



Water

# Application Form for the Issue of a Water Licence

By the Essential Services Commission of SA under the  
Water Industry Act

May 2020

Enquiries concerning this form should be addressed to:

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Adelaide SA 5001

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## Glossary of terms

Commission	Essential Services Commission, established under the Essential Services Commission Act 2002
ESC Act	Essential Services Commission Act 2002
Treasurer	Treasurer for the South Australian Government
Regulator	Technical Regulator

# Information for applicants before filling out this form

## Purpose of this form

This form is to be completed by persons making an application to the Essential Services Commission of South Australia (the **Commission**) for the issue of a licence to provide a retail service (or undertake any other activity for which a licence is required by the regulations) in the water industry in South Australia.

The Commission may consider joint applications from two or more persons who wish to hold a licence jointly. Persons making joint applications must ensure that each of the applicants completes a separate application form together with a covering letter explaining that the application is for a licence to be jointly held.

## Basis for this form

Section 19(1) of the Water Industry Act 2012 (the **Act**) provides that an application for the issue of a licence must be made to the Commission in a form approved by the Commission. This is the form approved by the Commission.

## Use of this form and applicant's responsibility

For the purpose of this application form, a reference to the term "Officer" include the applicant's directors and secretary, and/or other persons who make or participate in making decisions that affect a substantial part of the business of the applicant (e.g. Chief Executive Officer, Chief Financial Officer, General Manager etc.).

Applicants should list the information requested in the spaces provided in this form and enclose additional information when required. Applicants must take all reasonable steps to ensure the information provided in the application form is complete, true and correct and are required to make a declaration to that effect. Failure to disclose information or misrepresent any matter relevant to such information may result in a licence not being issued or in the suspension or cancellation of a licence at a later time.

Applicants are responsible for providing the Commission with current, accurate and relevant information. This will ensure that the application is processed promptly and without delay. All applications are assessed on a case-by-case basis. If insufficient information is provided with an application, the Commission will request additional information to be submitted before the application is considered further. This may cause delays in the assessment of the application.

## Prior reading

It is essential that licence applicants read the Commission's Water Bulletin – "*Licensing Arrangements for the Water Industry*" before they fill out this form. This Bulletin is available on the Commission's website [www.escosa.sa.gov.au](http://www.escosa.sa.gov.au) under water/licensing. Applicants should also familiarise themselves with the regulatory obligations set out in the Act and the Water Retail Code that will apply to entities that provide retail services.

## Licence conditions

Section 25 of the Act requires the Commission to impose certain conditions in licences. The Commission strongly recommends that applicants review these mandatory conditions. Applicants must be familiar with the relevant conditions and be confident that they can comply with the conditions. The Commission will have regard to the scale and nature of the operations undertaken by an applicant in imposing these conditions and will be available to consult with an applicant in this regard.

## Variation of licence conditions

As part of the Commission's licensing function, it has the power to vary (or add to) conditions that are imposed on a licence it has issued. Specifically, under section 28 of the Act, the Commission has the power to vary a licence at any time, subject to statutory procedural requirements, including providing a licensee with reasonable notice of a proposed variation and allowing it the opportunity to make representations on that variation.

There is a broad range of factors that might be potential 'triggers' for the Commission to consider varying a licence, or adding new conditions. These include factors both external and internal to a licensee, and may include (without limitation):

- material changes in market operations, outcomes or structures;

- ▶ changes to applicable national or State legislation, rules or policy;
- ▶ the findings of a formal inquiry undertaken by the Commission;
- ▶ substantive changes to operations which would have a genuine connection to or impact on the operations authorised under a licence;
- ▶ an application by a licensee to vary its licence (for example, to add or remove retail operations); and
- ▶ evidence of upgrades or material changes to a licensee's business or operational practices relating to operations authorised under a licence.

In considering a potential licence variation, the Commission must consider the factors specified in section 6 of the Essential Services Commission Act 2002 (which sets out the Commission's primary statutory objective and other relevant considerations), the objects of the Act (as set out in section 3 of that Act). It will also be informed by any information submitted by a licensee to which the variation may apply, through public consultation and by engagement with regulatory agencies involved in the electricity supply industry.

## Consultation and Confidentiality

The Commission will consult with relevant government, industry and consumer groups in the conduct of its licensing functions through a public consultation process. Consequently, applications and/or supporting information will be made available on the Commission's website and in hard copy from the Commission's office for this purpose.

