



YOUR REF: 400344  
OUR REF: CON-2020-305

1 February 2021

Urbex Pty Ltd  
c/- Veris Mackay Pty Ltd  
PO Box 158  
MACKAY QLD 4740

Dear Sir/Madam

## RESPONSE AS CONCURRENCE AGENCY – PRIOR TO BUILDING WORKS APPLICATION

Proposal: Pre-Building Works – Concurrence Referral (Request for Design and Siting Relaxations)  
Application Number: CON-2020-305  
Address: L 1 East Point Drive, MACKAY HARBOUR QLD 4740  
Property Description: Lot 1 on SP199835

I refer to the application received by Council on the 22 December 2020 requesting approval for the following areas of non-compliance with the acceptable solutions of the Queensland Development Code (QDC) or relevant Planning Scheme Codes.

- QDC MP 1.1 A2 – Building setback to side/rear boundary less than nominated in the Acceptable Solution.
- QDC MP 1.2 A2 – Building setback to side/rear boundary is less than nominated in the Acceptable Solution.
- Mackay Region Planning Scheme – Dwelling House Code – AO1.1 & AO1.2 – building setback to primary and secondary road boundary less than nominated in the Acceptable Outcome.
- Mackay Region Planning Scheme – Dwelling House Code – AO5 – site cover is more than nominated in the Acceptable Outcome.

The proposed development seeks to establish alternative minimum primary and secondary road frontage setback clearances, minimum side and rear setback clearances, and maximum site cover provisions to allow for dwellings to be constructed in a manner that facilitates a variety of housing types and arrangements from low density traditional dwelling houses to higher density townhouse type dwellings.

This is a response from Mackay Regional Council as a Concurrence Agency for a future Building Work Application (refer above) pursuant to s57 of the *Planning Act 2016*.

Mackay Regional Council has assessed the proposed development and considers that the development complies with the relevant Performance Criteria as the proposed development facilitates a streetscape consistent with existing built form established throughout surrounding areas.

The proposed boundary setbacks are representative of each proposed lot type and respective dwelling option, subsequently providing adequate private open space areas while also maintaining the safety and function of the surrounding road network. Side setbacks and site cover provisions also ensure that adequate levels of natural daylight and ventilation will be able to permeate into habitable rooms maintaining high levels of amenity and privacy for all lots within Stage 1A of the approved development.

Council requires the following conditions to be attached to any development approval.

1. The structure/s shall be in accordance with the approved plans and notes. All notes included on the approved plans form part of this approval and must be complied with accordingly.
2. Building permits for the structure/s must be obtained prior to the erection of the structure/s.

### **ADVICE**

1. The site plan submitted indicates that some of the proposed building work may be located within the zone of influence of existing sewerage infrastructure. Building work over or near relevant infrastructure must be assessed against the Queensland Development Code Mandatory Part 1.4 (MP1.4) "building over or near relevant infrastructure". We recommend that you seek advice from a Building Certifier to ensure the performance criteria and acceptable solutions of MP1.4 have been met.

The reasons for the inclusion of these conditions are to ensure the development is carried out generally in accordance with the plans of development submitted with the application and to ensure that Council's infrastructure is not compromised by the development.

The above conditions are valid for a period of 2 years from the date of this letter.













If you require any further information, please email Emma Langford at [emma.langford@mackay.qld.gov.au](mailto:emma.langford@mackay.qld.gov.au).

Yours faithfully,

**Dennis O'Riely**  
*Principal Planner*

Enc: Proposal Plans

LEGEND

		LOTS 7.5-9.9m TOWNHOUSE			LOTS 15.0-17.99m ECONOMY TRADITIONAL
		LOTS 10.0-12.49m VILLA			LOTS 18.0-21.99 TRADITIONAL
		LOTS 12.5-14.99m COURTYARD			LOTS 22.0m+ MEDIUM DENSITY SITE

 MANDATORY TWO STOREY PRODUCT AND MANDATORY BUILT TO BOUNDARY WALL (UNLESS A CORNER LOT)



IMPORTANT NOTES:

ALLOTMENT SITE REQUIREMENTS

LOT TYPE	AV. LOT WIDTH (m)	TYPICAL AV. LOT SIZE (m²)	MINIMUM BUILDING SETBACKS (REFER TO NOTES BELOW)										PRIVATE OPEN SPACE (POS)		OTHER REQUIREMENTS	LENGTH AND HEIGHT OF ZERO BOUNDARY WALL
			FIRST STOREY (LESS THAN 4.5m)						SECONDARY STOREY (4.5-8.5m)							
			FRONT (m)	GARAGE WALL (m)	REAR (M)	OPTIONAL ZERO LOT LINE	SIDE SET BACK (m)	SECONDARY ROAD SETBACK	FRONT (m)	REAR (m)	ZERO LOT LINE	SIDE SET BACK (m)	MINIMUM AREA (m²)	MINIMUM CIRCLE DIAMETER (m)	MAXIMUM SITE COVERAGE (%)	
TOWNHOUSE (T)	7.5-10.0	225	3	5.5	1.5	MANDATORY	0.75	0.75	3	2	1	1.5	60	4	75	MAX. TOTAL LENGTH: 80% OF THE LEGTH OF THE BOUNDARY MAX. HEIGHT: 7.5m
VILLA (V)	10.0-12.49	320	3	5.5	1.5	YES	0.75	0.75	3	2	1	1.5	80	5	60	MAX. TOTAL LENGTH: 60% OF THE LENGTH OF THE BOUNDARY MAX. HEIGHT: 3.5m (MAX SINGLE LENGTH 9m)
COURTYARD (CY)	12.5-14.99	375	3	5.5	1.5	YES	0.75	0.75	3	2	1	1.5	80	5	60	MAX. TOTAL LENGTH: 60% OF THE LENGTH OF THE BOUNDARY MAX. HEIGHT: 3.5m (MAX SINGLE LENGTH 9m)
ECONOMY TRADITIONAL (ET)	15.0-17.99	450	4.5	5.5	1.5	NO	1.0	2	4.5	2	N/A	2	80	5	50	N/A
TRADITIONAL (T)	18.0-21.99	540	6.0	6.0	1.5	NO	1.5	3	6.0	2	N/A	2	80	5	50	N/A
MEDIUM DENSITY SITE (MD)	22.0 & ABOVE	660	6.0	6.0	1.5	NO	1.5	3	6.0	2	N/A	2	-	-	50	N/A
x FOR NON ZERO LOT LINE BOUNDARY SETBACKS ARE MEASURED TO THE OUTERMOST PROJECTION (OMP) – EXCLUDES GARAGE WALL SETBACK																
xx OMP INCLUDES ARCHITECTURAL FEATURES SUCH AS PIERS, PYLONS, EAVES, ETC.																
NOTE - THIS IS A QUANTIFIABLE STANDARD THAT IS AN ALTERNATIVE PROVISION TO THE QDC, PART MP1.1, A1 (a), (b) AND (c), A2 (a), (b) AND (d) AND PART MP1.2, A1 (a), (b) AND (c), A2 (a), (b) AND (d). NON-COMPLIANCE WITH THIS PROVISION FOR A DWELLING HOUSE REQUIRES A CONCURRENCE AGENCY RESPONSE FROM MACKAY REGIONAL COUNCIL.																
NOTES - EXCLUDES POOLS AND CLASS 10 BUILDINGS AND STRUCTURES (OTHER THAN RETAINING WALLSAND STRUCTURES). FOR REQUIREMENTS FOR POOLS AND CLASS 10 BUILDING AND STRUCTURES (OTHER THAN RETAINING WALLS AND STRUCTURES) REFER TO QDC.																

SITE COVER

1. SITE COVER (EXCLUDES EAVES, SUN SHADING DEVICES, PATIOS, BALCONIES AND OTHER UNCLOSED STRUCTURES):

CARPARKING SPACES

2. TWO CAR PARKING SPACES ARE PROVIDED PER DWELLING.

GARAGE

3. GARAGE AND CARPORT OPENINGS ARE IN ACCORDANCE WITH THE TABLE BELOW:

PRIMARY OR SECONDARY FRONTAGE	COVERED CAR SPACE OPENING (S) PER STREET FRONTAGE
12.5m OR GREATER	6.0m WIDE MAXIMUM
LESS THAN 12.5m	SINGLE LEVEL: 3.0m WIDE MAXIMUM DOUBLE LEVEL: 6.0m MAXIMUM AND RECESSED A MIN. 1.0m BEHIND THE FRONT WALL OR BALCONY OF UPPER LEVEL OR FOR A LANEWAY LOT (SINGLE OR DOUBLE LEVEL): NO MAXIMUM

DRIVEWAYS

4. DRIVEWAY CROSSOVERS ARE LOCATED IN ACCORDANCE THE SETBACKS & REQUIREMENTS OF ACCESS & BUILDING ENVELOPE PLANS B00214-ABEP01-04.  
5. DRIVEWAYS DO NOT INCLUDE A REVERSING BAY, MANEUVERING AREA OR VISITOR PARKING SPACES (OTHER THAN TANDEM SPACES) IN THE FRONT SETBACK.

WASTE

8. EACH TOWNHOUSE INCLUDES A BIN STORAGE AREA THAT:  
- IS NOT VISIBLE FROM PUBLIC AREAS OR SCREENED FROM PUBLIC AREAS;  
- HAS A MINIMUM AREA OF 1.0M X 2.0M;  
- IF LOCATED WITHIN THE GARAGE THE AREA MUST BE VENTILATED;  
- IF LOCATED WITHIN THE FRONT SETBACK MUST BE SCREENED.

FENCING

9. FENCES TO PRIMARY OR SECONDARY ROAD FRONTAGES SHALL BE GENERALLY OPEN FENCING IN SURROUND FRAME. SOLID MASONRY WALL ELEMENTS ARE PROPOSED TO DEFINE CORNERS AND PROVIDE SCREENING TO NOMINATED PRIVATE OPEN SPACE. FENCES AND SCREENS ALONG PRIMARY OR SECONDARY ROAD FRONTAGES SHALL BE 1.2M.

