



PLANNING & ENVIRONMENT DEPARTMENT

Draft Island Plan – White Paper **Waste**

Minister's Response to consultation

27th May 2010

Ref	Agent	Name	Org/bus.	No.	Title	Response	Suggested changes to the document:	Why you consider this to be necessary:	General Response	Detailed Officer Response	Minister's Recommendation
Waste											
DP959		Mr Roger Corfield		10	Waste Management	Neither	<p>Please note that the following changes need to be made to Chapter 10 of the Draft IP - Waste Management: Page 402 Should sub-title read "WM: Introduction)? Page 402, Para. 10.4, second line Should read "principle". Page 402, WM: Introduction This should surely include some words of introduction to solid waste management? I suggest the following: 10.6 Dealing effectively and responsibly with solid waste remains a big challenge for the Island. Waste is an unwanted by-product of the development process and represents a "misuse of resources". It needs to be reduced and managed safely and effectively to achieve environmental and economic benefits and help in achieving sustainable development. 10.7 The main overriding aims of this section of the plan are: · to deliver the States Strategic Plan and the Solid Waste Strategy to secure an acceptable balance between the community's need to manage waste, whilst protecting the local environment and the amenities and health of local residents; · to give greater certainty as to the location and scale of future waste management facilities and to provide a clear guide to waste operators, other public bodies, interest groups and the public where waste facilities are likely in principle to be acceptable; · to ensure that any proposals for waste management operations are environmentally acceptable and, where appropriate, are accompanied by satisfactory proposals for restoration and after-use. Page 403, Para. 10.7 This is not a paragraph, but simply a source reference. Page 406, Para 10.11 Omit fourth bullet point relating to re-use and recycling centres. Page 415, Para. 10.36, second line Should read "... facilities needed..." Page 416, first bullet point Omit one full stop Page 418, Para 10.42, end of last line Omit "licence." Page 419, Policy WM2, first no.2 Omit "2. Existing quarries, as appropriate". Page 420, Policy WM2, No.5 Should read "...bio-diversity and...". Page 426, Policy WM5, No.4 Omit "4." and shift the two lines starting "subject to the provision..." over to the left. Page 438, Para 10.102, second line Should read "...at least 200 years. However, since..." Page 438, Para 10.103, end of second line Should read "available". Page 446, Para 10.121, Water Pollution (Jersey) Law 2000, second bullet point Should read "establish and issue discharge permits and ensure that no condition of a ...". This is an amendment suggested by Jody Robert and Steve Fisher. Page 446, Para 10.121, Drainage (Jersey) Law 2005 Omit first</p>		Amendments put forward by planning officer	<p>Recommendation 1: The subtitle above para. 10.1, page 402 should read: "WM: Introduction". Recommendation 2: All the sub-titles and policies in the 'solid waste' section should be pre-fixed with "SWM". Recommendation 3: Page 402, para. 10.4, second line should read "principle". Recommendation 4: The following text should be included below the sub-title "WM: Introduction" on page 402: "10.6 Dealing effectively and responsibly with solid waste remains a big challenge for the Island. Waste is an unwanted by-product of the development process and represents a "misuse of resources". It needs to be reduced and managed safely and effectively to achieve environmental and economic benefits and help in achieving sustainable development. 10.7 The main overriding aims of this section of the plan are: o to deliver the States Strategic Plan and the Solid Waste Strategy; o to secure an acceptable balance between the community's need to manage waste, and requirements to protect the local environment and the amenities and health of local residents; o to give greater certainty as to the location and scale of future waste management facilities; o to provide a clear guide to waste operators, other public bodies, interest groups and the public as to where waste facilities are likely in principle to be acceptable; and o to ensure that any proposals for waste management operations are environmentally acceptable and, where appropriate, are accompanied by satisfactory proposals for restoration and after-use." Recommendation 5: Omit para. number 10.7 from Page 403. This is simply a source reference. Recommendation 6: On Page 406, Para 10.11 omit fourth bullet point</p>	Minister minded to support changes to Plan

