

## Send a Submission

<b>Submission ID</b>	142367
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The following information has been submitted from the ESCOSA:

<b>Project Title:</b>	Cape Jaffa Essential Services - variation to water license
<b>Date:</b>	Dec 02, 2021
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Please keep name and email confidential

Re: [Water retail licence variation application – CJES](#)

We were initially notified by mail on the 6<sup>th</sup> August the water at Cape Jaffa was no longer suitable to drink. Current residents have mentioned there were at time interruptions to the water supply and no water at all, drinking quality or otherwise. After hearing nothing for several months we received an email on the 25<sup>th</sup> Nov to advise the intent to vary the license permanently to reclassify the drinking water to non-potable. The project was release date on your website is the 5<sup>th</sup> November, however we were only notified on the 25<sup>th</sup>, just 6 business days prior to the end of the consultation period on the 3<sup>rd</sup> December. Why weren't we given the additional time and what are the rules about notification as this didn't leave enough time to get proper legal advice on the situation.

We were not notified of the option to send in a submission prior to the 3<sup>rd</sup> December this has only come from a resident doing research in an attempt to understand our rights. Neither CJES nor the council have had the residents best interests at heart here by not giving the full picture. To date no report or any supplementary information has been supplied to residents in the interested of transparency to show results of independent reports and other options they considered, we have had to 'take their word for it'. This would never happen in a metropolitan area, it appears that advantage is being taken due to the smaller population size.

Cape Jaffa Essential services were only issued the retail water license in May of 2013, I would like to understand what conditions this was approved given that less than a decade later they are no longer able to supply drinking water. Why approve a license that can't be operational for the long term?

We have signed an encumbrance on the land title which states CJES will supply potable water and sewage services. The land which we purchased and settled just 3 weeks prior to the first notification was done so with our understanding that all services were available at the marina. We looked at other land in Kingston and didn't proceed as that land didn't have all services connected. Now we have paid extra for a block of land that will not supply drinking water. This will result in additional costs if we proceed with the build. I have since found that there were issues with the water prior to our settlement and we were not notified by CJES ahead of time.

Assessment report for the Environmental Impact Statement for the Cape Jaffa Anchorage Marina section 6.7 refers to how they would supply the water and was part of the planning permission given to the area. The EIS has a lot of information in relation to the income generated to the area, jobs created and how they were planning to grow the community. There has obviously been some issues in achieving this, however the removal of potable water to the area along with no further development is a giant step backwards for the area. This will effect sale prices on the land and existing dwellings resulting in major losses for owners.

Things we need to understand;

- What will be done to come to a mutually beneficial agreement on the state of the water to Cape Jaffa?
- If the variation is approved, what will be done to ensure that the quality of water does not further degrade to the point it can't be used in appliances like dishwashers and washing machines needing frequent repair / replacement due to poor quality water? Given a history of interruptions to the water supply what conditions will need to be met that non-potable water will continue to be supplied WITHOUT interruption and for the long term?

· If the variation is approved what negotiations will be entered into in relation to compensation and review of water rates to the area. This will mean additional long term costs for all residents. Existing residents who do not have rainwater tanks or suitable plumbing to separate rain water and town water will have an expensive outlay to remedy this. As an owner of a vacant block I will now need to factor into build costs for rainwater tanks and additional plumbing. Plans to build a holiday let will need to be reviewed as IF we proceed we will be advertising a place where tenants need to bring their own water, this will reduce the rate we are able to let the house for potentially making it not an option for us to proceed.

· The letter we received on the 25<sup>th</sup> November mentioned they would remove the encumbrance, what legal recourse do they have to do this without our permission. All residents entered into the contract of sale with the understanding they would have drinking water delivered to their house, if this is no longer going to be the case there needs to be an award of damages to residents as we will be at a loss as a result of this decision that is out of our control.

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