Attachment A: Request for information

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
1	form 3.1.2	Narara has provided the names of the related entities. No company or business numbers are provided. We require additional information so that we can assess your application in light of disqualified corporation provisions.	Australian Business Numbers or Australian Company Number (as relevant) for each related entity.	WIC Act, s 10(3): A licence may not be granted to an applicant that is either a disqualified corporation; or a corporation that is a related entity (within the meaning of the <i>Corporations Act 2001</i> (Cth)) to a disqualified corporation that would have a direct or indirect interest in, or influence on, the carrying out of the activities that the licence, if granted, would authorise.	Compugraphics Pty Ltd ABN 47 054 298 396 Utopeco – ABN 44 121 696 857 Turnaround Management Association Australia Ltd ABN 96 107 241 798 King Super Investments Pty Ltd CAN 153 814 450 (Trustee of King Super Fund) King Super Fund ABN 80 739 751 189 Equity Management Unit Holdings Limited, ACN 142 746 281 Down to Earth Designs Inc., an Oregon (USA) corporation no. 221245-98 Bodrin Pty Ltd - ACN 001 306 556
					Stormlight Consulting Pty Ltd ABN 20 107 968 454

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
2	3.3.2	Narara has provided a report from an independent insurance broker in Appendix 3.3.2. The insurance broker report does not explicitly state whether the insurance cover held is appropriate for the proposed scheme. We require this information to assess whether Narara has made, and will continue to maintain, appropriate insurance arrangements.	Explain why the level of cover proposed by your insurer is appropriate for the size and nature of your proposed activities across all phases of your project: • For example consider how the insurance procured (or proposed to procure) will indemnify against: • planning/design activities • construction risks to health and environment • poor workmanship • operational risks to environment, health and safety, accidents • other business risks • Have you consulted with / obtained a letter from an insurance broker on the appropriate level of cover? • How do the proposed insurance policies appropriately cover the risks of your risk assessment?	WIC Act, s 10(4)(c): A licence may not be granted unless the Minister is satisfied that the applicant has made, and will continue to maintain, appropriate arrangements with respect to insurance.	Updated insurance arrangements comprising Risk Review Commentary, Lloyds Genesis One Certificate of Currency, policy schedule and policy wording are provided as attachment A1, A2, A3 and A4.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
3	3.3	Narara has provided insurance certificates of currency but has not provided product disclosure statements. We require additional information to that requested in the current licence application form to assess whether Narara has made, and will continue to maintain, appropriate insurance arrangements.	Where available, provide product disclosure statements for current and future policies and ensure the inclusions and exclusions of the policies are mentioned.	WIC Act, s 10(4)(c): A licence may not be granted unless the Minister is satisfied that the applicant has made, and will continue to maintain, appropriate arrangements with respect to insurance.	Product disclosure statements for current policies are provided as Attachments B1 and B2.
