



# Notice

31 July 2020

## Public consultation on water services licence application

BHP Billiton Nickel West Pty Ltd

The Economic Regulation Authority is seeking public comment on BHP Billiton Nickel West Pty Ltd's application for a water services licence to provide drinking water and sewerage services to the town of Leinster, located approximately 370 kilometres north of Kalgoorlie.<sup>1</sup>

BHP has been supplying and maintaining drinking water and sewerage services at Leinster since 2005. Leinster has a population of approximately 2,100 with a mixture of permanent residents accommodated across 280 houses and a fly-in, fly-out workforce using camp accommodation.

A summary of the licence application is available on the ERA [website](#).

Under section 11(1)(a) of the *Water Services Act 2012*, the ERA must grant a licence if it is satisfied that the applicant:

- has, and is likely to retain; or
- will acquire within a reasonable time after the grant, and is then likely to retain,

the financial and technical resources to undertake the activities authorised by the licence.

Section 11(1)(b) of the Act states that the ERA must grant a licence if it is satisfied that it would not be contrary to the public interest to do so. Section 46 of the Act requires the ERA to take into account environmental and public health considerations (to the extent it considers them relevant) when considering section 11(1)(b).

In addition, section 26 of the *Economic Regulation Authority Act 2003* requires the ERA to consider certain matters when performing all of its functions. These include: promoting regulatory outcomes in the public interest; the long-term interests of consumers; encouraging investment; the business interests of investors and service providers; promoting a fair and competitive market; preventing abuse of market power; and promoting transparent decision-making processes through public consultation.

<sup>1</sup> Water supply and sewerage services to the Leinster mine and concentrator site and the airport are not included in the licence application.

## **Invitation for submissions**

The ERA invites interested parties to make submissions on the licence application.

Submissions close 4:00 pm (WST) Friday, 21 August 2020.

Submissions should be lodged online using the form on our website  
[www.erawa.com.au/consultation](http://www.erawa.com.au/consultation).

## **Further information**

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