If applicants believe that they are providing confidential information when completing this form they should write "this information is confidential" after any such information. It is the applicant's responsibility to ensure this is clearly highlighted on the form. Applicants should also provide a 'non-confidential' version of the form capable of publication on the Commission's website.

The Commission will use information supplied in applications and in support of applications in accordance with the requirements of Part 5 of the Essential Services Commission Act 2002. Applicants claiming confidentiality are encouraged to familiarise themselves with Part 5. Applicants should note that the Commission may be required to disclose confidential information in some circumstances.

## How to lodge an application

Applicants should send their completed application form in electronically (preferred) or in writing.

Electronically to: [licensing@escosa.sa.gov.au](mailto:licensing@escosa.sa.gov.au)

In writing to: Essential Services Commission of SA  
GPO Box 2605  
Adelaide SA 5001

## Application fee

Applicants must also enclose an application fee<sup>1</sup> (set by the Treasurer) with their application. This fee must be received by the Commission in cleared funds before it can commence assessing an application.

## Annual licence fee

Holding a licence incurs an annual licence fee. The licence fees<sup>2</sup> are set by the Treasurer, however, are collected by the Commission. At annual intervals, the Commission, on behalf of the Department of Treasury and Finance, will send to each licensee an invoice for the relevant annual licence fee. Licence fees are to be paid on receipt of an invoice via one of the payment options set out in the invoice.

A licence cannot be issued until the first annual licence fee has been paid.

<sup>1</sup> Available at <https://www.escosa.sa.gov.au/industry/water/licensing/licence-fees>

<sup>2</sup> Available at <https://www.escosa.sa.gov.au/industry/water/licensing/licence-fees>





# The Applicant

*Applicants must answer all questions in this section.*

## 1.1 Identity of applicant

State the full name of the applicant. The applicant should be the person/entity that will be providing a retail service (e.g. retail or distribution operations etc). The Commission can also consider joint applications from two or more persons who wish to jointly hold the licence. Joint applicants should each complete an application form, and submit their application forms at the same time, with a covering letter explaining that a joint application is being made.

**Name:** District Council of Orroroo Carrieton

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## 1.2 Legal identity of applicant

Provide information about the applicant, (i.e. whether the applicant is a natural person, proprietary limited or public company, partnership or local government body etc). If the applicant is a body corporate, please also state the jurisdiction in which the applicant is registered, and the applicant's ABN/ACN.

Local Government

## 1.3 Address and Contact Details of applicant

Business Address:

17 Second Street

ORROROO

State: SA Post Code: 5431 .....

Postal Address (if different to Business Address):

PO Box 3, ORROROO

State: SA Post Code: 5431

Telephone: 08 8658 1260

Facsimile: 08 8658 1434

E-mail: [council@orroroo.sa.gov.au](mailto:council@orroroo.sa.gov.au)

## 1.4 Contact Person on behalf of applicant

The full name, title and contact details of a person to whom the Commission can direct enquiries and correspondence about the application.

Full Name: Ann Frick

Title: Manager of Corporate & Community Services

Business Address:

17 Second Street, Orroroo

State: SA Post Code: 5431

Postal Address (if different to above):

PO Box 3, Orroroo

State: SA Post Code:5431  
Telephone: 08 8658 1260  
Facsimile: 08 8658 1434  
Email: [ann.frick@orraroo.sa.gov.au](mailto:ann.frick@orraroo.sa.gov.au)

### 1.5 Contact person for licence fees

The full name or title of the person to whom the Commission can direct enquiries and correspondence about licence fees.

Full Name: Ann Frick

Title: Manager of Corporate & Community Services

Business Address:

17 Second Street, Orroroo

State: SA Post Code: 5431

Postal Address (if different to above):

PO Box 3, Orroroo

State: SA Post Code:5431  
Telephone: 08 8658 1260  
Facsimile: 08 8658 1434  
Email: [ann.frick@orraroo.sa.gov.au](mailto:ann.frick@orraroo.sa.gov.au)

## 2 The Licence

*Applicants must answer all questions in this section.*

### 2.1 A detailed description of the retail services for which a licence is sought

For example:

Water: drinking- residential and/or non-residential;

Water: non-drinking – residential and/or non-residential;

Sewerage: residential and/or non-residential; and

Sewerage – trade waste – non-residential.

Applicants should provide detailed information in respect of where the retail services will be provided and to whom (i.e. type and number of customers)

The District Council of Orroroo Carrieton is a regional town located approximately 280 km north of Adelaide. The current population of the township is approximately 540 people.

