

5-year review of Veolia Water Solutions and Technologies' network operator's licence (10_008) and retail supplier's licence (10_009R)

Prepared under the
Water Industry Competition Act 2006 (NSW)

Water — Report to the Minister
December 2015

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1 Summary

The Independent Pricing and Regulatory Tribunal of NSW (IPART) has conducted a 5-year review of two Veolia Water Solutions and Technologies Pty Ltd's (VWS) licences under the *Water Industry Competition Act 2006* (WIC Act).

We recommend that the Minister varies the VWS network operator's licence (10_008) (**Appendix A**) and retail supplier's licence (10_009R) (**Appendix B**) for its scheme at Darling Walk, to bring them into line with the IPART standard licence template.

2 Background

The VWS network operator's licence and retail supplier's licence for its scheme at Darling Walk were granted by the Minister on 24 June 2010.¹

In accordance with the WIC Act, IPART is to review each licence at intervals of not more than five years, with the first review commencing on the fifth anniversary of the granting of the licence². Following the review, IPART is to prepare a report for the Minister, which may include recommendations as to the variation or revocation of existing licence conditions or the imposition of new licence conditions.³ This report meets that obligation and summarises our analysis, stakeholder submissions and recommendation to vary the licences. It also contains the proposed licences.

The Minister must consider, but is not bound to accept, any advice or recommendation in this report in determining the variation of the licences. The Minister may, if circumstances so require, seek further advice from us in relation to the licence review.

2.1 The review of the WIC Act and the new licensing regime

The primary purpose of the 5-yearly WIC Act licence review is for IPART to consider the appropriateness of existing licence conditions in our efficient regulation of licensees. In line with good regulatory practice, the licence conditions should direct the licensees to achieve the desired outcomes without imposing unnecessary compliance and administrative costs.

¹ Veolia Water Solutions and Technologies Pty Ltd, Grant of Network Operator's Licence No. 10_008, dated 24 June 2010.

² WIC Act, section 85(2).

³ WIC Act, section 85(3).

However, we note that the *Water Industry Competition Amendment (Review) Act 2014* will result in significant changes to the WIC Act licensing framework and conditions.⁴ All existing licences will transition to the amended legislation, which we understand from the Metropolitan Water Directorate, will come into force in mid-2016.⁵

Given the impending changes to the WIC Act and the licensing regime, we are recommending relatively minor changes that would make the VWS licences consistent with the current standard licence conditions. The standard licence conditions have been developed and implemented since VWS' licences were issued, and are used as the base template for all new WIC Act licences and variations to licences.

Applying the standard licence template will address gaps in the licences and provide clarification for the licensee. It will also improve the efficiency of administering the licences in this transitional period before the licensing regime is changed under the amended WIC Act.

2.2 The standard licence template for WIC Act licences

In 2013, IPART decided to apply the standard licence template for all new WIC Act licences. Since then, the template has been used for all new licence applications and variations. From time to time the template conditions are changed to reflect outcomes of assessments and, where broadly applicable, changes to licences made by the Minister.

IPART has decided that as part of the 5-yearly review process, the standard IPART template will be applied to licences.

3 Review of licence – network operator's licence

This section of the report contains an outline of the analysis conducted during our review of the VWS network operator's licence (licence number 10_008) and our recommendations.

3.1 Stakeholder consultation and submissions

Where the outcome of an IPART 5-year review of a licence under the WIC Act, is to recommend a variation to the licence, we are required under section 17(1) of the WIC Act to consult with the licensee and other persons prescribed by the *Water Industry Competition (General) Regulation 2008* (**the Regulation**). At this time, there are no other persons prescribed in the Regulation that must be consulted for a licence condition variation.

⁴ *Water Industry Competition Amendment (Review) Act 2014*, Schedule 4, Part 4, sections 9 and 10.

⁵ IPART, *Update – Changes to WICA*, at http://www.ipart.nsw.gov.au/Home/Industries/Water/Private_Sector_Licensing_WICA/Changes_to_WICA

We invited submissions from VWS and the Metropolitan Water Directorate.

VWS confirmed they did not have any comments or concerns regarding our proposed changes to the network operator's licence.⁶

The Metropolitan Water Directorate made a number of comments on the proposed changes to the VWS network operator's licence.⁷ These are explained in further detail below.

3.2 Variations to network operator's licence conditions

The VWS network operator's licence for the Darling Walk scheme (licence number 10_008) was granted on 24 June 2010. It has not been varied since that time and is not aligned to our standard licence template. The differences relate to insurance, compliance with audit guidelines and certain notification requirements.

Our review of the VWS network operator's licence considered the differences between the current licence and the standard licence template. The outcomes of our review are detailed below.

Insurance

Relevant insurance licence conditions are prescribed in schedule B, clause B3 of the amended VWS network operator's licence.

The standard licence template includes additional insurance requirements to the existing VWS network operator's licence. The insurance conditions of the licence reduce the risks to the licensee, customers and government. These include requirements for the licensee to:

- ▼ obtain insurance appropriate for the nature of the Water Industry Infrastructure, and have that insurance cover assessed by an Insurance Expert to verify that it is appropriate, prior to commencement of supply
- ▼ provide certificates of currency for insurance to IPART, and
- ▼ provide a report in accordance with the reporting manual if there is, or is to be a change in the insurer or underwriting panel, or a change to the type, scope or limit of insurance held by the Licensee.

⁶ Emails to IPART, Inshan Sheriff, Hydrex & NSW Service Manager, Australia, Water Technologies, 3 September 2015.

⁷ Email to IPART, Cathy Cole, Acting Director, Metropolitan Water Directorate, 28 September 2015.

On 1 September 2015, the revised Network Operator's Reporting Manual⁸ took effect. The revised Reporting Manual updates the notification periods for provision of insurance materials to IPART, including providing a report to IPART of changes to insurance arrangements.

We note that the Metropolitan Water Directorate suggested clarifications to conditions pertaining to timing of certain insurance requirements.⁹ IPART accepts that clarification would better enable licensees' to achieve compliance and will ensure this is clarified in future revisions of the Network Operator's Reporting Manual. IPART is also undertaking a broader review of the licence template and conditions as part of our transition to the amended WIC Act in 2016. We are currently considering alternative structures for licences under the amended WIC Act and these will be finalised prior to the Act coming into force. For consistency with the template, wording of the standard licence template has been retained.

We consider it appropriate that licensees should be subject to the additional licence conditions in relation to appropriate arrangements for insurance.

