

Program: Strategic Planning
Date of Adoption: 18 June 2025
Resolution Number: ORD-2025-124

Scope

Water Quality is a specific matter of state interest in land use planning and development. The healthy waters code of the *Mackay Region Planning Scheme 2017* (Planning Scheme) addresses this state interest. This policy applies to the types of development in the healthy waters code section 9.4.2.1 (1) of the Planning Scheme.

Objective

The objective of the voluntary mechanism (the mechanism) for stormwater quality management is to provide an alternative, regional best management approach for managing operational phase stormwater pollutants from new developments that meets the requirements of the Planning Scheme.

This document outlines the mechanism scenarios, rates, indexation, application and compliance requirements.

Policy Statement

The Planning Scheme defines outcomes to help protect the water environmental values specified in the *Environmental Protection (Water & Wetland Biodiversity) Policy 2019*, Schedule 1. Developers shall either comply with post-construction stormwater quality management requirements of the Planning Scheme, or make a payment to Council in lieu of providing stormwater quality management within their development.

This refers to the post-construction phase only and does not exempt developments from their responsibilities to manage stormwater design objectives during the construction phase, or flooding in accordance with the Planning Scheme, *State Planning Policy 2017* (SPP) and the Queensland Urban Drainage Manual (QUDM).

Council considers that to the extent this policy engages and limits, or potentially limits, any human rights, that limitation is reasonable in that it is proportionate and justified.

This process to remain in force until otherwise determined
by Mackay Regional Council.

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1.0 Principles

The mechanism for stormwater quality management provides an alternative for managing stormwater pollutants (on-site) for the post-construction phase of development.

The mechanism allows developers to make a payment to Council in lieu of providing stormwater quality management within their development. Payments made to Council will fund the delivery of regional stormwater quality improvements.

The mechanism is voluntary and as such, does not constitute an infrastructure charge. Following the mechanism payment to Council, the developer will be deemed to comply with the stormwater quality management requirements of the Planning Scheme and SPP.

2.0 Mechanism Scenarios

Three scenarios apply to development in Mackay under this policy. The scenario mapping in Attachment 1 identifies the locations where each scenario applies.

2.1 No Mechanism

Application of the mechanism will not be considered where the local receiving waterway is highly valued for ecosystem or social value. In this case Council requires stormwater management to occur on-site in accordance with the Planning Scheme and the SPP.

2.2 Level 1 – partial on-site Treatment

Level 1 applies where the local receiving waterway is resilient to nutrient loading. In this case, treatment of stormwater from the development is required to achieve a minimum reduction in mean annual load from unmitigated development of 75% Total Suspended Solids (TSS) and 20% Total Nitrogen (TN) on-site.

2.3 Level 2 – Full Offset

Level 2 applies where the local receiving waterway is disturbed or where the development area is <0.5ha.

3.0 Gross Pollutant Traps for Industrial and Commercial Development

Where developers wish to apply the mechanism to commercial and industrial developments, Gross Pollutant Traps (GPT(s)) **must** be installed to capture litter and coarse sediment. The developer must provide a detailed maintenance plan for the ongoing maintenance and operation of the GPT.

4.0 Mechanism Rates

Table 1 presents the mechanism rates and Table 2 provides multipliers that are applied to these rates. The mechanism payments are defined as follows:

Mechanism payment (\$) = development area (ha) X mechanism base rate (\$/ha) X land use multiplier

Table 1 – Mechanism Rates

| Mechanism Scenario | Mechanism Base Rate (\$/ha) @ 01/07/2014 | Mechanism Base Rate (\$/ha) @ 01/07/2023 | Mechanism Base Rate (\$/ha) @ 04/08/2025 |
|--------------------|--|--|--|
| Level 1 | 15,000 | 17,900 | 31,500 |
| Level 2 | 42,000 | 50,130 | 114,500 |

Table 2 – Mechanism Land Use Multipliers

| Land use | Multiplier |
|--|------------|
| Rural residential* lots (<2,000m ² , assumed f _i 50%) | 1.0 |
| Rural residential* lots (between 2,000m ² and 4,000m ² , assumed f _i 25%) | 0.75 |
| Low density residential | 1.0 |
| Medium density residential | 1.1 |
| High density residential | 1.7 |
| Commercial/Industrial | 2.0 |
| Community facilities (schools, sports facilities, recreation etc) | 0.75 |

* Rural residential lots greater than 4,000m² have an assumed fraction impervious (f_i) of <25% therefore not triggering the State interest for water quality in the SPP 2017.

