

### 3.2. ANIMAL KEEPING TEAMSTERS CLOSE

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<b>GENERAL MANAGER</b>	Michael Kriedemann, Acting General Manager Operations
<b>DEPARTMENT</b>	Development Assessment and Coordination
<b>PROPOSAL</b>	Change Representations for a Material Change of Use (Impact Assessment) – Animal Keeping (Dog & Cat Boarding Kennels) Primarily Indoors with Ancillary Facilities including Caretaker’s Accommodation.
<b>APPLICANT</b>	Homeless Animal Society and Boarding Kennels Inc (Paws and Claws) C/- Elizabeth Taylor - Town Planner 23 Vallely St FRESHWATER QLD 4870
<b>LOCATION OF SITE</b>	6-8 Teamsters Close CRAIGLIE
<b>PROPERTY</b>	Lot 10 on RP804923
<b>LOCALITY PLAN</b>	



### Figure 1 - Locality Plan

<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>	Not Applicable
<b>APPLICATION DATE</b>	14 June 2018

### RECOMMENDATION

That Council issue a Negotiated Decision Notice to upgrade the Preliminary Approval to a Development Permit for the Material Change of Use application 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. APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
Site Plan & Elevations	Concept Plans – Sheet 1 Revision F	4 July 2018
Site Plan	Concept Plans – Sheet 1.1 Revision F	4 July 2018
Floor Plan 1/4	Concept Plans – Sheet 2.0 Revision F	4 July 2018
Floor Plan 2/4	Concept Plans – Sheet 2.1 Revision F	4 July 2018
Floor Plan 3/4	Concept Plans – Sheet 2.2 Revision F	4 July 2018
Floor Plan 4/4	Concept Plans – Sheet 2.3 Revision F	4 July 2018
Typical Run Configuration	Concept Plans – Sheet 2.4 Revision F	4 July 2018
Approved Technical Supporting Report		
Acoustic Report prepared by Acoustic Works	2018205 R01D 6-8 Teamsters Close Craiglie ENV	30 August 2018

**Note – The above schedule of the approved plans will require amending to comply with conditions of this Development Permit.**

## **B. ASSESSMENT MANAGER CONDITIONS AND ADVICES**

### **Assessment Manager Conditions**

- 1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:**
  - a. The specifications, facts and circumstances as set out in the application submitted to Council; and**
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.**

**Except where modified by these conditions of approval**

### **Timing of Effect**

- 2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.**

### **Amendment to Design**

- 3. The proposed development must be redesigned / amended to accommodate the following changes:**
  - a. Provided updated architectural drawings to reflect the recommended treatments to both the Caretaker's Residence and the existing shed to reflect the recommendations of the Acoustic Report dated 30 August 2018. Further amendments maybe required in order to achieve compliance with conditions of this Development Permit.**

**Further detail is required with respect to the extent of the roof area over the proposed runs and its relationship with the existing building. Further guidance from the acoustic engineer will be required in finalising the design to achieve the recommendations contained within the approved report.**

- b. Run 4 is not approved as part of the suite of approved plans. An amended Site Layout Plan excluding Run 4 is required.**

**Details of the above amendments must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.**

### **Acoustic Report / Noise Emissions**

- 4. Average maximum noise level (L<sub>max,T</sub>) of dogs must not exceed at an affected building:**
  - Day (7am to 6pm): Background noise level L<sub>90,T</sub> + 10 dBA**
  - Evening (6pm to 10pm): Background noise level L<sub>90,T</sub> + 5 dBA**
  - Night (10pm to 7am): Background noise level L<sub>90,T</sub> + 5 dBA**

**Average noise level (LAeq,15mins) from the facility must not exceed:**

- **Day (7am to 6pm): Background noise level L90,T + 5 dBA**
- **Evening (6pm to 10pm): Background noise level L90,T + 3 dBA**
- **Night (10pm to 7am): Background noise level L90,T + 0 dBA for residential receptors outside the industrial estate.**

**Unless otherwise approved by the Chief Executive Officer.**

**For the purpose of this condition, an affected building means a building at which noise can be heard and/or at a place or premises including in or on the place or premises.**

**Compliance with this condition requires the background noise level of the affected buildings to be established namely Receivers 1, 4 & 7 as detailed in Figure 2 of the Acoustic Report dated 30 August 2018.**

**Such detail is required prior to the issue of the Development Permit for Building Work.**

#### **Outdoor Runs**

- 5. Dogs are not permitted to be within the outdoor runs between the hours of 6.00pm – 8.00am Monday to Saturday and not at all on Sundays unless otherwise approved by the Chief Executive Officer.**

**No more than 2 dogs are permitted to be within each individual run at any one time. Static collars must be placed on dogs that have a tendency to bark in order to manage noise impacts.**

#### **Acoustic Compliance Monitoring**

- 6. The Applicant must undertake Acoustic Compliance Monitoring to ensure the development complies with the anticipated noise levels and effectiveness of the attenuation treatments of the building.**

**The time at which the Acoustic Compliance Monitoring is to take place must be established in consultation with Council and is to be undertaken at a time when the facility is operating at or near full capacity or at a time that reflects the typical operating environment.**

#### **Caretaker's Accommodation**

- 7. The Recommendations of the Acoustic Report prepared by Acoustic Works dated 30 August 2018 for noise attenuation treatments to the Caretaker's Residence must be incorporated into the design. Advice for the acoustic engineering confirming the working drawings for the Caretaker's Residence are consistent with the recommendations of the acoustic report must be submitted to Council prior to the issue of a Development Permit for Building Work.**

**Certification that all noise attenuation treatments to the building have been undertaken in accordance with the recommendations of the acoustic consultant must be submitted to Council prior to the issue of a Final Inspection Certificate or Commencement of Use, whichever occurs first.**

#### **Kennel / Boarding Facility**

- 8. The Recommendations of the Acoustic Report prepared by Acoustic Works dated 30 August 2018 for noise attenuation treatments to the existing shed and outdoor areas must be incorporated into the design in addition to any other attenuation measures required in order to comply with conditions of this Development Permit.**

**Advice for the acoustic engineering confirming the working drawings for the upgrades of the existing shed and outdoor areas are consistent to achieve the necessary attenuation measures must be submitted to Council prior to the issue of a Development Permit for Building Work.**

**Certification that all noise attenuation treatments to the building and outdoor areas have been undertaken in accordance with the recommendations of the acoustic consultant must be submitted to Council prior to the issue of a Certificate of Classification or Commencement of Use, whichever occurs first.**

#### **Local Law Registration**

- 9. The facility must be registered with Council under the applicable Local Law prior to the Commencement of Use. Any conditions or requirements of the Local Law approval are to compliment and be in addition to the conditions of this Development Permit with respect to the operational aspects of the facility. In the event of an inconsistency or perceived inconsistency with the Local Law approval and this Development Permit, the Local Law approval will prevail.**

#### **Car Parking Area**

- 10. Onsite parking spaces fronting Teamsters Close must be line marked for six (6) car parking spaces as detailed on the approved plans. All parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked and maintained at all times.**

#### **Waste Management**

- 11. The kennels and outdoor areas must be cleaned and hosed out regularly to ensure the facility is kept clean and tidy at all times as detailed within the Operating Procedures Manual and to ensure odour is appropriately managed.**

**All solid waste must be collected at regular intervals, bagged and placed within an airtight container and placed within the refuse area on the Owen Street frontage of the site. The refuse facility must be monitored to ensure the bins are emptied on a regular basis and to ensure odour is appropriately managed.**

### **Refuse Storage**

- 12. The refuse storage area must be enclosed, roofed and bunded and fitted with a bucket trap connected to sewer. A hose cock connection must also be provided.**

### **Liquid Waste Disposal**

- 13. Trade waste discharge to sewer must be in accordance with Council's Trade Waste Environmental Management Plan (TWEMP).**

**A report and hydraulic drawings demonstrating that the facility complies with the TWEMP must be submitted to and be approved by Council prior to the issue of a Development Permit for Building Work.**

**In particular, the plans are to illustrate:-**

- a. A silt trap of an appropriate size down stream of the bucket traps before entering the sewer network;**
- b. All pipe work used to carry trade waste must be suitable for this purpose eg HDPE or RIOPIANO.**

**All works must be implemented in accordance with approved plans prior to Commencement of Use.**

### **Damage to Council Infrastructure**

- 14. In the event that any part of Council's existing sewer, water or road infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to the mobilisation of heavy construction equipment, stripping and grubbing. The applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owners/builders cost, prior to the Commencement of Use.**

### **Lighting**

- 15. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.**

### **Lawful Point of Discharge**

- 16. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.**

### **Advertising Signage**

- 17. All signage associated with the use must be: contained on the building façade/wall (not projecting above the building height); as a free-standing sign**

not exceeding a height of 2m or area of 10m<sup>2</sup>; to the satisfaction of the Chief Executive Officer.