Compliance with audit guidelines

Compliance with audit guidelines licence conditions are prescribed in schedule B, clause B5 of the amended VWS network operator's licence.

The standard licence template includes a condition which requires the licensee to comply with any audit guidelines issued by IPART,¹⁰ which is not in the existing VWS network operator's licence.

We consider it appropriate that VWS should be subject to the additional licence condition in relation to compliance with audit guidelines.

Reporting in relation to the Register of Licences

Notifications relating to Register of Licences are prescribed in schedule B, clause B7 of the amended VWS network operator's licence. Licence conditions differ between licences depending on the licensed activities.

The VWS Darling Walk scheme is a non-potable water scheme.

⁸ IPART, *Network Operator's Reporting Manual under the Water Industry Competition Act 2006 (NSW), Water – Reporting Manual*, August 2015.

⁹ Email to IPART, Ms Cathy Cole, Metropolitan Water Directorate, 28 September 2015, p 1.

¹⁰ Audit guidelines means IPART's *Audit Guideline – Water Industry Competition Act 2006* and any other guidelines issued by IPART in relation to audits under the Act.

The standard licence template has conditions that require licensees to notify IPART of certain changes within 14 days of the change. The conditions allow IPART to be informed of matters relating to licensees activities.

We note that the Metropolitan Water Directorate made comments regarding this condition, suggesting that sections of it were inconsistent with the approach of certain other reporting clauses such as B11 or the authorisation of the licence outlined in Table A2.1.¹¹ IPART considers the intention of Condition B7 to be notification only and, therefore, is consistent with other obligations. However, IPART accepts that clarification would better enable licensees to achieve compliance and accordingly will ensure this is clarified in the Network Operator's Reporting Manual.

We consider that VWS should be subject to the licence condition for the reporting of information in relation to the Register of Licences.

Provision of Plans

Provision of Plans licence conditions are prescribed in schedule B, clause B9 of the amended VWS network operator's licence.

The existing VWS network operator's licence requires that the licensee must provide IPART with a copy of its amended Plans¹² if it makes **any** change. The standard licence template requires that when a licensee makes a **significant** amendment to a Plan it provides a copy of the amended Plan to IPART. This condition manages the risk related to the operation of a scheme, but is a less onerous condition for the licensee.

We consider it appropriate that VWS should be subject to the standard licence template condition for the provision of Plans.

Delineating responsibilities – interconnections

Requirements of Codes of Conduct and delineation of responsibilities are prescribed in schedule B, clause B10 of the amended VWS network operator's licence.

The existing VWS network operator's licence requires that the licensee must establish a Code of Conduct between relevant licensed network operators, licensed retail suppliers and/or public water utilities. The standard licence template includes additional requirements to provide surety to each of these stakeholders that are not in the existing VWS network operator's licence.

¹¹ Email to IPART, Ms Cathy Cole, Metropolitan Water Directorate, 28 September 2015, p 1.

¹² For the Veolia network operator's licence the relevant Plans are the Water Quality Plan and the Infrastructure Operating Plan.

The Metropolitan Water Directorate suggested clarifications regarding the implementation and reporting of Codes of Conduct.¹³ IPART has made a minor adjustment to the wording of our standard licence template to address these comments to make it clear that a Code of Conduct is required.

We consider it appropriate that licensees should be subject to the additional licence conditions in relation to appropriate arrangements for Codes of Conduct.

Changes to end-use

Changes to end-use licence conditions are prescribed in schedule B, clause B11 of the amended VWS network operator's licence.

The standard licence template includes a condition regarding changes to end-use. There is no equivalent condition in the existing VWS network operator's licence. The licence condition requires the licensee to notify IPART in writing at least three months before commencing the supply of water for an end-use which is not set out in the most recent Water Quality Plan provided to IPART. The notification period gives IPART time to review the capacity of the licensee to supply water to a new end-use. This additional condition reduces the risk that a licensee will undertake activities that it does not have the capacity to undertake and thus pose a risk to public health.

We consider it appropriate that VWS should be subject to the standard licence template condition for notification of changes to end-use.

Notification of commercial operation

Notification of commercial operation licence conditions are prescribed in schedule B, clause B13 of the amended VWS network operator's licence.

The standard licence template has conditions regarding notification of commercial operation. The conditions require the licensee to notify IPART within 10 days of bringing any of the Specified Water Industry Infrastructure into commercial operation. Notification is in accordance with the Network Operator's Reporting Manual. There are no similar conditions in the existing VWS network operator's licence. This additional condition reduces the risk that a licensee will undertake activities that it does not have the capacity to undertake.

We consider it appropriate that VWS should be subject to the standard licence template condition for notification of commercial operation.

¹³ Email to IPART, Ms Cathy Cole, Metropolitan Water Directorate, 28 September 2015, p 3.

Greenfield scheme

Licence conditions which differ between licences depending on whether a scheme is Greenfield or Brownfield are prescribed in schedule B, clauses B2, B10, and B13.

When the VWS licence was granted, there was no distinction between conditions for Greenfield or Brownfield schemes.¹⁴ The standard licence template has conditions which are included depending on whether a scheme is considered to be a Greenfield or Brownfield scheme at the time a licence is granted.

The VWS Darling Walk scheme was considered a Greenfield scheme when the licence was granted by the Minister in 2010. We consider the VWS licence should be updated to include the standard template's Greenfield scheme licence conditions.

Consistent licence terminology, language and structure

We consider the VWS licence should be varied to align it with the terminology, language and structure (including numbering of conditions) used in the standard licence template. This change will improve consistency across licences.

We note that the Metropolitan Water Directorate provided a number of alternative wordings or structure of licence conditions A1.1, B2.1, B9 and B11.¹⁵ Where appropriate we have included minor updates to wording to give clarity to licensees. However, for consistency of the template, wording of the standard licence template has been largely retained. IPART is undertaking a broader review of the licence template and conditions as part of our transition to the amended WIC Act in 2016 and we are currently considering alternative structures for licences under the WIC Act.

4 Review of licence – retail supplier's licence

This section of the report contains an outline of the analysis conducted during our review of the VWS retail supplier's licence (licence number 10_009R) and our recommendations.

¹⁴ The term 'Greenfield scheme' refers to a scheme which at the time of application does not have any existing water industry infrastructure, for example a commercial building without a treatment plant; the term 'Brownfield scheme' refers to a scheme which at the time of application includes existing water industry infrastructure, for example a building with an existing treatment plant.