Orroroo has a range of services that include major hospital health care and professional services, secondary and primary schools, aged care facilities and caravan park.

The primary commerce in the region is the production of food /agricultural commodities including cereal production and cattle / sheet meat production, and wool production.

The township has developed with no reticulated wastewater collection network but with septic effluent being disposed on site or trucked away. The safety of the soakage systems disposal had been a concern for many decades.

The District Council of Orroroo Carrieton was awarded Federal support to establish a Community Wastewater Management Scheme in Orroroo.

The CWMS was designed to service initially major businesses and services in township including Dews Meats, Orroroo Caravan Park, local hotels, Orroroo District Hospital, Community Home and School.

In 2019 the Collection, Treatment and Recycled Water system was commissioned, and properties began connecting to the system. It is anticipated that sufficient inflows to the treatment facility will be mid 2020 to enable the irrigation of the woodlot to commence.

The Orroroo CWMS is a Septic Tank Effluent Drainage System with the selected township's commercial properties connected to the system downstream the septic tanks. The septic tank effluent is being conveyed to a treatment facility by a system of gravity sewers, pump stations and rising mains.

The effluent collection network includes four property pump units and three properties connected via gravity as follows:

Gravity connection	Pressure connection
<ul style="list-style-type: none"><li>• Orroroo District Hospital</li><li>• Orroroo Community Home</li><li>• Council offices and public toilet block</li></ul>	<ul style="list-style-type: none"><li>• The Orroroo Hotel</li><li>• Orroroo School</li><li>• Caravan Park</li><li>• Dew's Meats</li><li>• Orroroo Football Club Room</li></ul>

The wastewater treatment plant is located on Council land on Dump Road, Orroroo. The treatment process consists of three HDPE lined lagoons – a facultative lagoon, maturation lagoon fitted with dividing walls and storage lagoon.

Treated wastewater is retained in the storage lagoons and disinfected for irrigation of the adjacent woodlot. The irrigation of Town Oval is planned in future. Additional preventative measures will be implemented in future to meet criteria required for public access irrigation areas.

Further information can be found in the O&M Manual presented in Appendix A

## 2.2 Date from which Licence is sought

If the applicant seeks to have the licence issued by a certain date, provide this date. Please note that the Commission does not undertake to issue the licence by this date. Applicants should usually allow the Commission a minimum of twelve weeks to consider an application, as a public consultation period of several weeks forms part of the Commission's consideration of licence applications.

2020 onwards.

### 3 Suitability of Applicant to hold a Licence

*Applicants must answer all questions in this section.*

#### 3.1 Standard of honesty and integrity shown by applicant

In deciding whether the applicant is a suitable person to hold a licence, the Commission may:

- ▶ consider the applicant's previous commercial and other dealings; and
- ▶ the standard of honesty and integrity shown in those dealings.

Please provide information that will assist the Commission in its consideration of this matter. If the applicant:

- ▶ has been found guilty of any criminal offence;
- ▶ has been successfully prosecuted under any Territory, State or Commonwealth legislation (such as the Australian Securities and Investments Commission Act 2001 or the Competition and Consumer Act 2010); and/or
- ▶ has been the subject of disciplinary action.

Details of such matters must be disclosed. Failure to disclose such information or misrepresent any matter relevant to such information may result in the cancellation of a licence.

The Commission may use the service of an external expert to assist with the assessment of the applicant's standard of honesty and integrity.

Local Government body established in 1997.

#### 3.2 Standard of honesty and integrity shown by officers and major shareholders (if relevant) of the applicant

Applicants should address responses to this question in the same manner as 3.1 above.

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### 3.3 Names and addresses of the officers of applicant

State the names and addresses of the officers of the applicant. “Officers” of the applicant include the applicant’s directors and secretary, or other persons who make or participate in making decisions that affect a substantial part of the business or operations of the applicant that will be licensed.

Full Name: Dylan Luke Strong

Date of Birth:

Office Held: Chief Executive Officer

Business Address: 17 Second Street, Orroroo SA 5431

Full Name: Ann Louise Frick

Date of Birth:

Office Held: Manager of Corporate & Community Services

Business Address: 17 Second Street, Orroroo SA 5431

Full Name: .....

Date of Birth: .....

Office Held: .....

Business Address:

.....

State: ..... Post Code: .....