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							<p>bullet point and replace with "Establish and issue Trade Effluent Consents to foul sewer". Again this has been requested by Jody Robert and Steve Fisher. Page 447, Para 10.125, fifth line Should read "environment and aimed to promote..." Page 451, Policy LWM1, second para Should read "...part of a 'Site Waste Management Plan' ". Page 452, Para 10.139, fourth line Should read "...sewage effluent. However, proposals...". Page 456, para 10.146, final bullet point Should read "...surface water sewer." Requested amendment from Steve Fisher. Page 456, para 10.146, penultimate bullet point Should read "...release to a public surface water sewer; and" Page 457, Policy LWM3, sixth bullet point Should read "...release to a public surface water sewer" Agreed as amendment with Steve Fisher - 4th December. Page 457, Policy LWM3, fourth para This should be split into three paras. The second sentence beginning "Applicants will be expected.." should be a separate para The final two sentences beginning with "Discharge rates..." and ending with "...run-off" should be a separate para Page 457, Policy LWM3, final para Sewage Treatment Facility should not be in brackets. Page 460, Policy LWM4 The second sentence beginning "Proposals for a new /..." is not a bullet point and should be shifted to the left. Steve has also asked whether it is the intention that all tanker discharge points, pumping stations with odour control units and impounding ponds will be shown on the Proposals Map as noted in Policy LWM2, page 454. These need to be identified Ralph.</p>			<p>relating to re-use and recycling centres. Recommendation 7: On Page 407, omit para. numbers 10.15 to 10.17, which should simply be bullet points under para. 10.14. Recommendation 8: On Page 410, reword point 1 to read: "1. new composting and recycling facilities". Recommendation 9: Reword the beginning of para. 10.36 on Page 415 to read "Within the Plan Period, the following new and improved strategically important waste management facilities will be required:..." Recommendation 10: On Page 416, first bullet point, omit one of the full stops. Recommendation 11: On Page 418, para 10.42, end of last line, omit "licence." Recommendation 12: On Page 419, Policy WM2, first no.2, omit the words "2. existing quarries, as appropriate" and change the para. numbering that follows. Recommendation 13: Page 420, Policy WM2, No.5 Should read "will not have an adverse effect on bio-diversity and...". Recommendation 14: On Page 426, Policy WM5, omit the number "4." and shift the two lines starting "subject to the provision..." over to the left. Recommendation 15: On Page 426, amend the second para. of Policy WM5 to read: "In order to enable and encourage recycling and sustainable waste management, the Minister will seek to ensure that appropriate storage facilities are provided for waste and recyclables in all new developments, which are: o of adequate capacity; o safe and accessible..." Recommendation 16: On Page 433, para. 10.91, fourth sentence, replace the words in the brackets with the following: "... (described in the Natural Resources and Utilities Chapter),...". Recommendation 17: On Page 438, para 10.102, the second line should read "...at least 200 years. However, since..." Recommendation 18: On Page 438, para 10.103, the end of second line should read "available".</p>	

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										<p>Recommendation 19: On Page 446, para 10.121, Water Pollution (Jersey) Law 2000, the second bullet point should read "Establish and issue discharge permits and ensure that no condition of a discharge permit is contravened". Recommendation 20: On Page 446, para 10.121, Drainage (Jersey) Law 2005, the first bullet point should be omitted and replaced with "Establish and issue Trade Effluent Consents to foul sewer".</p> <p>Recommendation 21: On Page 447, para 10.125, the fifth line should read "environment and aimed to promote..." Recommendation 22: On Page 451, Policy LWM1, the second para should be amended to read "...part of a 'Site Waste Management Plan' ". Recommendation 23: On Page 452, para 10.139, the fourth line should read "...sewage effluent. However, proposals...".</p> <p>Recommendation 24: On Page 455, para. 10.146, the first bullet point should read: "...for later use (see Proposal 20: Water Conservation);"</p> <p>Recommendation 25: On Page 456, para 10.146, the penultimate bullet point should read: "...gradual release to a public surface water sewer; and"</p> <p>Recommendation 26: On Page 456, para 10.146, the final bullet point should read "...surface water sewer."</p> <p>Recommendation 27: On Page 457, Policy LWM3, the sixth bullet point should read "...release to a public surface water sewer"</p> <p>Recommendation 28: On Page 457, Policy LWM3, final para, the words "Sewage Treatment Facility" should not be in brackets. Recommendation 29: On Page 460, Policy LWM4, the second sentence beginning "Proposals for a new /..." is not a bullet point and should be shifted to the left.</p>	
DP30		Mr Terence Tanner			W: Introduction	Objecting	My thoughts on this has been made in the environment section	Solid waste is the only contention apart from the smell from Bellozanne perhaps better charcoal filters changed more frequently.	Reject	See DP18 and DP19. Mr Tanner is objecting to the location of the new replacement Energy from Waste Plant at La Collette, because it will damage the adjacent Ramsar site. He argues that future breakdowns and	The Minister notes the comments made but is not minded to amend the draft