CASUAL SURVEILLANCE

10. DWELLINGS GENERALLY MUST ADDRESS PRIMARY FRONTAGES WITH A MINIMUM OF A WINDOW AND EITHER A FRONT DOOR OR PEDESTRIAN ENTRANCE. DWELLINGS ON CORNER LOTS MAY HAVE A FRONT DOOR ADDRESSING THE SECONDARY FRONTAGE BUT MUST STILL ADDRESS THE PRIMARY FRONTAGE WITH A WINDOW ON EACH LEVEL.

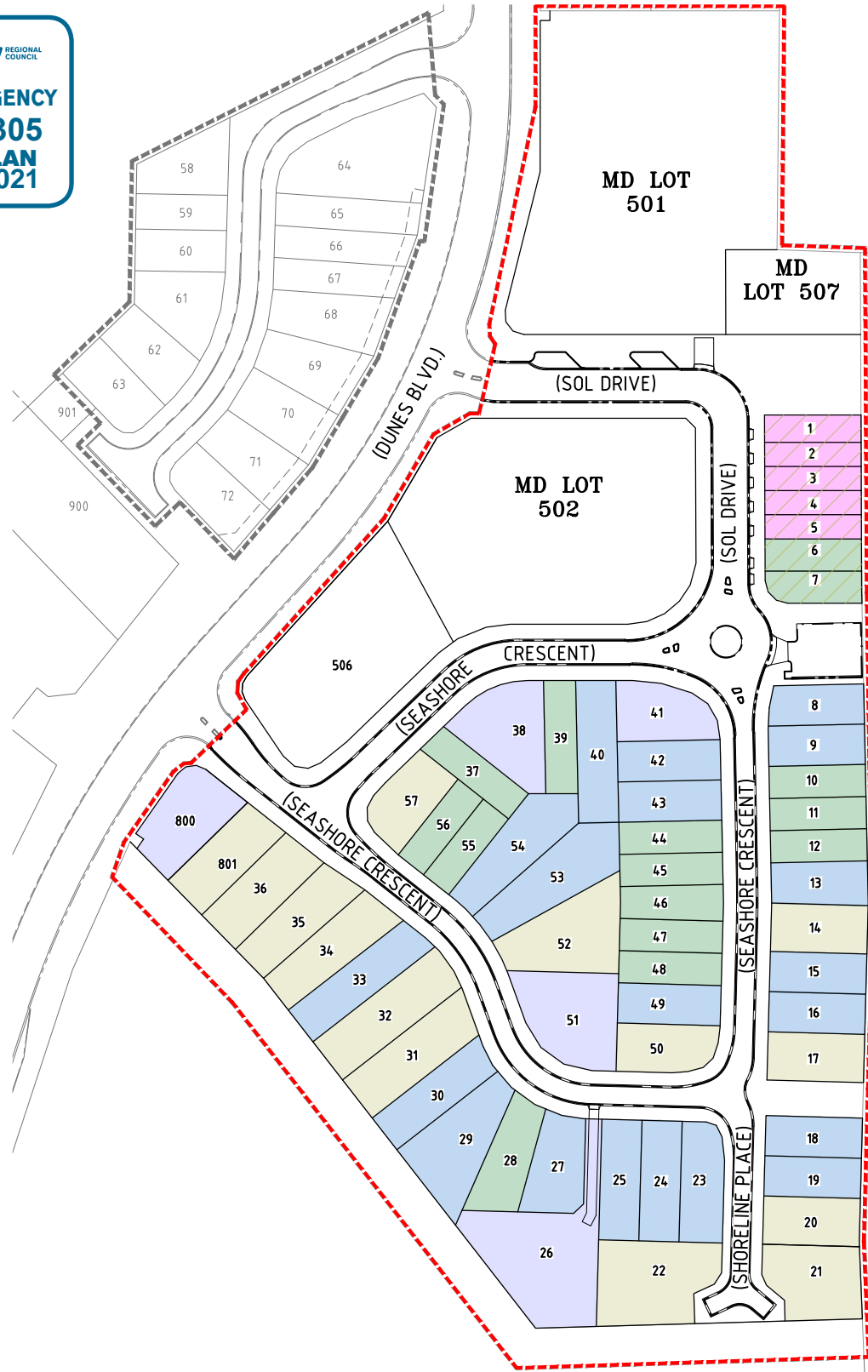
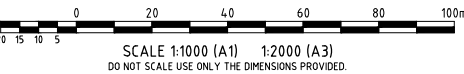
11. A MINIMUM OF ONE HABITABLE ROOM WINDOW OF AT LEAST 1.0M2 OVERLOOKS EACH ADJOINING PUBLIC SPACE (STREET, RESERVE OR PUBLIC OPEN SPACE).

CORNER LOTS

12. FOR CORNER LOTS, THE PRIMARY ROAD FRONTAGE SHALL BE CONSIDERED THE NARROW FRONTAGE ADDRESSING A ROAD.

HIGH DENSITY EASEMENTS


13. BUILT TO BOUNDARY WALLS ARE SUBJECT TO HIGH DENSITY EASEMENTS OVER COMMON BUILT TO BOUNDARY LOT LINES OVER TOWNHOUSE LOTS 1-7.



