



<b>ZONE</b>	Industry
<b>PLANNING SCHEME</b>	2018 Douglas Shire Planning Scheme Port Douglas / Craiglie Local Plan – Precinct 3
<b>REFERRAL AGENCIES</b>	None Applicable
<b>NUMBER OF SUBMITTERS</b>	163
<b>STATUTORY ASSESSMENT DEADLINE</b>	17 September 2018
<b>APPLICATION DATE</b>	14 June 2018

## **RECOMMENDATION**

**That issue a Preliminary Approval for Animal Keeping (Dog & Cat Boarding Kennels) Primarily Indoors with Ancillary Facilities including Caretaker's Accommodation over land described as Lot 10 on RP804923 located at 6 – 8 Teamsters Close Craiglie subject to the following:-**

### **A. ASSESSMENT MANAGER CONDITIONS & ADVICES:-**

#### **Acoustic Report / Attenuation Measures**

1. The development application advised that the proposed use will be taking place within an acoustic, noise attenuated building and that Acoustic Works Brisbane had been engaged to prepare a report in relation to identifying measures to be built into the building to attenuate noise and identify other noise management initiatives specifically for the operation of the facility at the site.

The Acoustic Report dated 3<sup>rd</sup> July 2018 investigates potential noise impacts on sensitive land uses external to Industry zoned land. The report does not detail noise impacts on adjacent or surrounding properties generated by the proposed use or detail existing or proposed attenuation treatments to the existing building in order to mitigate such impacts if required.

A noise impact assessment report must therefore be prepared to demonstrate the affect of reasonable and practicable measures proposed to be implemented to minimise the impact of noise on the existing acoustic environment of the surrounding industrial/commercial indoor and outdoor environment. The report is required to give due regard to the following:-

1. The noise profile of the existing industrial estate which contains a mix of light industry and commercial service / office type uses;
2. The generation of noise associated with the proposed use;

3. The construction of the existing building in which the animals will be housed and the performance of any noise attenuation treatments of the existing building to mitigate the impacts of noise;
4. Detail any additional noise attenuation measures required to be performed to the building to minimise the impact of noise on the existing acoustic environment external to the site.
5. Any other matters considered relevant by the acoustic engineer to ensure the proposed development does not unduly impact on neighbouring or surrounding properties.

The report must be submitted as part of any request to negotiate this Preliminary Approval or as supporting information to any new Material Change of Use application submitted over the land for the proposed use.

#### Advices

1. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
2. For information relating to the *Planning Act 2016* log on to [www.dsdip.qld.gov.au](http://www.dsdip.qld.gov.au). To access the *FNQROC Development Manual*, Local Laws and other applicable Policies, log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).

#### LAND USE DEFINITIONS\*

In accordance with the *2018 Douglas Shire Planning Scheme* the approved land use is defined as follows.

Column 1 Use	Column 2 Definition	Column 3 Examples	Column 4 Does not include the include following examples
Animal Keeping	Premises used for boarding, breeding or training of animals. The use may include ancillary temporary or permanent holding facilities on the same site and ancillary repair and servicing of machinery.	Aviaries, catteries, kennels, stables, wildlife refuge.	Aquaculture, cattle studs, domestic pets, feedlots, grazing of livestock, non-feedlot dairying, piggeries, poultry meat and egg production, animal husbandry.

\*This definition is provided for convenience only. This Preliminary Approval is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme.

**B. Further Permits**

- 1. The following Development Permits are required to be obtained before the development can be carried out:**

- a. Development Permit for Material Change of Use.**

**C. Currency period for the approval**

Under section 85(1)(a)(i) of the *Planning Act 2016*, the relevant period for the Preliminary Approval is six (6) years starting from the day the approval takes effect.

**D. Reasons for Decision**

The reasons for this decision are:

- 1. Sections 60, 62 and 63 of the *Planning Act 2016*:**

- a. the content of the development application with respect to noise attenuation treatments for the proposed facility did not align with the methodology applied to investigate noise impacts associated with the development as detailed in the Acoustic Report dated 3 July 2018;**
- b. to ensure the development satisfies the Strategic Framework and associated benchmarks of the 2018 Douglas Shire Planning Scheme; and**
- c. to ensure compliance with the *Planning Act 2016*.**

- 2. Findings on material questions of fact:**

- a. the development application was properly lodged to the Douglas Shire Council on 14 June 2018 under section 51 of the *Planning Act 2016* and Part 1 of the Development Assessment Rules;**
- b. the application was properly notified;**
- c. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2018 Douglas Shire Planning Scheme in making its decision as Assessment Manager.**
- d. the content of the Acoustic Report dated 3 July 2018 did not align with or support statements made elsewhere in the supporting information that the building will be an acoustically attenuated building suitable for the proposed use.**
- e. regard was given to a number of submissions lodged in response to the application, in particular those that raised concerns over insufficient information concerning noise impacts.**

- 3. Evidence or other material on which findings were based:**
- a. the development triggered impact assessable development under the Assessment Table associated with the Industry zone code;**
  - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and**
  - c. the applicant's reasons have been considered and the following findings are made:**
    - i. Further investigations are required to address the issue of noise and its impacts on the adjoining and nearby properties as detailed in Condition 1 of the Preliminary Approval.**
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## **EXECUTIVE SUMMARY**

A development application has been received which seeks to repurpose an existing industrial building to house a dog and cat boarding facility which will take place primarily indoors at 6 – 8 Teamsters Close Craiglie. The proposed development will be owned and operated by Paws & Claws.

The proposal also includes converting an existing shed into a Caretaker's Accommodation being an ancillary use to the proposed boarding facility.

The land is contained within the Industry zone within the 2018 Douglas Shire Planning Scheme with a total site area of 2,027m<sup>2</sup>. The proposed development falls within the land use definition of Animal Keeping being an Impact Assessable use in the Industry zone.

The site has road frontage to both Teamsters Close & Owen Street.

The development application was publically advertised in accordance with the requirements of the Planning Act 2016 and 163 submissions were received. The nature and content of the submissions is further discussed within the body of the report.

The principle concerns surrounding the ability to accommodate the use on the site is the ability to contain and mitigate impacts associated with noise from barking dogs and potential odour issues notwithstanding the site is located within the Industry zone. These concerns are also at the forefront of the considerations of the Planner acting on behalf of the Applicant and as a consequence, rely heavily on the acoustic attenuation of the existing building and accompanying Acoustic Report prepared by Acoustic Works to substantiate the suitability of the site for the proposed use.

The Acoustic Report concluded that the proposed development would not have an adverse impact on noise sensitive land uses external to the Industry zone. However the Acoustic Report did not provide any information on the existing noise attention characteristics of the existing building, did not report on the existing noise profile of the locality, and as a consequence has not demonstrated that the proposed use could be adequately contained onsite without detrimentally impacting on surrounding properties as stated within the



development application. There is a disconnect between the Applicant's response to the requirements of the Planning Scheme and the Acoustic Report lodged in support of the application.

Notwithstanding the content of the Acoustic Report, the proposed development is considered to have planning merit. However the ability to contain the impacts of the use through a state of the art noise attenuated building as put forward in the development application has not been investigated nor demonstrated. Understandably, a number of submissions by property owners within the estate also raise noise and barking dogs as a significant concern and being incompatible to the operation of business and places of work.

It is for the above reasons that a Preliminary Approval is recommended as opposed to a Development Permit. The conditions of the Preliminary Approval require further investigations into the suitability of the existing building to house the proposed use as claimed in the development application.

## **TOWN PLANNING CONSIDERATIONS**

### **The Site & Locality**

The site is described as Lot 10 RP804923; it is rectangular in shape, generally level and has an area of 2,027m<sup>2</sup> and frontage to both Teamsters Close and Owen Street.

The site is zoned Industry under the current Planning Scheme. The site is improved with a large industrial building, previously used by Lotsa Printing but currently untenanted with the entrance addressing the Teamsters Close frontage. There is an existing shed adjacent to the Owen Street frontage, car parking for six (6) cars to the Teamsters Close frontage.

The site is landscaped and connected to all urban services.

Adjoining the site to the north is the Cleanaway waste transport depot that operates from 4am and includes Caretaker's accommodation; adjoining the site to the south is the Origin Energy gas depot. Opposite the site being 5 - 7 & 9 – 11 Teamsters Close is an industrial complex containing warehousing facilities and ancillary offices. Several Caretaker's accommodation premises exist in this complex.

The site is located in the industrial area of Craiglie, which is currently developed in a triangular shape and bounded by the Captain Cook Highway to the east, rural land to the west and Beor Street to the south and contains approximately 55 industrial lots.

Teamsters Memorial Park is located on the corner of Beor Street and Captain Cook Highway to the south and is zoned Recreation and Open Space. Other land to the south of Beor Street is zoned Industry but currently remains undeveloped and vacant. The surrounding land further to the south, west and north is zoned Rural.

The mix of uses in this industrial area of Craiglie includes: self-storage and warehouse facilities, mechanical shops, Origin Energy depot, showrooms, raw materials yard, commercial offices, signage shops, party hire, fencing contractor, gymnasium, salvage yard, picture framer, tradesman sheds, concrete batching plant, transport depot, guitar maker, landscaper, among others.

Some of the developments have been built as a number of smaller commercial tenancies on one lot for a range of different users, under a body corporate system. Other premises are large and developed for more typical industrial activities. Some lots with frontage Captain Cook Highway include retail services, such as a bottle shop and a service station.

The Craiglie industrial area is not a typical industrial area, with a mix of commercial uses, indoor sport and recreation use, service industry uses, low impact, medium impact and high impact industrial uses and service station and allied retail uses.

## Background

Paws and Claws were previously operating from 5946R Davidson Street Craiglie before vacating the site in 2016 to make way for the redevelopment of the site for a new Service Station. The Facility operated from this site since 1999.

In order to ensure the Facility has a long term and secure future in owner operated premises, Paws and Claws had been searching for a new site to purchase, prior to vacating the former Craiglie site.

The search has been more difficult than anticipated with various sites being deemed unacceptable by either the Council, through the Planning Scheme zoning of land and site constraints, the community due to a perception of detrimental amenity impacts and the State government due to the conservation status (real or otherwise) of identified land.

The Applicant has advised that Paws and Claws has a strong community/volunteer base and also works directly with the Council in trying to re-house abandoned and surrendered animals in an effort to avoid unnecessary euthanasia and has re-housed between 100 – 150 animals per annum over the years. The services offered by Paws and Claws are of a community benefit.

Council has been advised that since vacating the Craiglie site, Paws and Claws has run a foster care program within the local community, which has been very successful but has recently ceased to operate due to a lack of regular foster carers. In order to progress the establishment of a new facility, Paws and Claws has investigated and are putting forward a more contemporary, urban animal refuge/boarding model where animals are kept primarily indoors with controlled exercise in designated runs, during the day.

The Applicant has advised that this model has proven popular in many towns and cities where the need, particularly for animal boarding, is high but facilities are non-existent due to a lack of available rural land.

## Proposal

The following description of the proposed development has been extracted from the Development Application which provides a detailed description of the proposed use:-

“It is proposed to redevelop the site for boarding kennels for cats and dogs, primarily an indoor facility, with allied services and facilities including Caretaker’s accommodation.

## **The Facility**

The facility will comprise the conversion of the existing industrial building to contain:

- Reception and shop;
- Administration office;
- Ablutions and staff room;
- Store;
- Cattery;
- Quarantine area;
- Grooming room;
- Three (3) isolation pens;
- Ten (10) pens for puppies;
- Dog kennel area containing 38 kennels with pens;
- Cleaners store, general storage and food preparation area.

Access from the building is provided direct to three (3) dog runs, with a fourth dog run located adjacent to the Owen Street frontage of the site. Access is also provided at the rear of the building direct to the Caretaker's accommodation, which is located adjacent to the Owen Street frontage and comprises two (2) bedrooms, lounge/kitchen/dining and a bathroom. A covered car parking space for the caretaker is provided adjacent to the Caretaker's accommodation.

The main entrance to the facility will be from Teamsters Close, with six (6) existing car parking spaces on-site adjacent to the entrance to the facility.

A copy of Concept Plans for the redevelopment of the site for the proposed development is attached at Appendix 1.

## **Operation of the Facility**

The Facility will operate between the hours of 8:00am and 4:00pm seven (7) days per week. Staff and volunteers will commence cleaning and feeding from 8:00am. Adoption visiting will only be permitted between the hours of 9:00am to 12:00pm and 2:00pm to 4:00pm, 7 days per week.

The Facility will provide a safe refuge for homeless animals, with staff endeavouring to find suitable homes within the broader community and to provide boarding accommodation for animals, as a service to the general community. Commercially operating a refuge; boarding kennel and other associated animal care services including grooming.