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										<p>maintenance problems (esp. as the plant gets older) and demolition at the end of its life will give rise to "exposure to possible substantial toxic material, which is liable to pollute the surrounding area". The development of the replacement plant has already been approved by the States, has been granted planning consent and is under construction. It must be taken as a given for the purposes of the draft Island Plan. The odour from Bellozanne Sewage Works can on occasions extend over a large residential area to the south (First Tower) and this is a management issue for TTS. It is being addressed as part of the on-going Liquid Waste Strategy development. One would expect this to be addressed by some form of enclosed odour control plant for the sludge storage tanks and the inlet works, if the Sewage Works remains in the same location.</p>	Plan
DP214		Mr Stephen de Gruchy		Objective WM 1	Waste Management	Supporting			Support Noted		Support is noted by the Minister
DP215		Mr Stephen de Gruchy		Proposal 21	Waste Minimisation and New Development	Supporting	Does the policy need to include a definition of "major new development" (i.e. as stated in paragraph 10.26)?		Accepted	To make clear what is intended by Policy WM1.	Amend 2nd para. to read... "All new developments of 10 or more dwellings, or above a threshold of 1,000m ² and/or developments which would involve the demolition of major structures if the potential generation of significant quantities of waste material will only be permitted where:..."
DP1066		Ray Shead	The Jersey	Policy WM 1	Waste Minimisation	Supporting	This policy is agreed. The existing Planning requirement for Waste Management Plans does not		Support Noted		Support is noted by the Minister

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			Chamber of Commerce		on and New Development		include site waste nor does it include the monitoring of the results of the development at its conclusion. This Policy reinforces and extends the existing policy to include site waste during construction and the recording of the actual results compared with the estimate.				
DP216		Mr Stephen de Gruchy		Policy WM 1	Waste Minimisation and New Development	Supporting			Support Noted	Noted	Support is noted by the Minister
DP879		Mr Stephen D Smith	Health Protection Services	Policy WM 1	Waste Minimisation and New Development	Supporting		The service supports the need for re-use and recycling of waste and the use of Site Waste Management plans. However, before this there is a need to consider development schemes to reduce the need for the wholesale excavation of material for further car parking at commercial developments particularly in town.	Support for waste minimisation policy noted.	It is accepted that proposals involving wholesale site excavation to provide underground car parking etc can impact significantly on the amount of residual waste that requires to be disposed of in landfill (e.g. major Waterfront developments such as the Esplanade Quarter and Castle Quays and various other proposed residential, commercial and mixed use developments in the urban area). The creation of waste and the requirements for waste minimisation in any such developments can be assessed against the criteria set out in Policy WM1. However, all such applications will need to be assessed on their individual merits having regard to all the relevant policies in the Plan and there may often be requirements for 'trade-offs' to satisfy overriding policy aims. In the circumstances, it is not considered appropriate to be prescriptive in specifically precluding / presuming against excavations for underground car parking in new developments.	Noted by the Minister
DP217		Mr Stephen de Gruchy		Policy WM 2	New and Expanded Waste Management Facilities	Supporting	There are some typos in: first paragraph numbered (2) and paragraph (5) on page 420.		Noted	The first criterion no.2 is superfluous	The Minister is minded to amend the draft Plan to 1. Omit first criterion no.2 2. Amend last criterion no.5 to read: "will not have an adverse effect on biodiversity and..."
DP878		Mr	Health	Policy	New and	Neither	The use of land based areas such as quarries for		Comment	It is accepted that uncontrolled landfill	Noted by the