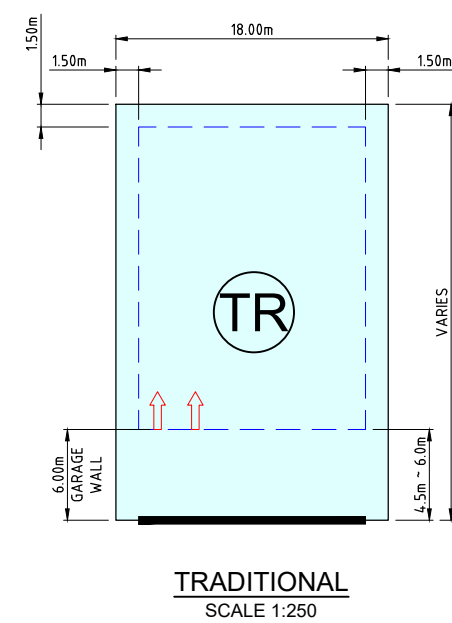
						Registered Engineer
						Date Register
						ENGINEERING CERTIFICATION
No.	Amendments	Drawn	Design	Design Chk	Appd	Date

urbex

Empower  
ENGINEERS &  
PROJECT MANAGERS  
ABN 23 010 743 692

Client	EAST POINT MACKAY PTY LTD	Datum	AHD	
Project	EAST POINT DRIVE MACKAY - STAGE 1A	PSM	118600	
Title	SETBACK PLAN & DEVELOPMENT REQUIREMENTS FOR RESIDENTIAL PRODUCT	RL	7.152M	NOT FOR CONSTRUCTION
		(MGA)	COORD	
		Project No.	Drawing No.	
		B00214-LD001		A

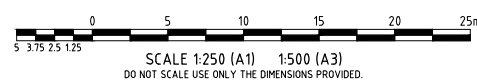




A diagram of a sun with rays. The sun is divided into four quadrants by a horizontal line and a vertical line. The quadrants are labeled: NORTH (top), SOUTH (bottom), WEST (left), and EAST (right). The horizontal line is labeled 'WINTER SUN PATH' above it and 'SUMMER SUN PATH' below it. The vertical line is labeled 'MIDAY' next to it. Two wavy arrows represent prevailing breezes: one in the top-right quadrant labeled 'PREVAILING SUMMER BREEZES' and one in the bottom-right quadrant labeled 'PREVAILING WINTER BREEZES'.

1. REAR ALLOTMENT SETBACKS OF 1.5m APPLY.
2. TRADITIONAL ALLOTMENTS, WHERE THE ALLOTMENT DEPTH IS 29.5m OR LESS, A FRONT BOUNDARY SETBACK OF 4.5m MAY APPLY AND WHERE THE ALLOTMENT DEPTH IS GREATER THAN 29.5m A FRONT BOUNDARY SETBACK OF 6.0m OTHERWISE APPLIES.
3. UNLESS SPECIFIED, SECONDARY FRONT BOUNDARY SETBACKS FOR CORNER ALLOTMENTS ARE:
  - (i) TRADITIONAL 3.0m;
  - (ii) ECONOMY TRADITIONAL 2.5m;
  - (iii) VILLA AND COURTYARD 1.0m.
4. A 9.0m X 9.0m TRUNCATION APPLIES TO CORNER ALLOTMENT SETBACKS BETWEEN THE PRIMARY AND SECONDARY FRONT BOUNDARIES.

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- Diagram illustrating the process of determining the location of a garage when there is more than one allowable driveway access:
- BUILDING ENVELOPE
  - BUILT-TO-BOUNDARY LINE
  - ALLOWABLE DRIVEWAY ACCESS
  - MANDATORY TWO STOREY PRODUCT AND MANDATORY BUILT TO BOUNDARY WALL (UNLESS A CORNER LOT)
  - GARAGE LOCATION - SETBACK TO WALL (IF MORE THAN ONE ALLOWABLE DRIVEWAY ACCESS IS ACHIEVABLE IDENTIFIES PREFERRED LOCATION)

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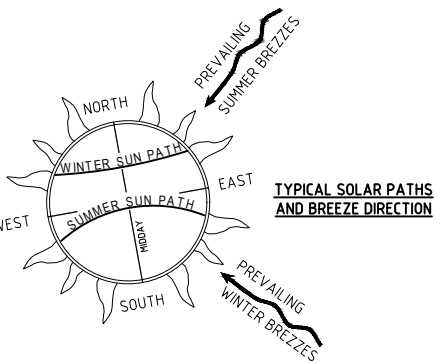
<i>Client</i>	<b>EAST POINT MACKAY PTY LTD</b>	<i>Datum</i> <b>AHD</b>	
<i>Project</i>	<b>EAST POINT - STAGE 1</b>	<b>PSM 118600</b>	
		<b>RL 7.152M</b>	
<i>Title</i>	<b>TYPICAL LOT DETAIL</b>	<b>(MGA) COORD</b>	
		<b>NOT FOR CONSTRUCTION</b>	
		<i>Project No.</i> <b>B00214-LD002</b>	<i>Drawing No.</i> <b>C</b>