4	3.4.1, 3.4.3, 6.1.2	Narara has provided information on its experience, and copies of contracts and arrangements with third parties for the drinking water and recycled water treatment services, and network construction. These are not finalised or executed. Additionally, there are inconsistencies relating to the preparation and implementation of the Infrastructure Operating Plan between the role assignments in Appendices 3.4.2.1 and 3.4.2.2 and those listed in the service agreements in Appendices 3.4.3.1 (refer RFI #9 below). We need to review finalised contracts and arrangements in order to assess Narara's capacity to undertake the activities for which it is seeking a licence.	Provide finalised and executed copies of contracts, arrangements and service agreements for water treatment services and network construction being undertaken by third parties. Clarify roles and responsibilities in relation to the preparation and implementation of the Infrastructure Operating Plan.	WIC Act, s 10(4)(a): A licence may not be granted unless the Minister is satisfied that the applicant has, and will continue to have, the capacity (including technical, financial and organisational capacity) to carry out the activities that the licence (if granted) would authorise.	We have discussed proposed contract timeframes with IPART: - GCC –April/May 2016 - Aquacell – April/May 2016 - Infrastructure – April/May 2016 We have resolved IOP responsibility inconsistency between the Application and Aquacell contract. Revised Aquacell contracts are attached as Attachments C1 and C2. We have updated wording of the WICA application at Q 3.4.2 and 3.4.3 to correspond with the contracts.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
5	4.1.1, 4.1.4	Narara has provided information on temporary supply of water, from Gosford City Council, which will act as a drinking water source until the 30 houses are occupied and the water industry infrastructure is operational. Narara has advised that it will be responsible for the supply downstream of a break tank on the development site's boundary. This is not shown on the plans provided in Appendix 4.1.3. We need this information to specify the authorised area of operations, if a licence is granted. We also note that a licence and Ministerial approval for Commercial Operation may be required to operate <i>any</i> water industry infrastructure or carry out retail supply services, including that related to the temporary supply downstream from the Gosford City Council connection point, unless the downstream infrastructure is covered by one of the exemptions of the General Regulation.	Clarify location/s of the temporary drinking water supply connection point and any related infrastructure that will be the responsibility of Narara.	WIC Act, s 5(1): A person must not construct, maintain or operate any water industry infrastructure, or supply water, or provide a sewerage service, by means of any water industry infrastructure, otherwise than under the authority of a licence. WIC Act, s 11(1): A licence must specify the activities that it authorises the licensee to carry out and the area within which it authorises those activities to be carried out.	An updated water infrastructure plan showing the location of the proposed break tank at the proposed WWTP is attached as Attachment D.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
6	4.1.1, 4.1.4	Narara has provided an unsigned Deed of Agreement with Gosford City Council for interim supply in Appendix 4.1.4. The Agreement nominates a temporary water supply disconnection date. The terms around this disconnection date are unclear and could potentially result in the lack of supply of drinking water to the development. This is required so we can assess whether there are any issues of public interest arising from the proposed scheme.	drinking water supply. Provide information on why the duration of the temporary supply is appropriate and contingency measures in the event temporary supply	WIC Act, s 10(4)(f): A licence may not be granted unless the Minister is satisfied as to such other matters as the Minister considers relevant, having regard to the public interest.	NEV have met with GCC and agreed that the current wording of the agreement is ambiguous and inconsistent. GCC are redrafting the agreement to more clearly show that their potable water service will be available for a period of 18 months after 30 houses are constructed and occupied or until our WICA licensed PWTP becomes operational. The revised agreement is expected to be signed in April/May 2016. According to the NEV Project Plan 30 houses will be completed and occupied at approximately the end of 2017. Hence the WICA licensed PWTP will need to be brought on-stream by mid-2019. The duration of the temporary supply is appropriate as it is intended to delay expenditure of the capital required to build the PWTP until after members have paid for their lots and hence reduce the interest expense incurred in funding the construction.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
