy held by the licensee; or
- (b) the type, scope or limit of insurance held by the licensee.

2.1.4 The licensee must provide a report to IPART in accordance with the reporting manual from an insurance expert certifying that in the insurance expert's opinion the type, scope and limit of the insurance held by the licensee is appropriate for the activities the licensee carries out under this licence:

- (a) before commencing to supply water or sewerage services to a scheme; or
- (b) when requested by IPART.

2.1.5 In this condition B2.1, **insurance expert** means an insurance broker that holds an Australian financial services licence under Part 7.6 of the *Corporations Act 2001* (Cth) that authorises the broker to provide financial product advice for, and deal in, contracts of insurance within the meaning of Chapter 7 of that Act.

Note: The circumstances in which IPART may request the licensee provide a report under condition 2.1.4 include (but are not limited to) the following:

- where IPART considers that there may have been or may be a change in the type, scope or limit of the insurance held by the licensee; or
- where IPART considers that there may have been or may be a change in the activities the licensee carries out under this licence; or
- where IPART or an approved auditor considers that the type, scope or limit of the insurance held by the licensee may not be appropriate for the activities the licensee carries out under this licence.

B2.2 Complying with audit guidelines

The licensee must undertake audits of its authorised activities in accordance with any audit guidelines issued by IPART and published on IPART's website.

B2.3 Reporting in accordance with the reporting manual

2.3.1 The licensee must prepare and submit the following reports in accordance with the reporting manual:

(a) an annual compliance report, including:

- (i) the extent to which the licensee has or has not complied with the Act, the Regulations, this licence and approvals;
- (ii) for each failure to comply with the Act, Regulations, this licence or an approval:
 - A the particulars of the non-compliance;
 - B the reasons for the non-compliance;
 - C the actions taken, or to be taken, to mitigate the effects of the non-compliance or to prevent a recurrence of the non-compliance;

(b) reports on performance indicators and other data specified in the reporting manual; and

(c) any other report required by the Act, the Regulations, this licence or an approval.

2.3.2 The licensee must give notices and provide information required by the Act, the Regulations, this licence or an approval in accordance with the reporting manual.

B2.4 Infrastructure to be used

2.4.1 The licensee must only source and supply water by means of water industry infrastructure if that water industry infrastructure is maintained and operated by a licensed operator under the authority of its operator licence or a public water utility.

2.4.2 The licensee must only provide sewerage services by means of water industry infrastructure if that water industry infrastructure is maintained and operated by a licensed operator under the authority of its operator licence or a public water utility.

B2.5 Delineating responsibilities under a code of conduct

2.5.1 The licensee must establish, and provide to IPART, a code of conduct for each scheme for which it is the registered retailer:

- (a) before commencing to supply water or sewerage services to a scheme; or
- (b) by another date nominated by the licensee and approved by IPART.

2.5.2 Subject to condition 2.5.3, the licensee must obtain agreement to the code of conduct from:

- (a) the registered operator for the scheme; and
- (b) each licensed operator, licensed retailer and public water utility that:

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- (i) supplies water or provides sewerage services in the same area of operations as the scheme; or
- (ii) constructs, maintains or operates any water industry infrastructure that is connected to the licensee's water industry infrastructure.

2.5.3 The code of conduct must set out the roles and responsibilities of the entities specified in condition 2.5.2, including by specifying as relevant:

- (a) who is responsible for repairing, replacing or maintaining the water industry infrastructure;
- (b) who is liable in the event of the unavailability of water;
- (c) who is liable in the event of failure of the water industry infrastructure;
- (d) who is responsible for sharing information and data and in what circumstances;
- (e) who is responsible for communicating with customers or dealing with customer complaints and how complaints will be handled;
- (f) who is responsible for managing incidents and how incidents will be managed;
- (g) who is responsible for managing water quality and preventing cross-connections; and
- (h) who is liable for the fees and charges payable in respect of the use of the water industry infrastructure.

2.5.4 The licensee must comply with its obligations and responsibilities under the code of conduct.

2.5.5 A code of conduct established in accordance with clause B7 of Licence No. 13_001R granted under section 10 of the Act (now repealed) is deemed to have been established in accordance with clause 2.5.1.

B2.6 Notification of supply of water or provision of sewerage services

2.6.1 Within 10 days after commencing to supply water to a scheme under this licence, the licensee must notify IPART in accordance with the reporting manual that it has commenced supplying water to customers of the scheme.

2.6.2 Within 10 days after commencing to provide sewerage services to a scheme under this licence, the licensee must notify IPART in accordance with the reporting manual that it has commenced supplying sewerage services to customers of the scheme.

Item B3 Special licence conditions

B3.1 Permitted end-uses for recycled water

- 3.1.1 The licensee must ensure recycled water is only supplied to customers for a purpose authorised by the relevant operational approval (a **permitted end use**).
- 3.1.2 The licensee must, before the licensee supplies recycled water to a customer, notify the customer in writing of the permitted end-uses of recycled water.
- 3.1.3 The notice must also include information about how to safely use recycled water.