*(attach additional pages if necessary)*

### 3.4 Names and addresses of major shareholders of applicant (not relevant for local council applicants)

N/A

*(attach additional pages if necessary)*

### 3.5 Details of the group members (not relevant for local council applicants)

N/A

### 3.6 Additional information

Please answer the following questions.

- Is the applicant a resident of, or does it have permanent establishment in, Australia? If the answer to this question is “no”, please provide further details.

Yes

- Is the applicant under external administration (as defined in the Corporations Act 2001) or under a similar form of administration under any laws applicable to it in any jurisdiction? If the answer to this question is “yes”, please provide further details.

No

- Is the applicant immune from suit in respect of the obligations under the Water Industry Act 2012? If the answer to this question is “yes”, please provide further details.

No

- Is the applicant capable of being sued in its own name in a court of Australia? If the answer to this question is “no”, please provide further details

Yes

### 3.7 Financial resources available to the applicant

Provide information about the financial resources available to the applicant which provides sufficient evidence of the current and ongoing financial capacity of the applicant to effectively provide the relevant retail services (e.g. bank guarantees, credit history and business continuity arrangements).

If the applicant is a company, please enclose a copy of the audited (and Board approved) profit and loss statement and balance sheet for the previous two financial years, including the director’s report and the audit opinion. If the applicant is a subsidiary company, please also provide a copy of the audited profit and loss statement and balance sheet of the applicant’s parent company for the previous two financial years.

If an applicant is a local council, please enclose a copy of the audited profit and loss statement and balance sheet for the previous two financial years.

Applicants should also submit copies of business plans which detail the strategic direction of the applicant, including its objectives, identified opportunities in the market place and forecast results.

Council’s Financial Statements for the 2017/2018 and 2018/2019 is available from its website at:

<https://www.orreroo.sa.gov.au/about-council/plans-and-reports>

### 3.8 Human resources available to the applicant

Provide information about the human resources available to the applicant, for example, the number of employees and the experience of these employees in providing the services for which the licence is sought. If the applicant will employ contractor/s to assist with the licensed operations, please provide the name of that contractor/s, and details about the experience of the contractor/s in such operations and details of the processes in place to ensure the contractor/s will comply with the regulatory obligations imposed by the licence.

Local Council employing 16 staff including casual cleaners.

Senior Staff include CEO, Manager of Corporate & Community Services and Works Coordinator with over 30 years experience in Local Government:

#### **Chief Executive Officer**

Dylan Strong, [dylan.strong@orreroo.sa.gov.au](mailto:dylan.strong@orreroo.sa.gov.au)

Mobile: 0428 711 182

#### **Manager of Corporate and Community Services**

Ann Frick, [ann.frick@orreroo.sa.gov.au](mailto:ann.frick@orreroo.sa.gov.au)

Mobile: 0427 338 097

#### **Works Coordinator**

Stuart Shute, [stuart.shute@orreroo.sa.gov.au](mailto:stuart.shute@orreroo.sa.gov.au)

Mobile: 0498 067 733

Further details on the staff that will manage the system are below in Section 3.9.

### 3.9 Technical resources available to the applicant

Applicants are asked to provide details about the availability of technical resources to be used in carrying out the services for which a licence is sought. The information should include details about the technically qualified staff available to the applicant and (if relevant) of experience gained in similar operations.

Applicants must also provide sufficient details of the systems and processes to be used to market and/or communicate with customers, to provide bills, to follow up payments and process customer move-ins and move-outs and deal with customer enquiries and complaints.

As this CWMS is new infrastructure to Council, training in the operation of the Scheme has been undertaken by the Works Coordinator (Stuart Shute) and a back up person (John Richardson-Neate, Multi-skilled Operator) with a Tafe course, Cert 3 in Water Industry Treatment (wastewater).

Contractors will be engaged as and when necessary and using the expertise of the LGA and LGA Procurement.

Charges for the system that will be charged to the clients will be made through our rating system and the provision of a Rates Notice pursuant to Section 155 of the Local Government Act 1999.

A charge has not yet been determined by Council. It is expected that this charge will be determined in the 2020/2021 financial year with charges made from 2021 financial year.



### 3.10 Contracts

Applicants must provide reasonable evidence that they are able to meet reasonably foreseeable obligations under contracts for the sale and supply of water or the sale or supply of sewerage services (or both) as the case may be. Such contracts would include contracts whereby the applicant is reliant on a supply of water or specific sewerage service from a third party which is intends to on sell to its customers.

