

Department of Health and Human Services

POPULATION HEALTH SERVICES

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Dear Stakeholder,

Draft for Consultation – Tasmanian Drinking Water Quality Guidelines (2014)

Part 6 of the *Public Health Act 1997* (the Act) relates to the management of drinking water by drinking water suppliers which requires them to manage water in a manner that does not pose a threat to public health.

Pursuant to Section 184 of the Act, the Director of Public Health (the Director) can issue guidelines which contain legally enforceable requirements. The current Tasmanian Drinking Water Quality Guidelines (the Guidelines) were issued by the Director in November of 2005, and recently a process of review and revision has occurred. This has resulted in the draft 2014 Guidelines, which is now being circulated to stakeholders for consultation. The construct of the 2014 Guidelines clearly outlines responsibilities for the Regulated Entity (TasWater), Local Government Councils, Water Carriers, Private Drinking Water Suppliers, Water Quality Auditors and Agencies and Public Authorities.

The Guidelines reference the *Public Health Act 1997* and a copy of the relevant sections has been provided to facilitate your review of the Guidelines. It should be noted that the provided sections of the *Public Health Act 1997* are consistent with the version of the draft Act that has previously been sent out to stakeholders for consultation. The Department is only seeking comments on the Guidelines as part of this consultation.

The following summarises key changes in the proposed new Guidelines:

Regulated Entity

Specifically for the Regulated Entity, one of the major changes from the 2005 to the 2014 Guideline is the requirement for Drinking Water Quality Management Plans to undergo an audit regime from an auditor approved by the Director of Public Health. Each Plan must be audited biennially, and there are requirements for the Regulated Entity to provide an Audit Schedule prior to the commencement of the programmed audits. Audit Reports must be provided to the Director and non-compliances highlighted from the audit must be addressed. It is only the Regulated Entity that is required to maintain, implement and audit Drinking Water Quality Management Plans.

The requirements for issuing Public Health Warnings have been expanded to cover both Boil Water Alerts and Public Health Alerts, with clear guidance given as to what is required in lifting these legal mechanisms. The Annual Reporting requirement for the Regulated Entity remains and includes some additional items to be reported against.

Local Council

The requirement for Local Councils to register Private Water Suppliers remains, however there is now a requirement for Councils to register Water Carriers. The obligations for Councils in assessing these applications for registration are specified with a level of detail to assist Councils in making the decisions with respect to conditions of approval. The Annual Reporting Requirement for Councils remains and includes some additional items to be reported against.

Additionally, there are requirements specified for both Private Water Suppliers and Water Carriers particularly related to the supply of compliant drinking water and measures required when the drinking water supplied is not potable. Councils must ensure that as part of their registration process, they make the applicant aware of these requirements. It is proposed that Councils are required to undertake an annual compliance inspection of all registered Private Water Suppliers and Water Carriers and to re-register each business annually.

Private Water Suppliers

With respect to Private Water Suppliers, they are now to be classified into four distinct classes where the premises are used for commercial, health, educational or imprisonment/detention purposes. Specific reference is also made to Department of Education (DoE) facilities, University of Tasmania (UTAS) facilities and Parks & Wildlife Services' (PWS) recreational facilities (parks and reserves). All Private Water Suppliers must be registered annually with their Local Council, subject to conditions of approval that must be complied with. It is the intention that DoE, UTAS and PWS facilities classified as Private Water Suppliers will report directly to Council without having an annual inspection. All other types of Private Water Suppliers are subject to the inspection requirements. Additional information on potential Private Water Suppliers can be found in Attachment I to this letter.

Water Carriers

Under the draft Guidelines, Water Carriers are still required to access drinking water from a Regulated Entity, however an approved alternative option is now permitted if the drinking water is extracted from a registered and compliant Private Water Supply scheme. Water Carriers are now required to be registered with Local Council and comply with conditions of approval against their registration.

Water Quality Auditors

Water Quality Auditors undertaking audits of the Regulated Entity's Drinking Water Quality Management Plan need to be approved by the Director upon application, including establishing that they have no conflict of interest in undertaking the audit. There are specific reporting requirements and timeframes for notifications of non-compliances to the Director.

Agencies and Public Authorities

There may be some facilities managed by Department of Education, University of Tasmania and Parks and Wildlife Services that will be required to be registered as a Private Water Supplier with their Local Council. If facilities are required to be registered, they must report directly to Council outlining their compliance with the conditions of approval against their registration.

General

There are several interfaces between the Regulated Entity, Councils, Water Carriers and Private Drinking Water Suppliers that need to be recognised in the implementation of these Guidelines. The Councils, Water Carriers and in some cases Private Drinking Water Suppliers are seen as customers of the Regulated Entity who are required to be notified of a threat to public health. Once notified of the threat, Councils, Water Carriers and Private Drinking Water Suppliers then have additional obligations in ensuring

that the users of the water supplied by them are also subsequently notified. There is a further requirement for Water Carriers to be approved by the Regulated Entity to access and extract drinking water from their infrastructure. Whilst Councils have no oversight in this process, due diligence would ensure that it is placed as a condition of approval through their registration process.

These Guidelines are released in draft for consultation and comment on the review is welcomed and appreciated. The Director has allowed six weeks meaning that comments would need to be back to the Department by 20 June 2014 for them to be considered.

All submissions should be made to the Department's State Water Officer via the Public Health email (public.health@dhhs.tas.gov.au). Comments will be evaluated and addressed where appropriate culminating in the finalisation of the 2014 Guidelines. It is anticipated that these Guidelines will be implemented in mid-2014 at which time you will officially be advised of their commencement. Once finalised, accompanying guidance including necessary template forms will also be available on the Departmental website.

I thank you for taking the time to review these draft Guidelines. Should you have any specific questions or require additional information, please do not hesitate to contact Mr Cameron Dalgleish (State Water Officer) on 6222 7724.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Taylor', written in a cursive style.

Dr Roscoe Taylor
Director of Public Health

7 May 2014

Attachment I – Private Water Supplier Classes – Places not serviced by a TasWater supply

1. Places used for commercial purposes
 - a. Accommodation places serving food
 - b. Accommodation places not serving food
 - c. Child care and out of hours care
 - d. Private School camps
 - e. Recreational facilities within Parks and Reserves
 - f. Private Water Schemes (reticulated supplies not serviced by TasWater)
2. Places used for Health
 - a. Nursing homes, hospitals, health care facilities and hospices
3. Places used for education
 - a. DoE Schools
 - b. UTAS facilities
 - c. Private Schools
4. Places used for imprisonment and/or detention

Public and Environmental Health Services of DHHS are preparing Guide Notes to assist Councils in assessing and registering Private Water Suppliers and Water Carriers. These will be available once the Guidelines are finalised.