¹⁵ Email to IPART, Ms Cathy Cole, Metropolitan Water Directorate, 28 September 2015, pp 3-4.

4.1 Stakeholder consultation and submissions

Where the outcome of an IPART 5-year review of a licence under the WIC Act, is to recommend a variation to the licence, we are required under section 17(1) of the WIC Act to consult with the licensee and other persons prescribed by the Regulation. At this time, there are no other persons prescribed in the Regulation that must be consulted for a licence condition variation.

We invited submissions from VWS and the Metropolitan Water Directorate. We have used the submissions to inform our review.

VWS confirmed that they did not have any comments or concerns regarding our proposed changes to the VWS retail supplier's licence.¹⁶

The Metropolitan Water Directorate made a number of comments on the proposed changes to the VWS retail supplier's licence.¹⁷ These were generally consistent with feedback relating to the network operator's licence (licence number 10_008), and are explained in further detail below.

4.2 Variations to retail supplier's licence conditions

The VWS retail supplier's licence for the Darling Walk scheme (licence number 10_009R) was granted on 24 June 2010 and is not aligned to our standard licence template. The differences relate to insurance, compliance with audit guidelines, establishing a Code of Conduct for the delineation of responsibilities for interconnections, notification of changes to authorised persons, and obligations relating to the infrastructure to be used.

Our review of the VWS retail supplier's licence considered the differences between the current licence and the standard licence template. The outcomes of our review are detailed below.

¹⁶ Emails to IPART, Inshan Sheriff, Hydrex & NSW Service Manager, Australia, Water Technologies, 3 September 2015.

¹⁷ Email to IPART, Cathy Cole, Acting Director, Metropolitan Water Directorate, 28 September 2015.

Insurance

Relevant insurance licence conditions are prescribed in schedule B, conditions B2 and B3 of the amended VWS retail supplier's licence.

The standard licence template includes additional insurance requirements to the existing VWS retail supplier's licence. The insurance conditions of the licence are intended to reduce risks to the licensee, customers and government. These include requirements for the licensee to:

- ▼ obtain insurance appropriate for the nature of the Water Industry Infrastructure, and have that insurance cover assessed by an Insurance Expert to verify that it is appropriate, prior to commencement of supply
- ▼ provide certificates of currency for insurance to IPART, and
- ▼ provide a report in accordance with the Network Operator's Reporting Manual¹⁸ if there is, or is to be a change in the insurer or underwriting panel, or a change to the type, scope or limit of insurance held by the Licensee.

This obligation mirrors the obligation in the network operator's licence. Separate to this review we are amending the Retail Supplier's Reporting Manual to incorporate the same reporting table as the Network Operator's Reporting Manual which came into effect on 1 September 2015. The table outlines the notification periods for provision of insurance materials and information to be included in a specialist insurance report.

We note the Metropolitan Water Directorate suggested clarifications to conditions pertaining to timing of certain insurance requirements.¹⁹ IPART accepts that clarification would better enable licensees to achieve compliance and, accordingly will ensure this is clarified in future revisions of the Retail Supplier's Reporting Manual. IPART is also undertaking a broader review of the licence template and conditions as part of our transition to the amended WIC Act in 2016 and we are currently considering alternative structures for licences under the WIC Act. For consistency of the template, wording of the standard licence template has been retained.

We consider it appropriate that licensees should be subject to the additional licence conditions in relation to appropriate arrangements for insurance.

¹⁸ IPART, *Network Operator's Reporting Manual under the Water Industry Competition Act 2006 (NSW) – Reporting Manual*, August 2015. Note, separate to this review we are amending the Retail Supplier's Reporting Manual to incorporate the same reporting table as the Network Operator's Reporting Manual

¹⁹ Email to IPART, Ms Cathy Cole, Metropolitan Water Directorate, 28 September 2015, pp 1-2.

Compliance with audit guideline

Compliance with the audit guidelines are prescribed in Schedule B, condition B5 of the amended VWS retail supplier's licence

The standard licence template includes a condition which requires the licensee to comply with any audit guidelines issued by IPART,²⁰ which is not in the existing VWS retail supplier's licence.

We consider that VWS should be subject to the additional standard licence condition in relation to compliance with the audit guidelines.

Reporting in relation to the Register of Licences

Notifications relating to Register of Licences are prescribed in schedule B, clause B7 of the amended VWS retail supplier's licence. Licence conditions differ between licences depending on the licensed activities.

The VWS Darling Walk scheme is a non-potable water scheme.

The standard licence template has conditions that require licensees to notify IPART of certain changes within 14 days of the change. The conditions allow IPART to be informed of matters relating to licensees activities.

We note the Metropolitan Water Directorate made comments regarding this condition, suggesting that sections of it were inconsistent with the approach of certain other reporting clauses such as B11 or the authorisation of the licence outlined in Tables A1.1 and A1.2.²¹ IPART considers the intention of Condition B7 to be notification only and not inconsistent with other obligations. However, IPART accepts that clarification would better enable licensees to achieve compliance and, accordingly, has made a minor amendment informing licensees to note that in some cases a licence variation would be required prior to making the change.

We consider that VWS should be subject to the licence condition for the reporting of information in relation to the Register of Licences.

Provision of Plans

Provision of Plans licence conditions are prescribed in schedule B, clause B8 of the amended VWS retail supplier's licence.

²⁰ Audit guidelines means IPART's *Audit Guideline – Water Industry Competition Act 2006* and any other guidelines issued by IPART in relation to audits under the Act.

²¹ Email to IPART, Ms Cathy Cole, Metropolitan Water Directorate, 28 September 2015, pp 1-2.

The existing VWS retail supplier's licence requires that the licensee must provide IPART with a copy of its amended Plan²² if it makes **any** change. The standard licence template requires that when a licensee makes a **significant** amendment to a Plan it provides a copy of the amended Plan to IPART. This condition manages the risk related to the operation of a scheme, but is a less onerous condition for the licensee.

This obligation mirrors the obligation in the network operator's licence. Separate to this review we are amending the Retail Supplier's Reporting Manual to incorporate the same reporting table as the Network Operator's Reporting Manual.

We consider it appropriate that VWS should be subject to the standard licence template condition for the provision of Plans.

Delineating responsibilities – interconnections

Requirements of Codes of Conduct and delineation of responsibilities are prescribed in schedule B, clause B9 of the amended VWS retail supplier's licence.