7	4.1.5, 4.1.6, 4.1.7	Narara has provided information on the volume of water available for the drinking water scheme. A basic process flow diagram of the drinking water scheme in Appendix 4.1.1.5 which includes average and peak treatment and production rates for stage 1. The diagram does not include this information for full development stages. We are assessing information on the drinking water scheme for the entire Narara Ecovillage Development, not just stage 1. In order to provide context for the assessment of Narara's technical, organisational and financial capacity, and determine appropriate fees, we require information on the average and peak daily flow rates of the scheme at both stage 1 and for the full development.	Clarify drinking water demand, extraction and production rates for each stage (stage 1 and beyond) and plant design and construction for stage 1 and all later stages. Show these within Appendix 4.1.1.5.	WIC Act, s 10(4)(a): A licence may not be granted unless the Minister is satisfied that the applicant has, and will continue to have, the capacity (including technical, financial and organisational capacity) to carry out the activities that the licence (if granted) would authorise.	WICA application is for stage 1 only as DA approval for the sub-division only covers stage 1. Information on Stage 2 is FYI only (and is best guess since Stage 2 has not been fully designed yet) Aquacell has now provided separate basic PW process flow diagram for stage 1 and 2. These are attached as Attachment E1 and E2.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
8	4.1.9, 4.2.10, 4.3.9, 5.1.5	Narara has provided preliminary risk assessments for the drinking water, non-potable water, sewerage infrastructure and retail supply in Appendices 4.1.9.1, 4.2.10 and 5.1.5.1. The drinking water preliminary risk assessment (Appendix 4.1.9.1) is not complete for certain matters where uncertainty exists. Some of these uncertainties were considered in the Narara Ecovillage Risk Assessment presented in Appendix 3.7.1.4, but not included here. The non-potable water and sewerage risk assessments (Appendix 4.2.10) do not appear to have been conducted in a multifunctional workshop setting, and lack evidence of independent review. The retail supply risk assessment (Appendix 5.1.5.1) has been provided in the hard copy only. A number of risks have had dramatic decreases in the consequence in response to implementation of control strategies. In some of these cases, the controls may have a downward influence on the likelihood of certain risks occurring, but it is not clear how the controls would result in a reduction in the consequence. Additionally, Narara states that this risk assessment has been reviewed by an independent risk consultant. Evidence of this has not been provided. We require additional information in order to assess potential impacts and risks to public health, the environment, public safety and consumers.	Outline the proposed approach and timing to ensure these risk assessments are adequately completed and independently reviewed.	WIC Act, s 7(1)(a): In considering whether or not a licence is to be granted under this Part and what conditions are to be imposed on such a licence, regard is to be had to the protection of public health, the environment, public safety and consumers generally. WIC Act, s 10(4)(e), WIC Reg, cl 7: Before granting a network operator's licence, the Minister must be satisfied that the applicant has the capacity to carry out the activities that the licence (if granted) would authorise in a manner that does not present a significant risk of harm to the environment.	Retail and Potable Water Risk assessments were reviewed with by Annette Davison of Risk Edge (Feb/March 2016) and updated registers are attached as Attachment F1 and F2. The Sewer and Non Potable Water risk assessment will be reviewed in a multifunctional workshop setting, with independent review, supervised by Atom Consulting. The revised assessment report is expected to be available in April/May 2016.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
9	4.1.12, 4.2.13, 4.3.10	Narara has provided information on who will prepare and implement the Infrastructure Operating Plan. Narara has advised that it will be responsible for the Infrastructure Operating Plan, and will rely on specialist contractors to prepare certain plans and procedures, on which the Infrastructure Operating Plan will be based. The delegation of aspects of the Infrastructure Operating Plan to Aquacell Pty Ltd is not consistent across the application (Sections 4.1.12, 4.2.13, and 4.3.10), the Role Assignments provided in Appendices 3.4.2.1 and 3.4.2.2, and the service agreements provided Appendix 3.4.3.1. We need clear delineation of responsibilities to effectively assess Narara's capacity to prepare and implement the Infrastructure Operating Plan		WIC Act, s 10(4)(a): A licence may not be granted unless the Minister is satisfied that the applicant has, and will continue to have, the capacity (including technical, financial and organisational capacity) to carry out the activities that the licence (if granted) would authorise.	We have resolved IOP responsibility inconsistency between the Application and Aquacell contract. Revised Aquacell contracts are attached as Attachments C1 and C2. We have updated wording of the WICA application at Q 3.4.2 and 3.4.3 to correspond with the contracts. The principal activities now sub-contracted to Aquacell are: Design, construction, commissioning, documentation, monitoring and maintenance of the potable water treatment plant Design, construction, commissioning, documentation, monitoring and maintenance of the temporary waste water treatment plant Design, construction, commissioning, documentation, monitoring and maintenance of the permanent waste water treatment plant Design, construction, commissioning, documentation, monitoring and maintenance of the level gauges, chlorine monitoring equipment and chlorine dosing system at the potable water header tanks.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
