



# Water Industry Act 2012



## Exemption to be granted to Cape Jaffa Anchorage Essential Services Pty Ltd

1. Pursuant to section 108(1) of the Water Industry Act 2012, the Essential Services Commission (**Commission**), with the approval of the Minister for Environment and Water, grants Cape Jaffa Anchorage Essential Services Pty Ltd (ACN 121 838 686) an exemption from the application of Part 4 of the Water Industry Act 2012 in relation to the retailing of water services, specifically the sale and supply of non-drinking water and associated infrastructure, to residential and non-residential customers within the Cape Jaffa Anchorage Essential Services boundary.
2. The exemption applies from 1 November 2022 to 30 June 2023 (inclusive), unless the Commission revokes or varies the exemption, or the Minister revokes the approval given under section 108(1) of the Water Industry Act 2012, on an earlier date.
3. Pursuant to section 108(3) of the Water Industry Act 2012, the Commission has determined that, for the purposes of section 68 of the Water Industry Act 2012, Cape Jaffa Anchorage Essential Services Pty Ltd is to be treated as a 'water industry entity', as that term is defined in the Water Industry Act 2012.
4. The grant of this exemption from the requirement to hold a licence, pursuant to section 108(1) of the Water Industry Act 2012, is subject to the following conditions:
  - a. Prior to any changes occurring, Cape Jaffa Anchorage Essential Services Pty Ltd must inform the Commission and the Technical Regulator in writing of any changes to the water operations being undertaken, including, the cessation of supplying the service or the provision of additional water services, and submit to any additional assessments as required.
  - b. Cape Jaffa Anchorage Essential Services Pty Ltd must participate in an Ombudsman Scheme, if requested by the Commission in writing.
  - c. Cape Jaffa Anchorage Essential Services Pty Ltd must provide to the Commission any information reasonably sought by the Commission from time to time.
  - d. Cape Jaffa Anchorage Essential Services Pty Ltd must hold appropriate and adequate insurance of kinds and levels reflective of the nature of the operations carried out under this exemption and the risks associated with those operations.

This exemption was granted by the Commission on the date specified below, subject to the approval of the Minister for Environment and Water.

*N. Cheshire*

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**Natasha Cheshire**

**Acting Chief Executive Officer and Commission authorised signatory**

19 October 2022

.....  
**Date**

I approve the exemption granted by the Commission on the date specified below.

The **COMMON SEAL** of the )  
**MINISTER FOR** )  
**ENVIRONMENT AND** )  
**WATER** was hereunto )  
affixed by authority of the )  
**MINISTER FOR** )  
**ENVIRONMENT AND** )  
**WATER** in the presence of:



*[Handwritten Signature]*  
.....  
**Witness**

*31/10/*  
.....  
**Date**