The signage can only be externally illuminated and no lighting is to spill beyond the property boundary. Signage can only relate to the use conducted on the premises.

#### 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.dsdlp.qld.gov.au](http://www.dsdlp.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	<p>Premises used for boarding, breeding or training of animals.</p> <p>The use may include ancillary temporary or permanent holding facilities on the same site and ancillary repair and servicing of machinery.</p>	<p>Aviaries, catteries, kennels, stables, wildlife refuge.</p>	<p>Aquaculture, cattle studs, domestic pets, feedlots, grazing of livestock, non-feedlot dairying, piggeries, poultry meat and egg production, animal husbandry.</p>

\*This definition is provided for convenience only. This Development 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 Building Works.
  - b. Development Permit for Plumbing Works

**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 development application and revised Acoustic Report dated 30 August provides an assessment of the adjacent and nearby properties with respect to anticipated noise levels. The Acoustic report dated 30 August in conjunction with conditions of the Development Permit will adequately address noise emissions.
- 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 revised Acoustic Report dated 30 August 2018 and other supporting information.
- e. regard was given to a number of submissions lodged in response to the application, in particular those that raised concerns over 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. **Subject to compliance with conditions of this Development Permit and the implementation of the recommendations of the Acoustic Report dated 30 August 2018, the development satisfactorily meets the Planning Scheme requirements.**
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## **EXECUTIVE SUMMARY**

At a Special Council Meeting held on 31 July 2018, Council issued a Preliminary Approval for a development application 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 Preliminary Approval was issued as a consequence of the Acoustic Report lodged in support of the development application assessing potential noise impacts on residential properties external to the industrial estate. The Acoustic Report didn't provide an assessment of the potential noise impacts on adjacent or nearby properties within the industrial estate. Given the type of use proposed, it is essential that potential noise impacts are investigated and qualified, not only for residential properties external to the site, but also properties within the industrial estate. In light of this, a Preliminary Approval was issued.

The Applicant, on 2 August 2018 suspended the Appeal Period and advised Council that further representations would be submitted which sought to upgrade the Preliminary Approval to a Development Permit.

The proposed development remains largely the same as submitted to Council on 31 July 2018. A copy of the Proposal Plans form Attachment 1.

A revised Acoustic Report has been received in addition to other supporting and explanatory information as detailed in Attachment 2.

This report is focussed on the information submitted to Council in order to address the conditions of the Preliminary Approval and hence upgrade the Preliminary Approval to a Development Permit. There is no requirement to restate the assessment against the Planning Scheme as this was detailed in the previous report submitted to Council on 31 July 2018.

The report submitted to Council on 31 July 2018 concluded that the proposed use would be an acceptable use to establish on the site subject to the potential noise impacts being appropriately investigated and addressed.

The submission of the revised Acoustic Report supplemented by recommended conditions of approval will adequately address and overcome concerns surrounding impacts on adjacent and nearby properties both external and within the estate. This is further discussed within the body of the report.

It is therefore recommended that a Negotiated Decision Notice be issued upgrading the Preliminary Approval to a Development Permit subject to conditions.

### **The Site & Locality**

The site is described as Lot 10 RP804923; it is rectangular in shape, generally level and has an area of 2027m<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 with 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 to the 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.

### **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 forms Attachment 1.

## **Preliminary Approval**

A Preliminary Approval was issued for the development at Council's Special Meeting held on 31 July 2018. The Preliminary Approval is subject to one condition that required the acoustic impacts and attenuation treatments be further investigated and refined.

The following section outlines that condition accompanied by an Officer's response to each element of the condition attached to the Preliminary Approval.

### ***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;***

### **Officer Response**

The latest revised Acoustic Report dated 30 August 2018 identified and reported on four (4) additional receptors located adjacent and in close proximity to the site as detailed in Figure 2. These receptors comprised of the two Caretaker's residence located immediately to the north and opposite the site in addition to the existing industrial premises opposite the site in Owen Street and a Warehouse development located in Teamsters Close. These premises are identified below.



**Figure 2. – Receivers and Noise Monitoring Location**



Section 8.1 & 8.3.2 of the revised Acoustic Report recommends a number of upgrades to the outdoor areas and existing shed in order to comply with the Acoustic Quality Objective Noise Levels as identified in Schedule 1 of the Environmental Protection Policy (EPP) for Noise 2008. These criteria are as follows:-

**Table 1. Acoustic Quality Objectives at Noise Sensitive Properties**

Sensitive Receptor	Time of Day	Acoustic Quality Objectives, dB(A)		
		L <sub>Aeq,adj,1hr</sub>	L <sub>A10,adj,1hr</sub>	L <sub>A1,adj,1hr</sub>
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
Commercial and retail activity (indoors)	When the activity is open for business	45	-	-

*Note that for commercial and retail activities in the above table there is no guideline for outdoor areas.*

The Environmental Performance Code of the Planning Scheme calls up the EPP for Noise when seeking to address potential noise impacts generated by development and avoid against noise nuisance. This is the reason why the above guidelines have been relied upon in the acoustic report.

Subject to the recommended upgrades to the existing shed and outdoor areas taking place (which include covered areas of the proposed dog runs), Table 8 (pg 12 of the revised report) identifies that the noise limits for each receptor will be below the Acoustic Quality Objectives of the EPP for Noise.

For example, the Caretaker's residence immediately to the north (Receiver 4) of the site will experience noise levels (from the 38 indoor kennels) of 39dB external to the dwelling and 19dB inside the residence during the day.

Similarly, the industrial premises opposite the site in Owen Street (Receiver 7) will experience noise levels (from the 38 indoor kennels) of 33dB external to the premises and 13dB inside the premises / office during the day. It is noted that the noise levels placed on the outdoor runs are conservative as they do not take into account the use of barking collars.

The content of Table 8 is very useful in understanding the anticipated noise levels that will be experienced by the adjoining and nearby properties. However there are still a number of factors that need to be clarified and closed out in order to appropriately accommodate the use on the site. These are as follows:-

- The Acoustic Quality Objectives of the EPP for Noise are a guideline and does not mean that should noise levels remain below these levels that noise emanating from the site will not represent a nuisance. This is particularly important given the type of noise in this instance is barking dogs and people's tolerance to this type of noise will vary between individuals.

- No additional noise logging has been undertaken to establish the noise profile of the surrounding industrial estate (as required by the condition). This is of particular importance as the Acoustic Report relies entirely on the Acoustic Quality Objectives of the EPP without having an appreciation of the existing noise profile of the environment pre and post development.

The acoustic consultant has advised that noise logging within the estate during the day will result in extraneous readings due to industrial activities taking place during the day and that the anticipated noise levels at the receptors is within the guidelines and below the noise levels recorded on 18 June 2018 which ranged between 49dB and 52dB (see Section 5.2 of the report). This is acknowledged and understood however it is considered important that the noise profile of the surrounding environment is understood in order to gauge the impact that the proposed development represents. It is also important to have an appreciation of the ambient background noise at evening and night for the surrounding caretaker's residences. In saying that, the same level of amenity should not be afforded to a caretaker's residence in an industrial estate to that of typical residential property.