The existing VWS retail supplier's licence requires that the licensee must establish a Code of Conduct between relevant licensed network operators, licensed retail suppliers and/or public water utilities. The standard licence template includes additional requirements to provide surety to each of these stakeholders that are not in the existing VWS retail supplier's licence.

We note the Metropolitan Water Directorate suggested clarifications on implementation and reporting of Codes of Conduct.²³ IPART has made minor adjustments to wording to address these comments whilst largely retaining the standard licence conditions in the proposed retail supplier's licence.

We consider it appropriate that licensees should be subject to the additional licence conditions in relation to appropriate arrangements for Codes of Conduct.

Infrastructure to be used

Conditions relating to infrastructure supplying water are prescribed in schedule B, clause B11 of the amended VWS retail supplier's licence.

The standard licence template has conditions regarding what infrastructure is permitted to supply water, being a licensed network operator or public water utility only. There are no similar conditions in the existing VWS retail supplier's licence. This additional condition reduces the risk that a licensee will source water from infrastructure that is not appropriately regulated.

²² For the Veolia retail supplier's licence the relevant Plan is the Retail Supply Management Plan.

²³ Email to IPART, Ms Cathy Cole, Metropolitan Water Directorate, 28 September 2015, p 3.

We consider it appropriate that VWS should be subject to the standard licence template condition for supply from licensed network operator or public water utility.

Consistent licence terminology, language and structure

We consider the VWS retail supplier's licence should be varied to align it with the terminology, language and structure (including numbering of conditions) used in the standard licence template. This change will improve consistency across licences.

We note that the Metropolitan Water Directorate provided a number of alternative wordings or structure of licence conditions A1.1, B2.1, B9 and B11. Where appropriate we have included minor updates to wording to give clarity to licensees. However, for consistency of the template, wording of the standard licence template has been largely retained. IPART is undertaking a broader review of the licence template and conditions as part of our transition to the amended WIC Act in 2016 and we are considering alternative structures for licences under the WIC Act.

5 Recommendations

We recommend that the Minister:

- ▼ **Varies the VWS network operator's licence (licence number 10_008) and conditions imposed on that licence, as set out in the attached amended licence (Appendix A).**
- ▼ **Varies the VWS retail supplier's licence (licence number 10_009R) and conditions imposed on that licence, as set out in the attached amended licence (Appendix B).**



Appendices

A VWS' proposed varied and amended network operator's licence (10_008)



**NEW SOUTH WALES
GOVERNMENT**

*WATER INDUSTRY COMPETITION ACT 2006
(NSW)*

NETWORK OPERATOR'S LICENCE

**Veolia Water Solutions and Technologies
(Australia) Pty Ltd**

(ACN 055 254 003)

**SCHEDULE A - SPECIAL MINISTERIALLY-IMPOSED LICENCE CONDITIONS FOR
VEOLIA WATER SOLUTIONS AND TECHNOLOGIES (AUSTRALIA) PTY LTD'S
NETWORK OPERATOR'S LICENCE**

This schedule sets out the conditions which the Minister imposes pursuant to section 13(1)(b) of the Act. In addition to these special Ministerially-imposed conditions, the Licensee is subject to obligations imposed by the Act, the Regulation and the standard Ministerially-imposed licence conditions set out in Schedule B. The Minister may vary the conditions in this schedule or impose new conditions, provided there is no inconsistency with the conditions imposed on the Licensee by the Act or the Regulation.

A1 Activities authorised - non-potable water

A1.1 This Licence authorises the Licensee and any authorised persons specified in Table 1.1 to construct, maintain and operate the water industry infrastructure specified in Table 1.2:

- a) for one or more of the authorised purposes specified in Table 1.3;
- b) within the area of operations specified in Table 1.4, subject to the conditions imposed by or under the Act, the Regulation and this Licence.

Table 1.1 Authorised persons

Not applicable

Table 1.2 Water industry infrastructure

1) A treatment plant for non-potable water and other water infrastructure only used, or to be used, in connection with the treatment plant, where components of the treatment plant or other water infrastructure may also be used for one or more of the following:

- a) production of non-potable water;
- b) treatment of non-potable water;
- c) filtration of non-potable water;
- d) storage of non-potable water; and
- e) conveyance of non-potable water.

2) A reticulation network for non-potable water and other infrastructure only used, or to be used, in connection with the reticulation network, where components of the reticulation network or the other water infrastructure may also be used for one or more of the following:

- a) storage of non-potable water;
 - b) conveyance of non-potable water; and
 - c) treatment of non-potable water.
-

Table 1.3 Authorised purposes

Cooling tower make-up, toilet flushing, garden irrigation

Table 1.4 Area of operations

Darling Walk Development, 1-25 Harbour Street, Sydney NSW

A2 Activities authorised – drinking water

A2.1 This Licence authorises the Licensee and any authorised persons specified in Table 2.1 to construct, maintain and operate the water industry infrastructure specified in Table 2.2:

- a) for one or more of the authorised purposes specified in Table 2.3;
- b) within the area of operations specified in Table 2.4,
subject to the conditions imposed by or under the Act, the Regulation and this Licence.

Table 2.1 Authorised persons

[Not Applicable]

Table 2.2 Water industry infrastructure

[Not Applicable]

Table 2.3 Authorised purposes

[Not Applicable]

Table 2.4 Area of operations

[Not Applicable]

A3 Activities authorised – sewerage services

A3.1 This Licence authorises the Licensee and any authorised persons specified in Table 3.1 to construct, maintain and operate the water industry infrastructure specified in Table 3.2:

- c) for the authorised purposes specified in Table 3.3;
- d) within the area of operations specified in Table 3.4,
subject to the conditions imposed by or under the Act, the Regulation and this Licence.

Table 3.1 Authorised persons

[Not Applicable]

Table 3.2 Water industry infrastructure

[Not Applicable]

Table 3.3 Authorised purposes

[Not Applicable]

Table 3.4 Area of operations

[Not Applicable]

INTERPRETATION AND DEFINITIONS

Interpretation

In this Schedule A, unless the context requires otherwise:

- (i) the singular includes the plural and vice versa;
- (ii) headings are used for convenience only and do not affect the interpretation of this Schedule A;
- (iii) a reference to a document includes the document as modified from time to time and any document replacing it;
- (iv) a reference to a person includes a natural person and any body or entity whether incorporated or not;
- (v) a reference to a clause is to a clause in this Schedule A;
- (vi) a reference to a schedule is to a schedule to this Licence;
- (vii) a reference to a law or statute includes regulations, rules, codes and other instruments under it, and consolidations, amendments, re-enactments or replacements of them; and
- (viii) explanatory notes do not form part of this Licence, but in the case of uncertainty may be relied on for interpretation purposes.

