POLICY NAME: Stormwater Quality Control Contributions **POLICY NO:** 6.1

ADOPTED BY COUNCIL: 15/10/19; 16/2/21

POLICY:

1. Executive Summary:

1.1. This policy defines when and if a contribution is an acceptable solution to meeting a condition imposed under the Tasmanian Planning Scheme section 6.11.2 (g) regarding stormwater quality controls.

1.2. This policy defines water quality control targets in line with the Tasmanian State Policy on Water Quality Management 1997, the State Stormwater Strategy 2010 and the draft Tasmanian Stormwater Policy for New Developments.

1.3. The Tasmanian Planning Scheme section 6.11.2 states that *Conditions and restrictions imposed by the planning authority on a permit may include.....(g) erosion, stormwater volume and quality controls.* This policy is for conditions specifically relating to *stormwater quality controls* only.

1.4. Council may impose stormwater quality controls to meet the requirements of the Tasmanian State Policy on Water Quality Management 1997 and the State Stormwater Strategy 2010.

1.5. The policy allows for developers to contribute financially to Council in lieu of meeting a planning condition requirement on site.

1.6. It applies to subdivisions and developments in urban areas except where exempt as shown in section 3.2

1.7. It is a voluntary option for developments that must be agreed upon by Council. Complying with the imposed condition regarding stormwater quality control on site is the default option.

1.8. It will result in more effective distribution of water sensitive urban design infrastructure and more effective long-term outcomes.

1.9. This policy is in line with the draft Tasmanian Stormwater Policy for New Developments (TSPND) and will be updated in line with any TSPND edits.

1.10. This policy will replace the existing Interim Water Sensitive Urban Design Contribution Policy when the Tasmanian Planning Scheme is adopted by Brighton Council.

2. INTRODUCTION

2.1. This Stormwater Quality Control Policy has been created to assist developers and Councils manage development to meet the requirements of the Tasmanian State Policy on Water Quality Management 1997 and the State Stormwater Strategy 2010.

Tasmanian State Policy on Water Quality Management 1997	State Stormwater Strategy 2010
The purpose of the *State Policy for Water Quality Management 1997* (SPWQM) is to protect and enhance water quality while allowing for sustainable development, in accordance with the objectives of Tasmania's Resource Management and Planning System. The SPWQM underpins the environmental management framework (of water resources), the objectives of which are to be met through the planning system. The SPWQM provides a framework for the management and regulation of water quality, including stormwater. Clause 31 and 33 of the policy emphasise the need to manage stormwater at the source. These clauses also require stormwater to be managed using best practice environmental management for diffuse sources, and according to stormwater management strategies, at the construction and development phases of construction (Government of Tasmania, 1997). Clause 33 states that State and Local Governments should develop and maintain strategies to encourage the community to reduce stormwater pollution at source (Government of Tasmania, 1997). Clause 31 states that the provisions outlined in the SPWQM are to be implemented through local government planning schemes.	The State Stormwater Strategy 2010 supports the need to manage stormwater as set out in SPWQM, and sets out a range of best management WSUD practices, as well as stormwater quality and quantity targets for private developments based on Integrated Water Management and WSUD principles. In alignment with the SPWQM, the strategy emphasises the need to manage stormwater at its source, and identifies the following performance criteria for stormwater discharges from new developments: • 80% reduction in the average annual load of total suspended solids; • 45% reduction in the average annual load of total phosphorus; • 45% reduction in the average annual load of total nitrogen. To further the objectives of the SPWQM and the State Stormwater Strategy, the document *WSUD: engineering procedures for stormwater management in Tasmania* (2012) was produced for Tasmania conditions. The manual provides technical construction, engineering and development assessment advice for stormwater management systems in urban landscapes, and details best practice WSUD management.
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Figure 1 Summary of the Tasmanian State Policy on Water Quality Management 1997 and the State Stormwater Strategy 2010.

2.2. Appropriate stormwater quality controls including Water Sensitive Urban Design (WSUD) are a valuable addition to urban areas. It assists with managing the quality of stormwater to protect receiving environments and minimise the impacts of inappropriate flow regimes and pollution. WSUD encompasses many different treatment options and can be applied at the lot level or throughout catchments.

2.3. Effective stormwater quality management in urban areas benefits the whole community by improving water quality entering receiving environments and minimising the harm to waterways, estuaries and ocean environments. Different types of WSUD can be installed at lot level or catchment level. The most effective type of WSUD meets the WSUD guidelines and is managed and maintained appropriately to provide reliable benefits for the future.

2.4. In some cases, it may be more appropriate for stormwater quality controls to be installed in areas outside of a development. In these instance's installing stormwater quality controls may still be feasible within the development footprint however a better outcome for the ongoing effectiveness of the treatment system may be that a contribution is paid towards a stormwater quality control installation outside of the development footprint. In these case's it may be appropriate for a contribution to stormwater quality control be paid to Council.

3. WATER QUALITY TREATMENT TARGETS

3.1 These targets will apply to development that occurs in urban areas and is not exempt development.

3.2 Stormwater Quality Treatment Targets have been set in line with the *draft Tasmanian Stormwater Policy for New Developments* as follows:

- 90% reduction in the average annual load of litter/gross pollutants ; AND
- 80% reduction in the average annual load of total suspended solids (TSS) based on typical urban stormwater TSS concentrations; AND
- 45% reduction in the average annual load of total phosphorus (TP) based on typical urban stormwater TP concentrations; AND
- 45% reduction in the average annual load of total nitrogen (TN) based on typical urban stormwater TN concentrations.