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		Stephen D Smith	Protection Services	WM 2	Expanded Waste Management Facilities		landfill with inert waste and for secondary / recycled aggregate has the potential for long term adverse effects on water catchments used for potable sources. If this is to occur it is vital supervision /enforcement is effective thereby ensuring only inert material is deposited to prevent contamination of those water sources.		ts Noted	can have adverse effects on water catchments and lead to water contamination. For this reason, Policy WM8 (Residual Waste and Terrestrial Landfill Sites) includes requirements aimed at ensuring that environmental impacts are satisfactorily controlled and that the types of waste and methods of disposal meet the requirements of the Minister for Transport and Technical Services. Clearly, where the geology etc proves unacceptable, and there is a potential risk to water sources, any waste disposal that is permitted (having regard to the requisite Environmental Impact Assessment) would be restricted to inert material and have to meet specified mitigation measures, which are likely to include requirements for effective supervision. Any breach of planning consent would be subject to enforcement proceedings and other regulatory controls (e.g. The Waste Management Jersey Law 2005 and the Water Pollution Jersey Law 2000).	Minister
DP218		Mr Stephen de Gruchy		Policy WM 3	Integrated Waste Management	Supporting			Support Noted	Noted	Support is noted by the Minister
DP219		Mr Stephen de Gruchy		Policy WM 4	Recycling / Composting Facilities	Supporting			Support Noted	Noted	Support is noted by the Minister
DP220		Mr Stephen de Gruchy		Policy WM 5	Re-use and Recycling Centres	Supporting			Support Noted	Noted	Support is noted by the Minister
DP221		Mr Stephen de Gruchy		Policy WM 6	Inert Waste Recycling	Supporting			Note: some minor modifications are needed to text of Policy WM5 for clarification and to avoid	1. Omit number 4 from first para. 2. Omit "To this end," from para 2, start of second sentence.	The Minister is minded to amend the draft Plan

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									repetition.		
DP222		Mr Stephen de Gruchy		Policy WM 7	Waste to Energy and Material Recovery Facilities	Supporting			Support Noted	Noted	Support is noted by the Minister
DP263		Dr. R.A Kisch		Policy WM 7	Waste to Energy and Material Recovery Facilities	Neither	Waste Management WM7 proposes ultimate residue to be landfilled in preference to land reclamation. The Ramsar designated areas are especially referred to but are not absolute when necessary for the economy. Amendment to be land reclamation rather than landfill. See suggestion below.	Ramsar sites applied to large coastlines ignores the economic and social pressures generated within a small island like Jersey. Reclaimed land is more valuable and availability of landfill sites much more difficult in a small area. Further comment: To cover expanding population plans, incineration has been sized larger than present capacity requires. Two units running together will only be needed at peak periods. further, one "spare" is needed to enable incineration during maintenance and to cover breakdown. Increasing reclaim and recycling will, initially at least, reduce the volume of material for incineration. SUGGESTION: When the new Jersey incinerator is proven working correctly, then for the contract period (renewable) of, say, three or five years, Guernsey material for incineration be accepted. Such a deal would involve shipping of the material to Jersey and should include return of the Guernsey proportion of ash residue in suitable sealed bags for Guernsey disposal. If Guernsey were to accept all ash residue (that is, both Jersey & Guernsey), then the gate fee payable per ton of Guernsey material would be reduced. Guernsey to provide and pay for all shipping, handling and bagging costs.	Noted	Notes: 1. The point raised about preference for landfill over land reclamation addresses Policy WM8. The case for preferring landfill of residual waste when La Collette 2 is no longer available is made, on balance, in the text justifying / explaining Policy WM8. Part of this case rests on the ready availability of a substantial potential landfill site at La Gigoulande Quarry. A void at the western end of the quarry could alone provide for fill over 12 to 15 years 2. The draft Plan recognises the pros and cons of promoting further land reclamation (including the potential value of the land created and the potential environmental problems), and does allow for reclamation where it is proven to be in the Island's "urgent strategic interest" (Policy WM9). 3. The suggestion regarding the acceptance of Guernsey's waste for incineration is a strategic issue that needs to be addressed within the context of the Island's Solid Waste Strategy and the States Strategic Plan, rather than the Island Plan.	Noted by the Minister
DP39		Mr Anthony Paintin	La Societe Jersiaise, Ornithology Section		Residual Waste and Terrestrial Landfill Sites	Objecting	Removal of Simons Gravel Pits from para 10.98 as a possible private landfill site.	Simons Sandpits contain the only Sand Martin breeding colony in the Channel Islands (over 100 pairs in 2009). This species is protected under the current wildlife act.	Reject	The Simon Sandpits are currently characterised by a very large open body of water, which has, in part, replaced an ecologically rich dune habitat in St. Ouen's Bay. Para 10.98 recognises that Simon Sand and Gravel may come forward with proposals for controlled landfill at their quarry (which is scheduled to cease operating in 2018) and that this would provide opportunities to restore dune habitats. Clearly any restorative work would need to be limited, because of the sensitive nature of the local landscape character, the acquired conservation value of the quarry and	The Minister is not minded to amend the draft Plan