Definitions

Expressions used in this Schedule A that are defined in the Act or the Regulation have the meanings set out in the Act or the Regulation.

In this Schedule A:

Act	means the <i>Water Industry Competition Act 2006</i> (NSW).
Licence	means this network operator's licence granted under section 10 of the Act.
Licensee	means the person to whom this Licence is granted under section 10 of the Act.
Minister	means the Minister responsible for Part 2 the Act.
Regulation	means the <i>Water Industry Competition (General) Regulation 2008</i> (NSW).

SCHEDULE B - STANDARD MINISTERIALLY-IMPOSED LICENCE CONDITIONS FOR ALL LICENSED NETWORK OPERATORS UNDER THE ACT

This schedule sets out the standard conditions which the Minister imposes on the Licensee and all other licensed network operators pursuant to section 13(1)(b) of the Act. In addition to these standard Ministerially-imposed conditions, the Licensee is subject to obligations imposed by the Act, the Regulation and the special Ministerially-imposed licence conditions set out in Schedule A. The Minister may vary the conditions in this schedule or impose new conditions, provided there is no inconsistency with the conditions imposed on the Licensee by the Act or the Regulation.

B1 Ongoing capacity to operate

B1.1 The Licensee must have the technical, financial and organisational capacity to carry out the activities authorised by this Licence. If the Licensee ceases to have this capacity, it must report this to IPART immediately in accordance with the Reporting Manual.

B2 Obtaining appropriate insurance

B2.1 Before commencing to commercially operate the Specified Water Industry Infrastructure under this Licence, the Licensee must:

- a) obtain insurance that is appropriate for the size and nature of the activities authorised under this Licence;
- b) provide a copy of each certificate of currency of the insurance obtained to IPART; and
- c) demonstrate that the insurance obtained is appropriate for the size and nature of the activities authorised under this Licence by providing a report to IPART from an Insurance Expert that:
 - i) certifies that in the Insurance Expert's opinion, the type and level of the insurance obtained by the Licensee is appropriate for the size and nature of the activities authorised under the Licence; and
 - ii) is in the form prescribed by the Reporting Manual.

B2.2 *[Not applicable]*

B3 Maintaining appropriate insurance

B3.1 The Licensee must maintain insurance that is appropriate for the size and nature of the activities authorised under this Licence.

B3.2 The Licensee must provide a copy of each certificate of currency of the insurance maintained by the Licensee to IPART in accordance with the Reporting Manual.

B3.3 If there is, or is to be a change in:

- a) the insurer or underwriting panel in respect of an insurance policy held by the Licensee; or
- b) the type, scope or limit on the amount of insurance held by the Licensee,

in relation to the activities authorised under this Licence, the Licensee must provide a report to IPART in accordance with the Reporting Manual.

B3.4 From time to time when requested in writing by IPART, the Licensee must provide a report to IPART, in the manner, form and time specified by IPART, from an Insurance Expert certifying that in the Insurance Expert's opinion the type, scope or limit on the

amount of the insurance held by the Licensee is appropriate for the size and nature of the activities authorised under this Licence.

[Note: The circumstances in which IPART may request a report under clause B3.4 include (but are not limited to) the following:

- *where IPART has reason to believe that there may be a change in the type, scope or limit on the amount of insurance held by the Licensee in relation to activities authorised under this Licence;*
- *where there is a change in the type or extent of activities authorised under this Licence; or*
- *where IPART or an approved auditor has reason to believe that the type, scope or limit on the amount of insurance held by the Licensee may not be appropriate for the size and nature of the activities authorised under this Licence.]*

B3.5 *[Not applicable]*

B4 Complying with NSW Health requirements

B4.1 The Licensee must carry out the activities authorised by this Licence in compliance with any requirements of NSW Health that:

- c) IPART has agreed to; and
- d) are notified from time to time to the Licensee by IPART in writing.

B5 Complying with Audit Guidelines from IPART

B5.1 The Licensee must comply with any Audit Guidelines issued by IPART.

B6 Reporting in accordance with the Reporting Manual

B6.1 The Licensee must prepare and submit reports in accordance with the Reporting Manual.

B7 Reporting information in relation to the Register of Licences

B7.1 Within 14 days of any change in relation to the following, the Licensee must notify IPART, and provide IPART with details, of the change in accordance with the Reporting Manual:

- a) any source from which the water handled by the Specified Water Industry Infrastructure is derived;
- b) the Authorised Purposes of the water handled by the Specified Water Industry Infrastructure;
- c) the identity of each licensed retail supplier or public water utility that has access to the infrastructure services provided by the Specified Water Industry Infrastructure for the purpose of supplying water to its customers; or
- d) any other water infrastructure to which the Specified Water Industry Infrastructure is connected.
- e) *[Not applicable]*
- f) *[Not applicable]*
- g) *[Not applicable]*

B8 Monitoring

- B8.1 The Licensee must undertake any monitoring that is required for the purposes of this Licence, any Plan, the Act or the Regulation in accordance with this clause B8.
- B8.2 The Licensee must keep the following records of any samples taken for monitoring purposes specified in the Water Quality Plan:
- a) the date on which the sample was taken;
 - b) the time at which the sample was collected;
 - c) the point or location at which the sample was taken; and
 - d) the chain of custody of the sample (if applicable).
- B8.3 The Licensee must ensure that analyses of all samples taken for the purposes of Verification Monitoring are carried out by a laboratory accredited for the specified tests by an independent body that is acceptable to NSW Health, such as the National Association of Testing Authorities or an equivalent body.

B9 Provision of copy of Plan

- B9.1 Whenever the Licensee makes a significant amendment to a Plan, the Licensee must provide a copy of the amended Plan to IPART at the same time that it provides a copy to the approved auditor engaged to prepare a report as to the adequacy of the amended Plan, as required under the Regulation.

