

STORMWATER NSW

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NSW Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Re: Comments on NSW Government's Planning White Paper – A New Planning System for NSW

I am writing to you on behalf of Stormwater NSW regarding the NSW Government's Planning White Paper.

Stormwater NSW is a peak industry association with membership including most of the councils in the Greater Sydney Region, as well as numerous consulting and manufacturing companies. The aim of Stormwater NSW is to enable local practitioners and the broader community to learn about available stormwater management and quality technologies. Stormwater NSW is supported by SIA National and a strong network of state associations in Queensland, Victoria, South Australia and Western Australia.

The absence of a consistent State policy on stormwater quality targets for new development and redevelopment, has led to many of the councils in Sydney, as well as those in regional and rural areas, to adopt their own stormwater quality targets, as planning provisions within their DCPs. The provisions are similar to the load reduction targets of the SEPP Growth Centres Commission and are typically applied to larger development types including:

- Residential development involving new or additional gross floor area of greater than 2,000m².
- Commercial, retail, and industrial development involving new or additional floor area of >100 m².
- Commercial, retail, and industrial development with a total site area greater than 2,000m², which results in new or increased gross floor area of greater than 50%.
- Any development which involves the construction or designation of 10 or more car parking spaces.

Councils who have adopted or are in the process of adopting stormwater quality targets include Ku-ring-gai, Blacktown, Marrickville, Strathfield, Wollongong, Manly, Hornsby, the City of Ryde, and Fairfield City Councils.

Our comments on the Planning White Paper which build on the stormwater management approaches of councils in NSW are outlined in the following sections.

Chapter 5:

- **Local Plan - Part 3 (Development Guides):** Local Government need to have model development guides for water quality controls and stream health that can be applied to complying and code development. These guides need to make an allowance for different catchment conditions and varying community priorities. The State Government should establish clear water quality targets for large new developments and redevelopments based around those required for under the Development Code of the Growth Centre's SEPP and as typically required under councils DCPs.
- **Stormwater NSW also has** concerns with the ability of private certifiers to properly assess the water management elements required to be implemented under the Code SEPP.

Chapter 7:

- **Provision of Infrastructure:** Green infrastructure is as important as built infrastructure and is as important to ensure the liveability, sustainability and resilience of a region. This can include existing

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infrastructure (eg creeks) or provided infrastructure (eg stormwater quality elements). Green infrastructure is similar to built infrastructure as it provides a service, has a maintenance demand and needs to be linked and integrated into greenfield and infill development.

- **Integrating and Coordinating Infrastructure:** The regional growth plans need to make allowance for green infrastructure such as biodiversity corridors, that can span subregions i.e. Cumberland plain within the Western Sydney Regional Parklands. Sub regional plans need to consider river corridors and water based catchment infrastructure
- **Infrastructure Contributions:** It needs to be acknowledged that councils might look at open space acquisition/riparian corridor as part of options for providing green infrastructure in existing urbanised areas and greenfield release areas, particularly where property boundaries extend to the creek centreline. Local and State Government should acquire private property and convert to open space / riparian corridors as environmentally sensitive land using infrastructure contributions. The current planning policy of private ownership for riparian lands is unsustainable and inequitable. If these corridors are so important, they must be acquired by a Public Authority.
- For capital costs of drainage, it should include management of flood risk and improving stormwater quality. In order to estimate the contributions that may be needed due to increased density/development, a planning authority will need to undertake planning studies to determine the additional infrastructure capacity required and what is the proposed funding mechanism for these studies. A three year time limit for expenditure would be difficult to achieve the planning, investigation, design and works.
- **Regional Infrastructure Contributions:** The White Paper proposes to move drainage land from local to regional infrastructure contributions (RIC). In principle this is supported as under the current system it is difficult to provide the necessary infrastructure via Section 94 funding. The current system leads to unsatisfactory temporary drainage works, adding to the increased costs associated with development and housing affordability. The current system can also significantly delay the uptake of development leading to the problem above.
- The proposed system that the drainage lands and RIC is not supported in its current form, as it is not exhibited, transparent, appealable and does not provide for works in kind arrangements. The new Act should allow for these changes, as better solutions are often found during the next stage of investigation and design (as more information is available). Should the RIC make provision for this amendment, then this system would allow for the orderly development of land.

Please do not hesitate to contact me on 0413 609 722 or richard.mcmanus@stormwater.asn.au.

Yours sincerely,



Richard McManus
President
Stormwater NSW