

CONSULTATION REPORT

QUALIFIED STATE INTEREST AMENDMENT 1 OF 2017 (DWELLING HOUSE PROVISIONS) TO THE MACKAY REGION PLANNING SCHEME 2017

Public consultation:

Public consultation was undertaken from 1 June 2018 to 9 July 2018 (28 business days).

A public information session about the proposed amendment was held on 14 June 2018.

The public were advised of the consultation period through:

- A public notice in the Daily Mercury newspaper on 1 June 2018; and
- A 'MyMackay – Planning and Development ENEWS' electronic newsletter, sent on 1 June 2018.

The proposed amendment, and documentation providing detail about the proposed amendment, was made available for viewing on the Mackay Regional Council website and at each of Council's three Council Customer Service Centres during the consultation period.

Response to issues raised in properly made submissions received during the public consultation period on the proposed Qualified State Interest Amendment 1 of 2017 (dwelling house provisions) to the Mackay Region Planning Scheme 2017.

Sub Ref.	Submitter	Specific Request	Grounds	Response	Response Details
QSI17-1	UDIA – Mark McGrath	Reduce the 6m setback requirement for garages and outbuildings in the dwelling house provisions amendment to 3m on access streets and 4 metres on collector streets (as per QDC)	<p>(a) The Queensland Development Code (QDC) allows lesser road frontage setbacks for garages, of 3m to access streets and 4m to collector streets</p> <p>(b) The greater setback requirement in the dwelling house provisions amendment is considered unnecessary and reduces flexibility for alternate design approaches.</p>	Not supported – scheme not changed	<p>The lesser road frontage setbacks in the QDC, of 3m to access streets and 4m to collector streets, is only applicable to <u>lots of 450m² and less</u>. The QDC still requires a road frontage setback requirement for garages on lots over 450m² of 6m from all road types.</p> <p>The 6m setback to garages and outbuildings to access and collector streets, as required by the amendment, is necessary to allow a car to park in the driveway between the property boundary and the garage door. The 6m setback to garages also achieves a desired streetscape outcome in relation to adjacent dwellings.</p> <p>Reduced road frontage setbacks to garages and outbuildings can be considered on a case-by-case basis (through a Concurrence application), to consider potential impacts, including provision of adequate on street parking and amenity, in a specific development.</p>

					<p>Council can thus assess reduced setbacks at the subdivision design stage of a development, if sufficient information is provided.</p> <p>A reduction of the 6m setback provision, as a change to the amendment, is not supported.</p>
		Reduce the side boundary setback to a corner street to 1 metre on small lots.	(a) Small lots may require side boundary flexibility where the front setback is already met.	Not supported – but scheme amended to clarify provision	<p>The planning scheme requires a 3m setback to dwelling houses (not including garages, domestic outbuildings and carports) from the secondary frontage on a corner lot – for all lot sizes.</p> <p>The 3m setback requirement is less onerous than the QDC for lots with frontages widths of 15m and over.</p> <p>The existing 3m secondary road frontage setback ensures streetscape character and amenity. Secondary road frontage setbacks also assist in maintaining sight lines around corner lots.</p> <p>The planning scheme does not share the QDC restriction that ‘no structure over 2m high can be placed within a 9m truncation of the corner’ (at the intersection of the road frontages). If the secondary road frontage setback were reduced to 1m, it would result in additional loss of sight lines on corner lots, and undesirably impact on streetscape.</p> <p>The reduction to a 1m side setback to collector streets is <u>not</u> supported as a general setback in all cases.</p> <p>Reduced secondary road frontage setbacks can be considered on a case-by-case basis (Concurrence application), with due consideration of potential amenity impacts, including sight lines around corners and streetscape amenity on small lots.</p> <p>The proposed amendment has inadvertently omitted the existing 6m setbacks to garages, outbuildings on the secondary frontage (as applicable in the Mackay Region Planning Scheme). This is a drafting error and will be require a change to the proposed amendment.</p> <p>The change will confirm the continuance of the 6m setback requirement for garage and outbuildings on both the secondary and primary frontage of corner lots.</p>

		<p>Change to use the QDC setback requirements of measuring to the building wall instead of outermost projection.</p>	<p>(a) enable additional flexibility for more varied and interesting building design</p> <p>(b) facilitate wider eaves and shade structures</p> <p>(c) the submitter has previously supported measuring to the wall when it was proposed in a draft state single house code</p>	<p>Partly supported - scheme changed</p>	<p>Council do not support measuring the QDC <u>side and rear setbacks of a dwelling</u> to the building wall as opposed to the current measurement to the outermost projection. The planning scheme is silent on side and rear setbacks in residential zones, and accept the QDC setbacks as measured to the outermost projection. QDC side and rear setbacks to dwellings are intended to provide adequate light, ventilation, amenity and support emergency access. There are no studies or information at hand to support reduction of these setbacks and introduce measurement to the building wall.</p> <p>Similarly, Council does not support changing the measurement of <u>primary and secondary road frontage setbacks of a dwelling</u> to the building wall, which will allow dwelling house eaves to further encroach towards the road frontage. The setback measurement to the outermost projection is viewed as appropriate.</p> <p>However, reduced boundary setbacks can be considered on a case-by-case basis or at subdivision design stage as opposed to a generally applicable change to the setback provisions.</p> <p>Regarding <u>setbacks to garages</u> at 6m, the principle of allowing eaves to encroach into the 6m road setback has merit. This will allow eaves to overhang into the 6m road setback requirement to garages for dwelling houses on access streets and collector streets.</p> <p>The change to the amendment will allow eaves of up to 600mm to intrude into the 6m road frontage setback requirement to garages for dwelling houses on access streets and collector streets.</p>
		<p>Provide Emerging community zones with broad structure and infrastructure planning at an early stage – to be prepared by council in consultation with industry.</p>	<p>(a) Enable good coordination of infrastructure and community outcomes and incentivise development</p>	<p>Not supported – scheme not changed</p>	<p>The request is not relevant to housing provision amendments.</p> <p>Development in the Emerging Community zone is adequately regulated through the requirement of a development framework plan by the developer. The submission is not supported.</p>