Pollutant	Reduction in average annual load based on typical urban stormwater concentrations
litter/gross pollutants	90%
total suspended solids (TSS)	80%
total phosphorus (TP)	45 %

Stormwater Quality Treatment		
Exempt development: A single dwelling on a single lot that will be connected to the existing public stormwater system; Development creating new impervious area less than 500m^2; A subdivision creating new lots greater than 5000m^2 in area, and with new roads and footpaths less than 500m^2 in area; Subdivisions which are solely for the purpose of creating road reserve, public open space, public infrastructure, littoral or riparian reserve or minor boundary adjustments.		
C1. Stormwater from the developed site must meet the Stormwater Treatment Target set by the Stormwater Service Provider (Refer to Table 04). OR C2. Stormwater quality treatment is offset via a cost contribution.	C1 Conditions/standards: proposed treatment is designed by a Suitably Qualified Person, and is suitable for the site, AND ongoing maintenance burden (including site access) is acceptable to the Stormwater Service Provider. OR C2 Conditions/standards: C2 must be approved by the Stormwater Service provider, AND Cost contribution received must be in line with the Developer Contribution Scheme adopted by the Stormwater Service Provider for Stormwater Treatment.	C1 or C2 option available at discretion of the Stormwater Service Provider

Table 1.

4. QUALIFICATION

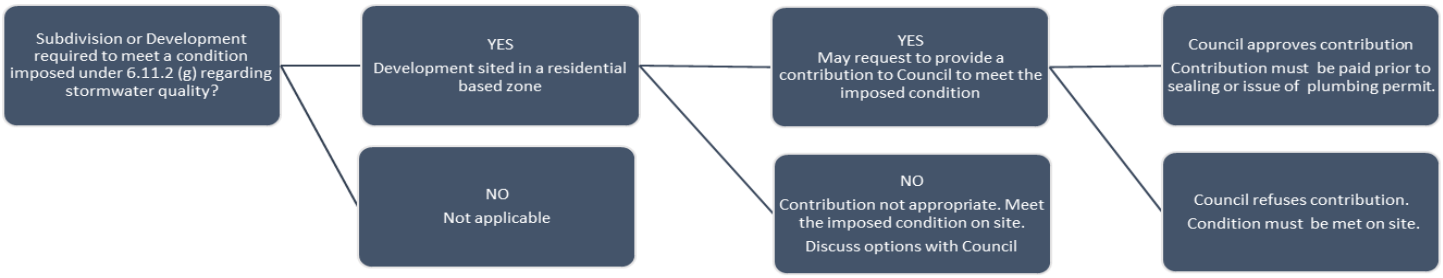
4.1. The process outlined below will be used to determine if a contribution in lieu of providing on site stormwater quality control is appropriate. A water quality contribution will be voluntary and meeting the condition on site will be the alternate option.

4.2. Any development in any zone that is required to meet a condition imposed by the Council under 6.11.2.(g) in regards to stormwater quality control may request that a contribution be considered. The development will be required to meet the condition requirements however it may be negotiated with Council to provide a contribution to Council to go towards adopting stormwater quality management throughout the urban area.

4.3. This policy does not apply to conditions imposed under 6.11.2.(g) regarding stormwater volume controls. Detention required to meet a stormwater volume control condition does not qualify to request a contribution be made instead of installing on site detention. If on site detention is not feasible on a site other options may be discussed with Council.

4.4. If Council deems that the stormwater quality control requirement can be effectively met on site, or that meeting the control requirement on site will result in improved environmental outcomes Council may refuse a request for contribution. This will be at Councils discretion. Contributions must be approved by Councils engineering department.

4.5. A request may be made to make a partial contribution if it can be proven that the development will partially meet the WSUD principles of 45% reduction in total nitrogen and total phosphorous and 80% reduction in total suspended solids. The contribution will be based on the percentage reduction demonstrated that will be achieved by WSUD treatment options proposed to be installed.



5. POLICY REQUIREMENTS

5.1. Developers may request that a contribution be made in lieu of installing stormwater quality controls at any stage of the subdivision or development approval process. It is recommended that it is considered by the developer prior to progressing plans as incorporating appropriate stormwater quality controls into the site will impact site design.

5.2. Council may approve or deny the request. If the request is considered inappropriate for the location the developer will be required to design and install appropriate WSUD to meet the planning scheme requirements.

5.3. If approved the development will be considered to have met the requirements of the stormwater quality control condition under 6.11.2 (g) . A contribution will be per additional lot for a subdivision or per dwelling for a development.

5.4. Subdivision Application contributions will be required to be paid prior to sealing the plan of survey.

5.5. Development Application contributions will be paid prior to issue of a plumbing permit.

5.6. Council will keep a record of contributions. This will ensure that Councils funding of WSUD will exceed contributions made under this policy.

5.7. This policy is a living policy and Council may amend it as required.

6. CONTRIBUTION AMOUNT

6.1. Subdivisions are required to pay the applicable fee as determined in Councils Fees and Charges schedule each year *per lot.*

6.2. Developments are required to pay the applicable fee as determined in Councils Fees and Charges schedule each year *per additional dwelling.*