# LEGEND

- BUILDING ENVELOPE
- TR ET CY V T  
TRADITIONAL, ECONOMY TRADITIONAL, COURTYARD, VILLA AND TOWNHOUSE ALLOTMENT
- BUILT-TO-BOUNDARY LINE
- ALLOWABLE DRIVEWAY ACCESS
- MANDATORY TWO STOREY PRODUCT AND MANDATORY BUILT TO BOUNDARY WALL (UNLESS A CORNER LOT)
- BUILD TO BOUNDARY WALL ARE SUBJECT TO HIGH DENSITY EASEMENTS OVER COMMON BUILT TO BOUNDARY LOT LINES.
- S PROPOSED SEWER MAIN
- RM PROPOSED RISING MAIN
- W PROPOSED WATER MAIN - uPVC
- SWD PROPOSED STORMWATER LINE
- E PROPOSED ELECTRICAL LINE
- NBN PROPOSED TELECOMMUNICATION
- PROPOSED RETAINING WALL
- PROPOSED STREETLIGHT
- SWD EXISTING STORMWATER LINE
- Ex. SEWER EXISTING SEWER MAIN
- W EXISTING WATER MAIN
- STAGE BOUNDARY
- PATHWAY
- INDICATIVE LOCATION OF STREET TREES
- HATCH 1 - FIRE PROTECTION ZONE 10m WIDE
- HATCH 2 - BURIED BUND WALL ZONE OF INFLUENCE
- GARAGE LOCATION - SETBACK TO WALL (IF MORE THAN ONE ALLOWABLE DRIVEWAY ACCESS IS ACHIEVABLE IDENTIFIES PREFERRED LOCATION)

**NOTE:**  
ALL STRUCTURES CONSTRUCTED WITHIN THE IDENTIFIED ZONE OF INFLUENCE ARE TO BE DESIGNED NOT TO EXCEED THE DESIGN SURCHARGE OF THE BURIED BUND WALL AND ARE TO BE CERTIFIED BY AN RPEQ WITH THE RELEVANT STRUCTURAL QUALIFICATIONS.



0 5 10 15 20 25m  
SCALE 1:250 (A1) 1:500 (A3)  
DO NOT SCALE USE ONLY THE DIMENSIONS PROVIDED.

JOINS TO DRAWING NUMBER B00214-ABEP02

JOINS TO DRAWING NUMBER B00214-ABEP03

C	STAGE 1A LAYOUT CHANGES	JT	PDW	CH	CH	19/06/20	Registered Engineer
B	ISSUED FOR OPERATIONAL WORKS APPROVAL INCORPORATING COUNCIL'S RFI	JT	PDW	PDW	PI	27/11/19	Date Register
A	ORIGINAL ISSUE						ENGINEERING CERTIFICATION
No.	Amendments	Drawn	Design	Design Chk	Appd	Date	

**urbex**

**Empower**  
ENGINEERS & PROJECT MANAGERS  
ABN 23 010 743 692

Client	EAST POINT MACKAY PTY LTD			Datum	AHD
Project	EAST POINT DRIVE MACKAY - STAGE 1A			PSM	118600
Title	ACCESS AND BUILDING ENVELOPE PLAN SHEET 1 OF 4			RL	7.152M (MGA) COORD
				<b>NOT FOR CONSTRUCTION</b>	
	Project No.	Drawing No.	Rev		
	B00214-ABEP01	C			

This is a Mackay Regional Council Digitally Signed Document

BUILT-TO-BOUNDARY LINE  
ALLOWABLE DRIVEWAY ACCESS

PROPOSED STORMWATER LINE  
PROPOSED ELECTRICAL LINE  
PROPOSED TELECOMMUNICATION

PROPOSED RETAINING WALL  
PROPOSED STREETLIGHT  
EXISTING STORMWATER LINE

EXISTING SEWER MAIN

EXISTING WATER MAIN

STAGE BOUNDARY

### PATHWAY

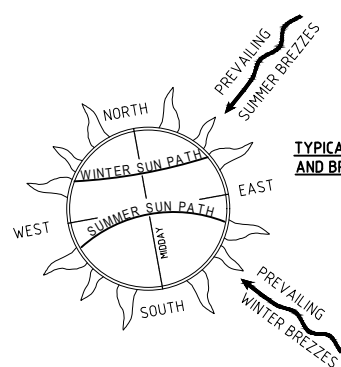
INDICATIVE LOCATION  
OF STREET TREES

HATCH 1 - FIRE PROTECTION  
ZONE 10m WIDE

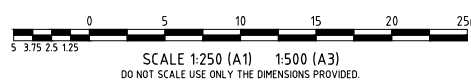
HATCH 2 - BURIED BUND  
WALL ZONE OF INFLUENCE

GARAGE LOCATION - SETBACK TO WALL (IF MORE THAN ONE ALLOWABLE DRIVEWAY ACCESS IS ACHIEVABLE IDENTIFIES PREFERRED LOCATION)