Table 8 has deducted 20dB from the outside noise limit of 39dB for the Caretakers residence next door during the evening to 19dB due to the assumption that the property is air conditioned. With doors and windows open during the evening a reduction of 7dB can be applied due to the façade of the building providing a result of 32dB for indoors.

- The Acoustic Quality Objectives of the EPP for Noise relates to all noise received at these receptors from the surrounding environment; not just one source of noise and its individual impact.
- The EPP for Noise refers to measuring the LAeq aspect of the noise source which relates to the average output. This is the methodology applied by the acoustic consultant.

A court judgement for a kennel has been located which has imposed conditions centred around the average maximum noise level ( $L_{max,T}$ ) and used this measurement relative to the existing background noise to set the noise limits for the facility.

This is considered the best approach to assess the impacts of the proposed facility in this location.

Conditions of approval have been included which cover off on those matters discussed above.

## 2. *The generation of noise associated with the proposed use;*

### **Officer Response**

The Acoustic Report provides expected noise output levels for the facility based on previous experience in the assessment and design of dog kennels.

The question was asked of the consultant as to why output levels of noise for the dogs were lower at night than during the day. The following response was provided:-

*To clarify the levels used and the reduction in the bark dB noise levels, data and acoustic analysis is based on assessments previously carried out over 7 days for a facility containing 60 dogs. The kennel was of combined masonry and lightweight wall construction, as well as sections open to the exterior. The measurements were taken in the direction of open mesh fence side to provide 'worst-case' scenario'.*

*The noise was measured using two noise loggers set up at distances of 3m and 20m respectively from the open face of the kennels. The noise monitors were set to measure in 15 minute periods and the highest average maximum 15 minute results determined for each of the time periods. Noise levels were then converted to provide a 'source' noise level at equivalent distance of 1m.*

*Calculated source noise levels for 60 dogs based on the measured levels are as follows:-*

**Table 2. Equivalent source noise levels due to 60 dogs**

Time period	Source noise pressure level dB(A) @1m
	Leq
Day	96
Evening	92
Night	86

Noise levels are then adjusted to allow for 38 mature dogs as proposed;

**Table 3. Equivalent source noise levels due to 38 dogs**

Time period	Source noise pressure level dB(A) @1m
	Leq
Day	94
Evening	90
Night	84

*These noise levels were used for the basis of the analysis.*

The above response clarifies the measurements used in the assessment.

**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;***

**Officer Response**

The Revised Acoustic Report recommends a suite of changes to the proposed facility as detailed in Section 8.1 and Section 8.3.2 of the report dated 30 August 2018. Most significant changes are the proposed roof structures over the three dog runs adjacent the northern boundary which is referred to as being partial enclosures with acoustic barriers. It would appear that the outdoor runs are effectively being enclosed.

It is noted that the roof enclosure is not proposed for Run 4 and no additional attenuation treatments to this run are being proposed.

The Applicant has advised that each run will contain a maximum of 2 dogs at any one time with no animals being present in the external runs between the hours of 6pm and 8am. The Applicant also advised that the dogs in the external runs will be monitored for excessive noise and bark deterrents such as static collars will be used, as necessary to reduce noise emissions.

On further review of the layout plan, the lack of noise attenuation treatment for proposed Run 4 and the location of proposed Run 4 on the perimeter of the property, it is recommended that Run 4 is removed from the approved plan. This also results in the proposed runs being central to the facility and removes the opportunity from the dogs being stimulated by external influences outside of the control of the staff / managers of the facility.

There maybe opportunity to have this Run 4 included in the future. However this will be dependent on the success of the facility and the ability of the facility to adequately manage noise impacts. This requirement is reflected in conditions of the approval.

Further plans detailing the above requirements will need to be submitted to Council. In addition, conditions of the approval may bring about further changes to the noise attenuation treatments proposed for the facility.

**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.***

**Officer Response**

Refer to the above comments

**5. *Any other matters considered relevant by the acoustic engineer to ensure the proposed development does not unduly impact on neighbouring or surrounding properties.***



### **Officer Response**

No additional matters were raised by the acoustic consultant.

***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.***

### **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.

Attachment 3 provides a description of the matters raised in the submissions received in relation to the proposed development and how those matters were dealt with in reaching a decision.

The responses to the submissions have been updated to reflect the additional representations and the findings of the revised Acoustic Report dated 30 August 2018.

Attachment 3 also details the Non-compliance with Assessment Benchmarks will accompany the Decision Notice when issued as required by the Planning Act 2016.

### **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.

Refer to Attachment 4.

## 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:

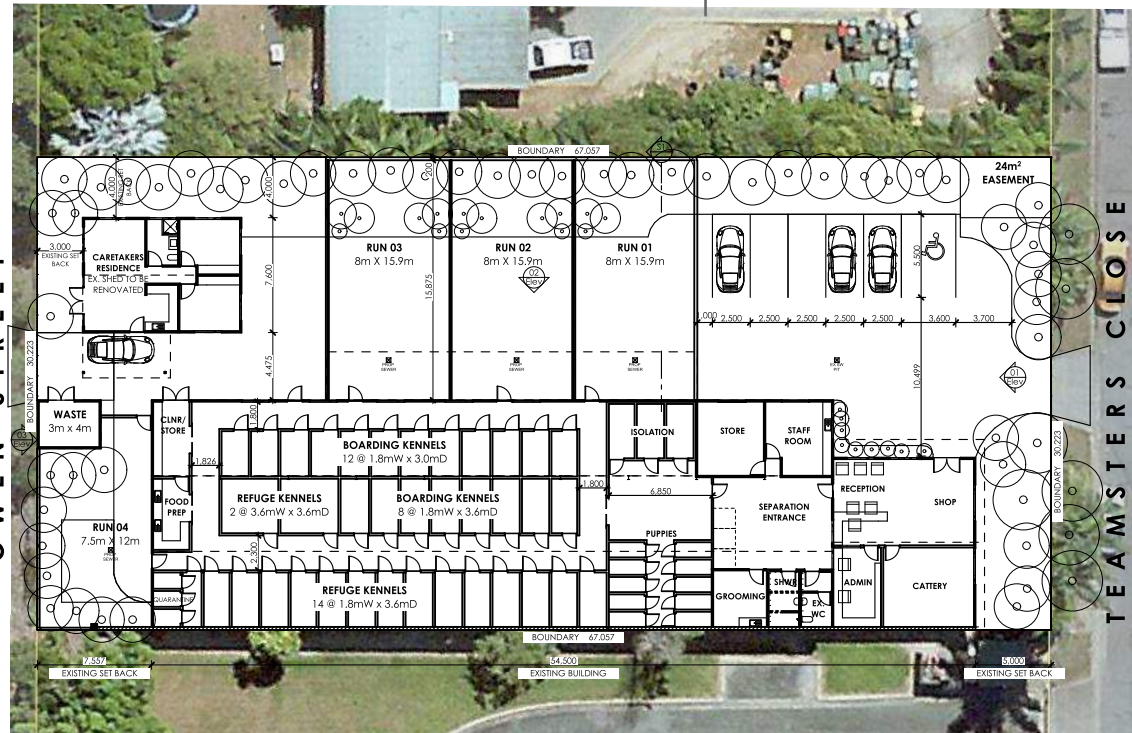
**Regulator:** Meeting the responsibilities associated with regulating activities through legislation or local law.

