

19 October 2024

NSW Independent Pricing and Regulatory Tribunal  
2-24 Rawson Place, Sydney.  
NSW. 2000.

To whom it may concern,

**Re: NSW Independent Pricing and Regulatory Tribunal's (IPART's) Mamre Road Stormwater Scheme Draft Report (September 2024).**

This submission is made by Stormwater NSW on behalf of its members and the NSW community (whom our members serve). Stormwater NSW is the preeminent professional urban water management association in the state of NSW. Our members include local councils, numerous consulting and manufacturing companies and academic institutions, representing practitioners and researchers involved in the planning, management and advancement of urban stormwater management.

Stormwater NSW acknowledges the importance of the draft report and its subject matter, being crucial to the ecological health of Wianamatta-South Creek, its receiving waters and ipso-facto, the economic future and the health and well-being of the region and residents for generations to come. As experience from the 20<sup>th</sup> century has revealed and decades of research have quantified, the degradation of urban streams have had substantial consequences for not just river-adjacent communities, but also the ecological health of our oceans and all those that depend on them for their economic prosperity. Hence, Stormwater NSW applauds the intent of the Mamre Road Stormwater Scheme and the work of Sydney Water and the NSW Government to protect Wianamatta-South Creek from the fates of other urban rivers, developed in previous centuries, that now bear the scars of ineffective stormwater management (e.g. the Cooks River).

While Stormwater NSW supports the findings and recommendations provided in the draft report, we wish to give emphasis to the following key positions:

1. Stormwater NSW supports the new risk-based waterway health targets determined for Wianamatta-South Creek created using the NSW Government's Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions<sup>1</sup> ('The Risk-based Framework'), being essential to the protection of Wianamatta Creek from the proposed development.
2. Stormwater NSW agrees that the cost for the proposed integrated stormwater scheme to achieve these new risk-based targets should be funded by the developers.

Regarding key position 1, the Risk-based Framework is a robust empirical, scientific, consultative, and evidence-based methodology for the determination of waterway health targets and management responses for urban waterways that takes into consideration environmental, social, and economic outcomes. For these reasons, Stormwater NSW considers this framework to represent best practice for determining stormwater related targets for specific waterways.

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<sup>1</sup> NSW OEH and NSW EPA (2017). *Risk-based framework for considering Waterway Health Outcomes in Strategic Land-use Planning Decisions*, NSW Office of the Environment and Heritage and the NSW Environment Protection Authority: <https://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>

Stormwater NSW has kept abreast of the application of the Risk-based Framework to the protection of the Wianamatta-South Creek catchment and considers the scientific analysis and consultation process to be of a high standard. This includes incorporating expertise from across the academic/research, land management, waterway protection, and land use planning sectors over a four-year period. Accordingly, Stormwater NSW is supremely confident that the Risk-based Framework-derived stormwater management targets for Wianamatta-South Creek are appropriate.

Stormwater NSW also supports the draft report's finding that the cost savings associated with meeting the alternative standard local government targets (e.g., Penrith City Council) are not justifiable despite the lower costs. This is because these alternative targets are not suited to managing the stormwater flows associated with large scale industrial development that incorporate a high proportion of impermeable surfaces. Hence, using these alternative targets will likely fail to protect the waterway, leading to severe waterway degradation. Such degradation will not only have detrimental impacts on the ecology of the creek and its receiving waters, but also see significant 'opportunity costs' in the form of human health and wellbeing costs<sup>2,3</sup> and lost economic opportunities<sup>4</sup>. Given that such opportunity costs are likely to be felt for decades if not centuries, the cumulative costs of failing to meet the Risk-based Framework targets will far outweigh the costs of any capital and operational savings achieved by using the alternative local council targets.

Regarding our key position 2, Stormwater NSW notes that the primary goal of the targets is not one of restoration and the provision of urban greening and cooling per-se (such benefits would be incidental), but rather to protect the waterway from altered stormwater flows created by changes in land use. This focus on mitigating the altered stormwater flows is crucial because without a scheme like that proposed by Sydney Water's preferred option (Option 3), the impact of increased impermeability will lead to increased erosion and waterway pollution that will likely push Wianamatta-South Creek beyond its ecological tipping point. Moreover, it makes it clear that the capital and operational costs associated with implementing a stormwater management scheme designed to meet these targets are directly associated with land development. Accordingly, Stormwater NSW is in agreement with Draft Recommendation 3 of the draft report: Developers should fund the efficient costs of delivering stormwater services in the Mamre Road Precinct.

To conclude, Stormwater NSW advises that the application of the Risk-based Framework to Wianamatta-South Creek exemplifies best practice in balancing environmental, social and economic outcomes. Accordingly, we highly recommend its application to all future development in NSW.

Yours sincerely,



Dr Andrew Thomas  
President, Stormwater NSW

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<sup>2</sup> Population Wellbeing and Environmental Research Lab: <https://www.powerlab.site/>

<sup>3</sup> NSW Ministry of Health (2020), *Healthy Built Environment Checklist – A guide for considering health in development, plans and proposals*. Part 4, Chapter 7 *Open Space and Natural Features*. St Leonards, NSW: <https://www.health.nsw.gov.au/urbanhealth/Publications/healthy-built-enviro-check.pdf>

<sup>4</sup> Western Sydney River Task Force (2024). *Our Rivers – Connecting and activating Western Sydney river communities*. Business Western Sydney, Urbis, and Bentley. Western Sydney: <https://urbis.com.au/app/uploads/2024/09/Urbis-Western-Sydney-Rivers-Advocacy-Report-1.pdf>