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										the desirability of ensuring that the conservation value of the site is enhanced. The company has a good record in sensitive habitat reclamation around the main quarrying area. Policy WM8 provides the means to ensure that the environmental impacts of any proposals for landfill / restoration at the site are satisfactorily controlled. Any associated EIA would address the sand martin colony issue. This issue is one of many that would have to be addressed by any future landfill / restoration proposals and, should any such proposals come forward, it is appropriate that they be considered on their individual merits. Incidentally, as reported in para. 10.101, the current Minister of P&E has given assurances that he will not permit landfill at the site during his tenure of office.	
DP223		Mr Stephen de Gruchy		Policy WM 8	Residual Waste And Terrestrial Landfill Sites	Supporting	Incidentally, I strongly support the Minister's stance regarding landfill at Simon Sand (paragraph 10.101) given its wildlife value (particularly given that it plays annual host to the only breeding sand martin colony in Jersey).		Support Noted	Any associated EIA would address the sand martin colony issue.	Support is noted by the Minister
DP225		Mr Stephen de Gruchy		Policy WM 9	Land Reclamation	Supporting			Support Noted	Noted	Support is noted by the Minister
DP226		Mr Stephen de Gruchy		Policy WM 10	Restoration Of Landfill Sites	Supporting			Support Noted	Noted	Support is noted by the Minister
DP227		Mr Stephen de Gruchy		Policy WM 11	Development in the Vicinity of Waste Management Facilities	Supporting			Support Noted	Noted	Support is noted by the Minister
DP228		Mr Stephen de Gruchy		Objective WM 2	Liquid Waste Management	Supporting			Support Noted		Support is noted by the Minister
DP229		Mr Stephen de Gruchy		Policy LWM 1	Liquid Waste Minimisation and New	Supporting			Support Noted		Support is noted by the Minister

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					Development						
DP230		Mr Stephen de Gruchy		Policy LWM 2	Foul Sewerage Facilities	Supporting			Support Noted	Noted	Support is noted by the Minister
DP358		Mr Mike Waddington		Policy LWM 2	Foul Sewerage Facilities	Objecting	<p>(a) The Minister for Planning & Environment (stress Environment) should not be dodging responsibility for this by passing the buck to the Minister for TTS (as the DIP states) but should be ACCEPTING this technology where mains drains are not possible/practical. The technology for bio-digesters is proven and reliable- indeed more reliable than mains pumping stations (currently these are quite acceptable to Planning) as the bio-digesters have both duty and stand-by pumps. (be) If there is a concern about owner's maintaining these systems then they should simply be prosecuted under the Water Pollution legislation. (c) Policy NR2 should, I strongly feel, be re-written to allow or indeed promote proven 21st Century technology, over energy wasteful backward thinking.</p>	<p>On site drainage treatment plants (bio-digesters). Jersey is practically third-world in terms of its lack of mains drains to rural areas. The current reliance on tight-tanks and their associated emptying on a monthly basis is archaic and the carbon footprint, created by the lorries needed to evacuate the tanks and then transport the sewage for central treatment, must be enormous.</p>	No change	<p>The primary purpose of this policy is to ensure that the Island's water environments (i.e. streams, ponds, coastal waters, ground waters and reservoirs), which are among our most vital natural resources, are protected from contamination / pollution by effluent from new developments which rely on private non-mains sewerage. Such developments may, either individually or cumulatively, increase the risk of groundwater pollution, which has the potential to adversely affect the ecology and chemical quality of the water environment. To minimise the risk to public health and the local environment, it makes absolute sense to continue to support established policy of centralised sewage treatment, by: restricting the number of new developments being connected to non-mains sewerage; ensuring that new development connects to mains services wherever possible; and making provision for developer contributions towards necessary improvements to mains services, as appropriate. The first presumption to discharge into a public sewer, is in accord with UK Government advice (DETR Circular 03/99). This approach also ties in well with the spatial strategy which looks to concentrate new development in the Island's Built-up Areas (which are currently best served by the mains sewerage system) and minimise / limit it in the countryside (principally in and around key village settlements where they can be more easily serviced). Contrary to the inference behind the objection, the Policy does recognise that the mains sewerage system does not cover the whole Island and that it will not be feasible for some</p>	The Minister is not minded to amend the draft Plan