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

## ATTACHMENTS

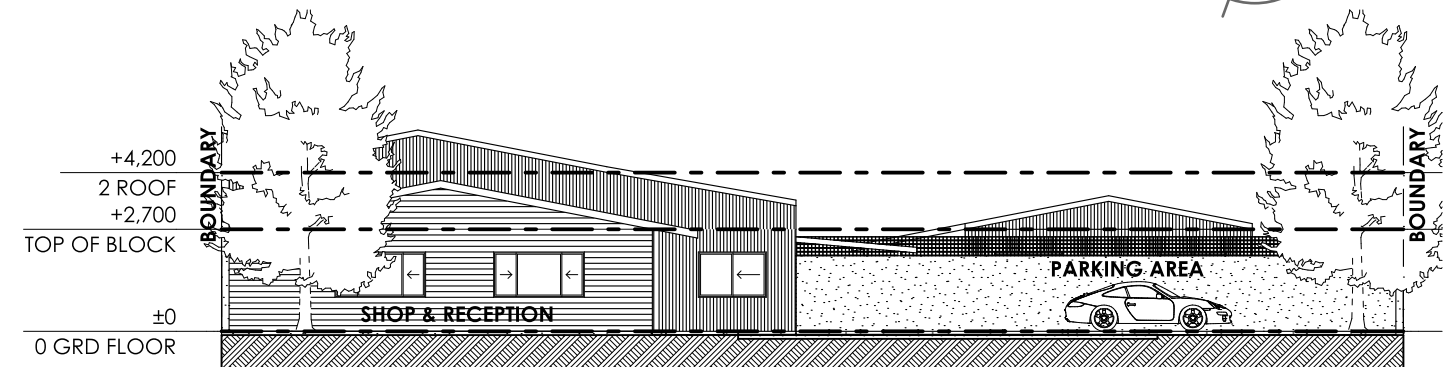
1. Attachment 1 - Proposed Plans **[3.2.1]**
2. Attachment 2 - Revised Acoustic Report & Supporting Information **[3.2.2]**
3. Attachment 3 - Non- Compliance with Assessment Benchmarks & matters considered in submissions **[3.2.3]**
4. Attachment 4 - Adopted Infrastructure Charges **[3.2.4]**