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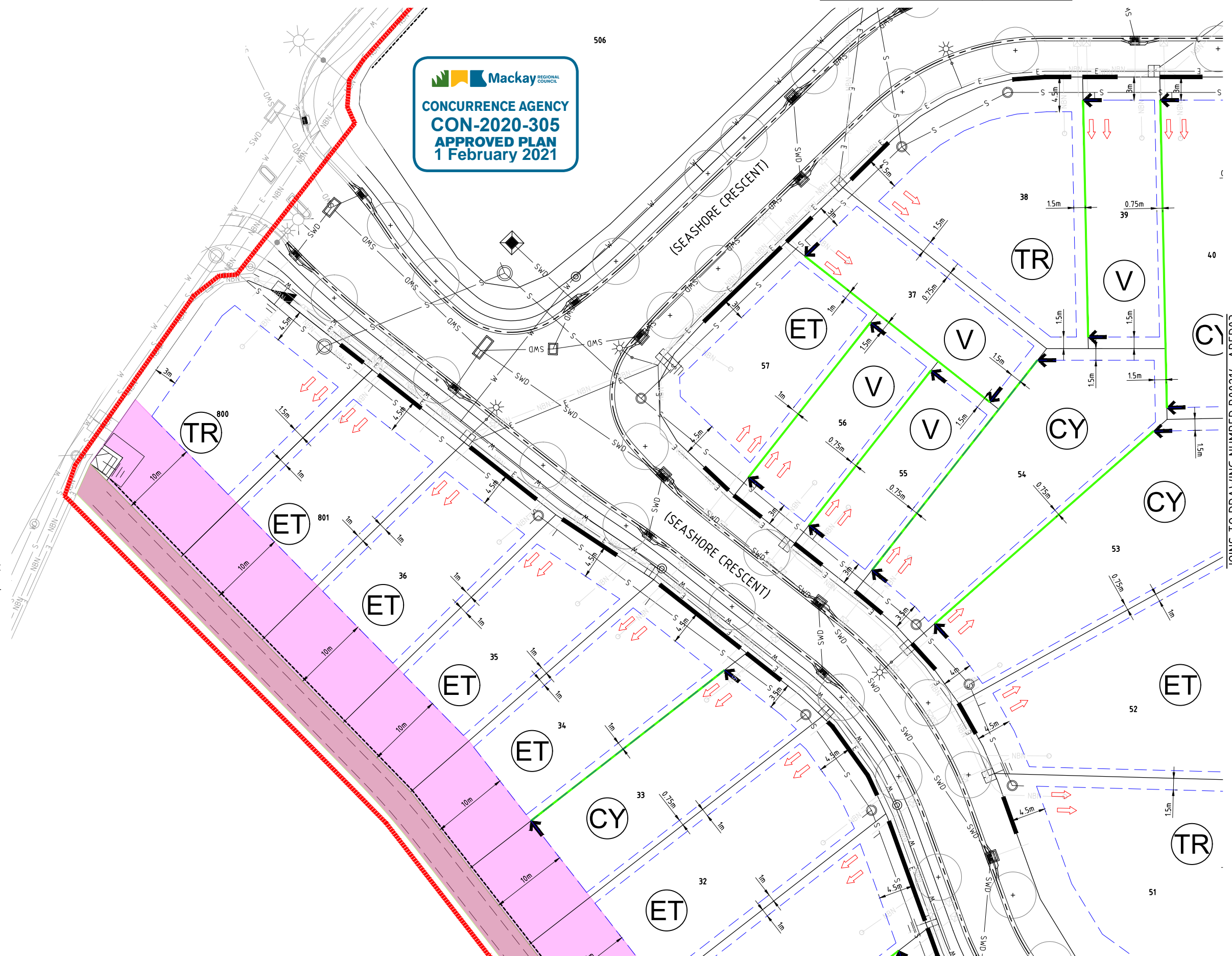


