



The Water Industry Competition Act

Tweed Shire Council Experience

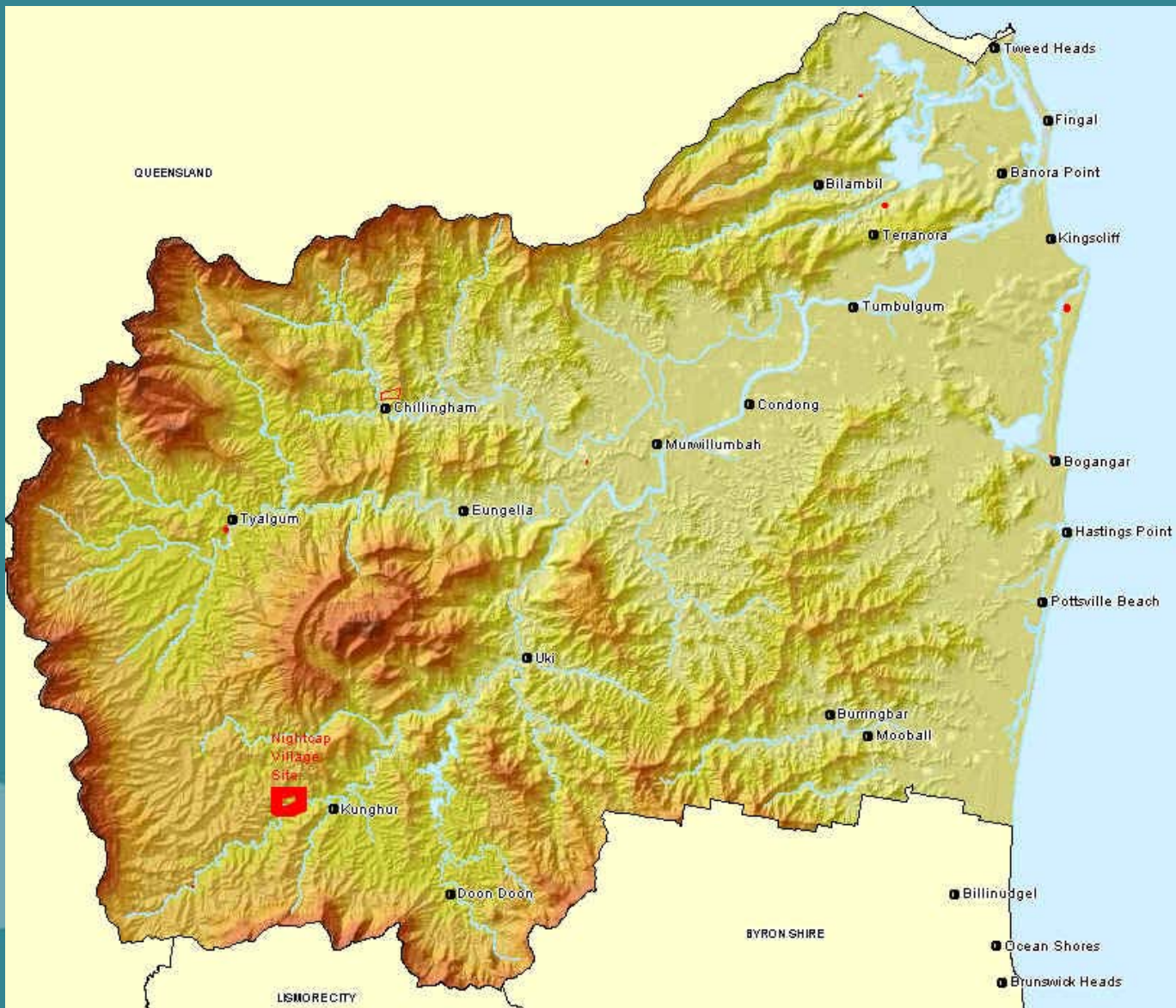
Water Industry Competition Act

1. Commenced 8 August 2008
2. Provides for the licensing of network operators and retail suppliers for private water industry infrastructure
3. Includes water supply, sewerage and recycled water systems

The Nightcap Village Application

1. An “Eco-village” in the upper Tweed Valley
2. Population 1000
3. Providing its own water supply, sewerage system and recycled water for non-potable re-use.
4. Located within the catchment of the Tweed Water Supply
5. Community Title Subdivision