Not applicable as Council will not be selling or supplying water.

### 3.11 Suitable and appropriate infrastructure

The Commission may not issue a licence unless it is satisfied that the infrastructure to be used in connection with the relevant service is appropriate for the purposes for which it will be used. Applicants are therefore asked to provide a detailed description of the infrastructure that will be utilised by the applicant in providing the retail services for which the licence is sought and verify that the infrastructure has been (or will be) developed in accordance with relevant Australian Industry Codes and Australian Standards with reference to technical specifications or reports.

If an applicant does not own the infrastructure to be used in delivering the relevant retail services, the applicant must provide information regarding the appropriateness of that infrastructure and of the binding arrangements that are (or will be) in place with the owner of the infrastructure in regards to the use of the infrastructure.

The Orroroo CWMS has been approved and constructed in accordance with the applicable legislation detailed in Sect 2.2 of the Safety, Reliability, Maintenance And Technical Management Plan (Copy enclosed to application).

Council's Asset Management Plan 2020-2030 is currently in draft format and is anticipated to be adopted at a Special Meeting of Council on 10<sup>th</sup> June 2020.

An EPA is not required to be held as this System is under 100EP.

Approvals from the Department of Health and Wellbeing have been obtained:

WW1-10247 (July 2018)	Pursuant to the Public and Environmental Health (Waste Control) Regulations, approval is issued to the District Council of Orroroo Carrieton for the installation of the CWMS
WW1-10508 (March 2019)	Variation to WW1-10247. Inclusion of woodlot irrigation

The CWMS is currently operating without any problems. There are minor infrastructure improvements that have been undertaken since the commissioning of the System which have been undertaken during the defects period by the contractor. Council continues to monitor the system to ensure its efficient operation.

### 3.12 Risk management

Provide confirmation and reasonable evidence that the applicant's management has identified the risks associated with the retail services it intends to provide and has established, utilises and relies upon risk management systems and processes which are adequate, accurate and current to address those risks. A copy of the applicant's risk management strategy should be submitted.

#### 1.1.1.1. Hazard Identification and Rating

A thorough risk assessment covering all stages of the CWMS has been undertaken with relevant stakeholders to identify all potential hazards and hazardous events, and to assess the level of risk they present to human or environmental health.

The initial level of risk assigned to each hazard is based on the likelihood of it occurring and the severity of the consequences if no preventative measures are applied. The process of hazard identification and risk assessment (together with critical control point analysis) for the CWMS system is based on Element 2.2.4 of the AGWR-2006. The risk matrix adopted for this assessment is presented in Table 4.1.

Table 4.1 RISK MATRIX USED FOR ASSESSMENT

LIKELIHOOD	CONSEQUENCES				
	Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
A – Almost certain	Medium	High	Extreme	Extreme	Extreme
B – Likely	Medium	High	High	Extreme	Extreme
C – Possible	Low	Medium	High	Extreme	Extreme
D – Unlikely	Low	Low	Medium	High	Extreme
E – Rare	Low	Low	Medium	High	High

Table 4.2 summarises the risks and adopted any preventative measures, the main risks that were identified include microbial, non-compliant water quality and equipment failure.

It is important to note that the hazard identification and risk assessment was conducted at a high level. The risk assessment shall be updated with the next revision of this document.

Table 4.2 Hazard Identification & Risk Assessment of Community Wastewater Management System Pre-Preventative Measures

