

## **RAINWATER TANKS**

**Tuesday, 5 June 2007**

**The Hon. D.G.E. HOOD:** As the minister has just said, today is World Environment Day, and one of the most precious resources in our environment is, of course, the water that we have. My question relates to the government's scheme for generating water savings by mandating the installation of rainwater tanks in all new homes after 1 July 2006, a policy which Family First wholeheartedly supports. In the *Sunday Mail* of 28 January this year, the minister was quoted as saying:

*Under SA development regulations a new home cannot be occupied until the approved water supply is connected.*

The minister's comment came in response to claims that builders were constructing new homes but then were saying it was the duty of the homeowner and not the builder to install the rainwater tanks connected to the household supply. Apparently, the builders claimed the homeowners were telling them not to put the tank in and that they would do it later. Homeowners were, therefore, allegedly moving into their new homes without complying with the law.

Some constituents have contacted my office, alleging that this practice by builders is continuing and is causing some frustration in the construction industry about a potential legal loophole regarding rainwater tanks. My questions to the minister are:

1. How many homes have been constructed during this period (since 1 July last year), and how many of those were constructed without a rainwater tank installed according to the law?
2. Can the minister clarify whether the obligation falls upon the builder or the homeowner to install the rainwater tank?
3. Has he taken action to rectify any of the situations outlined above during that period?

**The Hon. P. HOLLOWAY (Minister for Urban Development and Planning):**

I thank the Hon. Dennis Hood for his important question. Since 1 July 2006, every development application for a new house or an extension that involves alterations to the plumbing has been required to have a rainwater tank plumbed to the house in order to obtain a development approval. The technical provisions require a one kilolitre tank (a standard modular tank will suffice) connected to either the toilet, the water heater or the laundry. The provisions also have a performance requirement to allow water reuse schemes (such as at Mawson Lakes) to be used in lieu of rainwater tanks. On completion, the tank must be installed before a house can be occupied.

Building owners often decide to undertake part of the building work themselves to reduce costs. This means that a builder's contract often will not cover all the building work that is necessary for compliance with the development approval. The onus is then on the owner to complete the work that they have undertaken to do within the three-year period allowed by the regulations. If an owner decides to arrange for the installation of the rainwater tank, the whole of the water supply system, including the tank, must be connected and operational before the house is occupied. To ensure that this happens, amendments to the development regulations may be necessary to clarify the intent of regulation 83A and require a minimum level of final house inspection to be undertaken by councils. Rainwater tanks may also be required for a house in a bushfire prone area in order to ensure the necessary water supply for firefighting purposes.

These are mandatory minimum requirements for the provision of rainwater tanks in certain circumstances. In most instances, any other rainwater tank can be installed without development approval. Unless they are associated with a state or local heritage place, rainwater tanks are the only development that requires approval when it passes three tests: it must be part of a roof drainage system, it must have a floor area exceeding 10 square metres and the top must be higher than four metres above the ground. To pass all three tests means that only very large and elevated rainwater tanks on stands require development approval. For instance, a standard 20 000 litre tank on the ground will not pass all three tests and will require development approval. However, the

test is slightly different for Colonel Light Gardens, where the area is six square metres and the height is governed by the eaves of the building. That, of course, is a heritage area. I hope that outlines the legal provisions to the satisfaction of the honourable member.

The Hon. Mr Hood asked how many dwellings had been erected. I know that the figure is about 7 500 dwellings per year over recent years, but I will obtain the exact figure for the honourable member. It is something of that order. In answer to the member's second question, I think I have indicated what the obligations are. In relation to action to ensure that builders are complying, as I said, we are looking at some amendments. I have had the opportunity, through HUDAC, which is the advisory committee on which all the major groups are represented—such as the Master Builders Association, the Housing Industry Association, the Property Council and other bodies—to speak to them and indicate, through them, to their members, that the government will not tolerate a situation where people are deliberately seeking to circumvent those laws.