



# NORTHERN MIDLANDS COUNCIL

## POLICY MANUAL

### STORMWATER QUALITY MANAGEMENT

**Originated Date:** Adopted 11 December 2023; Min Ref. 23/0468

**Amended Date/s:**

**Applicable Legislation:** Urban Drainage Act 2013  
Environmental Management and Pollution Control Act 1994  
Australian Rainfall and Runoff 2019  
AS3500.3:2021 Plumbing and Drainage  
Tasmanian Stormwater Policy Guidance and Standards for Development 2021  
State Stormwater Strategy 2010  
Tasmanian Planning Scheme: State Planning Provisions

**Objective** To ensure that stormwater runoff generated by new urban developments is managed in an appropriate manner, and meets the stormwater quality targets contained in the *State Stormwater Strategy* (2010) and the *Tasmanian Stormwater Policy Guidance and Standards for Development* (2021).

**Administration:** Community and Development

**Review Cycle/Date:** Next review by 1<sup>st</sup> November 2027

#### PURPOSE

This policy details the controls enforced by Council to ensure the stormwater quality generated by new urban development is controlled onsite, does not enter the public stormwater system, and minimises the harm to waterways.

#### BACKGROUND

Stormwater generated in urban areas usually contains litter and other gross pollutants, sediment, bacteria, hydrocarbons, nutrients, heavy metals and other pollutants. When contaminated stormwater drains to waterways it causes degradation to them, and degradation can occur at very low levels of urbanisation. Water Sensitive Urban Design (WSUD) is a way of designing urban areas and stormwater systems that helps to preserve natural systems and ecosystems, and improves water quality by reducing stormwater pollutant exports. WSUD can be applied at every scale from individual allotments to large subdivisions and commercial and industrial developments.

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.

#### LEGISLATIVE CONTEXT

Under the *Environmental Management and Pollutant Control Act 1994* have a duty to prevent or control pollution entering waterways from the public stormwater system. In Tasmania stormwater quality targets are outlined in the *State Stormwater Strategy 2010* and the *Tasmanian Stormwater Policy Guidance and Standards for Development 2021*.

The *Urban Drainage Act 2013* (UDA) is the Act which provides for the management of urban drainage and stormwater systems and infrastructure in Tasmania. The Objectives of the Act are to:

- a) protect people and property by ensuring that stormwater services, infrastructure and planning are provided so as to minimise the risk of urban flooding due to stormwater flows; and
- b) provide for the safe, environmentally responsible, efficient, and sustainable provision of stormwater services in accordance with the objectives of the resource management and planning system of Tasmania as set out in Schedule 1.



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Section 14 of the Act states that without General Managers consent a person must not build on or near existing stormwater infrastructure:

- 14. *Interference with public stormwater systems*
  - (1) *A person must not, without a general manager’s consent, cause or permit*
    - a) *any works to be connected to a public stormwater system; or*
    - b) *the alteration or removal of, or interference with, a public stormwater system.*

Interference or alteration with/of a public stormwater systems includes connections to a public stormwater system.

Section 18 of the Act states that property owners are not to discharge anything other than stormwater into the public stormwater system:

- 18. *Discharge of matter into public stormwater system*
  - (1) *A person must not discharge, or cause or permit to be discharged, anything other than stormwater into a public stormwater system.*

Therefore, Councils have the power to require developers and owners to acquire General Managers consent before connecting to any public stormwater system. Conditions, such as requirements for stormwater quality controls, may be placed upon the design and construction of the stormwater arrangements in order to ensure pollutants are not discharged into the public stormwater system. The General Manager can withhold consent to connect until the preconditions are met.

Conditions and restrictions regarding stormwater quality can also be applied under Tasmanian Planning Scheme 6.11.2(g).

### APPLICATION

This policy applies to all:

- All urban developments

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Stormwater quality treatment requirements shall be incorporated into new urban developments in accordance with the *Tasmanian Stormwater Policy Guidance and Standards for Development* (Version 1, 2021) S2.4.1 Target Level 2.

Target Level	Water Quality Treatment Target
1. Site specific stormwater treatment requirements	Site specific requirements at discretion of the Stormwater Service Provider (for example sites with, or draining to, areas with environmental values, potentially contaminating activities etc).
2. Standard stormwater treatment requirements	90% reduction in the average annual load of litter/gross pollutants based on typical urban stormwater concentrations; 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.

**Extract from Tasmanian Stormwater Policy Guidance and Standards for Development 2021 Table 3**

Site specific Target Level 1 requirements may be requested at discretion of Council (for example sensitive sites with, or draining to, areas with environmental values, potentially contaminating activities etc).

In addition, runoff from all developments should be visually free of hydrocarbons.



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### EXEMPTIONS

Exemptions will be applied as per Tasmanian Stormwater Policy Guidance and Standards for Development (Version 1, 2021) S2.4.2 Table 4:

- i) A single dwelling on a single lot that will be connected to the existing public stormwater system;
- ii) Development creating new impervious area less than 500m<sup>2</sup>;
- iii) A subdivision creating new lots greater than 5000m<sup>2</sup> in area, and with new roads and footpaths less than 500m<sup>2</sup> in area;
- iv) Subdivisions which are solely for the purpose of creating road reserve, public open space, public infrastructure, littoral or riparian reserve or minor boundary adjustments.

Note - if a staged development occurs within a 5-year period, treatment requirements will be assessed on the size of the total final development and will be required for the total final development

### CONTRIBUTIONS

There may be instances where the stormwater quality requirements in residentially zoned land can be more effectively met, or partially met, outside the proposed development land parcel. At the discretion of Council, a developer contribution option may be implemented to ensure that the impacts on the community and environment from the development can still be mitigated whilst allowing development to proceed. Refer to *Tasmanian Stormwater Policy Guidance and Standards for Development 2021* Figure 13 for the contribution suitability flow chart.

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

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

### WATER QUALITY DESIGN REQUIREMENTS FOR DEVELOPMENT APPROVAL

The following requirements must be submitted with a design application for any development required to meet stormwater quality treatment objectives, as per Tasmanian Stormwater Policy Guidance and Standards for Development (Version 1, 2021) S2.4.2 Table 5:

- Indication of design approach taken to fulfill water quality targets
- Proposed location of infrastructure and easements
- Design details indicating available fall through proposed system and into outlet.
- STORM UPDATED report or MUSIC model or other work demonstrating that proposal will meet quality targets.
- Details of bypass system
- Details of maintenance requirements

Refer to Section 2.4.2 of Tasmanian Stormwater Policy Guidance and Standards for Development 2021 for the minimum design requirements for **small development** (less than 2500m<sup>2</sup> for residential, less than 5000m<sup>2</sup> for non-residential) and **large development** (greater than 2500m<sup>2</sup> for residential, greater than 5000m<sup>2</sup> for non-Residential).

Proposed treatment systems shall be designed and certified by a Suitably Qualified Person, be suitable for the site and, where they system is to be adopted as part of the public stormwater system, the ongoing maintenance burden (including site access) must be reasonable.

### MAINTENANCE REQUIREMENTS

As the Stormwater Service Provider, Council will use Plumbing Permits to condition for maintenance for any private WSUD systems via a Form 46.



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Prior to commencement of use an Operation and Maintenance Plan for the WSUD will be provided to Council.

### **REVIEW**

The next review of this document is scheduled for completion by 1<sup>st</sup> November 2027.