The business model developed for the Facility provides for the Facility to be operated by an Operations Manager who will also be in charge of other activities, including the offsite Charity Shop and fundraising. The Operations Manager will oversee the Facility Manager who will be in charge of the property and may be the person living full time on site or a caretaker, who is not the Facility Manager, will live on site and be in charge of the property after hours. The property will be staffed by four (4) part time Kennel Attendants, two (2) casual Kennel Attendants and the many Paws and Claws volunteers who will assist at the Facility.



The Volunteers will assist in food preparation, feeding, cleaning and walking of the Facility animals. Facility staff will handle all arrivals, departures, rotation of animals through the runs, cleaning, feeding and bathing of animals. All Staff and Volunteers must adhere to the Paws and Claws Standard Operating Procedures Guide 2018.

The Facility is anticipated to operate between 70% and 100% boarding and rescue dogs will vary depending on the time of year. The Facility will be divided to cater for 20 Boarding dogs and 18 refuge dogs. This will allow change over pens for cleaning and maintenance. Three (3) separate Isolation pens will be used for new arrivals.

The Facility will have four (4) runs with a maximum of two (2) dogs in each run at any one time. All dogs in external pens will be monitored for excessive noise and bark deterrents, such as static collars will be used, as necessary, to ensure the Noise Management Policy is adhered to. No animals will be in the external yards for any reason between the hours of 6pm and 8am.

The Facility will once again encourage volunteers to walk the dogs off- site, which allows the animals to release built up energy and experience different smells and experiences. This worked very successfully at the previous refuge with most animals being walked twice daily. Many backpackers came and took dogs for the day and many locals came to take a dog to the beach for a run. We see no reason why this successful arrangement cannot be instigated again. All volunteers will be educated on the Dog Walking Policy which includes methods of not disturbing neighbours, waste collecting and training methods. Only staff will walk boarding animals, if permission has been given by the owners for the animal to go off - site.

Surrendered and boarding dogs and other animals will only be received and depart during operating hours of the Facility. All animals found walking the streets must be processed through Douglas Shire Council, prior to coming to the Facility. Only in extreme emergencies will the Facility have a 24 hour number for the onsite manager/caretaker.

All kennels and yards must be kept clean of animal faeces at all times. The removal of faeces is paramount to ensuring the business remains clean and odour free. All used pens will be cleaned, as required, with a minimum daily cleaning schedule implemented. All waste material collected will be stored in secure plastic bags which will be kept in a lidded rubbish receptacle and stored at the rear of the property. Contract collection of this waste will be organised as required to ensure build up and odour does not occur.

Deliveries to the property other than boarding animals will be minimal with most items required being donated. Required deliveries such as cleaning chemicals and merchandise for the shop will use the rear entrance. Deliveries will only be accepted during business hours which may include animals from Douglas Shire Council – Animal Management Team, The Pet Store Smithfield, IGA and Coles Supermarkets, Coxen Chemicals and General Businesses in Port Douglas and Mossman.

The property will only require security lighting at the entrance and rear of the property. All areas of the property will have 24 hour video and audio surveillance. As the Facility manager or a caretaker will live on site full time and both front and rear entrances will be gate locked it will not be necessary to have 24 hour lighting on run areas.

The Facility will be well managed and will operate in accordance with all regulatory approvals, policies, relevant regulations and the Paws and Claws Standard Operating Procedures Manual 2018.

### **Odour/Cleanliness and Noise Issues**

The day to day operation of the Facility and issues such as odour and noise will be managed through implementation of the Paws and Claws Standard Operating Procedures Manual – dated May 2018. This Manual calls up other accredited standards and guidelines, such as; at Appendix T the Pet Industry Association (PIAA) Standards & Guidelines for Best Practice Boarding Facilities/Establishments & Doggy Day Care Centres – June 2016 and at Appendix U the Commercial Boarding Kennels – Pollution Solutions, Brisbane City Council and at Appendix Q Noise Compliance Policy.

Noise from barking dogs is clearly the most important issue to be managed in the Facility. To this end Acoustic Works, Brisbane has been engaged to undertake acoustic tests and to prepare a report to be submitted to Council in relation to identifying measures to be built into the building to attenuate noise and identify other noise management initiatives, if appropriate, specifically for the operation of the Facility at this specific site.”

An acoustic report was commissioned by the Applicant and is attached as Appendix 2 to this report.

### **State Planning Requirements**

The development is within the urban footprint and considerations of a State nature have been suitably addressed through assessment against the Planning Scheme.

### **2018 Douglas Shire Planning Scheme Assessment**

The proposed development is an impact assessable use and therefore assessment against the whole of the Planning Scheme, to the extent relevant, is required.

The assessment against the Strategic Framework is tabled as follows.

**Table 1.**

<b>Benchmark Description</b>	<b>Benchmark Reference</b>	<b>Compliance</b>
Settlement Pattern	3.4.1 Strategic Outcomes  Industrial activities are located in areas that are separate from sensitive land uses.	While Animal Keeping is not identified as an Industrial use within the Planning Scheme, the use is nominated as impact assessable being potentially compatible with the industry zone. The planning intent is to
	3.4.2 Urban Settlement  Industrial development occurs in clusters in Mossman South and adjacent to the Mossman sugar mill close to the Mossman town centre. A newer industrial land subdivision is established	

Benchmark Description	Benchmark Reference	Compliance
	<p>on the western side of the Captain Cook Highway in Craiglie. Marine-orientated industry, and associated tourism activities, occurs adjacent to Dickson Inlet in Port Douglas.</p> <p>3.4.2.1 Specific Outcomes</p> <p>Urban areas are protected from encroachment of competing and conflicting land use activities.</p> <p>Local plans provide localised planning responses and desired development outcomes for communities.</p> <hr/> <p>3.4.4 Industry areas and activities</p> <p>Growth in manufacturing, property and business services and transport and storage will continue to contribute to Douglas Shire's economy. The infrastructure required to support industry and business development will continue to be planned and provided.</p> <p>3.4.4.1 Specific Outcomes</p> <p>The industry area at Craiglie is a mix of commercial services / service industries.</p>	<p>separate industrial (and other non-compatible uses) from sensitive land uses.</p> <p>The proposed use is not a conflicting land use within an urban area. The use is identified use within the Planning Scheme as being potentially compatible with the purpose of the Industry zone. However impacts are to be mitigated</p> <p>See comment on the Local Plan elsewhere in the report.</p> <p>The proposed development is a commercial/ community service that has the ability to locate within the industry zone</p>

Benchmark Description	Benchmark Reference	Compliance
	However, it will not be promoted as an area suitable for land uses that rely heavily on the highway for exposure to trade/function.	
Environment and Landscape Values	<p>3.5.6 Air and acoustic protection and hazardous materials</p> <p>Other than the Mossman Sugar Mill and some of the marine industries in Dickson Inlet at Port Douglas, there are no areas of land devoted to the heavier forms of industry that would generate significant air or acoustic problems. As a result, it is possible that new industrial development may present future challenges. The key management approach in planning is to separate sensitive land uses from generators of nuisance. Given the historical development of the Shire (i.e. the Mossman sugar mill and port industries), this is not always practical and mitigation measures need to be implemented as an alternative.</p> <p>3.5.6.1 Specific Outcomes</p> <p>(1) The air and acoustic environment and hazardous materials are carefully managed to maintain the health and well-being of the community and the natural environment.</p> <p>(2) Industries that have the potential to cause greater air and acoustic impacts and/or that include hazardous materials are separated from sensitive land uses.</p> <p>(3) New noisy recreational activities such as major motorsport activities are not likely to be compatible with the amenity of the Shire. Impacts on sensitive receiving environments, including environmental habitats is to be avoided.</p>	<p>One of the key considerations is the impact that the proposed development has with regard to noise emissions and potential odour.</p> <p>An acoustic report was submitted as supporting information to the development. The content and findings of the report is further discussed below in the body of the report.</p>
Natural Resource Management	<p>3.6.3 Primary production, forestry and fisheries</p> <p>Primary production is a significant part of the</p>	The location of the proposed development within an established

Benchmark Description	Benchmark Reference	Compliance
	<p>natural resource and landscape value of the Shire. The Shire's townships and villages rely heavily on their surrounding sugar cultivation, tropical agriculture, horticulture and grazing industries. In particular, the primacy of the sugar cultivation will continue as a dominant rural pursuit in the Shire due to the critical importance of the sugar industry to the Shire. Continued support is necessary to ensure the continued prosperity of these townships through the exclusion of non-agricultural land use activities in primary production areas.</p> <p>3.6.3.1</p> <p>(1) The viability of agricultural land is protected and maintained. Land uses that have the potential to conflict with on-going primary production are not established in rural areas.</p> <p>(2) Rural areas include a range of rural activities of varying scale depending on land suitability and access to appropriate infrastructure, with development being consistent with prevailing land uses in the area.</p> <p>(3) Lot reconfiguration does not result in the further fragmentation of rural land. Boundary realignments only occur where improved agricultural production or environmental protection outcomes are demonstrated, or where they resolve encroachments.</p>	<p>industrial area furthers the planning intent of the Strategic Framework in terms of avoiding the further fragmentation of agricultural land. It is acknowledged that Animal Keeping is code assessable development in the Rural zone</p>
Strong Communities and Identity	<p>3.7.1 Strategic Outcomes</p> <p>(2) The distinctive character and unique sense of place of the Shire's towns, villages and other settlement areas are maintained, promoting community pride and well-being and community safety and prosperity.</p>	<p>The proposed development is consistent with the strategic outcome provided impacts can be appropriately mitigated. Refer to discussion when addressing the Industry zone code,</p>

Benchmark Description	Benchmark Reference	Compliance
	(4) Development is managed to enhance the character and identity of existing and future communities, providing services, facilities, parks, recreation areas, places to work, live and play and to celebrate culture, history and identity.	Animal Keeping land use code and the acoustic report submitted as supporting information. It is acknowledged that the proposed development seeks to provide a community facility / service for
Economy	Not relevant.	N/A
Infrastructure and Transport	Not relevant	N/A

The following table details compliance aspects for the proposed land use against the relevant Planning Scheme Codes. As the building, shed and hardstand areas already exist; the following assessment is limited to those elements of the applicable codes that are relevant to the proposed development.

Table 2

Benchmark Description	Benchmark Reference	Compliance
Industry Zone Code	AO2.1 Building and structures are setback 6 metres from road frontages. AO4.3 Customer parking is located at the front of the site. AO9 Inconsistent uses are not established.	A refuse structure is proposed to locate on the Owen Street frontage of the site. Given the limited ability to place this structure elsewhere onsite, the limited footprint of the structure and the vegetated frontage of Owen Street, the structure will not have adverse impact on the Owen Street frontage.  Parking is located at the frontage of the site and the proposed use is not an inconsistent use
PO10 Development does not lower the standards of amenity in terms of air, noise, odour, electrical	No acceptable outcomes are prescribed	Complies – the acoustic report concludes that the proposed land use will not have an adverse impact on land uses located outside of the Industry zone. See further discussion below on



Benchmark Description	Benchmark Reference	Compliance
interference and vibrations at any land use associated with the: (a) the Accommodation Activity group, located outside the Industry zone; (b) the sensitive land use activity group, located outside the industry zone.		acoustic considerations.
Port Douglas / Craiglie Local Plan Code – (Precinct 3)	AO65 Development consists of service and light industries and associated small scale commercial activities.	The proposed development does offer a service to the community with respect to the rehoming and boarding of animals. The use is not considered to be inconsistent with the Local Plan provided impacts can be appropriately mitigated. Refer to further discussion below.
Animal Keeping Code  PO1 The site has sufficient area and frontage to accommodate: (a) buildings and structures; (b) setbacks; (c) access, parking, manoeuvring and circulation; (d) pedestrian access; (e) landscaping; (f) the keeping of animals consistent with the amenity of adjoining and nearby properties; (g) servicing requirements such as waste and	AO1 The use is located on a lot with a minimum area of: (a) 1 hectare for a kennel; (b) 1 hectare for a cattery; (c) 2 hectares for a stable; (d) all others – lot size is determined on the number and type of animals to be kept.	Does not comply.  The Applicant has advised that  <i>“the type of Facility proposed is based on a new model, which provides for domestic animals to be kept primarily indoors in an acoustic, noise attenuated building/s, located in an industrial area, where the requirement for a 1 hectares site is negated by the way the Facility operates. On that basis the Performance outcome can be achieved.”</i>  Refer to further discussion below

