



Application Form

1. The Applicant

1.1. Name of applicant

District Council of Mount Remarkable

1.2. Legal identity of applicant

local government body

1.3. ACN/ABN number

ACN Number (if applicable) *Click here to type.*

ABN Number 34847303998

1.4. Address and contact details of applicant

Business Address

Street Stuart Street

Suburb Melrose

State SA Post Code 5483

Postal Address (if different to Business Address)

Street PO Box 94

Suburb Melrose

State SA Post Code 5483

Telephone 08 8666 2014

Facsimile 08 8666 2169

E-mail postmaster@mtr.sa.gov.au

1.5. Contact person on behalf of applicant

Full Name	Jessie White		
Title	Deputy Chief Executive Officer		
Business Address			
Street	Stuart Street		
Suburb	Melrose		
State	SA	Post Code	5483
Postal Address (if different to Business Address)			
Street	PO Box 94		
Suburb	Melrose		
State	SA	Post Code	5483
Telephone	08 8666 2014	Facsimile	08 8666 2169
E-mail	postmaster@mtr.sa.gov.au		

1.6. Contact person for licence fees

Full Name	Craig Mudge		
Title	Senior Finance Officer		
Business Address			
Street	Stuart Street		
Suburb	Melrose		
State	SA	Post Code	5483
Postal Address (if different to Business Address)			
Street	PO Box 94		
Suburb	Melrose		
State	SA	Post Code	5483
Telephone	08 8666 2014	Facsimile	08 8666 2169
E-mail	Postmaster.sa.gov.au		

1.7. Names and addresses of the officers of applicant

“Officers” of the application include the applicants directors and secretary and any other persons who make or participate in making decisions that affect a substantial part of the applicant’s business.

Full Name	Wayne Hart		
Date of Birth	27/02/1955		
Title held	Chief Executive Officer		
Business Address			
Street	Stuart Street		
Suburb	Melrose		
State	SA	Post Code	5483

Full Name	Jessie White		
Date of Birth	15/04/1981		
Title held	Deputy Chief Executive Officer		
Business Address			
Street	Stuart Street		
Suburb	Melrose		
State	SA	Post Code	5483

Full Name	<i>Click here to type.</i>		
Date of Birth	<i>Click here to type.</i>		
Title held	<i>Click here to type.</i>		
Business Address			
Street	<i>Click here to type.</i>		
Suburb	<i>Click here to type.</i>		
State	<i>Choose a State.</i>	Post Code	<i>Click here to type.</i>

(attach additional pages if necessary)

1.8. Names and addresses of major shareholders of applicant (not relevant for local council applicants)

Full Name *Click here to type.*

Date of Birth *Click here to type.*

Title held *Click here to type.*

Business Address

Street *Click here to type.*

Suburb *Click here to type.*

State *Choose a State.*

Post Code *Click here to type.*

Full Name *Click here to type.*

Date of Birth *Click here to type.*

Title held *Click here to type.*

Business Address

Street *Click here to type.*

Suburb *Click here to type.*

State *Choose a State.*

Post Code *Click here to type.*

Full Name *Click here to type.*

Date of Birth *Click here to type.*

Title held *Click here to type.*

Business Address

Street *Click here to type.*

Suburb *Click here to type.*

State *Choose a State.*

Post Code *Click here to type.*

(attach additional pages if necessary)

1.9. Corporate structure

Please attach with this application form details of the corporate or other structure, including:

- details of any related companies within the meaning of the *Corporations Act 2001*
- a diagram of the organisational chart, including composition of the board, management and other key personnel responsible for the key functions of the business.

See attached the Organisational Structure

1.10. Details of the group members (not relevant for local council applicants)

If the applicant is part of a group of companies, please provide details on the entities within the group. Include all entities controlled by the applicant and the ultimate parent company. Please attach a diagram of this structure.

Click here to type.

1.11. Additional details of the structure of the applicant

If the applicant is a part of a group of related companies, and/or party to a partnership, joint venture or alliance agreement with another company, please provide the contractual arrangements (eg alliance contracts, associate contracts and/or establishment contracts) that define relationships within the group – including shared resources, guarantees, revenue flows, obligations and/or responsibilities.

No

2. The Licence

2.1. Type of retail services being sought

- Potable water
- Non-potable water
- Sewerage
- Recycled water
- Trade waste

2.2. Location of service

Wirrabara

2.3. Number of customers and/or connections

200 connections

2.4. Type of customers

- Residential
- Non-residential
- Both – residential and non-residential

2.5. Capacity of the service

330EP

3. Suitability of Applicant to Hold a Licence

3.1. Standard of honesty and integrity shown by applicant

Has the applicant been found guilty of any criminal offence? If “yes”, please provide details.