10	4.1.14	Section 4.1.14 states that Clean In Place (CIP) reject will be sent to irrigation. This is different to that presented in the drinking water treatment plant process flow diagram (Appendix 4.1.1.5), which shows this material being sent to the non-potable water treatment plant. We need this information clarified to correctly identify waste streams and destinations and assessing potential impacts and risks to health and the environment.	Clarify disposal destinations of CIP reject from the drinking water treatment plant.	WIC Act, s 7(1)(a): In considering whether or not a licence is to be granted under this Part and what conditions are to be imposed on such a licence, regard is to be had to the protection of public health, the environment, public safety and consumers generally.	We have changed the wording of the application at Q 4.1.14. to: "These waste streams will mainly consist of 17 kL/day of backwash and 0.1 kL/day of neutralised Clean-In-Place chemicals (CIP) from the membranes. The backwash will be pumped to a 124 kL header tank above the Western rural lot located immediately above the potable water treatment plant and will be disposed by spreader and trickle irrigation of community agricultural land. CIP chemicals are typically low pH (approximately 2) and high pH (approximately 11) solutions. This Clean-In-Place solution will be neutralised in a dedicated CIP tank at the water treatment plant before being sent to the WWTP for disposal."

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
11	4.1.14, 4.2.1, 4.2.15,	Narara has described the waste streams within the application form. It has nominated that approximately 17kL/day of backwash, from various stages from the drinking water treatment plant, will be used for irrigation. This water is intended to be sent to a 124 kL header tank above the Western rural lot located immediately above the drinking water treatment plant, and will be disposed by spreader and trickle irrigation of community agricultural land. It is not clear whether this header tank is separate to, or combined with, the storage tank supplied by the non-potable water treatment plant that will be used for broad irrigation. It is not clear if this irrigation field relates to the irrigation field shown on the map provided in Appendix 4.1.3.1, directly south of the treatment plant, or another location. The risks associated with the proposed use of the backwash do not appear to have been assessed. We note that the drinking water risk assessment provided in Appendix 4.1.9.1 states that this water will be sent to the non-potable water treatment plant as make up water; whereas other sections of the application do not identify this as a non-potable water source. We need this information to determine whether the use of this water presents a risk to public health, the environment, public safety and consumers generally.	Update risk assessment to include the use of backwash water from the drinking water treatment plant as irrigation water.	WIC Act, s 7(1)(a): In considering whether or not a licence is to be granted under this Part and what conditions are to be imposed on such a licence, regard is to be had to the protection of public health, the environment, public safety and consumers generally. WIC Act, s 10(4)(e), WIC Reg, cl 7: Before granting a network operator's licence, the Minister must be satisfied that the applicant has the capacity to carry out the activities that the licence (if granted) would authorise in a manner that does not present a significant risk of harm to the environment.	The backwash header tank and the non-potable water header tank are separate. The backwash header tank has been added to the site map in Appendix 4.1.3.1. The backwash irrigation field is directly south of the treatment plant on the site plan. An updated site infrastructure plan is attached as Attachment D. The backwash water use will be assessed in the Sewer and Non Potable Water risk assessment workshop supervised by Atom Consulting. The revised assessment report is expected to be available in April/May 2016.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