Benchmark Description	Benchmark Reference	Compliance
recyclable material storage facilities and collection areas; (h)adequate separation between buildings,pens, waste disposal areas and other service facilities from wells or bores, and adjoining sensitive receiving environments.		
PO2 Setbacks from all external boundaries: (a)ensures the efficient use of the site; (b)maintains the visual character of the locality; (c) protects the amenity of nearby sensitive land uses and environments.	<p>AO2.1</p> <p>The use is setback in accordance with Table 9.3.1.3.b, as follows:</p> <p>-For kennels and cattery Road frontages – min. of 50 metres</p> <p>Side and rear boundaries- min. of 15 metres</p> <p>AO2.2 Animals are kept in enclosures, inside buildings at all times between the hours of 6.00pm and 7.00am.</p> <p>AO2.3 A person who is responsible for the supervision of the operation of the development is accommodated on the site at all times.</p>	<p>Does not comply. The applicant is relying upon the acoustic qualities of the existing building and the findings of the acoustic report.</p> <p>Refer to further discussions below</p> <p>Can comply</p> <p>Complies – Caretaker's Accommodation is present on site.</p>
PO6 The collection and disposal of animal waste: (a)does not adversely impact on the quality of receiving waters; (b)minimises odour impacts on nearby sensitive receiving environments.	<p>AO6 The use:</p> <p>(a) ensures solid wastes are collected and placed in weather, fly and vermin proof receptacles and disposed of by a licensed disposal service;</p> <p>(b)ensures drainage and disposal of liquid waste is diverted to:</p> <p>(i) Council's sewerage system under the conditions of a Trade Waste Permit; or</p> <p>(ii) a wastewater treatment system; or a holding tank for collection by a licensed liquid waste transporter.</p>	<p>Can comply.</p> <p>A preliminary hydraulic plan was submitted with the response to the request for further information. Detailed hydraulic designs and the capture of solids forms a condition of the approval.</p> <p>The facility will also be subject to licensing requirements under Council's Local Laws which will cover the operational aspects of the facility.</p>

Benchmark Description	Benchmark Reference	Compliance
Access, Parking and Servicing Code	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed for that particular use.	The Planning Scheme requires one space for Caretaker's Accommodation with no specific requirements for Animal Keeping. The site contains onsite spaces associated with the business that previously operated from the site. Seven (7) onsite spaces are considered sufficient to satisfy the parking requirements of the development.
Advertising Devices Code	The benchmarks state the signage should be on the building with limited illumination and not obstruct pedestrians or vehicles.	No details were provided in the application. This matter can be suitably addressed through conditions.
Environmental Performance Code  Noise Potential noise generated from the development is avoided through design, location and operation of the activity.	AO2.1- Development does not involve activities that would cause noise related environmental harm or nuisance;  or  AO2.2 Development activities do not cause noise related environmental harm or nuisance; or Through the use of materials noise emissions do not adversely impact on adjacent uses.	Refer to discussion below
Odours Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.	AO4.1 The development does not involve activities that create odorous emissions; or  AO4.2 The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.  AO5.1 The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.	Can comply.  Conditions of approval address this requirement in addition to the requirement to license the facility under Council's Local Laws in which operational matters such as cleanliness and the prevention of excessive odour emissions is a key consideration.

### Non-compliance with Benchmarks

It is clear that the development of an Animal Keeping Facility as proposed represents a new model in boarding and kennel facilities that significantly departs from previous practices that Council and operators have been accustomed to. It is also apparent that the planning provisions, specifically with regard to nominated site areas and setbacks within the Animal Keeping land use code have not anticipated this particular new model of boarding facilities.

It is however important to note that Animal Keeping is not identified as an inconsistent use to take place within the Industry zone. It is also important to note that while the Planning Scheme, in particular, the Industry zone code only has regard to certain Activity Groups and sensitive land uses outside of the Industry zone in terms of amenity considerations; does not negate the obligations of the applicant to ensure that the proposed development does not result in unacceptable impacts (noise and odour) as a consequence of the development on nearby or surrounding properties.

Despite being located within an industrial area in which noise impacts are anticipated and expected, Section 3.5.6 Environment and landscape values and Section 3.7.1 Strong communities within the Strategic Framework in addition to Performance Outcome 1 of the Animal Keeping code require the impact on amenity of neighbouring and nearby properties be considered. This is in addition to ensuring that the development does not impact on sensitive land uses external to the Industry zone.

The requirement to consider amenity issues and to ensure that uses are compatible with those uses established in the industrial precinct of Craiglie is further reinforced within the provisions pertaining to Precinct 3 within the Port Douglas / Craiglie Local Plan which nominates “*service and light industries and associated small scale commercial activities to take place within this precinct*”. While the proposed development offers a community service, it is imperative that the establishment of the use is not to the detriment of existing business and unduly impact on their workplace or act as deterrent for other businesses to establish within the estate.

The Planner acting on behalf of the Applicant acknowledges the importance of ensuring the issue of barking dogs is adequately addressed and relies heavily on the Acoustic Report to overcome this issue. It is important to note that at no time does the Planner acting on behalf of the Applicant dismiss the impacts that such a use represents to the surrounding properties and businesses within the estate. Nor does the Planner only give regard to sensitive land uses outside of the estate as being the only land uses that need to be considered.

The Planning Report lodged with the development application states:-

*Noise from barking dogs is clearly the most important issue to be managed in the Facility. To this end Acoustic Works, Brisbane has been engaged to undertake acoustic tests and to prepare a report to be submitted to Council in relation to identifying measures to be built into the building to attenuate noise and identify other noise management initiatives, if appropriate, specifically for the operation of the Facility at this specific site. (my emphasis)*

In response to this non-compliance with the Animal Keeping code which requires sites of a minimum of 1 hectare, the Planning Report states:-

*“ ... the type of Facility proposed is based on a new model, which provides for domestic animals to be kept primarily indoors in an acoustic, noise attenuated building/s, located in an industrial area, where the requirement for a 1 hectares site is negated by the way the Facility operates. On that basis the Performance outcome can be achieved”.* (my emphasis)

The planning submission also goes on to say that:-

*Paws and Claws has been searching unsuccessfully for a new home for several years now and so has chosen to adopt the urban model, now becoming commonplace in industrial urban areas in cities and near major airports.*

*The key to the success of these urban facilities is dependent upon:*

- *the development of a primarily, indoor Facility that operates from a state of the art, noise attenuated building; and*
- *the day to day management of the Facility operates to a high standard and in compliance with all approvals, policies and regulations.* (my emphasis)

In terms of the assessment of the application and considering the application on merit, the above statements are agreed with. The principle issues associated with the proposed development is the impact of noise and odour and provided these aspects can be appropriately contained, the use can be appropriately accommodated on the site.

### **Acoustic Report**

The Acoustic Report lodged in support of the application only investigated the noise impacts generated from the proposal on identified sensitive land uses outside of the Industry zone. This was in direct response to Performance Outcome 10 of the Industry zone which refers to industrial land uses not impacting on standards of amenity for Accommodation activity groups or Sensitive land uses located outside of the Industry zone.

Sensitive land uses are a defined activity group under the planning scheme. The definition includes *Child care centre, Community residence, Detention facility, Dual occupancy, Dwelling house, including any secondary dwelling, Educational establishment, Hospital; Nature based tourism, Multiple dwelling, Residential care facility, Resort complex, Retirement facility, Short-term accommodation and Tourist park.*

Caretaker's Accommodation, for the purpose of the Planning Scheme, is not a sensitive land use.

The findings of the Acoustic Report was able to demonstrate compliance with this Performance Outcome as the standard of amenity for those uses outside of the Industry zone will not be adversely impacted. The Acoustic Report has proposed building treatments to the proposed Caretaker's Accommodation to be contained onsite as the proposed development introduces a residential component as part of the development and proposes measures to provide a level of amenity for the future Caretaker. This is an entirely appropriate response.

In terms of the building itself, the report recommends an acoustic fence along the boundary of Run 4.

#### Deficiencies in Acoustic Reporting Methodology

Contrary to the assumptions and statements made within the Development Application, the Acoustic Report did not provide any information or detail on the presence or otherwise of acoustic attenuation properties of the existing building, or investigate the noise profile of neighbouring or nearby properties in order to determine the level of impact the proposed development represents on these properties. The methodology applied to the acoustic investigation has relied on the content of one provision of the Industry code that refers to development not impacting on sensitive land uses outside of Industry zoned land (refer Section 4.1 of the Report). Being an Impact Assessable use, an assessment is required against the whole of the Planning Scheme including the Strategic Framework. The methodology applied also overlooked the requirements of the Animal Keeping land use code which gives consideration to the amenity of adjoining and nearby properties.

In terms of acoustic reporting on the building which will contain the kennels, Section 7.1 of the Acoustic Report states:-

*Any relevant shielding or building transmission loss is taken into account for these activities. Based on the existing construction of the shed, the external façade is predicted to achieve a 15 dB(A) sound reduction.*

A discussion with the author of the report revealed that no investigation into the construction of the facility has taken place and the noise loss reduction of 15dB(A) as stated above is representative of a colourbond cladded shed with no acoustic treatments. Clearly this does not align with the position put forward in the balance of the development application. Clarification is required as Council has been advised that the existing building does contain noise attenuation treatments due to its previous use as a printing business.

It appears that the approach taken by the acoustic engineer has not fully appreciated the impact assessable nature of the proposed development and has relied too heavily on one provision of the Industry zone code.

Key issues in the assessment of the proposed use with respect to noise emissions is to understand and have an appreciation of the surrounding noise profile, an understanding of the existing noise attenuation properties of the building if they exist and/or what further attenuation treatments are necessary to be undertaken to the building in order to appropriately accommodate the use. It is extremely important that the building is suitably designed and attenuated to accommodate the use and not be to the detriment and have an unacceptable impact on nearby or surrounding properties.

Limited concerns are raised with the proposed dog runs, however it is acknowledged that the proposed dog runs form part of the noise emissions. It is noted that 2 dogs will be present in the runs at any given time and will be fitted with collars to deter barking. The proposed plans also detail a solid block wall having a height of 2 metres with a mesh fence on top. This treatment is the same treatment to that of the acoustic fence for Run 4.



It is an unrealistic expectation that the proposed use is to have zero impact on neighbouring or nearby properties as the land is located in the Industry zone and noise impacts are expected. However, such impacts still need to be qualified and appropriately mitigated and controlled.

It is for the above reasons that a Preliminary Approval is recommended. Conditions of the Preliminary Approval are limited to those matters that require further investigation and clarification.

A Preliminary Approval as opposed to refusing the application is being recommended as the Preliminary Approval provides the applicant with the opportunity to properly brief the acoustic engineer as to the scope of the study and what is required to be investigated and demonstrated in order for Council to properly assess the impacts of the development. It appears that there has been a miscommunication or misunderstanding between the Applicant, the Planner acting on behalf of the Applicant and the Acoustic Engineer. The Preliminary Approval enables this to be rectified and the matters explored further.

There is still an ability for Council to refuse the Development Application despite Council issuing a Preliminary Approval.

### **Odour / Cleanliness**

The day to day operations of the facility and issues such as odour and cleanliness will be managed through Paws & Claws Standard Operating Procedures Manual.

Significant works and internal fitout will be required to the building to make the building fit for purpose in this regard. Detailed hydraulic drawings will need to be submitted to Council as part of the approval process associated with obtaining a Trade Waste Permit. Any future condition will require the Applicant to gain the necessary approvals and to liaise with Council with respect to the most appropriate way to ensure all solids and dog hair and the like are not discharged to sewer.

The control of odour requires significant management measures as discussed within the information request response and the standard operating procedures submitted as part of the development application. Animal waste in outdoor pens is collected during visiting hours as it occurs and is collected twice daily at the staff shift change. Waste is then bagged and stored in the air conditioned waste storage area where it awaits collection by garbage truck. This method is considered to achieve a sound outcome for odour management.

### **Local Law**

A key consideration in the assessment of the application is that if the facility can obtain the necessary planning approvals to operate, the facility must also gain approval under Council's Local Law. This provides Council with an opportunity to ensure the day to day operations of the facility are being undertaken in an appropriate manner and provides for an ability for Council and the operators of the facility to work closely together to ensure expectations and obligations are being met.

This framework was not in place at the previous Paws & Claws site.

## Referral Agency Requirements

None Applicable

## Public Notification / Submissions

The application was advertised in accordance with the Planning Act 2016 and 163 submissions were received. Of the 163 submissions, the following is noted:-

- 96 in support of the development of which 54 were not properly made;
- 67 raising objections against the development of which zero were not properly made;

All planning grounds raised in not properly made submissions both for and against the proposal were considered in the assessment of the application. All submitters will be formally notified of the decision. The only distinguishable feature is that not properly made submissions will not have appeal rights.

The following is a summary of the grounds of submissions, both for and against followed by an Officer comment.