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										<p>developments to connect to the system. Where these developments are otherwise acceptable, they would need to rely on some means of on-site (non-mains) sewage treatment and the policy does make provision for them as exceptions. However, in order to protect the Island's water resources from the potential polluting effects of on-site sewerage treatment, the policy looks to ensure that the best alternative options sewage treatment are pursued, that sufficient information is made available on how the waste is to be treated to allow proper determination and that appropriate standards and conditions are met. The second option in the policy of considering a package treatment sewage treatment plant, where connection to the public sewer is not feasible is also in accord with the advice in DETR Circular 03/99. It also makes more sense to take a precautionary approach to policy formulation in this area to reduce the risk of pollution, rather than rely on prosecuting those responsible for pollution incidents (i.e. through poor maintenance of private non-mains sewage treatment plants) after the event. MR: Mike Waddington seems to be promoting the view that on site sewage treatment can be as good as, or better than, connecting to the public sewer, so there is no need to restrict development on the grounds there is no sewer available. I'm not convinced this is true. This will always be a case for exceptions, as the policy says, but to promote decentralisation of sewage treatment is another matter. A bio digester simply means a tank which digests organic material biologically, and in that sense most sewage treatment systems can be called bio digesters. In practice, not all packaged treatments systems are designed to work in the same way, and this results in different treatment standards. I'm not aware of any commercially available bio digesters</p>	

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										(which are normally designed to provide methane gas for cooking) which are designed for use with small scale development such as one or two houses. Systems are available for small holdings, and the like, where large quantities of manure are produced, but they are not without problems as the attached article shows. Whatever the type of system, consideration still needs to be given to what happens to the treated effluent. Ground percolation in many areas around the Island is not good so this is a risk that systems will fail, because land drainage systems don't work. TTS have plenty of evidence of this in the winter with existing systems. An argument could be made that because the treated effluent will be so good, it could discharge on the surface of the ground, but I'm not convinced this is better than a connection to the public sewer. To suggest the minister is dodging responsibility by passing the buck to TTS, is nonsense. The IP policy is looking at drainage corporately and supports an established policy of centralised sewage treatment, which for an island the size of Jersey, is surely the best option. The policy does recognise the downsides of cesspools, which is why package treatment plants are allowed in certain circumstances.	
DP758		Paul Harding	The Association of Jersey Architects	Policy LWM 2	Foul Sewerage Facilities	Supporting	14.1 The AJA is delighted Policy LWM3 at last recognises replacing an old septic tank with a 'packaged treatment plant', otherwise known as Bio?digesters is a feasible, practical and environmentally sustainable solution allowable under this Policy. For the sake of consistency we trust appropriate Biodigester installations will be accepted for new developments otherwise meeting the Plan Policies and permissible.		Noted	Policy LWM2 'Foul Sewerage Facilities' clearly sets out when it may be acceptable for new developments to rely on non-mains drainage. The clear presumption is in favour of connection to the public foul sewer, to reduce the risk of pollution. Non-mains drainage will only be acceptable in exceptional circumstances. Essentially, where mains drainage is not feasible, for proposed developments that are considered appropriate for other planning reasons, the preferred option would be a packaged treatment plant. Only where this would be unreasonable would consideration be given to the use of other non-mains systems (e.g. septic tanks where these	Support is noted by the Minister

