



SUBMISSION

3 January 2024

Naomi Menon
Director, Competition Exemption
Australian Competition and Consumer Commission
23 Marcus Clarke Street
Canberra
ACT 2601

Dear Ms Menon

Re: Water Services Association of Australia Limited – Application for authorisation AA1000657 – interested party consultation

The Queensland Water Directorate (**qldwater**) is the central advisory and advocacy body within Queensland’s urban water industry, working with our members to provide safe, secure and sustainable urban water services (drinking water, sewerage and wastewater treatment) to Queensland communities.

The Queensland sector is [comprised](#) of 75 service providers directly employing nearly 7,000 people. There are currently 370 water supply schemes (delivering safe and reliable drinking water) and 265 sewerage schemes ranging from large-scale infrastructure in South-East Queensland (SEQ), to facilities in regional and remote Queensland (including those servicing island communities).

qldwater members include all councils who provide water services, the council owned statutory authorities in south-east Queensland and the two state-government owned statutory authorities.

Our members currently service 1,916,519 sewerage connections and 2,117,663 drinking water connections (data from **qldwater’s** Statewide Water Information System). These numbers are set to substantially increase with the current and projected population growth. Queensland’s population is set to grow from the current 5.4 million to between 6.4 and 8.27 million by 2046 (Queensland Treasury Population Projections).

We welcome the opportunity to provide a submission on the Water Services Association of Australia (WSAA) Limited – Application for authorisation AA1000657. We note that the Queensland members of WSAA listed in the ‘Application for Interim and Final Authorisation under Section 88(1) of the *Competition and Consumer Act 2010 (Cth)*’ dated 13 December 2023, are also members of **qldwater**.

qldwater provides this submission without prejudice to any submissions from our members or other urban water providers.



Proposed Conduct

It is understood that WSAA's Application for authorisation (AA1000657) seeks to permit WSAA and its members to enter discussions, enter or give effect to any contract, arrangement of understanding between them, or engage in any conduct which has the purpose of:

- Securing adequate supplies of gaseous chlorine for the Australian water sector
- Ensuring or improving security of supply of gaseous chlorine and/or
- Ensuring an equitable distribution of gaseous chlorine to water utilities in Australia in the event of a material threat to supply.

This may include the:

- Collective importation of gaseous chlorine
- Collective negotiation with suppliers of chlor-alkali products
- Emergency supply arrangements

qldwater strongly supports the Application for Authorisation (AA1000657) made by WSAA and its members. We also emphasise the urgency of the application, noting the request that Interim Authorisation is received by 31 January 2024 (see Section 3.3, page 9).

The use of gaseous chlorine by Queensland's drinking water sector is preferred, particularly given the unique challenges that Queensland experiences (hotter climates and long road transportation distances to communities).

Sodium hypochlorite (NaOCl) is the chemical currently used by many water service providers for disinfecting water and making drinking water safe to consume. However, NaOCl solutions decompose to produce chlorate (ClO₃⁻) and chlorite (ClO₂⁻) ions and the rate of decomposition increases with heat and over time, both of which are significant factors for Queensland's remote and regional communities. International research indicates that chlorate can pose a health risk to consumers when above threshold concentrations in drinking water.

Gaseous chlorine is a much more stable, easier product to transport, but supply into Queensland has been challenging leaving communities, (particularly northern remote communities) with no option but to utilise NaOCl, despite the risks it poses.

Please do not hesitate to contact me if you have any questions.

Yours sincerely

G Davis

Dr Georgina Davis
Chief Executive Officer