### Submissions in Favour

**There is a desperate need for such a facility as this. There is no other suitable facility in the shire that people can take their pets to when going away.**

**Unwanted animals or pets that can no longer be looked after by their owners should be provided with the ability to be rehomed. It will also be good for the environment in terms of reducing the impacts that unwanted animals have on wildlife.**

**The site is located within an industrial area which already has noise impacts on the community and the site is in a convenient and accessible location. The facility will also assist Council with addressing unwanted animals and take the pressure off Council's facilities which are limited.**

### Officer Response

The above comments are agreed with respect to having a facility such as this located in the Shire.

The facility has the ability to assist Council with the operation of the pound and the ability to rehome dogs as opposed to potentially having to destroy dogs where no alternatives can be found.

**Having read the application and the Acoustic Report, the facility will not impact on residential areas or existing businesses within the estate.**

### Officer Response

It is agreed that the development will not impact on the amenity of residential uses external to the Industry zone.

As identified in the body of the report, the Acoustic Report does not provide any information with respect to existing or proposed noise attenuation treatments to the building. This is also discussed below when addressing submissions against the development.

**The building previously homed Lotsa Printing which operated on most days 24hrs a day not only running large commercial printers, but guillotines, folders and compressors. The industrial noise from these machines would easily compete with any kennel. The main printer was never turned off and so air-conditioners also ran 24/7. On most nights the large compressor located at the rear of the property, not inside pumped away at all hours of the night without any complaints ever occurring.**

**Businesses should not be concerned about the increase in noise considering what was there prior.**

#### Officer Response

The above comments are noted and the submission raises valid issues. However these comments do not takeaway that the Acoustic Report doesn't address noise attenuation properties of the building if they are present or impacts on neighbouring or surrounding properties.

#### Submissions Against

**Inadequate separation from sensitive land uses including caretakers residences, houses, holiday accommodation and multiple dwellings with respect to noise and odour. The proposed should be a minimum of 500 metres from sensitive land uses.**

#### Officer Response

The separation from sensitive land uses for an animal keeping land use is generally to mitigate off-site impacts associated with noise and odour nuisance.

The Animal Keeping land use code requires a 100 metre separation distance where the site has a common boundary with a sensitive land use. It is acknowledged that this distance is not far, however the site does not share a common boundary with sensitive land uses.

The submissions have raised a requirement for a 500 metre separation distance to sensitive land uses. This figure remains unsubstantiated and is not consistent with the separation requirements of the Planning Scheme.

Sensitive land uses are a defined activity group under the planning scheme. The definition includes *Child care centre, Community residence, Detention facility, Dual occupancy, Dwelling house, including any secondary dwelling, Educational establishment, Hospital; Nature based tourism, Multiple dwelling, Residential care facility, Resort complex, Retirement facility, Short-term accommodation and Tourist park.*

Caretaker's Accommodation is not included within the activity group as a sensitive land use as they are often sited within industrial estates where the level of amenity is significantly less than that of any other area. It is considered that Caretaker's Accommodation are still entitled to a level of amenity – refer to discussion in the body of the report. However, the expectation is that it would be significantly less than that of a sensitive land use. Caretaker's

Accommodation should not have the ability of inhibit or prevent industrial land being developed for purposes consistent with the Industry zone.

It is unclear why the submission nominates Caretaker's Accommodation as a sensitive land use when the land use is clearly not identified as one.

In relation to the residential amenity experienced by sensitive land uses to the east, west and south of the site, the Acoustic Report submitted with the application demonstrates that the proposed development will not adversely impact on sensitive land uses as defined by the Planning Scheme. It is important to note that this is based on no attenuation treatments to the existing building as discussed in the report. Consideration of noise attenuation treatments of the building will reduce the noise readings further. There is no concern that the facility will have a detrimental impact on the amenity already experienced by these uses.

Odour from animal waste is proposed to be kept within an enclosed waste refuse facility adjacent the Owen Street frontage of the site. Refer to the comments on odour and cleanliness within the body of the report.

**The proposed use will detrimentally impact on the amenity of existing uses.**

This concern is shared for the reasons highlighted in the body of the report. The investigations undertaken to date have not considered the existing noise profile of the locality or investigated noise attenuation treatments required for the building, other than the onsite Caretaker's Accommodation.

The Craiglie industrial estate contains a mix of trades and service based industries, offices, showrooms and it is essential that the proposed use will not be to the detriment of these areas as work places and an area in which to do business.

**The proposal is not considered an industrial use and is not suitable to locate within the industrial precinct of Craiglie.**

**The proposal is not the highest and best use of industrial land.**

Officer Response

The industrial precinct of Craiglie contains a diverse range of commercial services, offices, retail and industrial uses.

The proposed use of Animal Keeping is not identified as inconsistent use to locate within the Industry zone and therefore is a potentially compatible use provided the site is suitable for the intended use and associated impacts can be addressed.

A dog boarding facility could be considered as a commercial service, however the concerns raised about the land use not being a small scale commercial use or light industry use as provided for in the Local Plan is acknowledged. It is noted that the use is taking place within an existing building and therefore the scale of the development in terms of built form and bulk remains entirely consistent.

The key consideration is amenity notwithstanding the site is located in an Industry zone. It is imperative that the proposed development does not have an unacceptable impact on

adjoining or nearby properties. This is yet to be established hence a Preliminary Approval is being recommended.

**Inadequate detail given in the application and information request response to support the application, with reference to sound attenuation for noise nuisance and odour management.**

**The industrial estate is a place is an area that people work and attend to business. The disruption would be completely unreasonable and would severely affect the ability to attend to business comfortably.**

**As we all know, dogs barking is not your average noise to tolerate, it goes to your very core of your brain in testing your nerves and sanity.**

#### Officer Response

The comments in relation to inadequate information with reference to sound attenuation and concerns over the impact on surrounding properties is agreed. As detailed in the body of the report, the Acoustic Report only investigated the potential impacts on sensitive land uses external to the Industry zone. The reasons why this approach was undertaken is understood. However, no information was provided on the noise attenuation characteristics of the existing building and how that relates to the potential noise source and its effectiveness to mitigate noise emissions.

The report didn't provide any evidence of the existing noise profile of the adjacent or nearby properties in order to establish or gauge the impact that the proposed development may or may not have. It is for this reason a Preliminary Approval is being recommended to issue.

The control of odour requires significant management measures as discussed within the body of the report. Reference is made to Paws & Claws Standard Operating Procedures and the requirement to register the facility under Council's Local Laws. These measures will ensure that odour levels will not emanate from the site to the extent it becomes a nuisance.

**The nature and Scale of the proposal is not clear from the application and the ability of the site to reasonably accommodate parking, landscaping, waste storage area, wash down and manoeuvring for vehicles on and off the site is not clear.**

#### Officer Response

The amended plans lodged as part of the Information Request Response (forming Attachment 1) clearly illustrate the floor layout and number of kennels and their purpose. The final arrangement may change again as details are finalised.

Adequate landscaping is accommodated on site. The animal shelter building is an existing building with existing parking spaces. The Access, parking and servicing code does not require a minimum number of on-site parking spaces for the animal keeping land use. The code requires that adequate supply of parking spaces is provided to accommodate the likely number of vehicles to be parked at the site at any one time. The proposal includes seven (7) onsite parking spaces which is considered sufficient to satisfy the parking demand. The caretakers land use is provided with one space as per the requirement under the code.

Vehicles entering and exiting the site for the animal keeping land use can do so in the forward gear. The caretaker's parking space requires a reverse exit given the existing footprint of the shed and the building housing the kennels. The site has no need for a vehicle wash down area.

**Paws and Claws struggled to manage the noise of barking dogs at its previous location. This could not be controlled by Council or the operators at the old site. Dogs will be in outside areas and they will make just as much noise as they did, despite totally unsubstantiated and hollow guarantees they have practices in place that will mitigate these noises. They didn't then, there is no belief or proof they will now. The old facility had trouble meeting its financial obligations. How does it expect to run a facility such as this.**

There is no hiding from the fact that the previous site that Paws & Claws operated from was far from desirable.

The proposed development as detailed in the application is a completely different model to that which operated from Davidson Street for many years.

As discussed above, further investigations are required to ensure the building has appropriate noise attenuation measures to ensure that the use will not have an unacceptable impact on neighbouring or surrounding properties notwithstanding the land is contained within the Industry zone. Dogs placed in the outdoor run areas will be fitted with barking collars when and as necessary as stated in the application. Further, the outdoor run areas will have solid block walls to prevent visual stimulation of the dogs in an attempt to reduce barking and noise impacts.

Unlike the previous Paws & Claws site, this facility if approved will be registered under Council's Local Law. This provides Council with an opportunity to ensure the day to day operations of the facility are being undertaken in an appropriate manner and provides for an ability for Council and the operators of the facility to work closely together to ensure expectations and obligations are being met.

Financial considerations are a matter for the organisation and their Business Plan however the comments and concerns are valid.

#### **The development will have a negative impact on property values**

Impact on property values is not a planning consideration that can be taken into account when undertaking land use assessments.

**There are footpaths in the industrial estate for people to walk on and there will be dog faeces on road verges. Walking of dogs along the street will generate noise and impact on business.**

#### Officer Response

Road verges are suitable for walking of dogs even though there are no footpaths. Walking of dogs along property frontages will not have an unacceptable impact on business just as the same way walking of dogs in residential areas do not impact on amenity.



The collection of waste is a matter for the person who is responsible for the dog and must be picked up. Staff operating the facility can stress this requirement to those who wish to walk the dogs.

### ADOPTED INFRASTRUCTURE CHARGES

The proposed use is taking place within an existing building, so no infrastructure charges are applicable for the operation of the Animal Keeping component.

Due to the conversion of the existing shed to Caretaker's Accommodation, infrastructure charges are applicable.

Given the recommendation is for a Preliminary Approval, infrastructure charges can be determined at a later date.

### COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

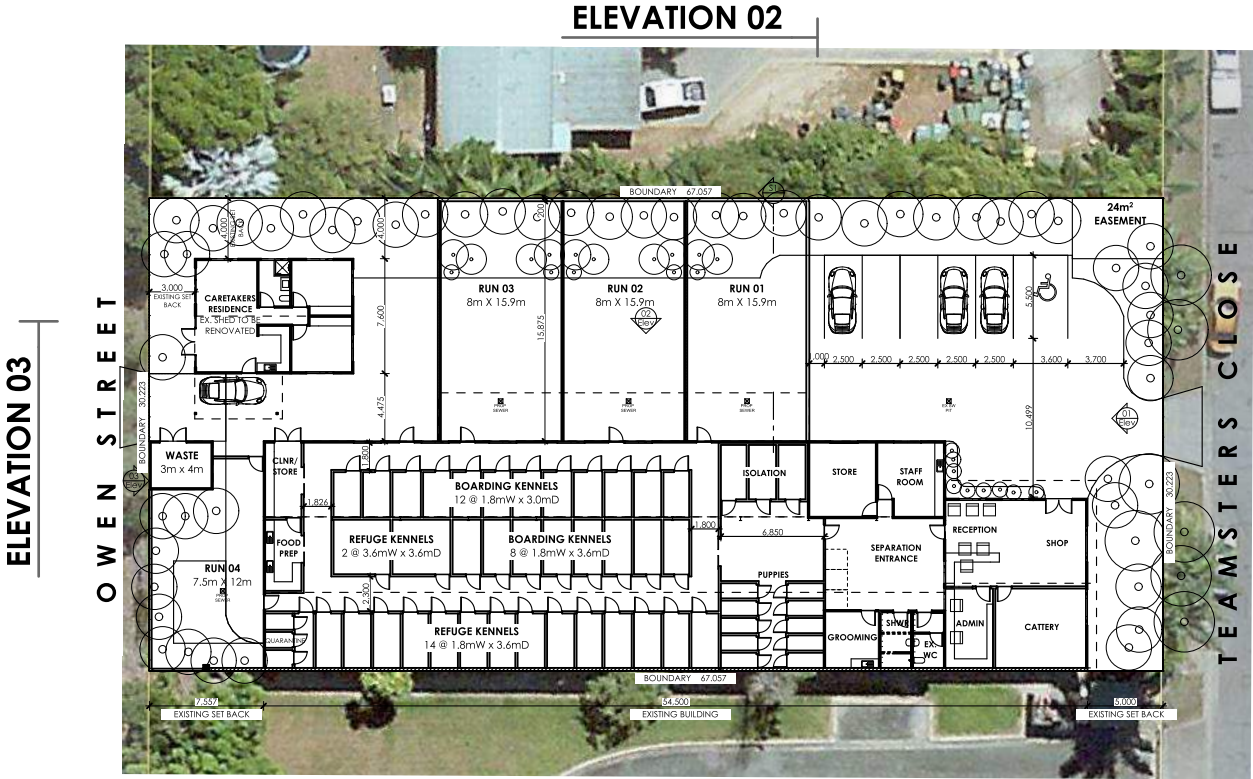
The following area outlines where Council has a clear responsibility to act:

