

Program: Strategic Planning
Date of Adoption: 13 December 2023
Resolution Number: ORD-2023-321
Review Date: 13 December 2026

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, 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.

Contents

1.0	Principles	3
2.0	Mechanism Scenarios	3
3.0	Gross Pollutant Traps for Industrial and Commercial Development	3
4.0	Mechanism Rates	4
5.0	Applying to Utilise the Mechanism for Stormwater Quality Management	4
6.0	Payment of the Mechanism.....	4
7.0	Automatic Increase Provision.....	5
8.0	Complaints	5
9.0	Definitions	5
10.0	Review of Policy	5
11.0	Reference	6
12.0	Attachments.....	6

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 *State Planning Policy 2017*.

2.0 Mechanism Scenarios

Three scenarios apply to development in Mackay under this policy. The scenario mapping in attachment 4 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 *State Planning Policy 2017*.

2.2 Level 1

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 the Total Suspended Solids objective (i.e. 75% removal of annual average TSS load) prior to discharge from the development site.

2.3 Level 2

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, 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 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
Level 1	15,000	17,900
Level 2	42,000	50,130

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. 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

Developers must submit an application form (Appendix A) to Council for consideration as part of the Reconfiguration of Lot / Material Change of Use (RoL/MCU) development application. Council will determine the merit of the application and appropriate mechanism where applicable. For Level 1, a stormwater management plan is to be submitted to Council that provides on-site treatment to achieve 75% TSS.

6.0 Payment of the Mechanism

Following approval, Council will enter into an agreement with the developer for payment of the mechanism. For reconfiguring a lot (RaL) applications, payment of the mechanism will occur at plan sealing or signed survey stage.

For material change of use (MCU) applications payment of the mechanism will occur prior to commencement of use. The mechanism rate (\$/ha) cannot be negotiated.

7.0 Automatic Increase Provision

The base rate may be increased after the Mechanism Payment is levied 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 01/07/2023
- 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 two 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. Application for the Mechanism for Stormwater Quality Management
2. Request for Mechanism
3. Application Checklist
4. 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

Attachment 1

Application for the Mechanism for Stormwater Quality Management

Details of Owner/Applicant

Name:

Contact address:

Email:

Phone:

Details of Development

Estate name/stage:

No. of lots/area of subdivision:

Address (if applicable):

Lot reference:

Area:

PROPOSED OVERALL DEVELOPMENT LAYOUT AND DEVELOPMENT AREA TO BE SUBMITTED WITH THIS APPLICATION.

Development statistics to be provided including landuse split, development stages; number of allotments, area and type; passive open space area; drainage and road areas per stage of development.

Attachment 2

Request for Mechanism

Mechanism Level	Area (ha)	Land Use	Multiplier	Mechanism Amount
Level 1		Rural residential (<2000m ² , assumed f _i 50%)	1.0	
Level 1		Rural residential (between 2000m ² and 4000m ² , assumed f _i 25%)	0.75	
Level 1		Low density residential	1.0	
Level 1		Medium density residential	1.1	
Level 1		High density residential	1.7	
Level 1		Commercial / Industrial	2.0	
Level 1		Community facilities (schools, sports facilities, recreation etc)	0.75	
Level 2		Rural residential (<2000m ² , assumed f _i 50%)	1.0	
Level 2		Rural residential (between 2000m ² and 4000m ² , assumed f _i 25%)	0.75	
Level 2		Low density residential	1.0	
Level 2		Medium density residential	1.1	
Level 2		High density residential	1.7	
Level 2		Commercial / Industrial	2.0	
Level 2		Community facilities (schools, sports facilities, recreation etc)	0.75	
TOTAL		Mechanism Payment		\$

Attachment 3

Application Checklist

Has the development been mapped as Level 1?	
Has the development been mapped as Level 2?	
Has a development plan been provided that shows the area of land use used to calculate the mechanism payment?	
If Level 1, has a Site Based Stormwater Management Plan been provided?	

For more information, please refer to the voluntary mechanism for stormwater quality management, scenario maps (4 in total).

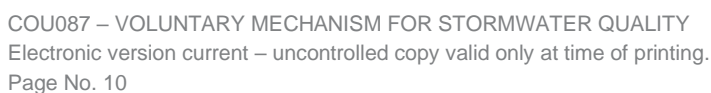
Declaration:

I _____ declare that the information provided in this application is correct and will enter into a mechanism payment agreement with Mackay Regional Council should this application be approved.