No

Has the applicant 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*)? If “yes”, please provide details.

No

Has the applicant been the subject of disciplinary action? If “yes”, please provide details.

No

Has the applicant been the subject of any past or present administrative or legal actions in relation to an authorisation, authority, or licence in any industry?

No

Any other information to be disclosed?

No

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

Has any officer or major shareholder been found guilty of any criminal offence? If “yes”, please provide details.

No

Has any officer or major shareholder 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*)? If “yes”, please provide details.

No

Has any officer or major shareholder been the subject of disciplinary action? If “yes”, please provide details.

No

Has any officer or major shareholder been the subject of any past or present administrative or legal actions in relation to an authorisation, authority, or licence in any industry?

No

Any other information to be disclosed?

No

3.3. Additional information

Is the applicant a resident of, or does it have permanent establishment in, Australia? If “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 “yes”, please provide further details.

No

Is the applicant immune from suit in respect of the obligations under the *Water Industry Act 2012*? If “yes”, please provide further details.

No

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

Yes

3.4. Financial resources available to the applicant

Please provide information about the financial resources available to the applicant, including:

- copies of all audited profit and loss statements and balance sheets for the last three financial years (including all notes)
- director’s declaration that the financial statements comply with accounting standards, give a true and fair view, have been made in accordance with the *Corporations Act 2001* and that there are reasonable grounds to believe the company/entity will be able to pay its debts as and when they fall due.
- the Directors report and the audit opinion

If the applicant is a subsidiary company, please also provide:

- copies of all audited profit and loss statements and balance sheets of the applicant’s parent company for up to the last three financial years

The applicant should also submit copies of:

- its business plan, including strategic direction and objectives, identified opportunities in the market place and forecasted results
- evidence of capital and liquidity support in place, including any bank or cross guarantees, to support the business and evidence of negotiations with the network service provider concerning credit support arrangements.

Attached are Financial Reports for year ending 2012-13, 2013-14 & 2014-15 and a copy of Councils 2020 Vision (Strategic Plan)

3.5. Human resources available to the applicant

Please provide details about the human resources available to the applicant, including:

- number of employees
- experience and qualifications of those employees

If the applicant will employ a contractor/s to assist with the licensed operations, please provide:

- name of the contractor/s
- details about the experience of the contractor/s in such operations
- details of the processes in place to ensure they will comply with the regulatory obligations imposed by the licence.

The Council has one staff dedicated to CWMS maintenance and operations with its existing schemes at Wilmington, Melrose and Booleroo Centre. No additional staff will be required to monitor and maintain the new system at Wirrabara. The staff are already experienced and work with Council's Environmental Health Officer.

3.6. Technical resources available to the applicant

Provide details about the availability of technical resources to be used in carrying out the services for which the licence is sought, including:

- details about the technically qualified staff available to the applicant and (if relevant) of experience gained in similar operations.
- details of the systems and processes to be used to market and/or communicate with customers, to provide bills, to follow up payments, process customer move-ins and move-outs and deal with customer enquiries and complaints

Where applicants are relying on a third party to provide staff and resources to meet the technical requirements of the license, please provide:

- a list of all functions and activities being proposed to outsource
- details of any formal agreement/s to provide services, including confirmation that the third party possess relevant technical competencies to conduct the proposed activities
- a summary of the third party's technical capacity to meet relevant obligations, including the relevant accreditations
- a summary of the third party's experience and knowledge in the area.

Council has a qualified Environmental Health Officer and has other systems in place, this which scheme will be identically maintained and operated and Council will be using the same systems and processes to communicate to customers.

3.7. Ability to meet contractual obligations

Will the applicant be able to meet reasonably foreseeable obligations under the contracts for the sale and supply of water and/or the sale and supply of sewerage services?

This includes contracts where the applicant is reliant on a supply of water or specific sewerage service from a third party which it intends to on sell to customers.

Please provide a list of supply agreements/contracts and relevant information such as:

- quantity and quality
- supply frequency
- contingency measures

N/A

3.8. Suitable and appropriate infrastructure

Please describe a detailed description of the infrastructure that will be utilized by the applicant in providing the retail services for which the license is sought. This should include:

- source/s of water
- distribution of network/s
- collection services
- treatment system/s (incl. technology type)
- storage systems

Applicants should also verify that the infrastructure has been (or will be) developed in accordance with the relevant Australian Industry Codes and Australian Standards with reference to technical specifications or reports.