ELEVATION 02

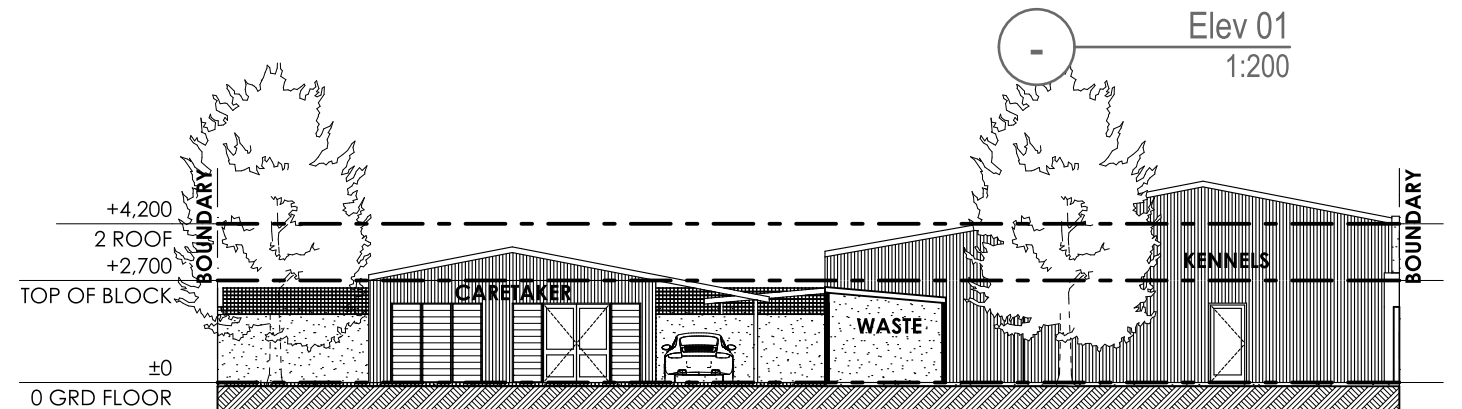


SITE PLAN  
1:500

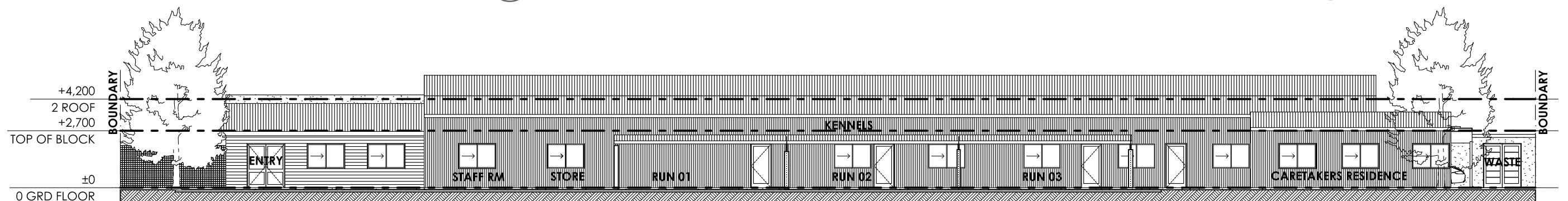
ELEVATION 01



Elev 01  
1:200

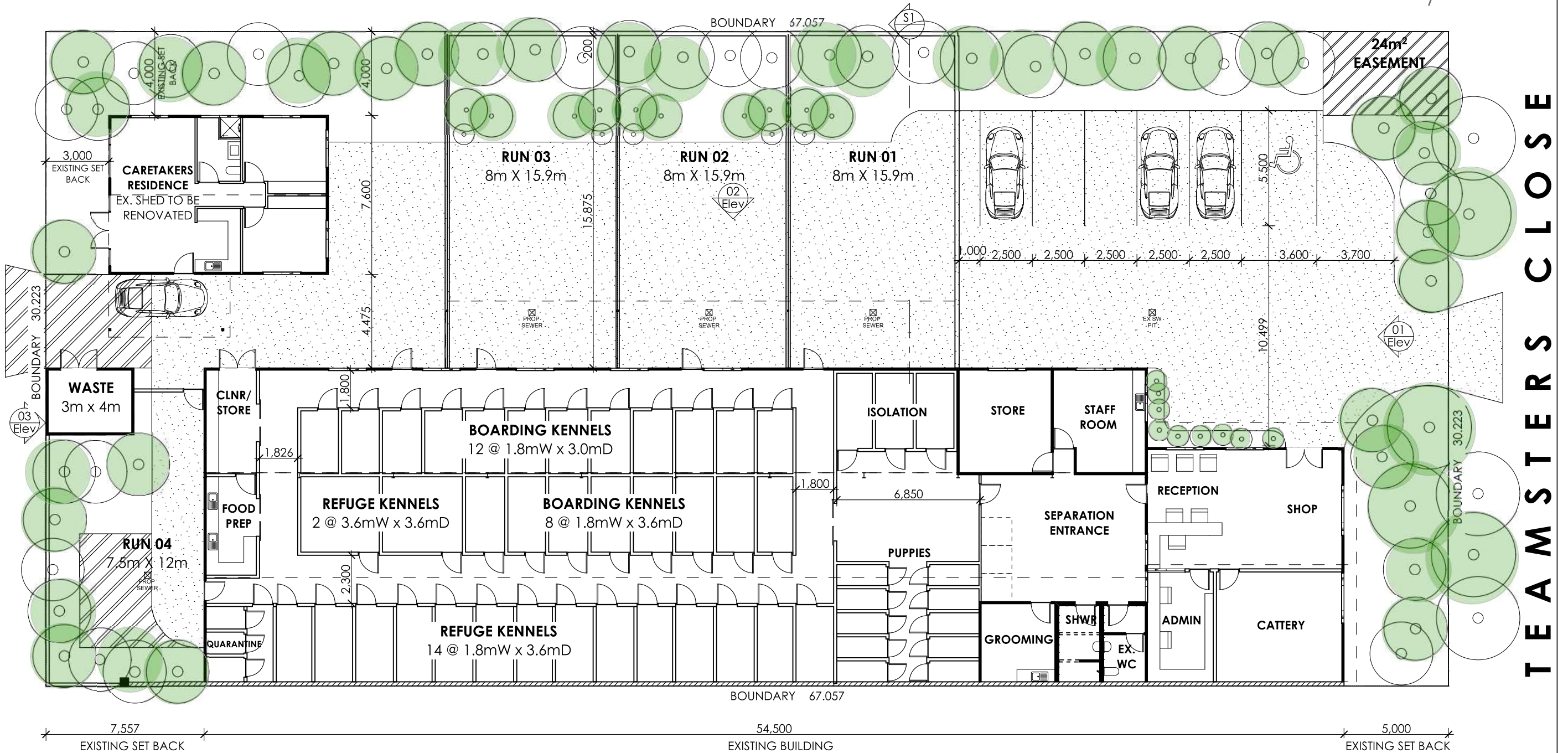


Elev 03  
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Elev 02  
1:200

OWEN STREET



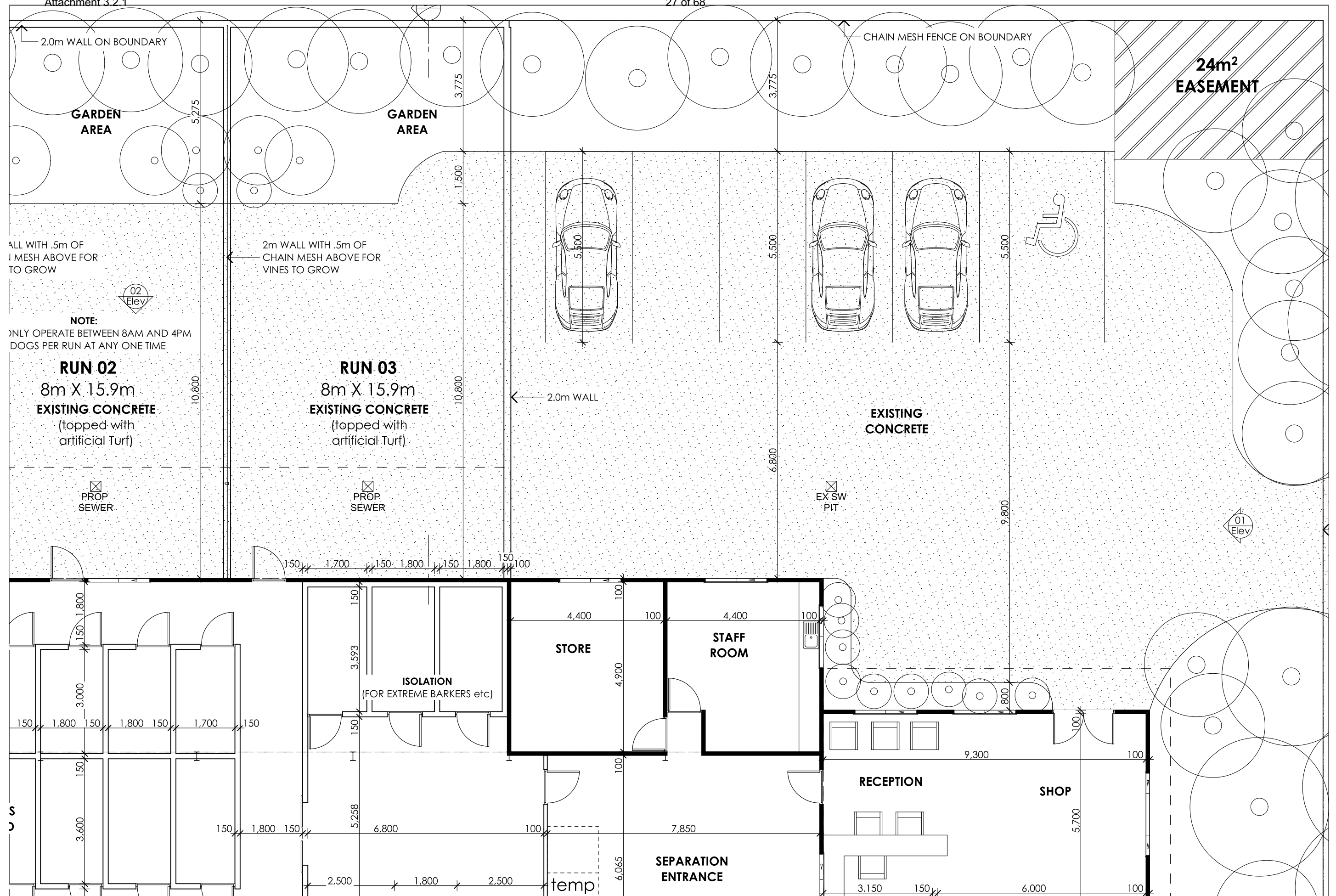
SITE PLAN  
1:200

TEAMSTERS CLOSE

CONCEPT PLANS

REV F  
A3 SHEET  
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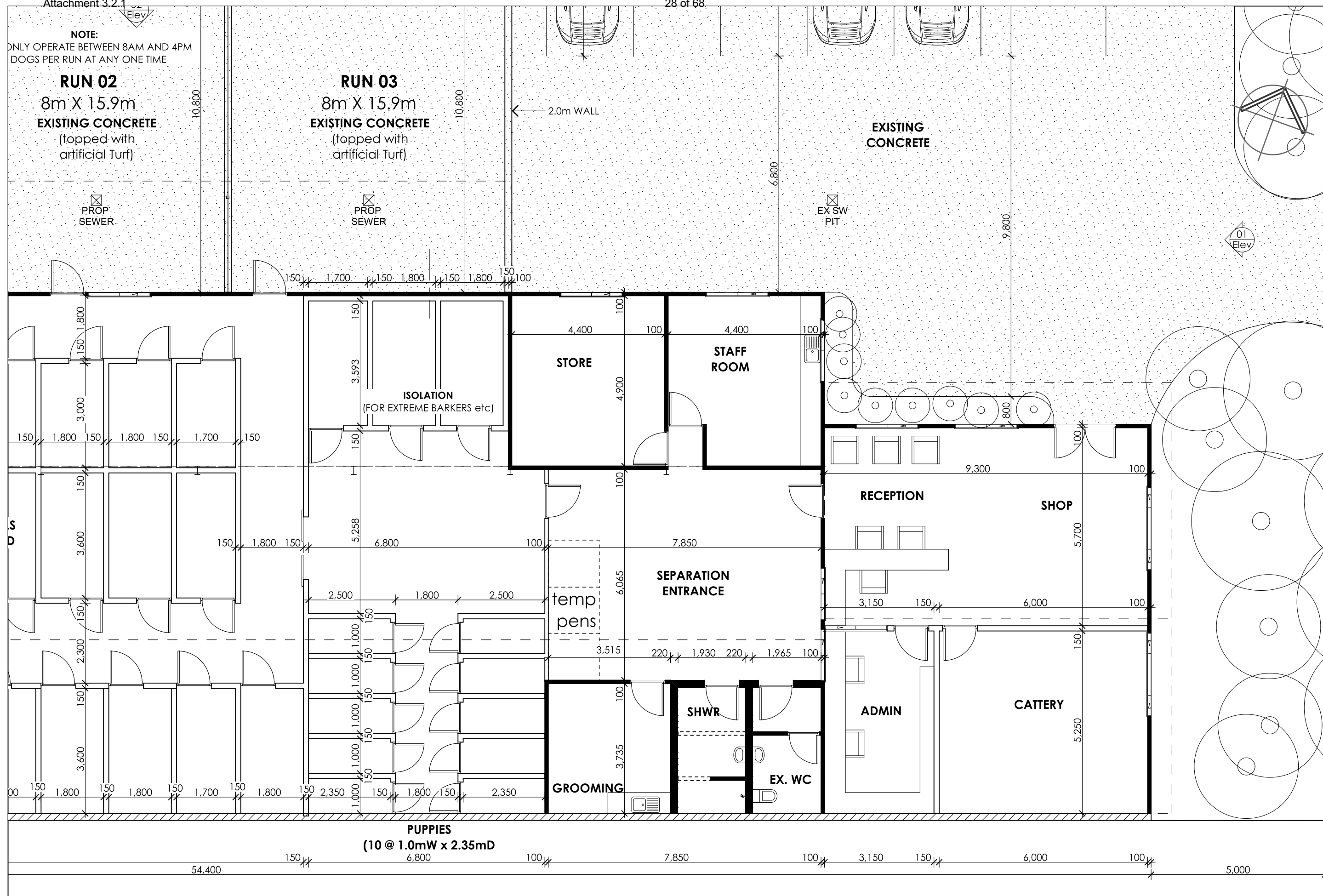




