



18 August 2021

The Hon David Spiers
Minister for Environment and Water
The Hon Vickie Chapman
Minister for Planning

Dear Minister Spiers and Minister Chapman,

Rainwater Harvesting and Best Practice Stormwater Management in the New Planning Code

Thank you for the comprehensive and considered response from Minister Chapman of 29 June 2021.

South Australia has provided strong strategic direction to the state through the new Planning Code based on comprehensive policy evaluation and consideration. The People and Neighbourhoods Policy and Discussion Paper is an excellent piece of work that identifies key issues such as stormwater management, water efficiency and the importance of the natural environment and local waterways.

In the immense amount of work in implementing a new code it is natural that some elements need some fine tuning. We are concerned that without some fine tuning the hard work of the government will not leave the legacy you intended and deserve.

The policy background for the Code clearly showed that a strong policy is required for stormwater management, water efficiency and environmental protection. Strong policies have a sound theoretical base, can be consistently applied based on a recognized standard or science and have measurable and predictable outcomes that will achieve the policy goals. Minister Chapman has advised that a performance planning approach will be used for stormwater management. Our understanding is that a performance planning approach is one that sets a performance standard and performance targets and then allows flexibility for the applicant and the planning assessor to find different ways to achieve those targets.

The goal to mitigate peak flows is a good example. Not every developer can afford to hire a stormwater engineer to work out what that means, not every council has a stormwater policy or even a stormwater engineer. The definition of peak flow varies, for the developer it could mean peak flow from the site but for the government the key issue could be peak flow in a suburb that is flooding downstream. Stormwater professionals themselves are currently grappling with a new best practice code, ARR 2019 and practices vary. One of the roles of good policy is to reduce the administrative burden on the development industry by clearly defining what is a good outcome.

In the absence of performance criteria in the SA planning code for stormwater management, water efficiency and environmental protection we are concerned that no targets have been set and no standard is applied. It appears that the need to determine the science, a relevant standard and the appropriate performance targets is up to the planning assessor. There is even a suggestion in the letter that the planning assessment officers should use the stormwater policies in the old codes that the new code has replaced. We are concerned that the outcomes of this approach are not based on a strong policy and will vary unpredictably across South Australia, creating confusion for developers, councils and the community. This would be a tragedy given the work and commitment of the government to good planning.

We understand that the government is deeply concerned for the health of local waterways, water efficiency, the relationship between SA and the rest of the nation on the Murray River, billions of dollars of desalination and recycled water infrastructure and according to the Adelaide Advertiser \$4-5 billions of stormwater infrastructure requiring replacement before 2030 (4/4/21). We urge the Ministers to reconsider the policy approach in the new Planning Code.

Should builders install rainwater tanks?

The Minister has advised that installing rainwater tanks prior to occupation would likely cause substantial implications to current home building practices. The Minister has also determined that rainwater harvesting is an important means for addressing water sensitive urban design.

Installing a rainwater tank after occupation could mean that the tank is wider than the gate or the side of the house. The plumbing connection to a toilet or washing machine may need to be retrofitted at great expense. The local council will need a register and will need to send council officers out 12 months after occupation to check the permit conditions are met and negotiate with the owners if the tank has not been installed. It could be an awful mess for many ordinary homeowners and councils.

The Minister is rightfully concerned with costs and so are we. We are concerned that the costs of installing the rainwater tank may be 100% greater for the building owner than for the builder, BDO Econsearch considered the cost of a 3000 litre tank to the builder was \$2500-2800. The cost to the owner of the building meeting the permit condition might be \$5000-\$6000. The wider community cost to each local council to enforce this condition could be very substantial.

We note that the economic report¹ commissioned by the Minister for Planning found that the wider benefits of rainwater tanks outweighed the costs in all scenarios considered. The savings that have been delivered by rainwater harvesting and water efficient appliances were estimated by Coombes in 2018 at 17GL/annum². The SA rainwater harvesting industry is estimated to directly employ 146 people and indirectly employ about 875 people. The

¹ BDO EconSearch. (2020). Options Analysis: Costs and Benefits of Stormwater Management Options for Minor Infill Development in the Planning and Design Code. BDO EconSearch .

² Coombes, P. J., Barry, M., & Smit, M. (2018). Systems Analysis And Big Data Reveals Benefit Of New Economy Solutions At Multiple Scales. WSUD 2018 & Hydropolis conference. Perth: Engineers Australia

estimated present value of the SA rainwater industry in 2020 is more than \$920 million³.

Given the importance of stormwater management, water efficiency and local ecology to the State government and the need to support the building industry which is important to the entire State economy we wonder if some support could be provided to the industry which achieves the policy objectives, supports the industry and would mean industry support for rainwater harvesting to be installed prior to occupation.

Monitoring and Review

We support monitoring and review and recommend the following

1. The Minister for Planning review the operation of performance based planning without performance criteria for stormwater management, water efficiency and local waterway ecology in the Planning and Design Code.
2. The costs and benefits to the wider community of the 12-month permit condition for rainwater tanks be reviewed including the implications for the building owner, the local council and the possibility the condition will not be met.
3. That the process for planning enforcement of the rainwater tank conditions by local government be reviewed
4. Implementation of rainwater tanks be monitored at state government level so that compliance with the permit condition can be accurately assessed.
5. That approved plans include the rainwater tank location, dimensions, volume and location for plumbing fittings to ensure the requirements of the DTS have been achieved.

We do appreciate the consideration in the letter from Minister Chapman. We request a meeting with the Ministers and the local rainwater harvesting group of business owners and directors.

Yours sincerely

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Rainwater Harvesting Industry representatives SA.

Mike Thompson
Rainwater Harvesting Australia

³ Rainwater Harvesting Australia, South Australia Rainwater Harvesting Industry Group, Associate Professor PJ Coombes. (2020). Submission to Department of Planning, Transport and Infrastructure, Draft Planning and Design Code for South Australia 28 February 2020