

Decision on amendment to Water Services Licence No.42

Aquasol Pty Ltd

29 January 2018

Economic Regulation Authority

WESTERN AUSTRALIA

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Decision

1. In accordance with section 18 of the *Water Services Act 2012* (**Act**), the Economic Regulation Authority (**Authority**) has approved an amendment to Aquasol Pty Ltd's (**Aquasol**) Water Services Licence No.42 (**WL42**) to expand the operating area to include Fairways Retirement Village in Gnangara.
2. The licence amendment authorises Aquasol to provide sewerage and non-potable water services in the operating area set out in map OWR-OA-312, subject to, and in accordance with, the terms and conditions set out in the licence WL42.
3. As required by section 47(2)(a) of the Act, the Authority will publish a notice of its approval of the licence amendment in the Government Gazette as soon as practicable.

Reasons

4. On 13 July 2017, Aquasol applied for an amendment to WL42 to allow it to supply sewerage services in Fairways Retirement Village in Gnangara and non-potable water to the adjacent Lakelands Country Club to irrigate its golf course.
5. Under section 18 of the Act, the Authority may amend a licence in accordance with the application if it is satisfied that it would not be contrary to the public interest to do so.
6. Section 46 of the Act specifies, without limitation, the public interest matters to be taken into account by the Authority in making its decision.
7. The Authority engaged financial and technical consultants to examine the financial and technical capacity of Aquasol to undertake the activities that the licence amendment would authorise.
8. Following the financial assessment of the licence amendment application submitted by Aquasol, the financial consultant concluded that Aquasol has the financial capacity to undertake the proposed activities that the licence amendment would authorise.
9. Following the technical assessment of the licence amendment application submitted by Aquasol, the technical consultant concluded that Aquasol has the technical capacity to undertake the proposed activities that the licence amendment would authorise.
10. The Authority considered the licence amendment application submitted by Aquasol, along with the consultants' assessments and is satisfied that Aquasol meets the requirements of section 18 of the Act.
11. On 25 August 2018, the Authority published a notice seeking public comment on Aquasol's licence amendment application. The submission period closed on 18 September 2017. One submission was received, from the Environmental Health Directorate of the Department of Health (**DoH**) confirming the regulatory approvals obtained to date by Aquasol from DoH.
12. The Authority has considered the public interest, including the matters set out in section 46 of the Act. Having regard to this, the outcomes of the public consultation process and the assessments of Aquasol's financial and technical resources to undertake the activities to be authorised by the licence amendment, the Authority is satisfied that approving the amendment to Aquasol's WL42 would not be contrary to the public interest.