**NOTE:**  
ONLY OPERATE BETWEEN 8AM AND 4PM  
DOGS PER RUN AT ANY ONE TIME

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

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



FLOOR PLAN 2/4

1:100

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

Special Council Meeting - 6 September 2018

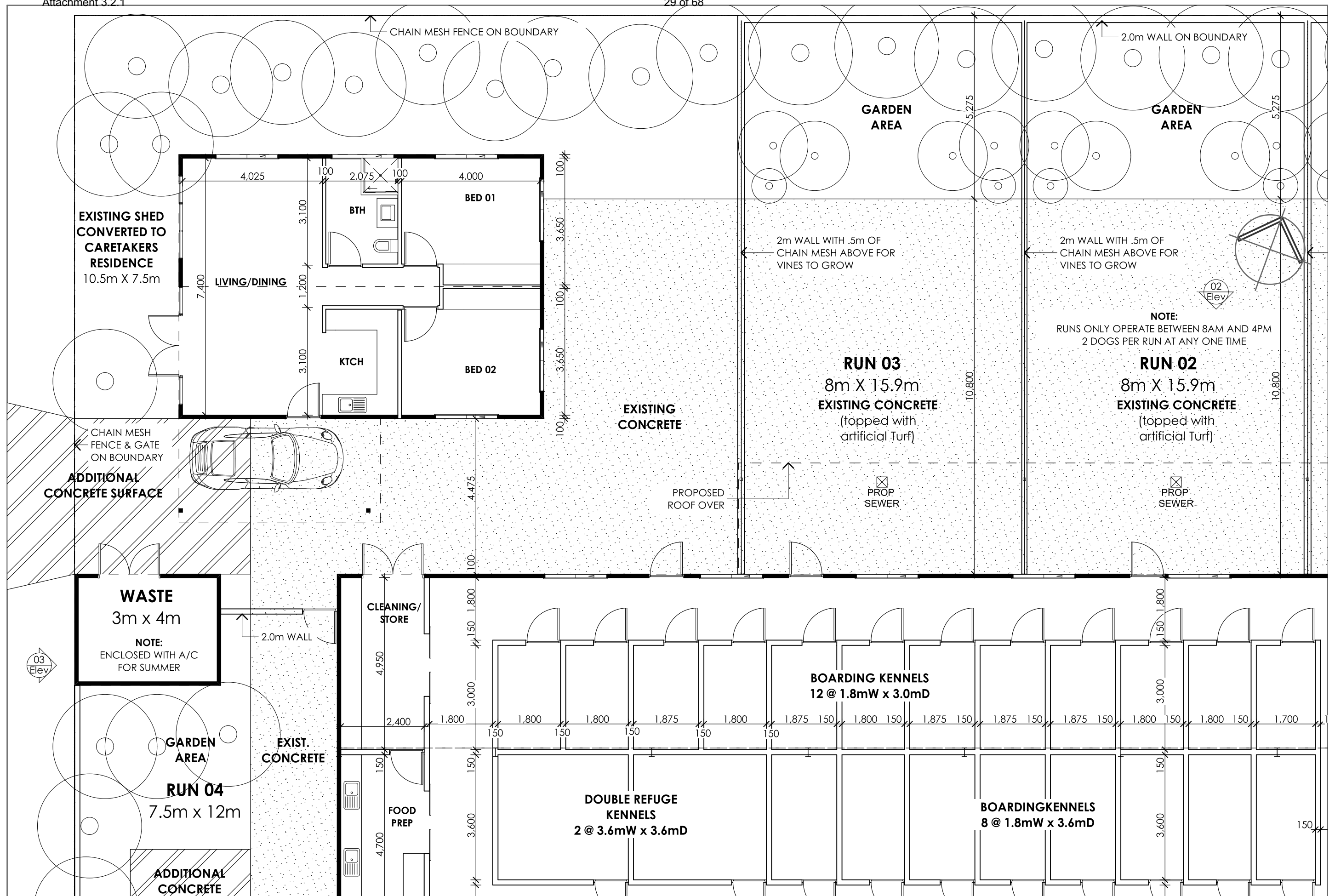
(LOT 10 on RP 804923) 8 TEAMSTERS CLOSE, CRAIGLEE QLD

PAWS &amp; CLAWS SHELTER

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

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FLOOR PLAN 3/4  
1:100

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

Special Council Meeting - 6 September 2018

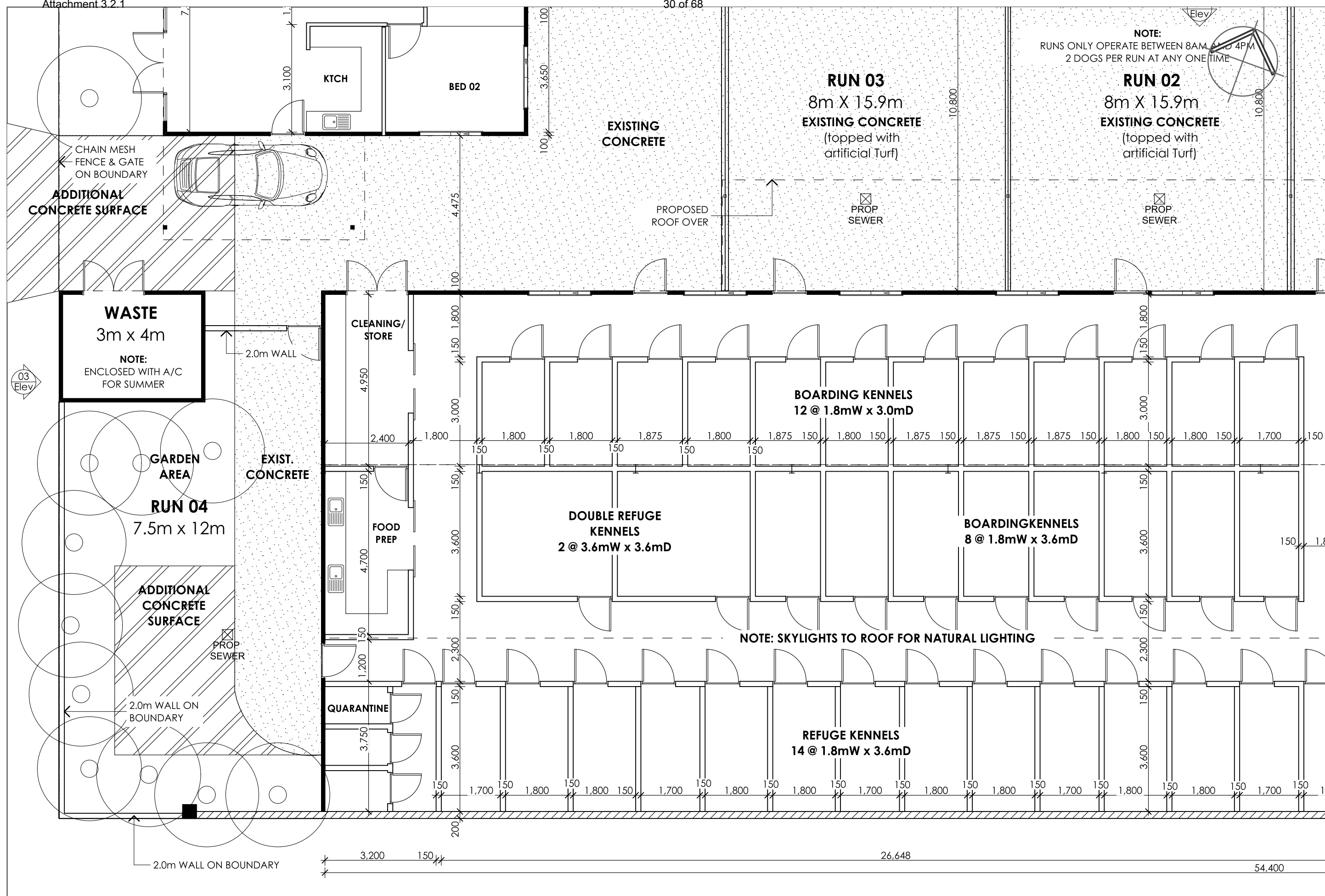
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4/07/2018