	Hazardous Event	Potential Exposure Event	Risk	Preventative Measures	Res. Risk
<b>Human Health</b>	MICROBIAL Human exposure to wastewater or recycled water, ingestion of pathogens	Enteric illness.	Extreme	<ul style="list-style-type: none"> <li>• 66 days retention in lagoons (required log reductions)</li> <li>• Filtration and chlorine disinfection</li> <li>• Personnel training</li> <li>• Restricted access to irrigation site</li> <li>• Control of application time and rates</li> <li>• Signages</li> <li>• Use of buffer zones</li> <li>• Equipment operation monitoring and alarms</li> </ul>	Medium
	Production of non-complying water	Pathogens in water leading to human exposure.	High		Medium
	Irrigation proximity to public road.	Human exposure to recycled water.	Medium		Low
	Equipment failure at treatment plant	Production of non-spec water containing pathogens.	High		Medium
<b>Environmental Performance</b>	Inadvertent or unauthorized use of recycled water	Infrastructure vandalized resulting in large discharge of water resulting in excessive nutrient loads in soil or groundwater.	High	<ul style="list-style-type: none"> <li>• Maintain fences locks</li> <li>• Monitor system for integrity</li> <li>• Public awareness</li> </ul>	Low
	Soil contamination	Increased salinity, elevated nutrient, loads increase in soil pH.	Medium	<ul style="list-style-type: none"> <li>• Monitor soil</li> <li>• Monitor irrigation sites health</li> </ul>	Low
	Over irrigation, ecosystem contamination	Localized flooding, excessive run off or seepage to adjacent ecosystems resulting in increased nutrient loads in soil and groundwater. Overspray outside targeted area.	High	<ul style="list-style-type: none"> <li>• Monitor irrigation sites performance</li> <li>• Monitor soil</li> </ul>	Low
	Equipment failure (tanks, pumps, pipelines)	Discharge of large volume of wastewater or recycled water to environment, contamination of soil, creeks.	High	<ul style="list-style-type: none"> <li>• Equipment operation monitoring and alarms via phone messaging</li> </ul>	Low
	Algal growth in lagoons	Treatment failure, water quality deterioration.	High	<ul style="list-style-type: none"> <li>• Inspect lagoons</li> <li>• Treat lagoons for algae</li> <li>• Monitor water quality</li> </ul>	Low

### 1.1.2. Preventative Measures & Multiple Barriers

For each existing or potential hazard identified in Table 4.2, mitigation strategies and preventative measures have been developed and implemented to ensure that the residual risk to public health or the environment has been reduced to acceptable levels. For many of the hazards identified, multiple barriers are in place to either further reduce the residual risk, or to ensure that in the event of reduced performance of one barrier, total loss of hazard management does not result.

It is considered that the District Council of Orroroo Carrieton Community Wastewater Management System is a highly functional, well managed and robust system, and that residual risks to public health and local environments have been minimized as much as practically feasible.

### 1.1.3. Levels of Responsibility

The level of responsibility for controlling and reporting of hazards, and monitoring the effectiveness of hazard controls are aligned with the organisational structure, where each member of the workforce carries a responsibility commensurate with their level of influence, as described below:

#### Level 1 – Water Industry Entity

It is the duty of District Council of Orroroo Carrieton under legislation to eliminate or minimise risks so far as is reasonably practicable (ALARP).

#### Level 2 – Chief Executive Officer / Manager of Corporate & Community Services

Management and officers ensure the health and safety of employees, contractors and the public by exercising due diligence to be aware of the risks that the business undertake.

#### Level 3 – Works Coordinator

Site/plant managers and supervisors ensure that they do not present undue risks to the health and safety of any person whilst maintaining safe and reliable operations.

#### Level 4a – Installation, construction, commissioning employees

Systems and processes are implemented for the selection and control of contracting and procurement functions which ensures that all equipment, installation and commissioning of equipment, operation and appropriate maintenance services to keep all equipment fit for safe use. The systems ensure that employees have sufficient understanding and skill to implement the works with reasonable care.

#### Level 4b – Designers, manufacturers, importers and suppliers

Design development for all new plant/equipment and modification to existing assets is undertaken with reasonable care and includes the appropriate level of hazard identification and assessment.

## 1.2. Risk Response, Mitigation and Control

In responding to and mitigating identified risks, District Council of Orroroo Carrieton applies a rigorous set of controls which take account of, for each risk or hazard, how well the hazard or risk is known, what can be done, and is reasonable to do, the degree of harm associated with failure of the controls, and the availability and sustainability of controls.

The methods employed to reduce risk are selected recognising the hierarchy of controls as follows:

**Elimination** – removes the cause of danger completely e.g. using non-hazardous substances instead of Class 8 chemicals.

**Substitution** – controls the hazard by replacing it with a less risky way to achieve the same outcome.

**Isolation** – separates the hazard from the people at risk by isolating it e.g. provide fences, enclosures and buffer zones.

**Engineering** – using engineering controls, i.e. making physical changes, to lessen any remaining risk, e.g. redesign a machine by adding safeguards.

**Administration** – using administrative controls to lessen the risk, e.g. install signs, job rotation.

**Personal Protective Equipment (PPE)** – requiring employees to wear PPE, e.g. provide gloves, earplugs, goggles.

Within this hierarchy, both physical and procedural controls are applied. However, where applicable, the implementation of physical controls such as traffic barriers or fencing will be preferred over procedural controls.

