

Stormwater Queensland Stormwater Quality Offsets Position Statement

Stormwater Queensland is committed to providing industry leadership on flexible and innovative pathways for stormwater quality management. These pathways include but are not limited to stormwater quality offsets. This Position Statement sets out Stormwater Queensland's stance on stormwater quality compliance pathways particularly stormwater quality offsets.

This Position Statement has been informed by feedback received from Stormwater Queensland members and the broader industry. Feedback included both written feedback in response to an earlier published draft Position Statement and oral feedback received during the 'Stormwater Quality Offsets Forum' held in November 2015.

This Position Statement will be used as a platform to represent Stormwater Queensland members and the broader industry in collaboratively working with state and local governments and other industry stakeholders towards the development of an appropriate regulatory framework and guidelines.

Stormwater Queensland understands that other initiatives are required to address the reasons why many site-based solutions have not met expectations. Stormwater Queensland will be progressing such initiatives separately.

General

1. Stormwater Queensland agrees that offsets could form part of sustainable stormwater management if adequately planned for and applied in the right context as outlined in this Position Statement.
2. Stormwater quality should always be attempted to be managed at source first. Stormwater Queensland however also supports the need for flexible and locally appropriate solutions for managing stormwater where on-site treatment is not feasible, partially feasible or where catchment planning has identified a suitable downstream treatment measure that will deliver equivalent or greater benefit.
3. Proponents of offsets schemes (e.g. local authorities) should assess the reasons why offsets are being pursued locally, the feasibility of achieving local objectives and the costs of various flexible and locally appropriate solutions for addressing the local objectives. This assessment should be made prior to collecting offsets and used to inform the local offsets scheme.
4. Capacity building to improve design, construction and maintenance is considered a more appropriate response than offsets for addressing poorly functioning stormwater assets. Such capacity building should be undertaken in conjunction with stormwater asset rectification and offsets where appropriate.
5. Management of stormwater pollutants should be based on a hierarchy of avoidance and mitigation prior to offsetting (in order of preference). Offsets are generally more complex and more costly.
6. Offsets should be limited to developments where on-site stormwater management is highly constrained. In principle, offsets should not be accepted on greenfield sites including within the urban footprint. Exceptions may apply where appropriate total water cycle and catchment planning has deemed otherwise.

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7. Offset schemes do not remove other stormwater management regulatory responsibilities such as flooding, hydrologic objectives and erosion and sediment control.

Planning

8. Offsets schemes should be underpinned by appropriate total water cycle and catchment planning and local authorities should undertake such planning in order to achieve the optimal outcomes.
9. Due consideration must be given to both the current and predicted future condition (including rehabilitation potential) of waterways as part of catchment planning and before an offset is agreed. Hydrology, water quality (including sediments, nutrients, heavy metals, hydrocarbons and gross pollutants) and ecology should all be considered because uncontrolled stormwater can have significant impacts on waterway health.
10. In principle, offset solutions should occur in the same catchment as the concession to avoid impacts on local waterways. Total water cycle and catchment management planning may however, identify appropriate scenarios for cross-catchment trading e.g. where offset solutions in another catchment provide greater benefits. In such instances, the risks to the waterways receiving reduced or no stormwater mitigation in the source catchment and the benefits to the receiving catchment waterways need to be assessed and communicated to the community.
11. Offset schemes should include consideration of how stormwater quality offsets relate to other stormwater management requirements including flow objectives and erosion and sediment control.
12. Offset schemes should include the assessment of spatial, temporal and environmental equivalence. In principle, offset schemes should seek to achieve equivalence when compared to well-designed, constructed and established site-based stormwater treatment solutions. A factor applied to offsets charge may be appropriate where equivalence cannot be achieved. In some instances, it may be appropriate to require a net gain rather than equivalency.

Pricing

13. Proponents of offset schemes (e.g. local authorities) should be required to develop strategies for the collection and acquittal of offset funds prior to their collection.
14. Offset charge pricing should be reflective of appropriate costs including land costs (regardless of current land availability), planning, design, construction, establishment and administration (e.g. for planning and resourcing). Costs should be based on the long-term offset supply including potential future constrained sites. Planning of offset solutions is required to appropriately price offset charges.
15. Offsets schemes should not shift the burden of responsibility for the maintenance of stormwater quality treatment assets onto local authorities without adequate recompense. For example, on sites where the stormwater management systems will remain in private ownership, offsets charges would also need to account for the maintenance, renewal and decommissioning costs in addition to the costs outlined in the above point.
16. The total value of potential offsets and the individual offsets charge should be determined prior to collecting offset funds. The offsets charge should include a contingency factor to account for inflation, risks, equivalency and uncertainties.
17. Offsets collected should not be permitted to exceed the forecast supply of offsite solutions available. In principle, where offset solutions are limited to the same catchment, offset schemes should be based on the equitable distribution of offsets.

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18. Offset funds should not be allocated to general revenue.

Implementation

19. Any local authority which is currently or historically collecting offsets funds and which has not yet developed a scheme for the acquittal of stormwater offset funds should cease collecting offsets until a scheme which reflects this Position Statement has been developed. Similarly, any existing offsets schemes which do not reflect this Position Statement should be updated to reflect this Position Statement.
20. Stormwater offset frameworks should be transparent and independently evaluated. The use of offset funds should be reported publically on an annual basis.
21. Evaluation and monitoring of offset frameworks and treatment systems should only be funded through an administration charge portion of the regular offsets charge.