12	4.1.14, 4.2.15	In the service agreements between Narara and the nominated third party (Aquacell Pty Ltd), there are requirements around management of hazardous wastes, including PCB waste. Narara has not identified these wastes within the application form, which may attract additional licence requirements under the <i>Protection of the Environment Operations Act 1997</i> (NSW) and the <i>Environmentally Hazardous Chemicals Act 1987</i> (NSW). We need information on wastes to determine whether the activities authorised by a licence (if granted) present a significant risk of harm to the environment.	Clarify whether any hazardous waste exist or are expected for the scheme. If hazardous wastes are expected, provide information on the types, volumes, management measures and licences (as relevant).	WIC Act, s 10(4)(e), WIC Reg, cl 7: Before granting a network operator's licence, the Minister must be satisfied that the applicant has the capacity to carry out the activities that the licence (if granted) would authorise in a manner that does not present a significant risk of harm to the environment.	Reference to "contaminated or uncontaminated refrigerant and PCBs" in the Aquacell contracts is for example only and does not suggest these materials will be used and/or disposed of in the treatment plants or associated infrastructure. We have now removed all references to contaminated or uncontaminated refrigerant and PCBs in the Aquacell contracts which are attached as Attachments C1 and C2.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
13	4.2.3	Narara has provided a map showing the water infrastructure in Appendix 4.1.3.1. Locations of the reticulation network from the non-potable water treatment plant and the irrigation fields are not shown. We need this information to specify the authorised area of operations if a licence is granted. The response will also be used as a context for the assessment of environmental risks from the proposed scheme.	Provide detailed plan showing all water infrastructure to be licensed, for stage 1 and proposed full development from source to end use	WIC Act, s 11(1): A licence must specify the activities that it authorises the licensee to carry out and the area within which it authorises those activities to be carried out. WIC Act, s 10(4)(e), WIC Reg, cl 7: Before granting a network operator's licence, the Minister must be satisfied that the applicant has the capacity to carry out the activities that the licence (if granted) would authorise in a manner that does not present a significant risk of harm to the environment.	Locations of the reticulation network from the non-potable water treatment plant and the irrigation fields are now shown on the updated infrastructure plan is attached as Attachment D.

# ар	ection of pplication orm	Background	Request for information	Relevant legislation	Response
14 4.	.3.2	The staging of the construction and operation of the sewer network is not clear. There is no commentary around interim sewer arrangements like that proposed with Gosford City Council for temporary supply of drinking water (refer RFI #5 above). We need this information to specify the authorised area of operations, if a licence is granted. We note also that a licence is required to operate any water industry infrastructure or carry out retail supply services, unless the infrastructure upstream of houses, is covered by one of the exemptions of the General Regulation.	Provide information on the staging of sewer infrastructure and interim arrangements, if any.	WIC Act, s 5(1): A person must not construct, maintain or operate any water industry infrastructure, or supply water, or provide a sewerage service, by means of any water industry infrastructure, otherwise than under the authority of a licence. WIC Act, s 11(1): A licence must specify the activities that it authorises the licensee to carry out and the area within which it authorises those activities to be carried out.	We said: "The WWTP will be constructed in two stages. A temporary WWTP will be constructed first with capacity to accommodate approximately 30 dwellings. The permanent WWTP will then be constructed and brought online when the temporary plant has reached its design capacity" Only the WWTP will be staged as detailed above, all other sewer and non-potable water infrastructure will be constructed in its permanent configuration.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
15	4.3.6, 4.3.13	Narara has provided information on the volume of treated effluent to be disposed from the scheme and refers to a land capability study in Appendix 4.1.13.5. The study states that approximately 9000m² of additional land must be sourced for broad irrigation for stage 1 of the development and suggests using an orchard to the south of the stage 1 development area It is not clear from this study whether 9000m² of land must be sourced in addition to the broad irrigation fields shown in the map provided in Appendix 4.1.3.1. It is not clear whether the orchard area is intended to be used as an irrigation site. Additionally, no consideration is given to full stage development, whereby greater volumes of treated effluent will need to be disposed. We need this information clarified to determine whether the activities authorised by a licence (if granted) present a significant risk of harm to the environment.	Clarify proposed irrigation sites for stage 1 and confirm total land area and land capability assessments have been undertaken on the proposed land disposal area. Outline proposed measures for the disposal of treated effluent at full stage development.	WIC Act, s 10(4)(e), WIC Reg, cl 7: Before granting a network operator's licence, the Minister must be satisfied that the applicant has the capacity to carry out the activities that the licence (if granted) would authorise in a manner that does not present a significant risk of harm to the environment.	