### TYPICAL SOLAR PATHS AND BREEZE DIRECTION



**Mackay** REGIONAL COUNCIL


**CONCURRENCE AGENCY**  
**CON-2020-305**  
**APPROVED PLAN**  
**1 February 2021**



JOINS TO DRAWING NUMBER B00214-ABEP04

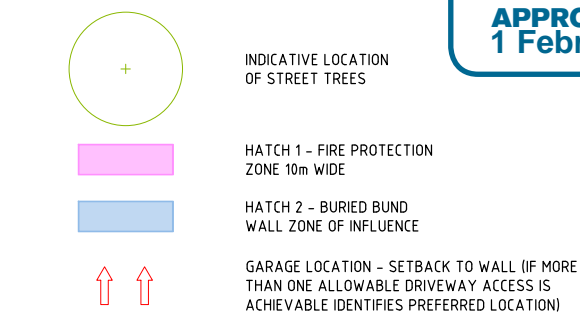
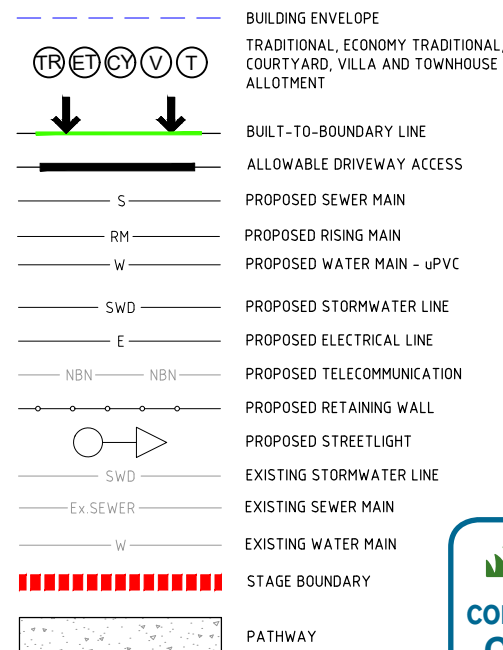
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<i>Client</i>	EAST POINT MACKAY PTY LTD
<i>Project</i>	EAST POINT DRIVE MACKAY - STAGE 1A
<i>Title</i>	ACCESS AND BUILDING ENVELOPE PLAN SHEET 2 OF 4

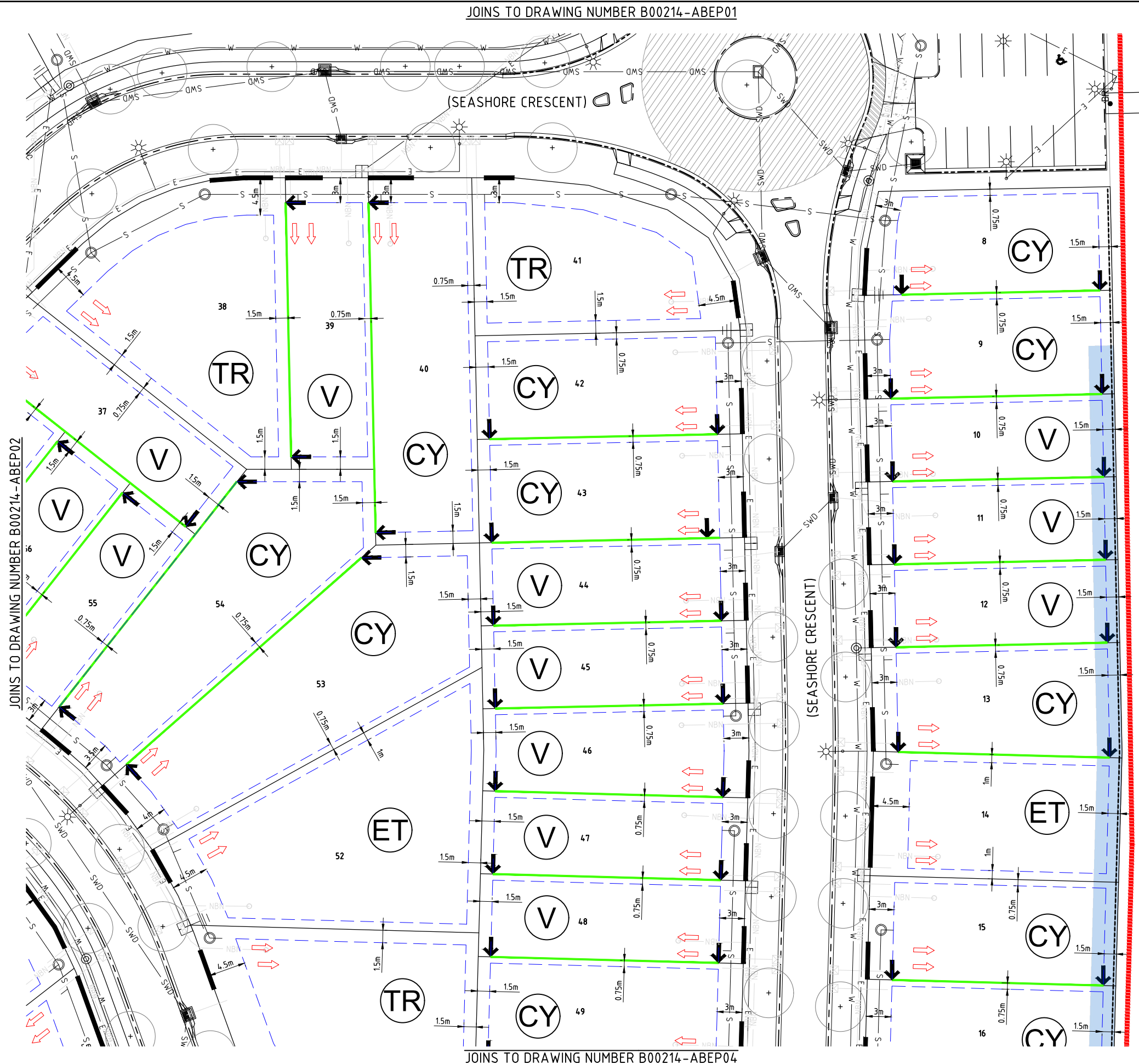
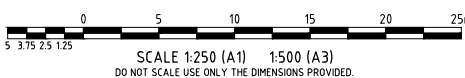
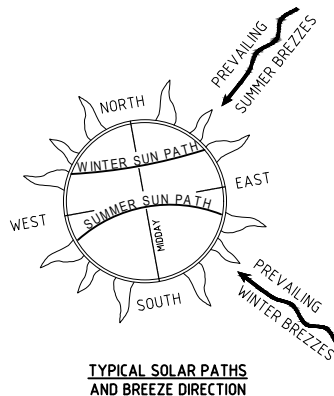
Datum <b>AHD</b> <b>PSM 118600</b> <b>RL 7.152M</b> <b>(MGA) COORD</b>	
<b>NOT FOR CONSTRUCTION</b>	
Project No.      Drawing No.      Rev	<b>B00214-ABEP02</b> <b>C</b>