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FLOOR PLAN 4/4  
1:100

**P R O P O S E D R E N O V A T I O N S**  
(LOT 10 on RP 804923) 8 TEAMSTERS CLOSE, CRAIGLEE QLD  
**PAWS & CLAWS SHELTER**

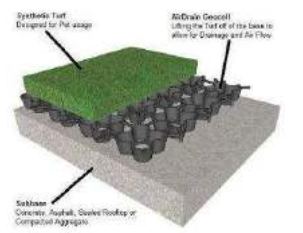
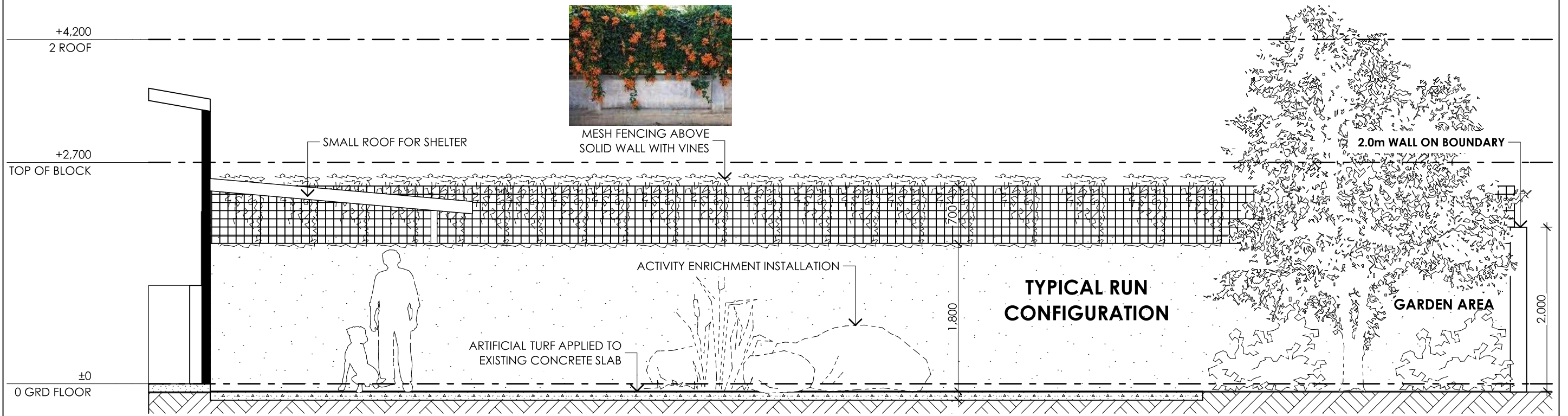
Special Council Meeting - 6 September 2018

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

2.3





ARTIFICIAL TURF



ACTIVITY ENRICHMENT INSTALLATIONS



TYPICAL PUPPY ENCLOSURES



TYPICAL DOG ENCLOSURES



TYPICAL DOG ENCLOSURES



TYPICAL DOG ENCLOSURES



Proposed Animal Shelter  
6-8 Teamsters Close  
Craigie

ACOUSTIC REPORT



**Client:**

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

**Reference:**

*2018205 R01F 6-8 Teamsters Close Craigie ENV*

**Date Issued:**

30<sup>th</sup> August 2018

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Date	Revision	Author	Reviewer
28/06/2018	R01A	Paul Lonard	Greg Pearce
3/07/2018	R01C	Paul Lonard	Greg Pearce
17/08/2018	R01D	Greg Pearce	Greg Pearce
27/08/2018	R01F	Greg Pearce	Greg Pearce

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## 1. Introduction

The following revised 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, Craigie. The revised report addresses Schedule 1, Part 1A of Douglas Shire Council's preliminary approval for the development (Ref: MCUI 2711/2018 (866422)). To facilitate the assessment, unattended noise monitoring and attended measurements were conducted in the vicinity of nearby sensitive receivers to determine the criteria and compliance of onsite activities.

## 2. Site Description

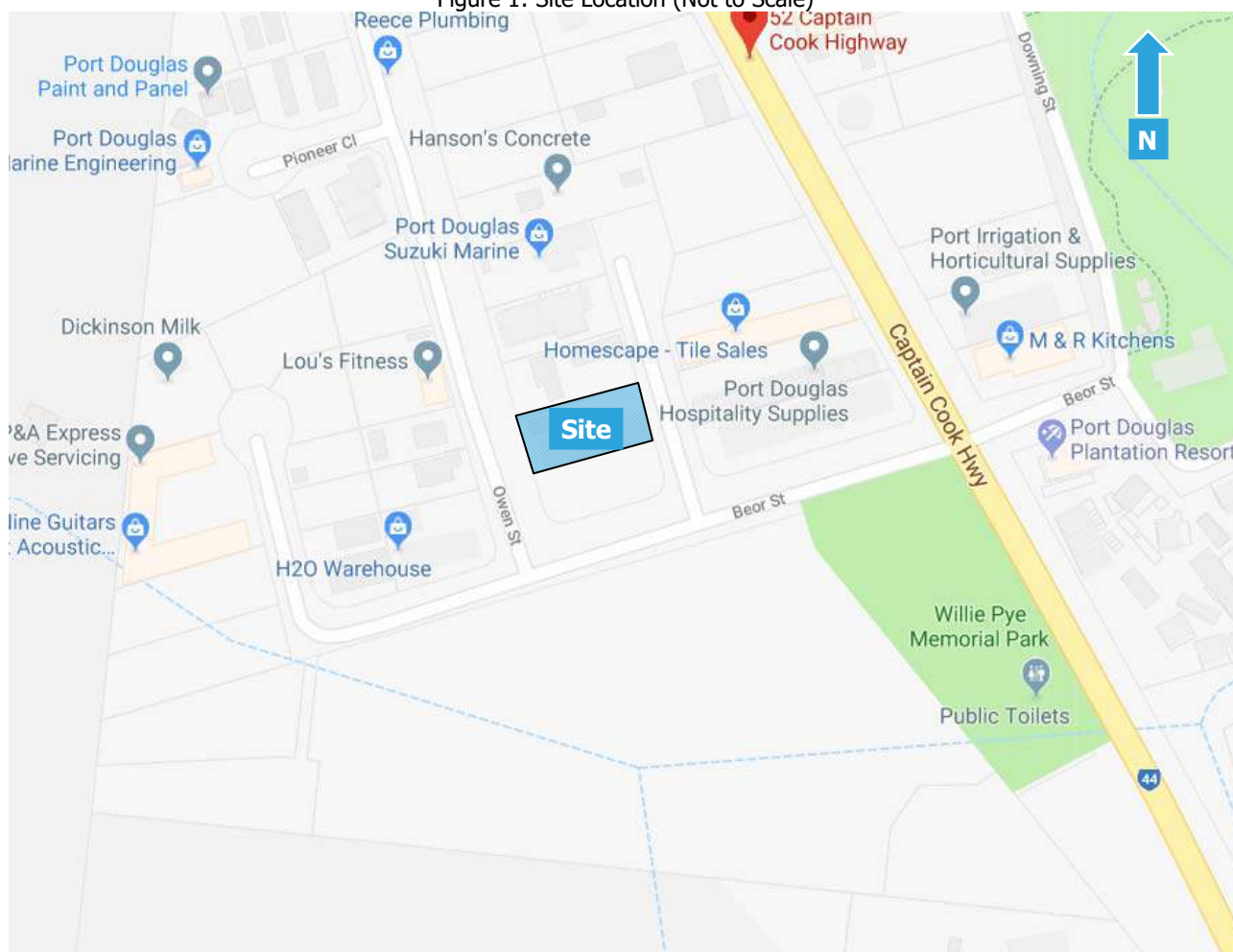
### 2.1 Site Location

The site is described by the following:

