

IPART submission

24/01/2023

Submission by;

Disage Pty Ltd

Denis Bedall



We note your observation that Lot 34 DP 755211 will be encircled by the new area of operations but not included in the new area of operations. Meaning that if the varied licence is granted the licensees would not be required to connect or supply premises located on this property, or any future subdivision of the property, with drinking water, recycled water and/or sewerage services.

As you were advised by Hunter Water the property is serviced by a non-standard drinking water connection, and an on-site septic tank approved by Cessnock City Council.

We note that typically, as services become available from service providers such as Hunter Water properties are required to connect to those services, particularly where septic tanks are involved with encroaching urban development. We understand that certain environmental studies are required as part of the licencing, but we have not been invited to participate or assist in such studies.

Notably, the **Huntlee Development Control Plan 2013** which includes Lot 34 requires strategies for residue lots for future development as follows.

4.5.5 Residue lots

Controls

- (1) Any development proposal including creation of residue lots for future subdivision must:
 - Include documentation demonstrating the proposed density to be achieved on the residue lot.
 - Demonstrate how the future development of each residue lot can be consistent with the character for the local area in terms of the built form, dwelling types, bulk and scale, height and other public domain considerations.
 - **Demonstrate that the residue lot can be serviced and accessed.**

None of the above requirements have been met.

Also, precluding adjoining properties from accessing such services and effectively sterilising developable land could be deemed as "anti-competitive behaviour" under the Competition and Consumer Act 2010 (previously the Trade Practices Act 1974)

Accordingly, we object to the licence variation.