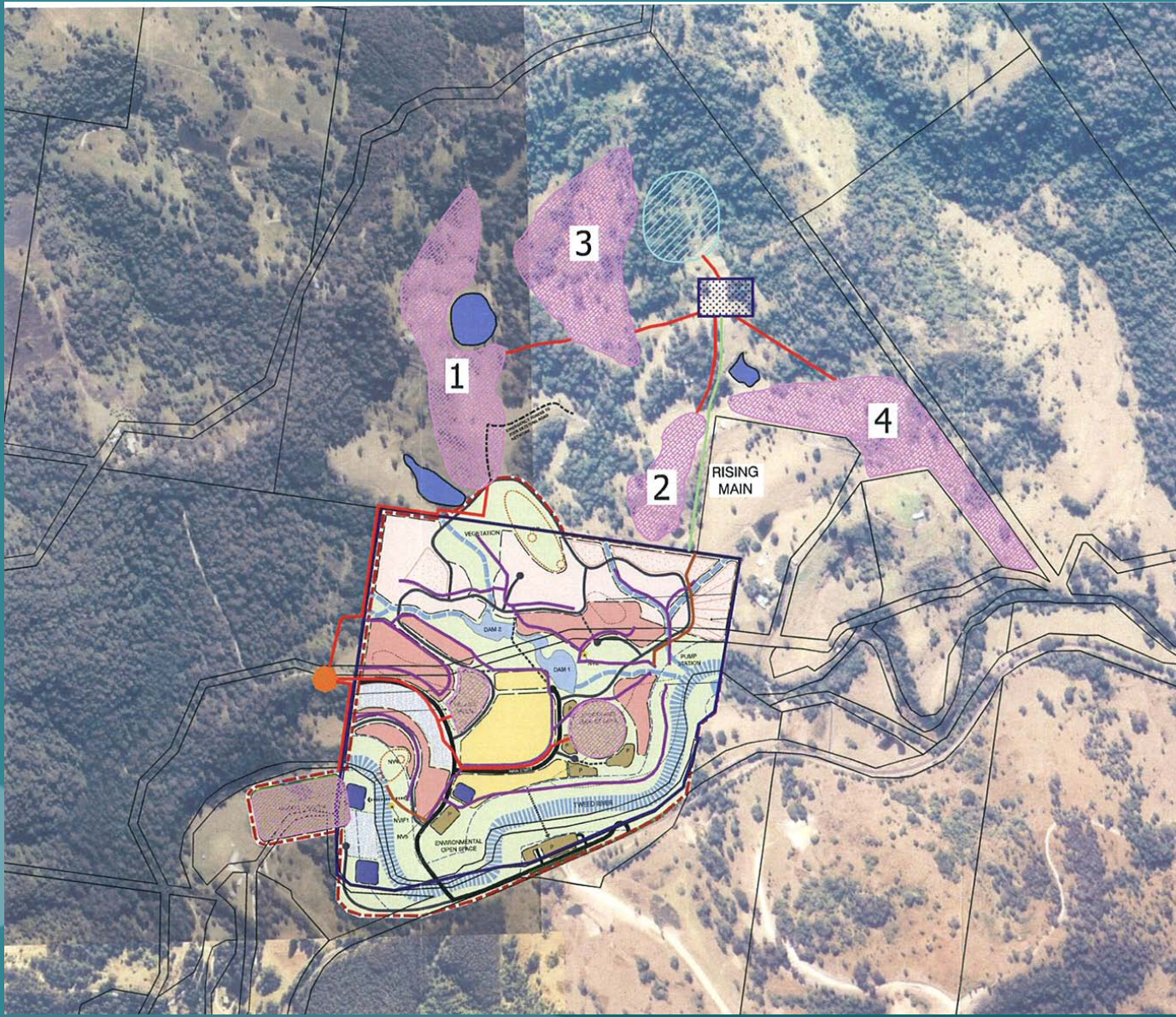




The Water Industry
Competition Act

TSC Experience





An Eco-village or Suburbia in the Bush?

Developer wanted concessions as the water usage would be greatly reduced due to the non-suburban nature – but ...



Issues Of Concern to Council

1. Adequacy of water supply from rain water tanks with back up.
2. Disposal of treated effluent within the catchment of TSC Water Supply.
3. Effluent or Sewage Overflows to the Tweed River.
4. Community Title Scheme managing technical functions.
5. Council adopted the position that the development should be self-sufficient and would not be allowed to depend on TSC Water or Sewerage Systems to get it out of trouble.

Enter WICA

1. **Initially Council wanted control of the wastewater treatment and disposal**
2. **With commencement of WICA – licenses required for all three systems**
3. **Financial and technical ability license criteria**
4. **Council decided to rely on WICA Licensing**
5. **Exemption Possibility – wholly within proprietor's land?**
6. **EPA Miscellaneous Waters License also required**

Council Requirements

1. EPA Miscellaneous Water License

2. Minimum Treatment Standards

3. Storage Requirements

Inlet balancing and Emergency Storage for 7 Days

Treated Effluent Storage with Precautionary Release once in four years

Recycled Water Reticulation Storage for Fire Fighting Reserve and 7 Days Breakdown

4. Sinking Funds for Renewal and Major Maintenance with reporting requirements

5. Compliance with WICA including licenses if required

Concerns with WIC Act

1. Exemptions - good and bad

Could capture many Community Title Schemes and possibly Strata Title Schemes

Schemes with Treatment Facilities could avoid licensing.

2. Local Government Act Section 68 Approval – duplication

3. Supplier of Last Resort

Local Water Utility could have to take over a substandard dilapidated broke system

4. Should Council be responsible for spotting applications that may require WICA licensing?

Conclusions

- 1. Legislation and Regulations require clarification**
 - Exemptions – What should the Act cover?**
 - LGA Section 68 Approvals**
 - Council Input to Applications**
- 2. Supplier of Last Resort has implications for Water Utilities**
 - Will the infrastructure be build to our standards?**
 - Will there be a bond to finance the take over?**
- 3. Council should not accept responsibility for determining need for Licenses.**
 - But applicants should be required to advise whether WICA applies.**