B10 Delineating responsibilities – interconnections

- B10.1 If a code of conduct has not been established under clause 25 of the Regulation, the Licensee must establish a code of conduct (**Licensee's Code of Conduct**) in accordance with this clause B10.
- B10.2 The Licensee's Code of Conduct must set out the respective responsibilities of:
- a) the Licensee; and
 - b) each licensed network operator, licensed retail supplier and/or public water utility that:
 - (i) supplies water or provides sewerage services by means of; or
 - (ii) constructs, maintains or operates,
any water industry infrastructure that is connected to the Specified Water Industry Infrastructure,
- by, at a minimum, providing for:
- c) who is responsible for repairing, replacing or maintaining any pipes, pumps, valves, storages or other infrastructure connecting the Specified Water Industry Infrastructure to the other water industry infrastructure;
 - d) who is responsible for water quality;
 - e) who is liable in the event of the unavailability of water;
 - f) who is liable in the event of failure of the Specified Water Industry Infrastructure;
 - g) the fees and charges payable in respect of the use of the Specified Water Industry Infrastructure; and
 - h) who is responsible for handling customer complaints.

B10.3 Before the Licensee brings the Specified Water Industry Infrastructure into commercial operation or by a later date specified by IPART (if any), the Licensee's Code of Conduct must be agreed in writing between the Licensee and the other licensed network operators, licensed retail suppliers and/or public water utilities referred to in clause B10.2.

B10.4 *[Not applicable]*

B10.5 The Licensee must not contravene the Licensee's Code of Conduct to the extent that it makes the Licensee responsible or liable for the matters set out in it.

B11 Notification of changes to end-use

B11.1 If the Licensee proposes to operate the Specified Water Industry Infrastructure to supply water for an end-use which is not set out in the most recent Water Quality Plan provided to IPART, the Licensee must notify IPART in writing at least 3 months before commencing such operation.

B12 Notification of changes to Authorised Person

B12.1 If an Authorised Person ceases, proposes to cease, or receives notification to cease providing any of the services relating to the activities authorised by this Licence, the Licensee must provide IPART with written notice as soon as practicable, but no later than 28 days before the date of cessation of the services. The written notice must include details of how the services previously undertaken by the Authorised Person will continue to be undertaken.

B13 Notification of commercial operation

B13.1 This clause B13 applies each time the Licensee has brought any of the Specified Water Industry Infrastructure into commercial operation.

B13.2 The Licensee must:

- a) notify IPART in accordance with the Reporting Manual that it has brought the relevant Specified Water Industry Infrastructure into commercial operation; and
- b) provide such notification within 10 days after it has brought the relevant Specified Water Industry Infrastructure into commercial operation.

INTERPRETATION AND DEFINITIONS

Interpretation

In this Schedule B, unless the context requires otherwise:

- (i) the singular includes the plural and vice versa;
- (ii) headings are used for convenience only and do not affect the interpretation of this Schedule B;
- (iii) a reference to a document includes the document as modified from time to time and any document replacing it;
- (iv) a reference to a "person" includes a natural person and any body or entity whether incorporated or not;
- (v) a reference to a clause is to a clause in this Schedule B;
- (vi) a reference to a schedule is to a schedule to this Licence;

- (vii) a reference to a law or statute includes regulations, rules, codes and other instruments under it, and consolidations, amendments, re-enactments or replacements of them; and
- (viii) explanatory notes do not form part of this Licence, but in the case of uncertainty may be relied on for interpretation purposes.

Definitions

Expressions used in this Schedule B that are defined in the Act or the Regulation have the meanings set out in the Act or the Regulation.

In this Schedule B:

Act	means the <i>Water Industry Competition Act 2006</i> (NSW).
Audit Guidelines	means the document entitled “Audit Guideline – Water Industry Competition Act 2006” which is prepared by IPART and is available on IPART’s website at www.ipart.nsw.gov.au , and any other guidelines issued by IPART in relation to audits under the Act.
Authorised Person	means the authorised persons specified in, as applicable: <ul style="list-style-type: none">(i) Schedule A, clause A1, Table 1.1;(ii) Schedule A, clause A2, Table 2.1; and(iii) Schedule A, clause A3, Table 3.1.
Insurance Expert	means an insurance broker which holds an Australian financial services licence under Part 7.6 of the <i>Corporations Act 2001</i> (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.
IPART	means the Independent Pricing and Regulatory Tribunal of New South Wales established under the <i>Independent Pricing and Regulatory Tribunal Act 1992</i> (NSW).
Licence	means this network operator’s licence granted under section 10 of the Act.
Licensee	means a person to whom this Licence is granted under section 10 of the Act.
Licensee’s Code of Conduct	has the meaning given in clause B10.1.
Minister	means the Minister responsible for Part 2 of the Act.
NSW Health	means the Water Unit of NSW Ministry of Health and any of the local health districts as defined by the NSW Ministry of Health.
Plan	means any infrastructure operating plan, water quality plan or sewage management plan that the Licensee is required to prepare under the Regulation.
Regulation	means the <i>Water Industry Competition (General) Regulation 2008</i> (NSW).

Reporting Manual	means the document entitled “Network Operator's Reporting Manual,” which is prepared by IPART and is available on IPART’s website at www.ipart.nsw.gov.au .
Specified Water Industry Infrastructure	means the water industry infrastructure specified in, as applicable: (i) Schedule A, clause A1, Table 1.2; (ii) Schedule A, clause A2, Table 2.2; and (iii) Schedule A, clause A3, Table 3.2.
Verification Monitoring	means verification monitoring as described in the document entitled “Australian Drinking Water Guidelines” or the document entitled “Australian Guidelines for Water Recycling” as the case may be.
Water Quality Plan	means the water quality plan that the Licensee is required to prepare under the Regulation.

DRAFT

B VWS' proposed varied and amended retail supplier's licence (10_009R)



**NEW SOUTH WALES
GOVERNMENT**

WATER INDUSTRY COMPETITION ACT 2006
(NSW)

RETAIL SUPPLIER'S LICENCE

**Veolia Water Solutions and Technologies
(Australia) Pty Ltd**

(ACN 055 254 003)

SCHEDULE A - SPECIAL MINISTERIALLY-IMPOSED LICENCE CONDITIONS FOR VEOLIA WATER SOLUTIONS AND TECHNOLOGIES (AUSTRALIA) PTY LTD'S RETAIL SUPPLIER'S LICENCE

This schedule sets out the conditions which the Minister imposes pursuant to section 13(1)(b) of the Act. In addition to these special Ministerially-imposed conditions, the Licensee is subject to obligations imposed by the Act, the Regulation and the standard Ministerially-imposed licence conditions set out in Schedule B. The Minister may vary the conditions in this schedule or impose new conditions, provided there is no inconsistency with the conditions imposed on the Licensee by the Act or the Regulation.