**Regulator:** Meeting the responsibilities associated with regulating activities through legislation or local law.

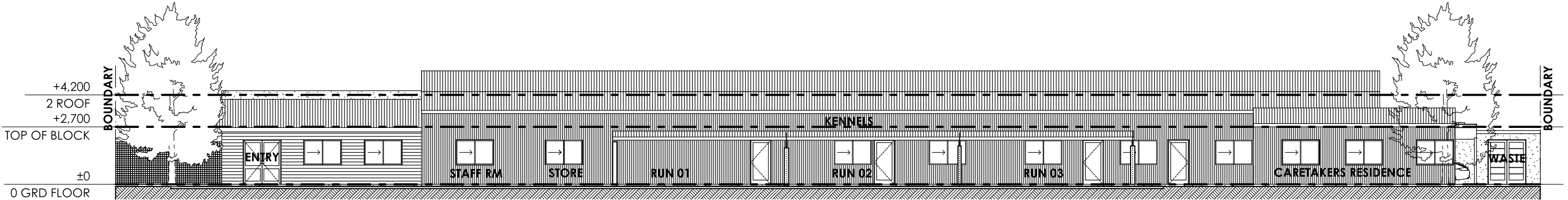
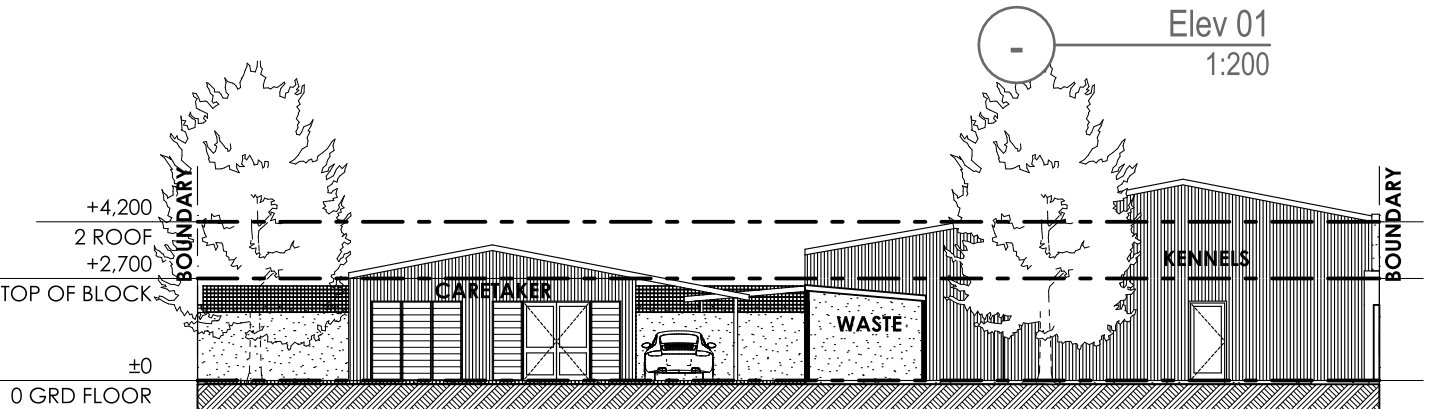
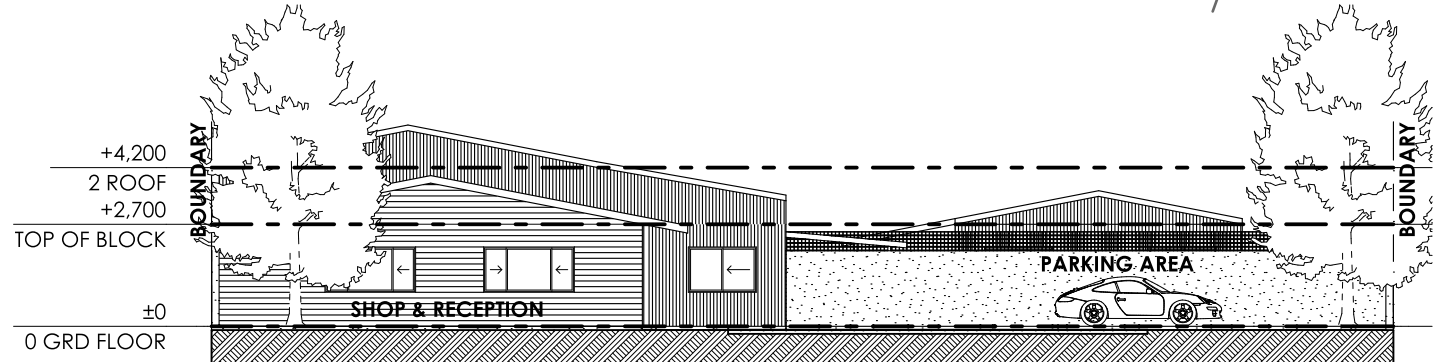
Under the *Planning Act 2016* and the *Planning Regulation 2017*, Council is the assessment manager for the application.

### ATTACHMENTS

1. Attachment 1 - Proposed Plans **[3.1.1]**
2. Attachment 2 - Acoustic Report **[3.1.2]**



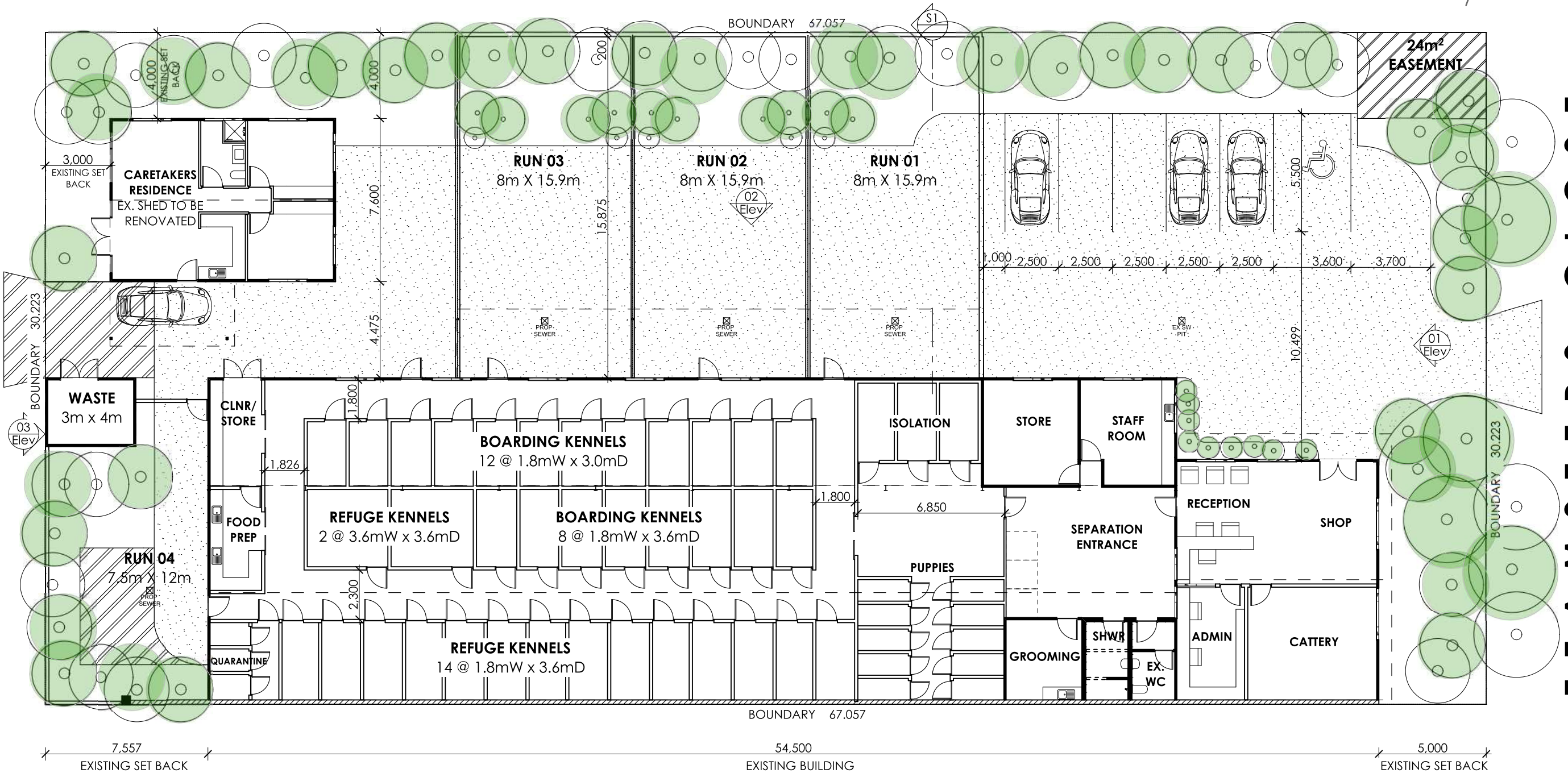
**SITE PLAN**  
1:500



OWEN STREET

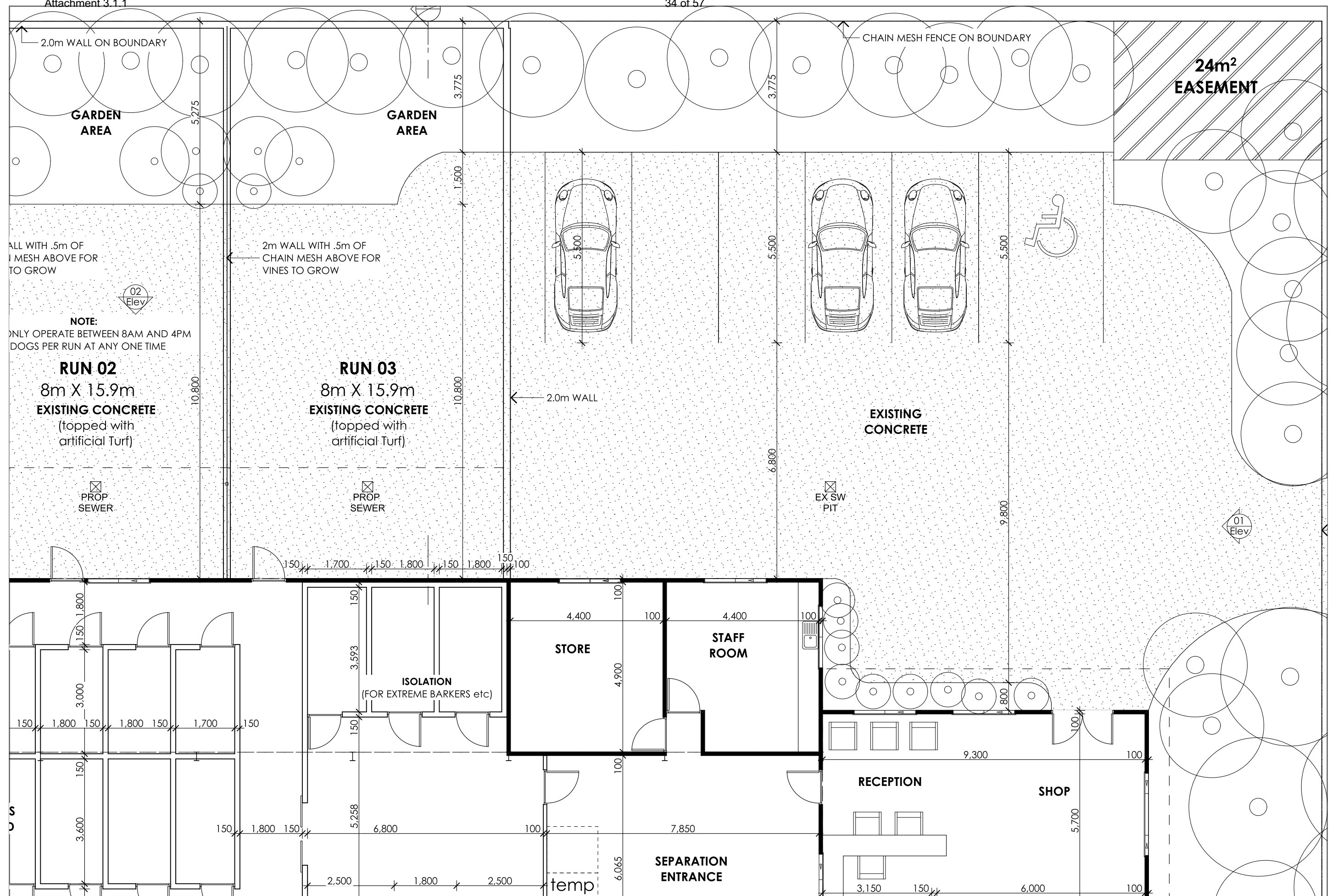
TEAMSTERS CLOSE

CONCEPT PLANS



SITE PLAN  
1:200





FLOOR PLAN 1/4

1:100

P R O P O S E D R E N O V A T I O N S

Special Council Meeting - 31 July 2018

(LOT 10 on RP 804923) 8 TEAMSTERS CLOSE, CRAIGLEE QLD

PAWS &amp; CLAWS SHELTER

P L A N S

REV F  
A3 SHEET  
4/07/2018

2.0

**NOTE:**  
ONLY OPERATE BETWEEN 8AM AND 4PM  
DOGS PER RUN AT ANY ONE TIME

**RUN 02**  
8m X 15.9m  
**EXISTING CONCRETE**  
(topped with  
artificial Turf)

**RUN 03**  
8m X 15.9m  
**EXISTING CONCRETE**  
(topped with  
artificial Turf)

**EXISTING  
CONCRETE**



PROP  
SEWER



PROP.  
SEWER

EX SW  
PIT



**STORE**

**STAFF  
ROOM**

## ISOLATION

(FOR EXTREME BARKERS etc)

