



Health

Mr Rob O'Neill  
General Manager, Licensing and Compliance  
IPART NSW  
PO Box K35  
HAYMARKET POST SHOP NSW 1240

Dear Mr O'Neill

I refer to your request for comments on an update to the application by Flow Systems for a development in Shepherds Bay under the *Water Industry Competition Act 2006*. NSW Health responded previously (9/12/16) to the request for comment on Flow Systems' application for a network operator licence and a variation to their existing retail licence.

NSW Health supports the updated application provided that all matters raised previously and below are addressed.

The amendments concern ownership and management responsibilities of the drinking water, recycled water and waste water lines within the development site. This would include a consistent approach to servicing and use of approved contractors. These responsibilities need to be clearly documented and communicated to all parties to avoid misunderstandings about which party is accountable for monitoring, maintenance and repair works of particular sections of these lines within the development. NSW Health notes that it is the proponent's responsibility as the water supplier to ensure that all potential public health risks are adequately managed.

NSW Health requests consultation by IPART during the detailed risk assessments for drinking and recycled water, technology assessments and the development of management plans for drinking and recycled water. I request NSW Health is also consulted following the final compliance audit and before retail supply commences to ensure that all relevant public health matters have been considered. NSW Health also requests that Flow Systems develop an *Incident Notification Protocol* for incidents including, but not limited to, water quality issues, treatment plant critical control point limit exceedances, algae, recycled water issues, cross connections, and contact details of all stakeholders involved in this scheme.

NSW Health's response should not be considered an approval or endorsement of the applicant's documentation. NSW Health's review has focused on potential public health issues. NSW Health expects that the audit process will confirm the adequacy of the drinking and recycled water management plans and compliance with the *Australian Drinking Water Guidelines* and *Australian Guidelines for Water Recycling*.

The granting of a licence under the *Water Industry Competition Act 2006* does not automatically exempt the applicant from the requirement under the *Public Health Act 2010* and *Public Health Regulation 2012* to develop and adhere to a drinking water management system.

NSW Health

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Thank you for the opportunity to make a submission on the revised application. Should officers of IPART require further information, please contact Katrina Wall, A/Manager Water Unit on [REDACTED]. Should the applicant require further information they may contact Geoff Prendergast, Senior Environmental Health Officer, Northern Sydney Public Health Unit on [REDACTED].

Yours sincerely

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Dr Ben Scalley  
**Director Environmental Health Branch**

**NSW Health**

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