A1 Activities authorised - non-potable water

A1.1 This Licence authorises the Licensee and any authorised persons specified in Table 1.1:

- a) to supply water by means of the water industry infrastructure specified in Table 1.2;
 - b) for one or more of the authorised purposes specified in Table 1.3;
 - c) to the persons or classes of persons specified in Table 1.4;
 - d) within the area of operations specified in Table 1.5,
- subject to the conditions imposed by or under the Act, the Regulation and this Licence.

Table 1.1 Authorised persons

Not applicable

Table 1.2 Water industry infrastructure

Water industry infrastructure specified in Schedule A, clause A.1 of the network operator's licence 10_008, as varied from time to time.

Table 1.3 Authorised purposes

Authorised purposes specified in Schedule A, clause A.1 of the network operator's licence 10_008, as varied from time to time.

Table 1.4 Persons or classes of persons

Owners and occupiers of premises within the area of operations set out in Table 1.5 of this Licence

Table 1.5 Area of operations

Area of operations specified in Schedule A, clause A.1 of the network operator's licence 10_008, as varied from time to time.

A2 Activities authorised – drinking water

[Not applicable]

Table 2.1 Authorised persons

[Not applicable]

Table 2.2 Water industry infrastructure

[Not applicable]

Table 2.3 Authorised purposes

[Not applicable]

Table 2.4 Area of operations

[Not applicable]

A3 Activities authorised – sewerage services

[Not applicable]

Table 3.1 Authorised persons

[Not applicable]

Table 3.2 Water industry infrastructure

[Not applicable]

Table 3.3 Authorised purposes

[Not applicable]

Table 3.4 Area of operations

[Not applicable]

INTERPRETATION AND DEFINITIONS

Interpretation

In this Schedule A, unless the context requires otherwise:

- (i) the singular includes the plural and vice versa;
- (ii) headings are used for convenience only and do not affect the interpretation of this Schedule A;
- (iii) a reference to a document includes the document as modified from time to time and any document replacing it;
- (iv) a reference to a “person” includes a natural person and any body or entity whether incorporated or not;
- (v) a reference to a clause is to a clause in this Schedule A;
- (vi) a reference to a schedule is to a schedule to this Licence;

- (vii) a reference to a law or statute includes regulations, rules, codes and other instruments under it, and consolidations, amendments, re-enactments or replacements of them; and
- (viii) explanatory notes do not form part of this Licence, but in the case of uncertainty may be relied on for interpretation purposes.

Definitions

Expressions used in this Schedule A that are defined in the Act or the Regulation have the meanings set out in the Act or the Regulation.

In this Schedule A:

Act	means the <i>Water Industry Competition Act 2006</i> (NSW).
Licence	means this retail supplier's licence granted under section 10 of the Act.
Licensee	means the person to whom this Licence is granted under section 10 of the Act.
Minister	means the Minister responsible for Part 2 the Act.
Regulation	means the <i>Water Industry Competition (General) Regulation 2008</i> (NSW).

SCHEDULE B - STANDARD MINISTERIALLY-IMPOSED LICENCE CONDITIONS FOR ALL LICENSED RETAIL SUPPLIERS

This schedule sets out the standard conditions which the Minister imposes on the Licensee and all other licensed retail suppliers pursuant to section 13(1)(b) of the Act. In addition to these standard Ministerially-imposed conditions, the Licensee is subject to obligations imposed by the Act, the Regulation and the special Ministerially-imposed licence conditions set out in Schedule A. The Minister may vary the conditions in this schedule or impose new conditions, provided there is no inconsistency with the conditions imposed on the Licensee by the Act or the Regulation.

B1 Ongoing capacity to operate

B1.1 The Licensee must have the technical, financial and organisational capacity to carry out the activities authorised by this Licence. If the Licensee ceases to have this capacity, it must report this to IPART immediately in accordance with the Reporting Manual.

B2 Obtaining appropriate insurance

B2.1 Before commencing to supply water through the Specified Water Industry Infrastructure under this Licence, the Licensee must:

- a) obtain insurance that is appropriate for the size and nature of the activities authorised under this Licence;
- b) provide a copy of each certificate of currency of the insurance obtained to IPART; and
- c) demonstrate that the insurance obtained is appropriate for the size and nature of the activities authorised under this Licence by providing a report to IPART from an Insurance Expert that:
 - i) certifies that in the Insurance Expert's opinion, the type and level of the insurance obtained by the Licensee is appropriate for the size and nature of the activities authorised under the Licence; and
 - ii) is in the form prescribed by the Reporting Manual.

B2.2 *[Not applicable]*

B2.3 *[Not applicable]*

B2.4 *[Not applicable]*

B2.5 *[Not applicable]*

B2.6 *[Not applicable]*

B3 Maintaining appropriate insurance

B3.1 The Licensee must maintain insurance that is appropriate for the size and nature of the activities authorised under this Licence.

B3.2 The Licensee must provide a copy of each certificate of currency of the insurance maintained by the Licensee to IPART in accordance with the Reporting Manual.

- B3.3 If there is, or is to be a change in:
- a) the insurer or underwriting panel in respect of an insurance policy held by the Licensee; or
 - b) the type, scope or limit on the amount of insurance held by the Licensee,
- in relation to the activities authorised under this Licence, the Licensee must provide a report to IPART in accordance with the Reporting Manual.

- B3.4 From time to time when requested in writing by IPART, the Licensee must provide a report to IPART, in the manner, form and time specified by IPART, from an Insurance Expert certifying that in the Insurance Expert's opinion the type and level of the insurance held by the Licensee is appropriate for the size and nature of the activities authorised under this Licence.

[Note: The situations in which IPART may request a report under clause B3.4 include (but are not limited to) the following:

- *when IPART has reason to believe that there may be a change in the type or level of insurance held by the Licensee in relation to activities authorised under this Licence;*
- *where there is a change in the type or extent of activities authorised under this Licence; or*
- *when IPART or an approved auditor has reason to believe that the type or level of insurance held by the Licensee may not be appropriate for the size and nature of the activities authorised under this Licence.]*

B4 Complying with NSW Health requirements

- B4.1 The Licensee must carry out the activities authorised by this Licence in compliance with any requirements of NSW Health that:
- a) IPART has agreed to; and
 - a) are notified from time to time to the Licensee by IPART in writing.

B5 Complying with Audit Guidelines from IPART

- B5.1 The Licensee must comply with any Audit Guidelines issued by IPART.

B6 Reporting in accordance with the Reporting Manual

- B6.1 The Licensee must prepare and submit reports in accordance with the Reporting Manual.