Advisory Note: the minimum lot size for rural residential lots is 1ha under the current Planning Scheme.

5.0 Applying to Utilise the Mechanism for Stormwater Quality Management

Applicants must submit a *Voluntary Mechanism for Stormwater Quality Application Form* to Council for consideration as part of the Reconfiguring a Lot / Material Change of Use (RaL/MCU) Development Application. Council will determine the merit of the application and appropriate mechanism where applicable. For Level 1, a Site Based Stormwater Management Plan (SBSMP) is to be submitted to Council that provides on-site treatment to achieve 75% TSS and 20% TN.

Take note that for proposals whereby stormwater quality solutions can otherwise be located within the development footprint, the use of this Policy will likely not be accepted (ie large residential subdivisions).

6.0 Payment of the Mechanism

Following approval, Council will enter into an agreement with the developer for payment of the mechanism. The outcome of this agreement including the timing to pay, will be prescribed within the relevant conditions of the Reconfiguring a Lot, Material Change of use or Operational Works Development Permit/s.

7.0 Automatic Increase Provision

The base rate may be increased after the agreement and before the mechanism payment is paid to Council.

Council will calculate the increase using the PPI (Road & Bridge Construction Index – Queensland, index 3101), adjusted to the 3-yearly PPI moving average quarterly percent change, for the period:

- starting on the date this policy is adopted
- ending on the day the charge is paid.

8.0 Complaints

Any complaints in relation to a decision or a service relating from this policy will be assessed and managed in accordance with Council's Administrative Action Complaints Policy, a copy of which can be found on the Council website.

When an individual feels that they are the subject of Council's failure to act compatibly with human rights, they can make a complaint directly to Council. These complaints will be assessed against the *Human Rights Act 2019*.

Complaints may be made as following:

In writing to
Chief Executive Officer
Mackay Regional Council
PO Box 41
MACKAY QLD 4740

Via Email - complaints@mackay.qld.gov.au

In person at the following Council Client Services Centres:

- Mackay Office – 73 Gordon Street, Mackay
- Sarina Office – 65 Broad Street, Sarina
- Mirani Council Office – 20 Victoria Street, Mirani

9.0 Definitions

To assist in interpretation the following definitions shall apply:

Council shall mean the Mackay Regional Council

Development Area shall mean the total site area contained in the development application excluding drainage reserves and open space.

GPT shall mean Gross Pollutant Trap.

10.0 Review of Policy

This policy is to be reviewed every three years including an assessment to ensure the intent and functionality of the policy is being met.

11.0 Reference

- Voluntary Mechanism for Stormwater Quality Management Maps (4 in total)
- *State Planning Policy 2017 – State Interest Water Quality*
- SPP 2017 State Interest Water Quality Supplementary Implementation Guideline February 2021
- *Mackay Region Planning Scheme 2017*