#### 1.2.1. Physical Controls

Physical controls consist of a physical item which provides a barrier to prevent contact between the item being protected and an unwanted external event (Separation), or by providing adequate physical strength of the item itself against identified external interference events (Strength).

Examples of physical controls are:

- Separation-traffic barriers, fencing, burial of pipes, concrete slabs.
- Strength-pipe wall thickness, pipe supports, pressure vessel nozzle connections.

#### 1.2.2. Engineering Controls

Engineering controls are those which, during the design or procurement phases introduce changes that lessen the hazard or risk. Examples are:

- Hazard and Operability (HAZOP) studies.
- Safety in Design
- Revise plant layouts to remove threatened equipment from a risk area.
- Increased strength of foundations, or introduce seismic proof designs.
- Additional height on bunds and ponds to prevent overflow.

#### 1.2.3. Risks and Controls – Human Health Management

Hazard identification and risk assessment (together with critical control point analysis) for hazards specific to human health has been undertaken based on Element 2.2.4 of the AGWR–2006. Refer to Section 4.1.1.

### 1.3. Risk Assessment

#### 1.3.1. General

Identified risks and hazards are assessed using criteria, which are standardised throughout District Council of Orroroo Carrieton, for the likelihood of the event occurring and the consequence if it does occur.

In particular, consequences are not just assessed as the physical or employees impact (e.g. number of injuries or fatalities) but also against other criteria such as financial impact, environmental impacts and reputational impacts.

#### Financial Impact

Assessment of financial impact considers cost of the hazardous event to District Council of Ororoo Carrieton including physical repairs, lost production, damages from third parties, legal claims and the like. Various levels of cost are determined and ranked as Minor, Moderate, Major and Extreme, for use in the risk ranking process.

#### Environmental Impact

Environmental impacts considered range from those ranked as trivial, which have minor or no effects and are rectified rapidly, through to those with increasing severity.

Minor risks are those where the effect is localised and of short term duration with manageable consequences whilst extreme risks represent those where the effects are widespread with possible major off-site and long term severe environmental effects.

#### Reputational Impact

Social and reputation impacts are those which have an impact on the social standing and reputation of District Council of Ororoo Carrieton. They include coverage of the incident in local or national media, effect on communities surrounding the incident site, involvement of regulators and/or shareholders.

### 1.3.2. 'As Low as Reasonably Practicable' (ALARP)

The final step in the formal safety assessment process is, for risks and hazards that are assessed as medium or higher, consideration of reducing the risk to ALARP. District Council of Ororoo Carrieton processes for this consider:

- What can be done? –what is possible in the circumstances for ensuring safety and reliability.
- Whether it is reasonable in the circumstances to do all that is possible? Factors that may determine whether something is 'reasonably practicable' include:
  - Likelihood of the hazard and associated risks occurring.
  - Degree of damage or harm that might result from the hazard/risks.
  - What the person concerned knows, or ought reasonably to know about the hazard/risks, and ways of eliminating the hazard/risks through design.
  - The availability and suitability of design approaches to eliminate or minimise the risks.
  - The design costs associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.

Importantly, the issue of influence and control is also considered in what is 'reasonably practicable':

ALARP is considered to be reached when that which is, or was at a particular time, reasonably able to be done to ensure health, safety and reliability has been done, taking into account and weighing up all relevant matters.

### 1.3.3. Residual Risks

Information on residual risks for a system, process, plant or site is provided to operators and users of that facility through the documented Risk of Hazard Register for that facility. Furthermore, where there are downstream processes that could be affected by the residual risks,

the Risk or Hazard Register is provided to operators and users of those facilities, to take account of their own risk and hazard assessments.

### 3.13 Licences held by the applicant in other Australian jurisdictions

If the applicant holds, or has previously held, a retail services licence or equivalent in other Australian jurisdictions please provide details. If a licence previously held has been suspended or cancelled, please provide details.

No

Council does have a ESCOSA Licence for the Carrieton Water Scheme

### 3.14 Previous unsuccessful licence applications in other Australian jurisdictions

Please state whether the applicant has applied for a water retail licence or equivalent in another Australian jurisdiction and not been issued with a licence, and provide relevant details.

No

### 3.15 Licences held by associates of the applicant

If an associate of the applicant (within the meaning of the Corporations Act) holds a water retail licence in South Australia or in other Australian jurisdictions, please provide details.