# LEGEND



**NOTE:**  
 ALL STRUCTURES CONSTRUCTED WITHIN THE IDENTIFIED ZONE OF INFLUENCE ARE TO BE DESIGNED NOT TO EXCEED THE DESIGN SURCHARGE OF THE BURIED BUND WALL AND ARE TO BE CERTIFIED BY AN RPEQ WITH THE RELEVANT STRUCTURAL QUALIFICATIONS.



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 ABN 23 010 743 692

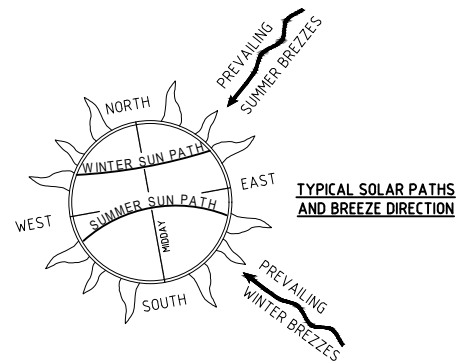
Client **EAST POINT MACKAY PTY LTD**  
 Project **EAST POINT DRIVE MACKAY - STAGE 1A**  
 Title **ACCESS AND BUILDING ENVELOPE PLAN SHEET 3 OF 4**

Datum **AHD**  
 PSM **118600**  
 RL **7.152M**  
 (MGA) COORD  
**NOT FOR CONSTRUCTION**  
 Project No. Drawing No. Rev  
**B00214-ABEP03 C**

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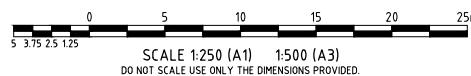
JOINS TO DRAWING NUMBER B00214-ABEP03

**LEGEND**

	BUILDING ENVELOPE
	TRADITIONAL, ECONOMY TRADITIONAL, COURTYARD, VILLA AND TOWNHOUSE ALLOTMENT
	BUILT-TO-BOUNDARY LINE
	ALLOWABLE DRIVEWAY ACCESS
	PROPOSED SEWER MAIN
	PROPOSED RISING MAIN
	PROPOSED WATER MAIN - uPVC
	PROPOSED STORMWATER LINE
	PROPOSED ELECTRICAL LINE
	PROPOSED TELECOMMUNICATION
	PROPOSED RETAINING WALL
	PROPOSED STREETLIGHT
	EXISTING STORMWATER LINE
	EXISTING SEWER MAIN
	EXISTING WATER MAIN
	STAGE BOUNDARY
	PATHWAY
	INDICATIVE LOCATION OF STREET TREES
	HATCH 1 - FIRE PROTECTION ZONE 10m WIDE
	HATCH 2 - BURIED BUND WALL ZONE OF INFLUENCE
	GARAGE LOCATION - SETBACK TO WALL (IF MORE THAN ONE ALLOWABLE DRIVEWAY ACCESS IS ACHIEVABLE IDENTIFIES PREFERRED LOCATION)

**NOTE:**

ALL STRUCTURES CONSTRUCTED WITHIN THE IDENTIFIED ZONE OF INFLUENCE ARE TO BE DESIGNED NOT TO EXCEED THE DESIGN SURCHARGE OF THE BURIED BUND WALL AND ARE TO BE CERTIFIED BY AN RPEQ WITH THE RELEVANT STRUCTURAL QUALIFICATIONS.



User: JOSE TURKINGAN File Name: C:\Users\JOSE\Documents\B00214-ABEP02.dwg Plot Date: 15/12/2020 9:06:17 AM

C	STAGE 1A LAYOUT CHANGES	JT	PDW	CH	CH	19/06/20	Registered Engineer
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A	ORIGINAL ISSUE						ENGINEERING CERTIFICATION
No.	Amendments	Drawn	Design	Design Chk	Appd	Date	

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**Empower**  
ENGINEERS &  
PROJECT MANAGERS  
ABN 23 010 743 692

Client	EAST POINT MACKAY PTY LTD
Project	EAST POINT DRIVE MACKAY - STAGE 1A
Title	ACCESS AND BUILDING ENVELOPE PLAN SHEET 4 OF 4
Datum	AHD PSM 118600 RL 7.152M (MGA) COORD
Project No.	B00214-ABEP04
Drawing No.	
Rev	C



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