B7 Reporting information in relation to the Register of Licences

- B7.1 Within 14 days of any change in relation to the following, the Licensee must notify IPART, and provide IPART with details, of the change in accordance with the Reporting Manual:
- a) any licensed network operator or public water utility from whose water industry infrastructure the Licensee supplies water to its customers;
 - b) any source from which the water handled by the water industry infrastructure referred to in paragraph (a) is derived;
 - c) whether or not any of the Licensee's customers are Small Retail Customers; or
 - d) any order under section 54 of the Act by which the Licensee is declared to be a retailer of last resort.
 - e) *[Not applicable]*
 - f) *[Not applicable]*
 - g) *[Not applicable]*

B8 Provision of copy of Plan

- B8.1 Whenever the Licensee makes a significant amendment to a Plan, the Licensee must provide a copy of the amended Plan to IPART at the same time that it provides a copy to the approved auditor engaged to prepare a report as to the adequacy of the amended Plan, as required under the Regulation.

B9 Delineating responsibilities

- B9.1 If a code of conduct has not been established under clause 25 of the Regulation, the Licensee must establish a code of conduct (**Licensee's Code of Conduct**) in accordance with this clause B9.
- B9.2 The Licensee's Code of Conduct must set out the respective responsibilities of:
- a) the Licensee; and
 - b) each licensed network operator, licensed retail supplier and/or public water utility that:
 - i) supplies water or provides sewerage services by means of; or
 - ii) constructs, maintains or operates,any water industry infrastructure that is connected to the Specified Water Industry Infrastructure,
- by, at a minimum, providing for:
- c) who is responsible for repairing, replacing or maintaining any pipes, pumps, valves, storages or other infrastructure connecting the Specified Water Industry Infrastructure to the other water industry infrastructure;
 - d) who is responsible for water quality;
 - e) who is liable in the event of the unavailability of water;
 - f) who is liable in the event of failure of the Specified Water Industry Infrastructure;
 - g) the fees and charges payable in respect of the use of the Specified Water Industry Infrastructure; and
 - h) who is responsible for handling customer complaints.

B9.3 Before commencing to supply water or provide sewerage services through the Specified Water Industry Infrastructure under this Licence or by a later date specified by IPART (if any), the Licensee's Code of Conduct must be agreed in writing between the Licensee and the other licensed network operators, licensed retail suppliers and/or public water utilities referred to in clause B9.2.

B9.4 [Not applicable]

B9.5 The Licensee must not contravene the Licensee's Code of Conduct to the extent that it makes the Licensee responsible or liable for the matters set out in it.

B10 Notification of changes to Authorised Person

B10.1 If an Authorised Person ceases, proposes to cease, or receives notification to cease providing any of the services relating to the activities authorised by this Licence, the Licensee must provide IPART with written notice as soon as practicable, but no later than 28 days before the date of cessation of the services. The written notice must include details of how the services previously undertaken by the Authorised Person will continue to be undertaken.

B11 Infrastructure to be used

B11.1 The Licensee must only source and supply water by means of water industry infrastructure maintained and operated by a licensed network operator or public water utility.

B11.2 [Not applicable]

B12 Notification of operation

B12.1 This clause B12 applies each time the Licensee has commenced to supply water or provide sewerage services through any of the Specified Water Industry Infrastructure under this Licence.

B12.2 The Licensee must:

- a) notify IPART in accordance with the Reporting Manual that it has commenced to supply water through the relevant Specified Water Industry Infrastructure; and
- b) provide such notification within 10 days after such commencement.

B12.3 [Not applicable]

INTERPRETATION AND DEFINITIONS

Interpretation

In this Schedule B, unless the context requires otherwise:

- (i) the singular includes the plural and vice versa;
- (ii) headings are used for convenience only and do not affect the interpretation of this Schedule B;
- (iii) a reference to a document includes the document as modified from time to time and any document replacing it;
- (iv) a reference to a "person" includes a natural person and any body or entity whether incorporated or not;
- (v) a reference to a clause is to a clause in this Schedule B;
- (vi) a reference to a schedule is to a schedule to this Licence;
- (vii) a reference to a law or statute includes regulations, rules, codes and other instruments under it, and consolidations, amendments, re-enactments or replacements of them; and
- (viii) explanatory notes do not form part of this Licence, but in the case of uncertainty may be relied on for interpretation purposes.

Definitions

Expressions used in this Schedule B that are defined in the Act or the Regulation have the meanings set out in the Act or the Regulation.

In this Schedule B:

Act	means the <i>Water Industry Competition Act 2006</i> (NSW).
Audit Guidelines	means the document entitled "Audit Guideline – Water Industry Competition Act 2006" which is prepared by IPART and is available on IPART's website at www.ipart.nsw.gov.au , and any other guidelines issued by IPART in relation to audits under the Act.
Authorised Person	means the authorised persons specified in, as applicable: <ul style="list-style-type: none">(i) Schedule A, clause A1, Table 1.1;(ii) Schedule A, clause A2, Table 2.1; and(iii) Schedule A, clause A3, Table 3.1.;
Insurance Expert	means an insurance broker which holds an Australian financial services licence under Part 7.6 of the <i>Corporations Act 2001 (Cth)</i> 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.
IPART	means the Independent Pricing and Regulatory Tribunal of New South Wales established under the <i>Independent Pricing and Regulatory Tribunal Act</i>

1992 (NSW).

Licence	means this retail supplier's licence granted under section 10 of the Act.
Licensee	means the person to whom this Licence is granted under section 10 of the Act.
Licensee's Code of Conduct	has the meaning given in clause B9.1.
Minister	means the Minister responsible for Part 2 of the Act.
NSW Health	means the Water Unit of NSW Ministry of Health and any of the local health districts as defined by the NSW Ministry of Health.
Plan	means the retail supply management plan that the Licensee is required to prepare under the Regulation.
Regulation	means the <i>Water Industry Competition (General) Regulation 2008</i> (NSW).
Reporting Manual	means the document entitled "Retail Supplier's Reporting Manual," which is prepared by IPART and is available on IPART's website at www.ipart.nsw.gov.au .
Small Retail Customer	has the meaning given to that term in the Regulation.
Specified Water Industry Infrastructure	means the water industry infrastructure specified in, as applicable: <ul style="list-style-type: none">(i) Schedule A, clause A1, Table 1.2;(ii) Schedule A, clause A2, Table 2.2; and(iii) Schedule A, clause A3, Table 3.2.