## RECEPTION

**SHOP**

**SEPARATION  
ENTRANCE**

temp  
pens

~~SHWR~~

## ADMIN

## CATTERY

**EX. WC**

## GROOMING

**PUPPIES**  
(10 @ 1.0mW x 2.35mD)

FLOOR PLAN 2/4

1:100

## PROPOSED

Special Council Meeting - 31 July 2018

## RENOVATIONS

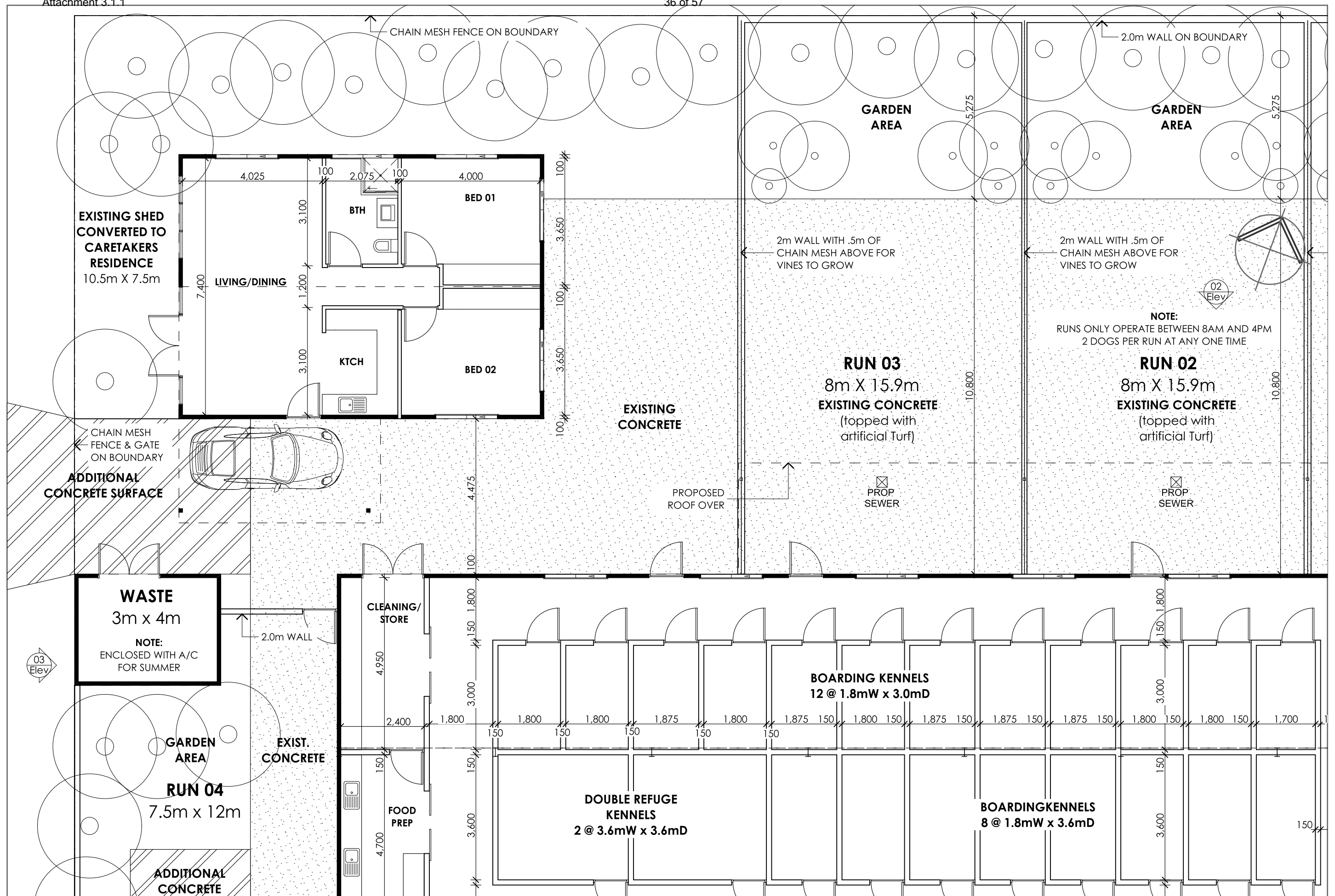
(LOT 10 on RP 804923) 8 TEAMSTERS CLOSE, CRAIGLEE QLD

**PAWS & CLAWS SHELTER**

## CONCEPT PLANS

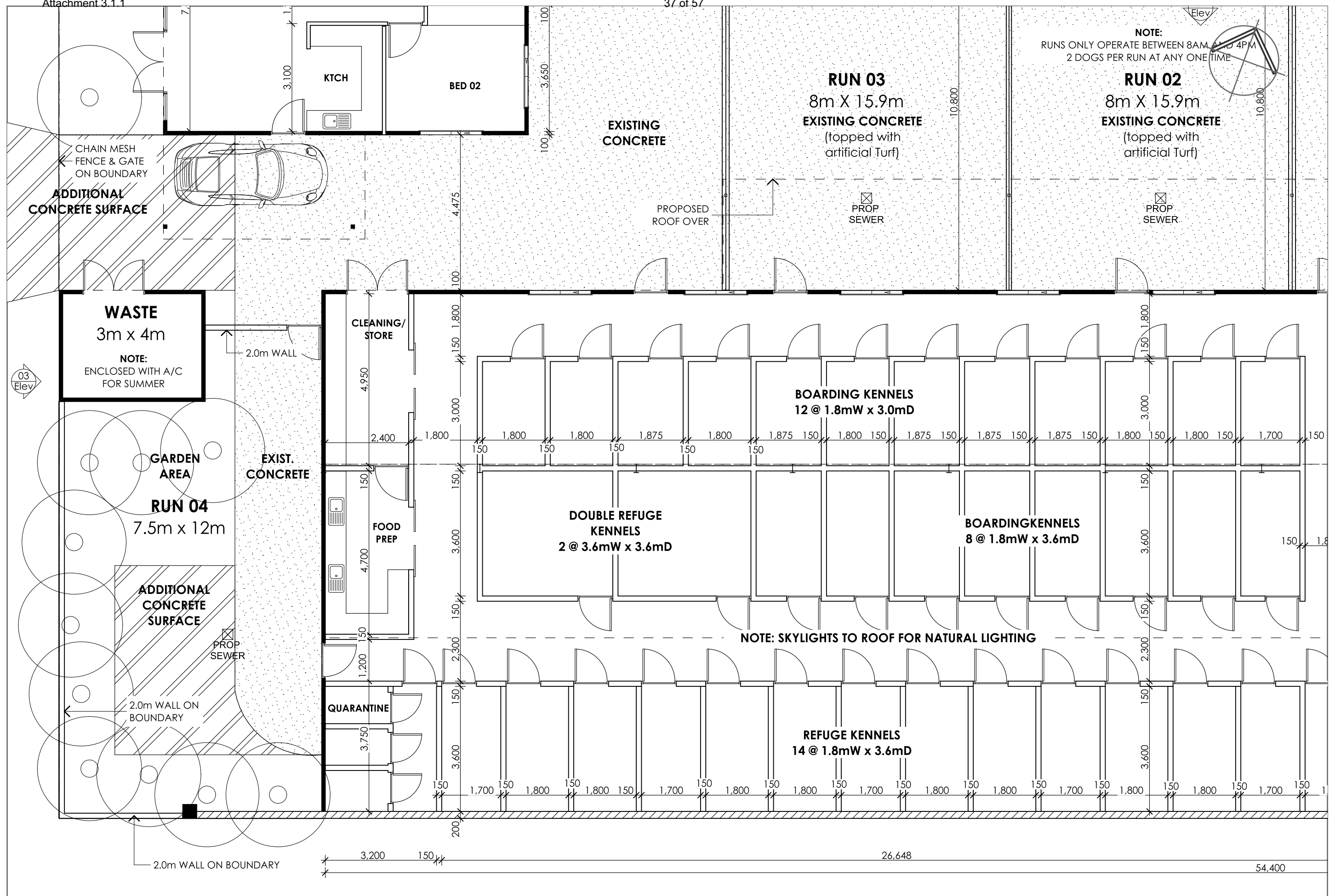
**REV F**  
**A3 SHEET**  
4/07/2018

## 2.1



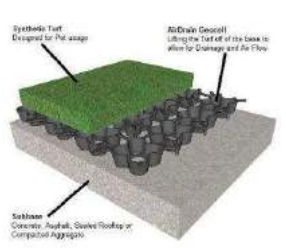
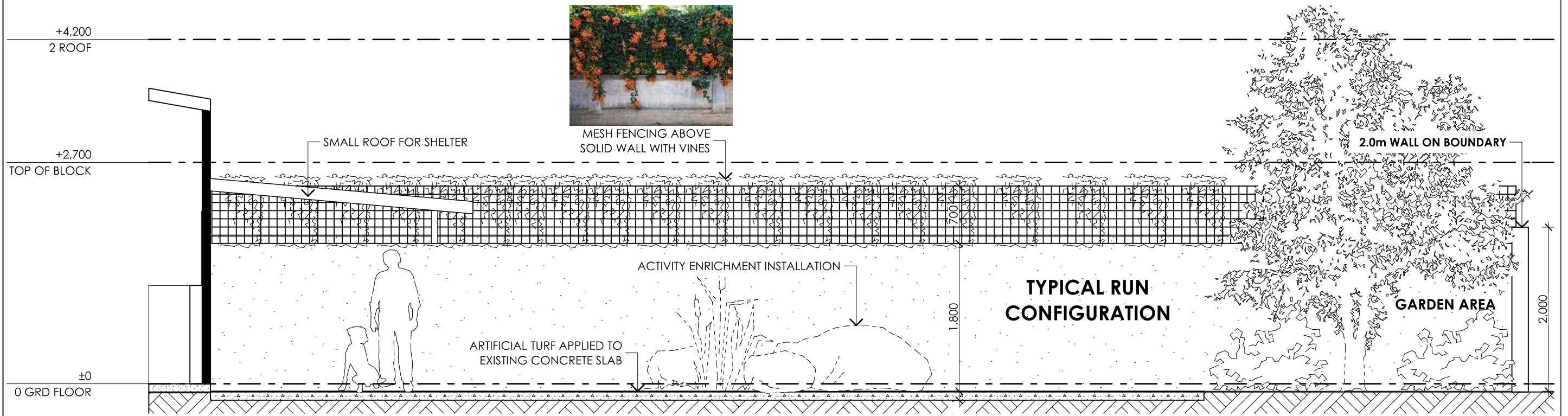
FLOOR PLAN 3/4  
1:100





FLOOR PLAN 4/4  
1:100





ARTIFICIAL TURF



ACTIVITY ENRICHMENT INSTALLATIONS



TYPICAL PUPPY ENCLOSURES



TYPICAL DOG ENCLOSURES



TYPICAL DOG ENCLOSURES



TYPICAL DOG ENCLOSURES

P L A N S  
C E P T  
C O N C

REV F  
A3 SHEET  
4/07/2018



Proposed Animal Shelter  
6-8 Teamsters Close  
Craigie

ACOUSTIC REPORT



**Client:**

Homeless Animal Society and  
Boarding Kennels Inc.  
Attn: Michael Kerr

**Reference:**

*2018205 R01C 6-8 Teamsters Close Craigie ENV*

**Date Issued:**

3<sup>rd</sup> July 2018

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### Report Register

Date	Revision	Author	Reviewer
28/06/2018	R01A	Paul Lonard	Greg Pearce
3/07/2018	R01C	Paul Lonard	Greg Pearce

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## 1. Introduction

The following report is in response to a request by the Homeless Animal Society and Boarding Kennels Inc. for an environmental noise assessment of a proposed animal shelter located at 6-8 Teamsters Close, Craiglie. To facilitate the assessment, unattended noise monitoring was conducted in the vicinity of nearby residence to determine the criteria for onsite activities. Based on the noise data obtained, onsite activities were assessed to sensitive receivers located in the vicinity of the development.

