

## Water retail licence variation application – Cape Jaffa Anchorage Essential Services (“CJAES”)

Submission –

### OBJECTION TO THE APPLICATION BY CJAES FOR A WATER LICENCE VARIATION

1. I am the owner of property within the Cape Jaffa Anchorage (“the Anchorage”). On deciding to purchase land and build a dwelling within the Anchorage, I relied on the fact that the CJAES Water Retail Licence (‘the Water Licence’) required CJAES to supply safe drinking water to my property in accordance with the *Safe Drinking Water Act*. **But for the guaranteed supply of safe drinking water, I would not have purchased the land, nor subsequently built a dwelling on that land.** I understand other owners held the same belief.

Those owners who still would have purchased land, would likely have paid less for it, and would have included rainwater tanks to service their property at the design phase of their build. Adding rainwater tanks after completion of a build may not be possible, is likely to be considerably more expensive, and aesthetically detract from both individual properties, and the Cape Jaffa Anchorage as a whole.

2. I assessed at the time of purchase that it would be **unconscionable for CJAES to apply for a variation to the Water Licence at any time, as CJAES were aware that properties had been built (and were continuing to be built) with the assurance that there would be a continuous supply of safe drinking water.**
3. **CJAES should reasonably have foreseen that fluoride treatment would be necessary** to maintain its ‘safe drinking water’ classification. CJAES should have made provision for this when offering to supply properties with safe drinking water, knowing that owners were relying on the classification.
4. **The water supply can be returned to “safe drinking water” simply by CJAES upgrading and/or installing addition water treatment equipment.** There is no basis for expecting owners to wear the cost of reclassification to non-drinking water. The personal cost to me will be \$25,000+ in lost rental income per annum, plus the cost of installing rainwater tanks. My property will also be devalued. Other owners are likely to suffer similarly losses.
5. **The water supply is currently subject to frequent outages,** which together with the temporary reclassification, has already impacted on my rental income. The outages are separate to the fluoride issue and suggest the treatment equipment needs replacement or repair. Noting the unconscionable conduct of CJAES to date, should ESCOSA grant the licence variation application, it is anticipated that CJAES will stop treating the water altogether and/or take any measures they can under the new classification to reduce their costs at the expense of owners.
6. If a decision were made by ESCOSA to grant the CJAES application, this decision would likely be the subject of an Appeal.