

22 October 2004

Dr Robert Hall
Director, Public Health and Chief Health Officer
Department of Human Services
GPO Box 1670N
MELBOURNE VIC 3001

Dear Dr Hall

Thank you for the opportunity to provide comments on the new regulatory framework for Safe Drinking Water in Victoria. Parks Victoria supports the thrust of the new Act and Regulations. However there are some concerns that will influence implementation by Parks Victoria.

Coverage

Parks Victoria currently provides drinking water to at least 500 sites across the state. As previously advised Parks Victoria estimated that to comply with the new Regulations would involve capital upgrade of between \$0.5-1.5Million and an ongoing annual cost of monitoring etc of around \$120,000 - \$250,000.

Originally it was Parks Victoria's understanding that the Safe Drinking Water Act and Regulations would only apply to locations where Parks Victoria treated water for drinking such as Tidal River in Wilson's Promontory National Park. On closer examination of the Regulations it would appear that they apply to over 500 locations where water is provided for drinking.

While Parks Victoria supports application of the Act and Regulations to sites where it is a supplier of treated drinking water at major visitor sites (i.e. at Tidal River) it appears that the Act will now apply to the rest of the sites across the estate, unless exemptions or variations can excise these areas from the obligations of the Act.

There are many agencies that provide water in similar way to Parks Victoria, such as campgrounds managed by foreshore committees, local councils and Department of Sustainability and Environment's Forests. These agencies are not included nor affected by the Act or Regulations. It is unreasonable that Parks Victoria is singled out to provide drinking water that complies with the Regulations higher standards when other similar water providers are not required to do so. Parks Victoria questions the appropriateness of applying the Act in those circumstances and suggests that an exemption clause be inserted in the regulations to exclude those cases.

Cost

The cost of fully implementing the regulations at all 500+ locations will far exceed the Regulatory Impact Statement costs for Parks Victoria unless wide spread exemptions are granted by Department of Human Services to the majority of Parks Victoria locations where water is provided. Parks Victoria therefore questions the need for the Act to apply to these sites which will necessitate complex controls with high service costs and corresponding little gain in public safety, given the relatively low levels of exposure.

The Regulations also require compliance where Parks Victoria provides water from town water suppliers that already complies with the Act and Regulations as Section 6. (1) (d) (ii) states. This is not economical and sensible given that Parks Victoria already exercises its responsibility in maintaining water pipes and reticulation in parks. To overlay additional risk management and testing in these circumstances is inconsistent with requirements from other park managers such as Local Government.

Sampling Frequencies

The regularity of sampling will also influence the cost of implementing the regulations at many sites. The regularity minimum is one test per week. This frequency may need to be reduced for many of Parks Victoria's drinking water locations, particularly as it relates to low visitation and remote sites.

Optionally withdrawing water from locations because of limited funding is not in line with community expectations in delivering safe drinking water at many of these sites. Parks Victoria supports the Section 11 powers in the regulations which provide for the Secretary to vary the frequency of sampling and believes that the regulations need to provide further powers to allow for the application of Specific Water Quality Standards or exemptions for Parks Victoria.

Situations where specific exemptions would be applied include:

- where Parks Victoria supplies treated water from another water supplier, such as in metropolitan area and from town water supplies;
- where Parks Victoria provides water in remote access sites where there is no practical way of providing treated water; eg alpine locations;
- where the risk to users is low and the cost of maintaining a treated water supply is unrealistic; eg low visited areas;
- where Parks Victoria provides water to standards where similar public agencies are not required to do so, eg coastal and bushland campgrounds.

Given the increase in affected locations the likely implementation of the Safe Drinking Water Act and Regulations by Parks Victoria will therefore far exceed Parks Victoria's anticipated involvement and hence compliance with the Act by 1 July 2005 will be compromised.

Summary

There is an unacceptable and impractical level of resource required for Parks Victoria to determine how the Act and Regulations will apply at all locations where drinking water is provided. There are still many uncertainties in the application of the Act and Regulations at specific locations. Parks Victoria will need time to address these locations comprehensively and systematically with Department of Human Services involvement. Given the complexity of this task it may take substantial time to address all locations, perhaps several years. Significant funding for infrastructure and monitoring could be a necessary outcome if we do not address these uncertainties and could delay implementation where it is most important.

Parks Victoria seeks consideration of these matters raised and resolution of requirements imposed by the Regulations for Parks Victoria to properly assess its commitment to compliance by 1 July 2005.

Yours sincerely

Gerard O'Neill

General Manager, Metropolitan Parks & Bays