



The Hon Niall Blair MLC

Minister for Primary Industries
Minister for Lands and Water



IM15/29555

Mr Hugo Harmstorf
Chief Executive Officer
IPART
PO Box K35
HAYMARK POST SHOP NSW 1240

Dear Mr Harmstorf

Thank you for your letter of 23 September 2015 concerning Flow Systems Operations Pty Ltd's application for a network operator's licence under the *Water Industry Competition Act 2006* (WICA) for a new development at Box Hill North in western Sydney.

It is understood that the WICA licence application is for the construction, maintenance and operation of water industry infrastructure to provide sewerage, and recycled water services to the new Box Hill North development. The Box Hill North development is located within the boundaries of the *Water Sharing Plan for the Greater Metropolitan Region Unregulated Rivers Water Sources 2011*.

The application indicates that potable water will be sourced from Sydney Water's bulk water supply under a Utility Service Agreement. Taking of water from a public water utility or private network operator falls outside the definition of the State's water rights and therefore does not require a water access licence (WAL) and/or a water supply works approval under the *Water Management Act 2000* (WMA).

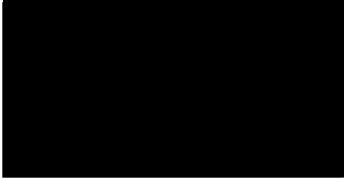
The application also indicates that recycled water will be used for "grey" purposes, including toilet flushing, garden watering, irrigation of public areas and dust suppression during construction of subsequent stages of development. It is understood this water will be sourced from a combination of wastewater produced within the development area, stormwater and will be augmented using potable water as required.

Under harvestable rights provisions of the WMA, it is possible to capture up to 10% of runoff from a property without the need for a WAL or approval. However, capture of runoff that exceeds this allowance will require a WAL and water supply works approval, unless subject to an exemption.

.../2

I have asked that John Galea, Water Regulation Officer, Department of Primary Industries - Water, be available to provide further information if required. Mr Galea may be contacted on [REDACTED].

Yours sincerely



The Hon Niall Blair MLC
Minister for Primary Industries
Minister for Lands and Water

19 OCT 2015