No

### 3.16 Compliance plan

Applicants are required to submit a copy of their Compliance Plan which details what compliance systems the applicant has (or will have) in place and a description of how these systems will ensure compliance with the applicable regulatory obligations imposed by a licence and the Water Retail Code. The Commission expects that a Compliance Program will, as a minimum, document:

- ▶ the obligations that will apply to the applicant;
- ▶ the processes that are (or will be) in place to ensure the applicant's compliance with obligations;
- ▶ details on how compliance is monitored;
- ▶ details of how non-compliance will be reported and rectified; and
- ▶ details of any internal audit programs in place that review (or will review) the effectiveness of the Compliance Program from time to time.

The Community Wastewater Management System has been operational for less than 12 months with no treated water flows being delivered at the time of preparing this document. The earliest expected delivery of recycled water is mid 2020.

As the system becomes fully functional Council will develop further operational monitoring practices to ensure that the system is delivering water of the targeted quality, and to confirm that the preventative measures implemented to control certain hazards are functioning properly and effectively.

As part of each DHW approval District Council of Orroroo Carrieton is required to maintain a monitoring program which verifies the quality of the treated wastewater or recycled water. The aim of this program is to:

- Provide confidence to all stakeholders of recycled water that the quality of recycled water supplied is being maintained within the DHW requirements.
- Provide an indication of problems and a trigger for any corrective actions, or incident and emergency responses.

Recycled water supplies are managed with processes, systems and expertise that ensures recycled water complies with the Australian Guidelines for Water Recycling (AGWR).

The monitoring program will require regular site-specific sampling and testing to assess whether recycled water quality and receiving environments are meeting guideline values, regulatory requirements, and agreed levels of service. In all cases, samples will be obtained by a competent person trained in sampling. All routine samples collected will be analyzed at a NATA accredited laboratory.

Initial review of performance data will be undertaken immediately by the Council or qualified Consultant. Any improvement measures required will be implemented as directed by the Council or Consultant.

### 3.17 Additional information

The Commission encourages applicants to provide any additional information they consider would be of assistance in supporting the application. Please provide below.

Nil



## 4 Factors specified in the Essential Services Commission Act 2002

In considering a licence application, the Commission must have as its primary objective the protection of the long term interests of consumers with respect to the price, quality and reliability of essential services, and must also have regard to the need to:

- (a) promote competitive and fair market conduct;
- (b) prevent misuse of monopoly or market power;
- (c) facilitate entry into relevant markets;
- (d) promote economic efficiency;
- (e) ensure consumers benefit from competition and efficiency;
- (f) facilitate maintenance of the financial viability of regulated industries and the incentive for long term investment;
- (g) promote consistency in regulation with other jurisdictions.

If the applicant believes that information about their application would assist the Commission in its consideration of these factors, the applicant should provide such information below.

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## 5 Application Fees

Applicants for a licence must pay the Commission an application fee which is fixed by the Treasurer. Please enclose this fee with the application. An application cannot be considered until this fee has been received.

No application fees are applicable with this application as it is a change to our existing licence.

## 6 Declaration

All information in this application for the issue of a licence to authorise the provision of retail services in the water industry in South Australia must be verified by a Statutory Declaration of the applicant, in accordance with the provisions of the Oaths Act 1936 (SA)<sup>3</sup>, stating that the information contained in the application is true and correct to the best of the applicant's knowledge, information and belief.

In conjunction with this declaration, evidence of the relevant authority of the declarant to sign on behalf of the applicant must also be provided to the Commission.<sup>4</sup>

### Statutory Declaration

I **Dylan Luke Strong** .

of 46 Sixth Street, Orroroo SA 5431

do solemnly and sincerely declare that the information contained in this Application for the issue of a licence to authorise the provision of retail services in the water industry in South Australia is true and correct to the best of my knowledge information and belief.



And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1936.

Date ..... 12TH JUNE 2020 .....

Signature .....  .....

(Where the applicant is a body corporate, the declaration must be made by a person authorised by body corporate to sign on its behalf)

Declared at: ..... Orroroo ..... this 12th day of JUNE 2020 .....

Before me: .....  JP 12319 .....  ..... A Justice of the Peace  
for South Australia

(Signature of Justice of the Peace or other person authorised under the Oaths Act 1936)

<sup>3</sup> Or equivalent legislation in other Australian jurisdictions.

<sup>4</sup> The Commission will accept a copy of a Board or Council minute (or circulating resolution) giving approval for the declarant to sign on behalf of the applicant as evidence of the relevant authority.



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