12.0 Attachments

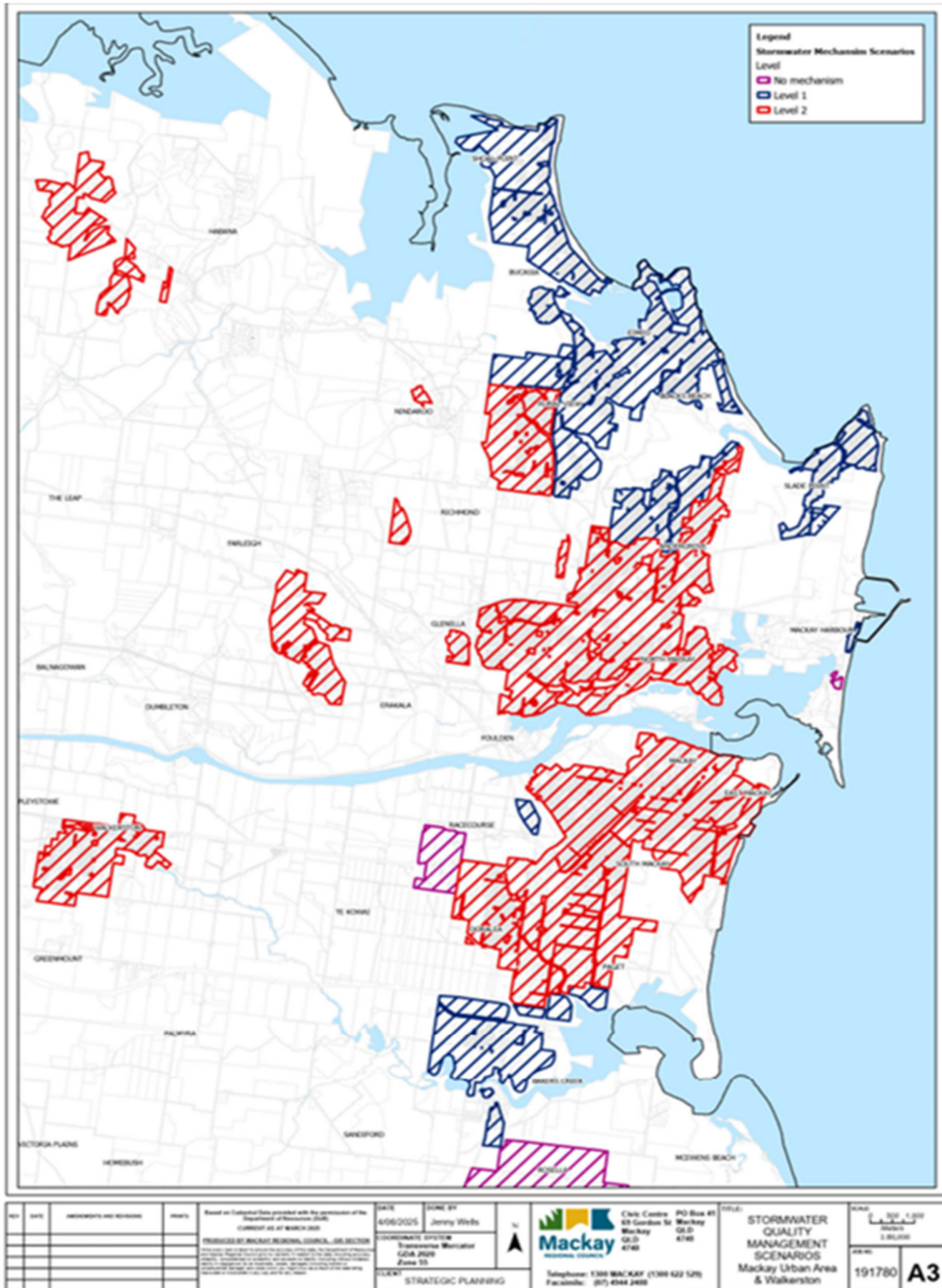
1. Stormwater Quality Management Scenario Mapping

Version Control:

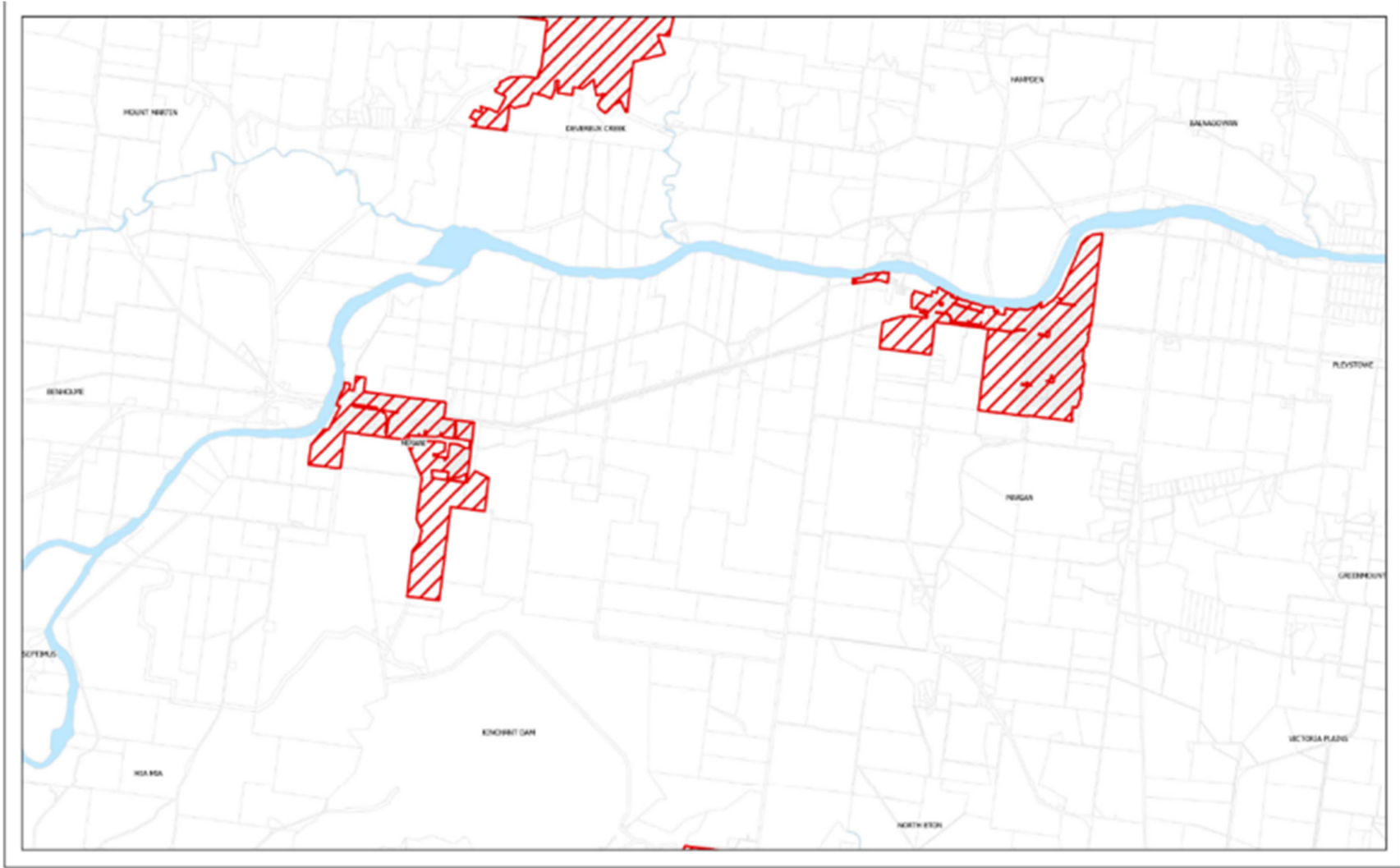
| Version | Reason / Trigger | Change | Endorsed / Reviewed | Date |
|---------|------------------|--------|---------------------|----------|
| 1 | New Policy | | Council | 13.08.14 |
| 2 | Policy Review | | Council | 23.11.16 |
| 3 | Policy Review | | Council | 09.12.20 |
| 4 | Policy Review | | Council | 13.12.23 |
| 5 | Policy Review | | Council | 18.06.25 |

Attachment 1

Stormwater Quality Management Scenario Mapping



VOLUNTARY MECHANISM FOR STORMWATER QUALITY



| REV No. | DATE | AMENDMENTS AND REVISIONS | No. OF PRINTS |
|---------|------|--------------------------|---------------|
| | | | |
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Based on Current Data provided with the permission of the Department of Resources (DRS)
CURRENT AT MARCH 2025
PRODUCED BY MACKAY REGIONAL COUNCIL - GIS SECTION
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DATE: 3/05/2025
 DONE BY: Jenny Wells
 COORDINATE SYSTEM: Transverse Mercator
 GDA 2020 MGA
 Zone 55
 CLIENT: STRATEGIC PLANNING



Civic Centre
 88 Gordon St
 Mackay
 QLD
 4740

PO Box 41
 Mackay
 QLD
 4740

Telephone: 1300 MACKAY (1300 622 529)
 Facsimile: (07) 4944 2460

TITLE:
**STORMWATER QUALITY
 MANAGEMENT SCENARIOS**
 Marian & Mirani

SCALE: 0 250 500 1,000
 Metres
 1:50,000

JOB NO:
 191780

A3

VOLUNTARY MECHANISM FOR STORMWATER QUALITY