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

The newly installed CWMS at Wirrabara is fully described in the attached construction plans and SA Health – Public Health Service approvals for the collection system and the WWTP. The scheme is likely to be commissioned around 30 June 2016. As-constructed drawings will be available, along with the final Engineering Certification, within 8 weeks of commissioning of the Scheme.

3.9. 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. Please provide a copy of the applicant's risk management strategy.

Attached is a Prudential Review for the Wirrabara CWMS System

3.10. Licences held by the applicant in other Australian jurisdictions

Does the applicant hold, or has previously held, water retail licences in other Australian jurisdictions? If "yes", please provide details. If a licence previously held has been suspended or cancelled, please provide details.

No

3.11. Previous unsuccessful licence applications in other Australian jurisdictions

Has the applicant applied for water licences or equivalent in another Australian jurisdiction and not been issued with a licence? If “yes”, please provide details.

No

3.12. Licences held by associates of the applicant

Does any associate of the applicant (within the meaning of the *Corporations Act 2001*) hold water licences in South Australia or in other Australian jurisdictions? If “yes”, please provide details.

Yes. Existing licence includes CWMS operations at Melrose, Wilmington and Booleroo Centre.

3.13. Compliance program/plan

Please provide a copy of your compliance program / plan which details what compliance systems the applicant has in place and a description of how these systems will ensure compliance with the applicable regulatory obligations imposed by a water retail licence. Please ensure this document outlines:

- the obligations that will apply to the applicant
- the processes that are (or will be) in place to ensure the applicant’s compliance with these obligations
- details on how compliance is monitored

Refer attached the draft Operation and Maintenance Manual for all CWMS operated by the Council, which will be completed once the Wirrabara CWMS System is commissioned.

3.14. Additional information

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

Click here to type.

3.15. 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:

- promote competitive and fair market conduct;
- prevent misuse of monopoly or market power;
- facilitate entry into relevant markets;
- promote economic efficiency;
- ensure consumers benefit from competition and efficiency;
- facilitate maintenance of the financial viability of regulated industries and the incentive for long term investment;
- 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.

Click here to type.

4. 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.

5. Declaration

All information in this application must be verified by a Statutory Declaration of the applicant, in accordance with the provisions of the *Oaths Act 1936 (SA)*¹, 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.²

Statutory Declaration

I *Wayne Hart*.....

Of District Council of Mount Remarkable

do solemnly and sincerely declare that the information contained in this application 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 *10/6/16*.....

Signature *Wayne Hart*.....

(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: *Melrose*.....this *10th* day of *June* 20*16*.....

Before me:..Catherine Battersby.....*C E Battersby*
(Signature of Justice of the Peace or other person authorised under the Oaths Act 1936)

Catherine Ellinor Battersby I.D. 25044
Justice of the Peace in and for
the State of South Australia

¹ Or equivalent legislation in other Australian jurisdictions.

² 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.

6. Checklist

Please ensure you have attached copies of the following documents:

<input checked="" type="checkbox"/>	Corporate structure diagram / organisational chart	1.9
<input type="checkbox"/>	Group structure diagram	1.10
<input type="checkbox"/>	Contractual arrangements (eg alliance, associated and/or establishment contracts) that define relationships within the group <i>(if applicable)</i>	1.11
<input checked="" type="checkbox"/>	Audited profit and loss statements all balance sheets for the last three financial years <i>(If applicant is a subsidiary, please provide for parent company)</i>	3.4
<input checked="" type="checkbox"/>	Director's declaration that financial statements comply with accounting standards etc.	3.4
<input checked="" type="checkbox"/>	Director's report and the audit opinion	3.4
<input checked="" type="checkbox"/>	Business plan (include strategic direction and objectives, identified opportunities in the market place and forecasted results)	3.4
<input checked="" type="checkbox"/>	Evidence of capacity and liquidated support in place	3.4
<input checked="" type="checkbox"/>	Evidence of technical resources to be used in carrying out the service	3.6
<input checked="" type="checkbox"/>	Evidence of ability to meet contractual obligations	3.7
<input checked="" type="checkbox"/>	Risk management strategy	3.9
<input checked="" type="checkbox"/>	Compliance program/plan	3.13
<input type="checkbox"/>	Any other documents that may assist in supporting the application	3.14
<input type="checkbox"/>	Application fee	4
<input checked="" type="checkbox"/>	Evidence of the relevant authority of the declarant to sign on behalf of the body corporate	5