



Mr Hugo Harmstorf
Chief Executive Officer
IPART
PO Box K35
HAYMARKET NSW 1240

16/14754

Dear Mr Harmstorf

I refer to your letter to the Hon Rob Stokes MP, Minister for Planning, regarding an application by Flow Systems Operations Pty Ltd for a network operator's licence and to vary its existing retail supplier's licence in relation to a new residential development at Shepherds Bay in Meadowbank. The Minister has asked me to reply on his behalf.

With regard to the first point of IPART's letter, the Department of Planning and Environment's (the Department) Compliance Branch has advised that Flow Systems Operations Pty Ltd, Flow Systems Pty Ltd and Shepherds Bay Infrastructure Management Pty Ltd have not been subject to enforcement actions under the *Environmental Planning & Assessment Act 1979* (EP&A Act).

With regard to the second point, the Planning and Assessment Commission (PAC) approved the Concept Plan for the Shepherds Bay development in March 2013 following a recommendation being made from the Department. Please be advised City of Ryde Council (Council) is now the consent authority for each subsequent stage of the Shepherds Bay development under Part 4 of the EP&A Act. As such, IPART may wish to confirm with Council whether the application for the construction, operation and maintenance of sewerage and recycled water infrastructure within the development area has been issued, and if so, whether the subsequent delivery of these services is compliant with Council's consent.

With regard to the third (unacceptable risks) and fourth points (inclusion of special licence conditions), no comment can be made as the Department has not been involved in the assessment or approval of the development and associated infrastructure.

Should you wish to discuss this matter, please contact Alix Carpenter, Team Leader, Ports and Water on [REDACTED] or via [REDACTED]

Yours sincerely

[REDACTED]
David Gainsford 20/12/16
Executive Director
Priority Projects Assessments