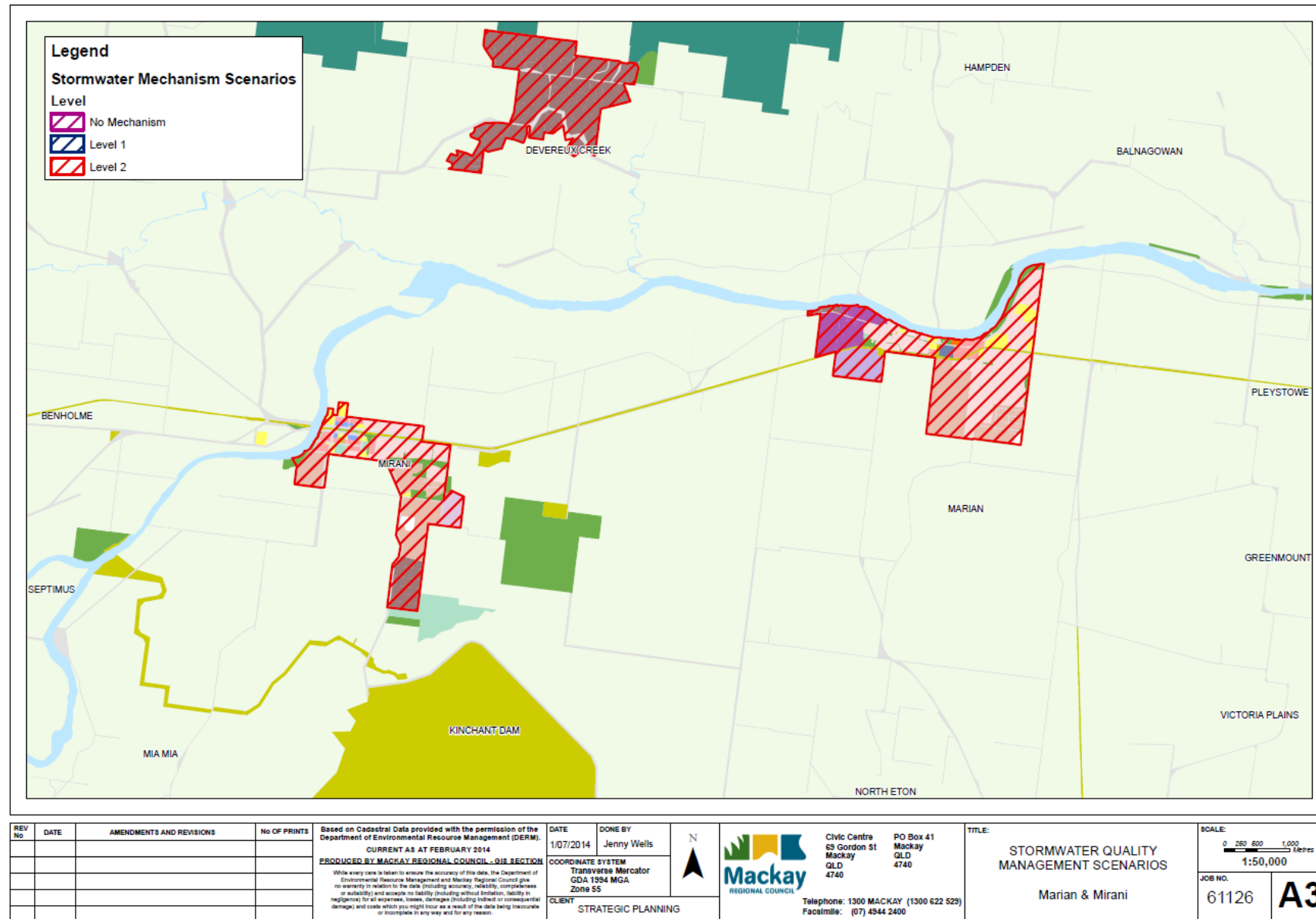
Signature of owner/applicant: _____ Date: _____

Office use only:

Stormwater Quality Management Scenario Mapping



VOLUNTARY MECHANISM FOR STORMWATER QUALITY



Path: P:\Support Requests\2014 - to be moved to K drive\61126 - Stormwater Offset Scenarios\61126 - Stormwater Offset Levels_A3L.mxd

