

From: Christine Allen <Christine_Allen@ipart.nsw.gov.au>
Sent: Monday, 9 May 2022 4:27 PM
To: Jim Mahoney <jim@truewater.com.au>
Cc: James Diment <James_Diment@ipart.nsw.gov.au>
Subject: FW: WIC Act Amendment and pre-approval for Network Operators and Retail Suppliers

Dear Jim

Thank you for your letter of 5 May 2022 seeking clarification about the required sequencing where a development requires both development consent and a licence under the *Water Industry Competition Act 2006 (WIC Act)*.

IPART does not have a strong preference about the sequencing of an applicant seeking development consent and a WIC Act licence

IPART administers the licensing regime under the WIC Act and processes applications for licences on behalf of the Minister. Where an applicant seeks a licence for infrastructure which will also require a development consent, IPART is able to process that application whether the applicant decides to seek the development consent before or after they apply for a licence.

The conditions of a development consent can be a useful resource for our assessment

Having said that, one of the matters IPART considers in recommending whether to grant an application is the applicant's capacity to carry out the activities the licence would authorise in a way that does not present a significant risk of harm to the environment. Where those activities are the subject of an existing development consent, the conditions of the consent can be a useful resource for us to assess the risk of harm to the environment.

Kind regards

Christine Allen | Director, Regulation and Compliance

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I acknowledge and pay my respects to the traditional owners and custodians of the land where I walk, work and live.