## 2. Site Description

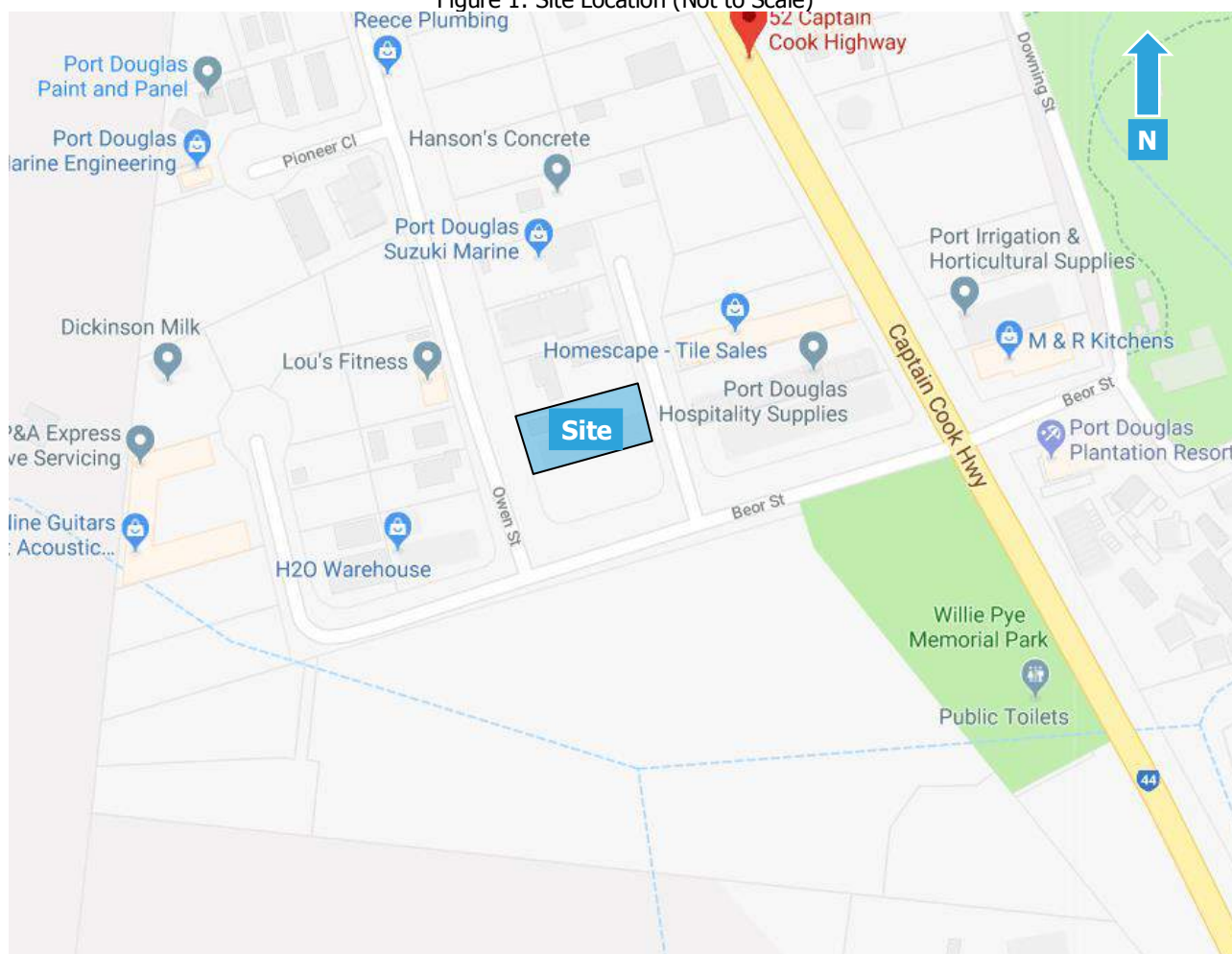
### 2.1 Site Location

The site is described by the following:

6-8 Teamsters Close Craiglie  
Lot 10 on RP804923

Refer to Figure 1 for site location.

Figure 1: Site Location (Not to Scale)



A comprehensive site survey was conducted on the 18<sup>th</sup> of June 2018 which identified the following:

- a) The site currently consists of two single storey shed structures which will be refurbished for the development.
- b) A Cleanaway waste truck depot bounds the site to the north.
- c) An Origin Energy gas depot bounds the site to the south.
- d) Teamsters Close bounds the site to the south, separating the development from commercial land uses.
- e) Owen Street bounds the site to the north, separating the development from commercial land uses.

## 2.2 Proposal

The site currently consists of two sheds which shall be refurbished for the development. The larger shed located on the southern portion of the site will be converted into the animal shelter, with the smaller shed located on the north-western portion of the site to be converted into a caretaker's dwelling. The animal shelter will consist of the following;

- 38 dog kennels, 10 puppy kennels and 3 isolation kennels.
- Cattery.
- Reception and shop.
- Quarantine, staff, grooming, administration and store rooms.

Dog runs will be provided adjacent to the northern and western façades of the animal shelter building and will be used between 8am and 4pm. A total of 8 dogs will use the 4 external dog runs at any one time. At all other times dogs will be located within the shelter building, which will be fully enclosed and air-conditioned.

## 2.3 Acoustic Environment

The surrounding area is primarily affected by road traffic noise from the local road network with nearby commercial properties potentially impacting residents in the area.

## 3. Equipment

The following equipment was used to record noise levels:

- Rion NL42 Environmental Noise Monitor
- BSWA Technology Co. Ltd Sound Calibrator

The Rion NL42 Environmental Noise Monitor holds current NATA Laboratory Certification and was field calibrated before and after the monitoring period, with no significant drift from the reference signal recorded.



## 4. Receivers and Noise Monitoring Locations

### 4.1 Receiver Locations

The nearest residential receiver locations were identified as follows;

1. A single storey residential dwelling is located to the west at 52 Owen Street.
2. The Plantation Resort consists of 2 storey unit buildings and is located to the east at 1 Captain Cook Highway.
3. A 2 storey dwelling is located to the southeast at 5903 Captain Cook Highway

Note that in accordance with Performance Outcome 10 of the DSC Industry Zone Code, the development must not lower the standards of amenity with respects to noise at any sensitive receiver outside of the Industry Zone. Therefore the above locations were chosen as being representative of the nearest residential receivers in proximity to the proposed development. Refer to Figure 2 for these locations.

Figure 2: Receivers and Noise Monitoring Location





## 4.2 Unattended Noise Monitoring

The Rion NL42 environmental noise monitor was placed at the Plantation Resort to measure ambient noise levels. The location was selected as it was considered representative of the ambient noise environment at the nearest potentially affected receiver identified in Figure 2. The monitor was located in a free field position with the microphone approximately 1.4 metres above ground surface level. The noise monitor was set to record noise levels between the 18<sup>th</sup> and 25<sup>th</sup> of June 2018.

The environmental noise monitor was set to record noise levels in "A" weighting, Fast response using 15 minute statistical intervals. Ambient noise monitoring was conducted generally in accordance with Australian Standard AS1055:1997 *Acoustics – Description and measurement of environmental noise*.

For the unattended noise monitoring location refer to Figure 2.

## 5. Measured Noise Levels

### 5.1 Measured Ambient Noise Levels

Table 1 presents the measured ambient noise levels from the unattended noise monitoring location. Any periods of extraneous noise were omitted from the measured data prior to determining the results.

Table 1: Measured road traffic and ambient noise levels - all time periods

Day	Date	L90 dB(A)		
		Day	Evening	Night
Monday	18/06/18	49	39	30
Tuesday	19/06/18	50	37	30
Wednesday	20/06/18	50	36	28
Thursday	21/06/18	49	37	29
Friday	22/06/18	49	39	30
Saturday	23/06/18	48	37	31
Sunday	24/06/18	48	39	31
Overall value		49	38	30

Refer to the appendix for graphical representation of the measured noise levels.

### 5.2 Measured Offsite Activity Noise Levels

Noise measurements were performed at the location of the proposed caretakers dwelling on Monday 18<sup>th</sup> of June between the hours of 12:45am and 1.15pm to determine any requirements for acoustic treatments, with the results as follows;

Table 2: Attended noise measurement results

Activity assessed	Measured activity noise level dB(A) Leq 15min	Time	Comments
Offsite commercial and industrial activity	52	12:45am-1:00pm	Observed noise included; <ul style="list-style-type: none"> <li>Voices, reverse alarms, power tools, metal drops from industrial premises to the north.</li> <li>Concrete truck and vehicle movements on surrounding roads.</li> <li>Distant continuous plant noise.</li> </ul>
Offsite commercial and industrial activity	49	1:00pm-1:15pm	Observed noise included; <ul style="list-style-type: none"> <li>Voices, reverse alarms, power tools, metal drops from industrial premises to the north.</li> <li>Concrete truck and vehicle movements on surrounding roads.</li> <li>Distant continuous plant noise</li> </ul>

The measured noise impacts by attended measurement were found to be 49-52 dB(A) Leq 15min, with levels dominated by traffic and offsite industrial activity. A summary of the measured levels is provided in Section 7.2.

## 6. Environmental Noise Criteria

### 6.1 Environmental Noise Policy 2008

The noise criteria as applied under the *Environmental Protection (Noise) Policy 2008* are as follows;

#### 6.1.1 Acoustic Quality Objectives

Table 3 below presents the acoustic quality objectives at noise sensitive receptors as detailed in Schedule 1 of the EPP (Noise) 2008.

Table 3: Acoustic Quality Objectives at Noise Sensitive Properties

Sensitive Receptor	Time of Day	Acoustic Quality Objectives, dB(A)		
		$L_{Aeq,adj,1hr}$	$L_{A10,adj,1hr}$	$L_{A1,adj,1hr}$
Dwelling (outdoors)	Day and Evening (7am – 10pm)	50	55	65
Dwelling (Indoors)	Day and Evening (7am – 10pm)	35	40	45
	Night (10pm - 7am)	30	35	40

#### 6.1.2 Background Creep

The Background Creep criteria are as follows;

Time-varying noise:

$$L_{Aeq,adj,T} \leq \text{Ambient } L_{A90,T} + 5\text{dB(A)}$$

Steady-state noise:

$$L_{A90,T} \leq \text{Ambient } L_{A90,T}$$

The time period (T) is a time interval of at least 15 minutes, or if the noise continues for less than 15 minutes, the duration of the noise source.

Based on the results of ambient noise monitoring, the project specific background creep noise limits are shown in Table 4.

Table 4: Background Creep Noise Limits

Time Period	Noise Level Limits SPL dB(A)	
	$L_{Aeq,T}$	$L_{A90,T}$
Day 7am – 6pm	54	49
Evening 6pm – 10pm	43	38
Night 10pm – 7am	35	30



## 7.1.2 Background Creep

The noise source levels and predicted levels at the receiver locations are shown as follows;