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										have performed adequately and tight tanks).	
DP872		Mr Stephen D Smith	Health Protection Services	Policy LWM 2	Foul Sewerage Facilities	Neither		The Department recommends that mains water is made available to those who wish to use it. There should be a continued commitment through the Island Plan to require mains water to be provided to all new development on Public Health grounds. This also applies to the continued requirement for the provision or extension of mains drainage to all new developments.	Reject although the public health benefits of what is proposed are recognised.	Whilst accepting the public health benefits of connecting new developments to the mains water supply, this would be difficult to enforce in every circumstance. It probably explains why previous Island Plans avoided any such policy statements and concentrated more on securing efficient use of water. That said, most new developments since the 1987 Island Plan have connected to the mains supply for practical reasons and/or to reflect developer or client expectations. Presently in Jersey, over 80% of the residential population receive mains water provided by Jersey Water and the remainder, largely but not entirely situated in rural locations are dependent on private supplies (drawing mainly on ground water resources). Mains water is treated to a high standard, whilst the alternatives of private wells, boreholes and rainwater tanks carry potential public health risks. In the foreseeable future, it is envisaged that in most instances developers will continue to choose to connect to the mains water supply, as a way of guaranteeing safe water in the quantities required. The 'spatial strategy' adopted in the draft Plan, which looks to concentrate new development in and around the built-up area will assist in making the mains water supply readily available for connection in most cases. However, there will continue to be exceptional circumstances where it is desirable for other planning reasons to permit developments requiring water in outlying rural areas where connection to the mains supply is not feasible, or where clients have a preference for borehole or well water. Such cases will need to be considered on their merits and they would also be subject to other legal requirements. The Building Byelaws aim to ensure that the quality of well and borehole water is	Minister minded to amend plan; Recommendation 1: Amend subtitle on page 356 to read: "Water Capacity and Conservation" Recommendation 2: Add paragraph above para 9.17 to read "9.17 No new development should be permitted unless it can be shown that adequate water supplies are available for the development. In most cases, it will be necessary to connect to the treated water supply in the mains and, where appropriate, advice will be sought from Jersey Water on whether or not the proposals will have an unacceptable impact on the capacity of mains water supplies." Recommendation 3: Change title of policy to "Water Capacity and Conservation). Recommendation

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										protected by imposing minimum distances between the supply and the potential sources of pollution (e.g. domestic sewage disposal installations). The Water Resources (Jersey) Law, 2007 is also applicable. Among other things, it set out to protect and regulate the Island's water resources and to ensure sufficient water will be available for drinking, industry, agriculture etc. Under this law, all boreholes or wells proposed in new developments will need to be licensed and the license will cover the quantity and rate of water that may be extracted and the purposes for which it may be used. Although the notion of ensuring all new developments connect to the mains water supply is not supported, it is considered important to have a policy which requires such developments to have an adequate water supply available (whether this be mains or other sources)	n 4: Add new sentence at the beginning of the Policy to read: "Developments will not normally be permitted unless adequate water supply is made available at the time of the development."
DP231		Mr Stephen de Gruchy		Proposal 22	Surface Water Drainage Systems	Supporting			Support Noted	Noted	Support is noted by the Minister
DP232		Mr Stephen de Gruchy		Policy LWM 3	Surface Water Drainage Facilities	Supporting			Support Noted	Note: some minor modifications are needed to text of Policy LWM3 for clarification and consistency. The 6th bullet point should read "...gradual release to a public surface water sewer."	The Minister is minded to amend the draft Plan
DP233		Mr Stephen de Gruchy		Policy LWM 4	Sewage Treatment Works and Sewerage Outfall	Supporting	Support with caveat With reference to the second bullet point in paragraph 10.152, I have a concern that the Island could end up with too many significant public utility assets (e.g. fuel storage, liquid waste treatment, waste to energy plant, electricity station) in one small location. This could make the Island very vulnerable if there were to be major incident at La Collette (e.g. a 'Buncefield'). I therefore think Policy LWM4 should be required to factor that vulnerability in to any decision on relocating the existing Bellozane LWM plant to La Collette.		Support Noted	The point raised in the caveat about the vulnerability of the Sewage Treatment Works (and other public utility assets) should it relocate to La Collette is a valid one. However, I believe the policy criteria already allow for the issue to be addressed by any future application (as part of a balanced appraisal) without spelling it out. The matter is also addressed specifically by Policy NR5 'Safety Zones for Hazardous Installations' and the justification / explanation for that policy. In any event, the issue will also need to be carefully considered as part of the emerging 'Liquid Waste Strategy'.	The Minister is not minded to amend the draft Plan