The study at Appendix 4.1.13.5 page 39 says: "Reducing the rate to 1mm/day would result in an irrigation area requirement of 18,000 msq. The 33 single dwelling lots cover some 18,700 msq. Assuming 30% of the lots must be garden as per table 9.2, some 6,200 msq of irrigation area would occur around the dwellings. Additionally cluster lots 15 and 36 have a combined total irrigation area of approximately 3,000 msq. Therefore another 9,000 msq must be sourced. There is sufficient orchard and open space to the south of stage 1 of the development to accommodate an irrigation area of this magnitude." 6,200 m² + 3,000 m² + 9,000 m² = 18,200 m² Which is the irrigation area required, hence only one 9,000 m² parcel of irrigation field is required, not two. Location of the recycled water irrigation area has now changed from "south of stage 1" to "East of stage 1" (an area known as the Western Rural Blocks). The new location of the proposed recycled water irrigation area is shown on the updated infrastructure site map attached as Attachment D. An updated land capacity study has been attached as Attachment G.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
16	6.1.3	Narara has provided information on key personnel involved in each of the significant activities related to the scheme. The CVs and position descriptions of key personnel have been excluded from the public version of the application. We accept that CVs may be considered confidential. However we consider position descriptions important in demonstrating organisational capacity. It is not clear why this information is considered confidential as no justification has been provided.	Provide justification for excluding position descriptions from the public version of the application, or alternatively, include position descriptions in the public version of the application.	WIC Act, s 10(4)(f): A licence may not be granted unless the Minister is satisfied as to such other matters as the Minister considers relevant, having regard to the public interest.	PDs for inclusion in the public version are attached as Attachment H.
17	6.2.2, 6.2.3	Narara has provided a summary of experience of personnel within the cooperative in Section 6.2.2 and 6.2.3, and Appendix 6.1.3.2. The information provided, relates primarily to experience in the development of water infrastructure. Narara has not provided information on its experience related to <i>retail supply</i> services. This information is will be used to assess Narara's technical and organisational capacity to undertake the activities for which you are seeking a licence.	Provide detail on Narara's experience in retail services, or details on how the capacity in retail supply can be demonstrated: ▼ by the carrying out of other customer service functions, or ▼ through the use of third parties.	WIC Act, s 10(4)(a): A licence may not be granted unless the Minister is satisfied that the applicant has, and will continue to have, the capacity (including technical, financial and organisational capacity) to carry out the activities that the licence (if granted) would authorise.	CVs of NEV members with relevant retail experience are attached as Attachment I.

RFI #	Section of application form	Background	Request for information	Relevant legislation	Response
18	7.3.3	Narara has provided a pricing policy, a pricing structure for the provision of water and sewerage services, and nominated those who will pay for the services. Narara has not provided an estimate of the cost of providing the services (as distinct from how much the customer is expected to pay). This is required for us to determine Narara's financial capacity and whether there are any issues of public interest arising from the proposed scheme.	Provide an estimate on the cost per household per year to supply water and/or provide sewerage services (as distinct from the how much customers are expected to pay).	WIC Act, s 10(4)(a): A licence may not be granted unless the Minister is satisfied that the applicant has, and will continue to have, the capacity (including technical, financial and organisational capacity) to carry out the activities that the licence (if granted) would authorise. WIC Act, s 7(1)(a): In considering whether or not a licence is to be granted under this Part and what conditions are to be imposed on such a licence, regard is to be had to the protection of public health, the environment, public safety and consumers generally.	See revised 5.1 year cashflow showing cost of service provision attached as Attachment J.
26	7.3.1	The projected cash flow provided in the application is negative at the end of five years. To assess financial capacity we require information about the date at which the scheme is predicted to be cash flow positive.		WIC Act s 10 (4) (a): A licence may not be granted unless the Minister is satisfied that the applicant has and will continue to have the financial capacity to carry out the activities that the licence (if granted) would authorise.	We have added an extra quarter to the cashflow to show when cashflow is positive. The revised 5.1 year cashflow is attached as Attachment J.