Table 6: Background Creep Noise Levels, 15min

Receiver	Description	Source Leq@1m dB(A)	Correction dB(A)*	Corrected Leq@1m dB(A)	No. of events per 15min Day	No. of events per 15min Eve	No. of events per 15min Night	Duration per event	No	Barrier (height (m))	Barrier screening dB	Building TL or shield dB	Topo screening dB	Dist atten. @-6dB/dd	Laeq adj,T ext. dB(A) Day	Laeq adj,T ext. dB(A) Eve	Laeq adj,T ext. dB(A) Night	Laeq 15 min Compliance		
																		Day	Eve	Night
1	Criteria																	54	43	35
	Car door closure	75	2	77	5	5	5	2						-50	7	7	7	Yes	Yes	Yes
	Car passby	69		69	5	5	5	15						-49	9	9	9	Yes	Yes	Yes
	Car start	74	2	76	5	5	5	2						-50	6	6	6	Yes	Yes	Yes
	Dog kennel 38 dogs (day)	94	2	96	1			900			-15			-49	32			Yes	n/a	n/a
	Dog kennel 38 dogs (eve)	90	2	92		1		900			-15			-49		28		n/a	Yes	n/a
	Dog kennel 38 dogs (night)	84	2	86			1	900			-15			-49			22	n/a	n/a	Yes
	2 Dogs, Dog run 1	92	2	94	1			900					-7	-50	37			Yes	n/a	n/a
	2 Dogs, Dog run 2	92	2	94	1			900					-7	-49	38			Yes	n/a	n/a
	2 Dogs, Dog run 3	92	2	94	1			900					-7	-49	38			Yes	n/a	n/a
	2 Dogs, Dog run 4	92	2	94	1			900					-7	-49	38			Yes	n/a	n/a
	Total															44	28	23	Yes	Yes
2	Criteria																	54	43	35
	Car door closure	75	2	77	5	5	5	2						-47	10	10	10	Yes	Yes	Yes
	Car passby	69		69	5	5	5	15						-47	12	12	12	Yes	Yes	Yes
	Car start	74	2	76	5	5	5	2						-47	10	10	10	Yes	Yes	Yes
	Dog kennel 38 dogs (day)	94	2	96	1			900			-15			-47	34			Yes	n/a	n/a
	Dog kennel 38 dogs (eve)	90	2	92		1		900			-15			-47		30		n/a	Yes	n/a
	Dog kennel 38 dogs (night)	84	2	86			1	900			-15			-47			24	n/a	n/a	Yes
	2 Dogs, Dog run 1	92	2	94	1			900					-7	-48	39			Yes	n/a	n/a
	2 Dogs, Dog run 2	92	2	94	1			900					-7	-48	39			Yes	n/a	n/a
	2 Dogs, Dog run 3	92	2	94	1			900					-7	-48	39			Yes	n/a	n/a
	2 Dogs, Dog run 4	92	2	94	1			900	2	-10				-49	35			Yes	n/a	n/a
	Total															45	30	25	Yes	Yes
3	Criteria																	54	43	35
	Car door closure	75	2	77	5	5	5	2						-51	6	6	6	Yes	Yes	Yes
	Car passby	69		69	5	5	5	15						-51	8	8	8	Yes	Yes	Yes
	Car start	74	2	76	5	5	5	2						-51	6	6	6	Yes	Yes	Yes
	Dog kennel 38 dogs (day)	94	2	96	1			900			-15			-51	30			Yes	n/a	n/a
	Dog kennel 38 dogs (eve)	90	2	92		1		900			-15			-51		26		n/a	Yes	n/a
	Dog kennel 38 dogs (night)	84	2	86			1	900			-15			-51			20	n/a	n/a	Yes
	2 Dogs, Dog run 1	92	2	94	1			900					-12	-51	31			Yes	n/a	n/a
	2 Dogs, Dog run 2	92	2	94	1			900					-12	-51	31			Yes	n/a	n/a
	2 Dogs, Dog run 3	92	2	94	1			900					-12	-51	31			Yes	n/a	n/a
	2 Dogs, Dog run 4	92	2	94	1			900	2	-10				-51	33			Yes	n/a	n/a
	Total															38	27	21	Yes	Yes

\*Correction due to tonality and impulsiveness as per AS1055:1997.

Compliance is predicted with the Background Creep criteria for all activities associated with the development provided the recommendations in Section 8 are implemented.

## 7.2 Measured Offsite Activity Noise Levels

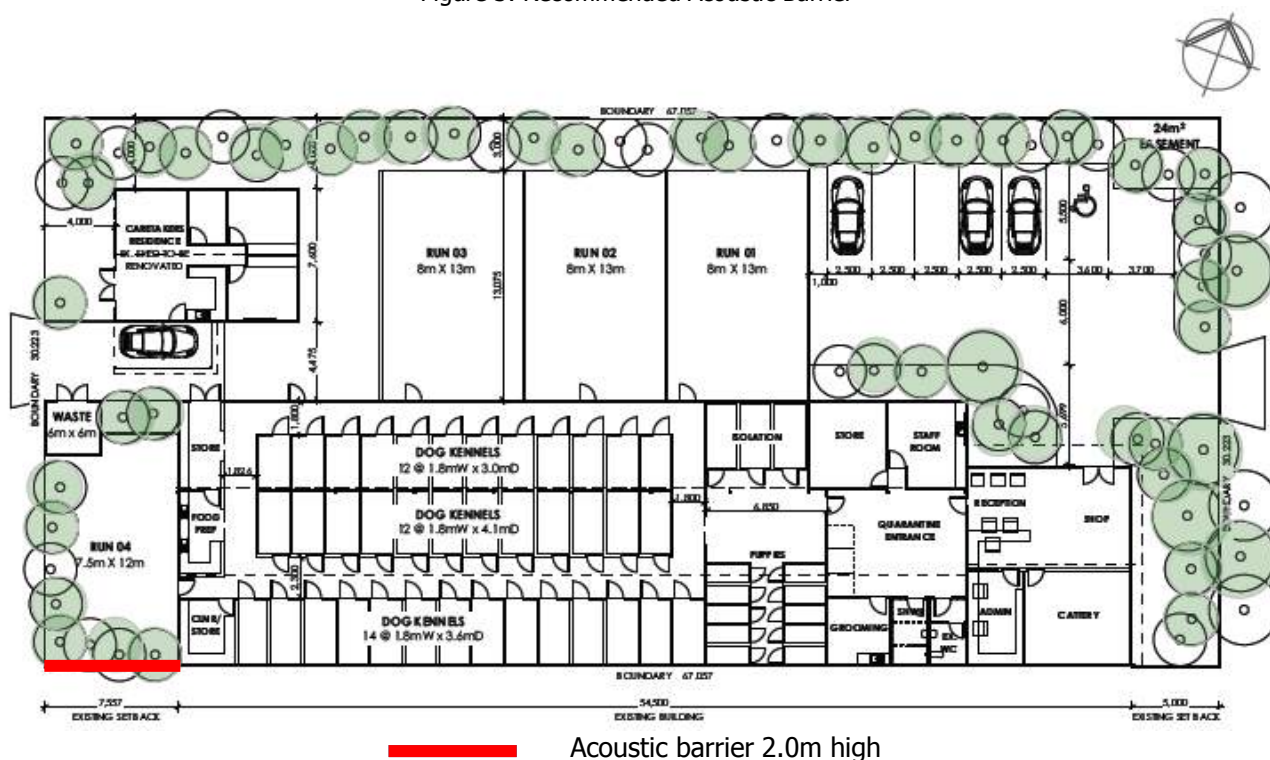
The acoustic quality objectives for indoor noise within a habitable room is Leq 35 dB(A) during the daytime and Leq 30 dB(A) during the night time . Based on the measured noise levels, a maximum noise reduction (from outside to inside) of up to 22 dB(A) would be required in order to satisfy the criteria. This can be satisfied with the use of slightly upgraded façade construction, refer to the recommendations presented in Section 8.3.

## 8. Recommendations

### 8.1 Acoustic Barrier

To reduce noise from the external dog run, an acoustic barrier is recommended as presented in Figure 3. The acoustic barrier shall be constructed using materials that achieve a minimum surface density of at least 10kg/m<sup>2</sup>. Suitable materials may include lapped 19mm thick pine palings with 40% overlap, 9mm fibre cement sheet, masonry, aerated concrete, glass or other materials which satisfy the minimum surface density requirement. The barriers should be free of gaps and holes and the height of the barriers is relative to the finished dog run level.

Figure 3: Recommended Acoustic Barrier



### 8.2 Management Controls

The assessment has demonstrated that onsite activities are predicted to comply with the criteria in Section 6, on the condition the following recommendations are implemented;

- Use of the external dog runs is limited to the daytime period (8am-4pm) 7 days per week.

## 8.3 Caretaker's Dwelling

### 8.3.1 Building Treatments

To achieve a suitable level of internal amenity for offsite commercial activity noise, we recommend the following:

- The external facade and roof shall achieve minimum Rw 35.
- External windows shall require minimum thickness 4mm float with acoustic seals (minimum Rw 27)
- External sliding doors shall require minimum thickness 4mm toughened glazing with acoustic seals (minimum Rw 27).

A lightweight construction option for the external façade is as follows;

- Rw 35: 6mm FC externally with 70mm stud and 75mm glasswool batts (14kg/m<sup>3</sup>) in the cavity with 13mm plasterboard internally.

For the roof system, we recommend construction as follows;

- Rw 35: Metal sheet roof with Bradford Anticon 55 insulation, 75mm glasswool Batts in the cavity with 10mm plasterboard internally.

Penetrations shall not reduce the overall acoustic performance of the installed façade/roof/ceiling systems.

### 8.3.2 Alternative Ventilation

We recommend that all habitable rooms have the provision for an alternative ventilation system similar to air-conditioning or mechanical ventilation to allow windows and doors to be closed.

## 8.4 Mechanical Plant

No information regarding mechanical services was available at the time of the assessment. We recommend that any new mechanical plant is designed to comply with the criteria. We recommend an assessment by qualified acoustic consultant be conducted prior to installation to determine any requirements for acoustic treatments to mechanical plant.

## 9. Conclusion

An environmental noise assessment was conducted for the proposed animal shelter located at 6-8 Teamsters Close, Craigie, which considered onsite activities to sensitive receivers in the vicinity of the site. On the condition the recommendations detailed in Section 8 are implemented, compliance is predicted with assessment criteria.

If you should have any queries please do not hesitate to contact us.

Report Prepared By



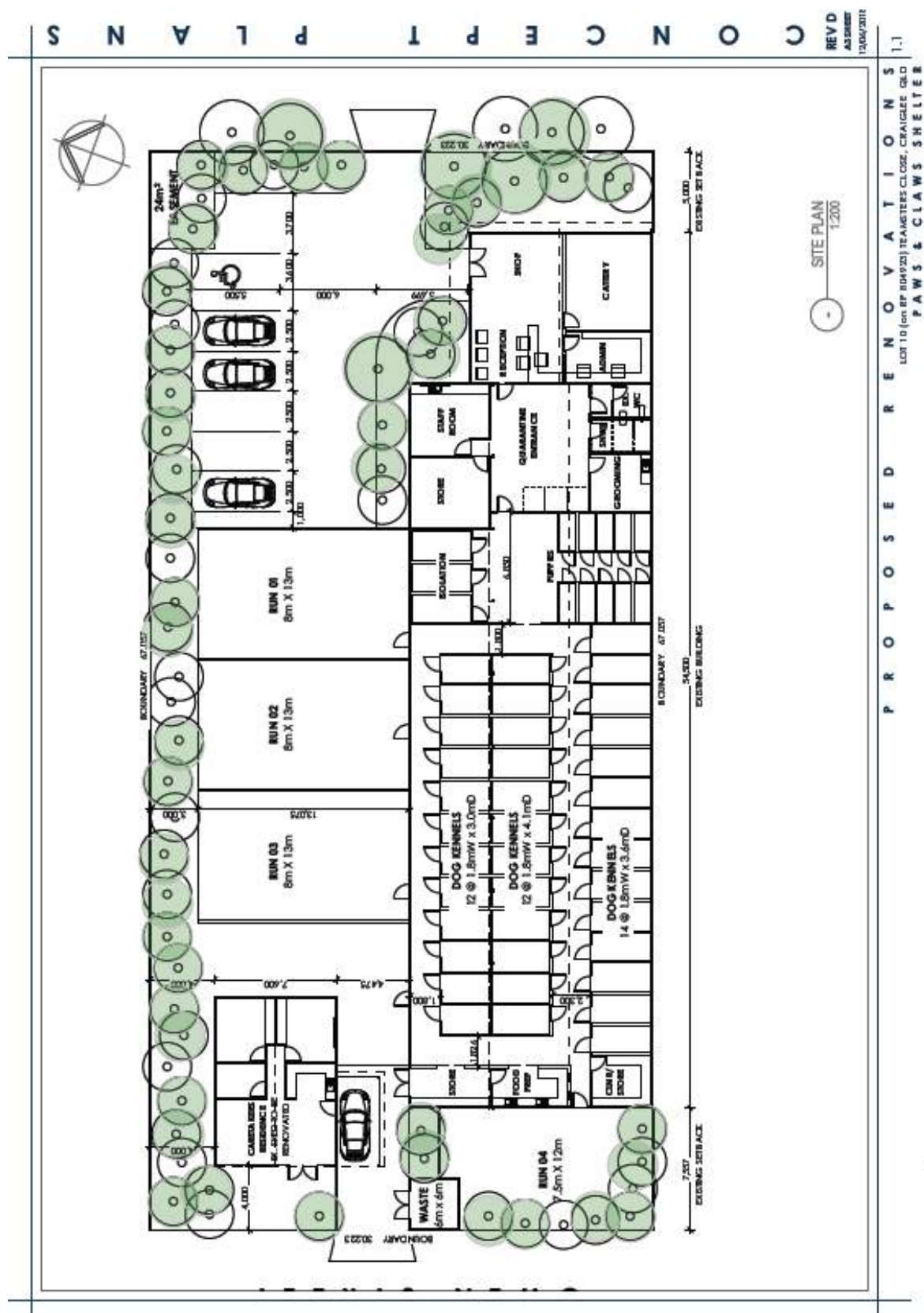
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## 10. Appendices

## 10.1 Development Plans



## 10.2 Noise Monitoring Charts