6-8 Teamsters Close, Craigie  
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 with an Origin Energy gas depot located on the southern boundary.
- c) Teamsters Close bounds the site to the south, separating the development from commercial land uses.
- d) Owen Street bounds the site to the north, separating the development from commercial land uses.

During the site survey a number of caretaker's residences were identified in proximity to the site and were considered in the assessment.

## 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 one 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 area, grooming, administration, staff and store rooms.

Dog runs will be provided adjacent to the northern and western façades of the animal shelter building for use 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
- Norsonic NOR140 Sound Level Meter
- BSWA Technology Co. Ltd Sound Calibrator

The Rion NL42 Environmental Noise Monitor and Norsonic NOR140 Sound Level Meter hold current NATA Laboratory Certification and were 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 sensitive receiver locations were identified as follows;

1. A single storey residential dwelling is located to the west at 52 Ramsey Road.
2. The Plantation Resort consists of two storey unit buildings and is located to the east at 1 Boer Street.
3. A 2 storey dwelling is located to the southeast at 5903 Captain Cook Highway.
4. A caretaker's residence is located adjacent the northern site boundary at 10-12 Teamsters Close.
5. Commercial and light industrial uses are located on the eastern side of Teamsters Close.
6. A caretaker's residence is located adjacent to the east at 9-11 Teamsters Close.
7. Commercial and light industrial uses are located on the western side of Owen Street.

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. In addition, Douglas Shire Council has requested that surrounding commercial and caretaker's properties are also included in the assessment (Ref: MCUI 2711/2018 (866422)). 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 (1 Boer Street) 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 caretaker's dwelling on Monday 18<sup>th</sup> of June 2018 between 12:45pm 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.

### 5.3 Measured Offsite Activity Noise Levels

To determine the the bark dB noise levels, data and acoustic analysis is based on assessments previously carried out over 7 days for a facility containing 60 dogs. The kennel was of combined masonry and lightweight wall construction, as well as sections open to the exterior. The measurements were taken in the direction of open mesh fence side to provide 'worst-case' scenario'.

The noise was measured using two noise loggers set up at distances of 3m and 20m respectively from the open face of the kennels. The noise monitors were set to measure in 15 minute periods and the highest average maximum 15 minute results determined for each of the time periods. Noise levels were then converted to provide a 'source' noise level at equivalent distance of 1m.

Calculated source noise levels for 60 dogs based on the measured levels are as follows;

Table 3: Equivalent source noise levels due to 60 dogs

Time period	Source noise pressure level dB(A) @1m
	Leq
Day	96
Evening	92
Night	86

Noise levels are then adjusted to allow for 38 mature dogs as proposed;

Table 4: Equivalent source noise levels due to 38 dogs

Time period	Source noise pressure level dB(A) @1m
	Leq
Day	94
Evening	90
Night	84

These noise levels were used for the basis of the analysis.

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

Table 5: 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
Commercial and retail activity (indoors)	When the activity is open for business	45	-	-

#### 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 6.

Table 6: 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



Receivers																																										
1. 52 Ramsey Rd 2. Plantation Resort, 1 Captain Cook Highway. 3. 5903 Captain Cook Highway 4. Caretaker 10-12 Teamsters Cl. 5. Commercial Teamster Cl 6. Caretakers 9-11 Teamsters Cl. 7. Commercial Owen St																																										
Description	Source Leg=1m dB(A)	Corrected dB(A)*	No. of events per 1hr Day	No. of events per 1hr Eve	No. of events per 1hr Night	Duration per event	Distance (m)	No Barrier (height (m))	Barrier screening dB	Building TL or shield dB	Topo screening dB	Dist atten. -6dB/did	L <sub>eq</sub> adj.1hr ext. dB(A) Day	L <sub>eq</sub> adj.1hr int. dB(A) Day	L <sub>eq</sub> adj.1hr ext. dB(A) Eve	L <sub>eq</sub> adj.1hr int. dB(A) Eve	L <sub>eq</sub> adj.1hr ext. dB(A) Night	L <sub>eq</sub> adj.1hr int. dB(A) Night	LA10 adj.1hr ext. dB(A) Day	LA10 adj.1hr int. dB(A) Day	LA10 adj.1hr ext. dB(A) Eve	LA10 adj.1hr int. dB(A) Eve	LA10 adj.1hr ext. dB(A) Night	LA10 adj.1hr int. dB(A) Night	LA1 adj.1hr ext. dB(A) Day	LA1 adj.1hr int. dB(A) Day	LA1 adj.1hr ext. dB(A) Eve	LA1 adj.1hr int. dB(A) Eve	LA1 adj.1hr ext. dB(A) Night	LA1 adj.1hr int. dB(A) Night	Amenity											
																															LAeq Compliance				LA10 Compliance				LA1 Compliance			
																															Day/eve	Day/eve	Night indoor	Night outdoor	Day/eve	Day/eve	Night indoor	Night outdoor	Day/eve	Day/eve	Night indoor	Night outdoor
Criteria																																	50	35	30	55	40	35	65	45	40	
Car door closure	75	2	77	20	20	4	2	22	-5				-27	25	5	25	5	18	8						31	11	31	11					Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Car passby	69	69	20	20	4	15	26		-5				-28	25	5	25	5	18	8						30	10	30	20	30	20			Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Car start	74	2	76	20	20	4	2	22	-5				-27	25	5	25	5	18	8						31	11	31	21					Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Dog kennel 38 dogs (day)	94	2	96	4			900	24		-29			-39	19						40	20				45	25							n/a	Yes	n/a	Yes	n/a	Yes	n/a	Yes	n/a	
Dog kennel 38 dogs (eve)	90	2	92		4		900	24		-29			-38		35	15												6					n/a	Yes	n/a	Yes	n/a	Yes	n/a	Yes	n/a	
Dog kennel 38 dogs (night)	84	2	86			4	900	24		-29			-28				29	19				1					6			6			n/a	Yes	n/a	Yes	n/a	Yes	n/a	Yes	n/a	
2 Dogs, Dog run 1	92	2	94	4			900	19	-20		-5	-26	43	23					44	24					49	29							Yes	Yes	n/a	Yes	n/a	Yes	Yes	n/a		
2 Dogs, Dog run 2	92	2	92	4			900	14	-20		-5	-23	44	24					45	25					50	30							Yes	Yes	n/a	Yes	n/a	Yes	n/a	Yes	n/a	
2 Dogs, Dog run 3	92	2	94	4			900	14	-20		-5	-23	46	26					47	27					52	32							Yes	Yes	n/a	Yes	n/a	Yes	Yes	n/a		
2 Dogs, Dog run 4	92	2	92	4			900	30	-20		-5	-30	37	17					38	18					43	23							Yes	Yes	n/a	Yes	n/a	Yes	Yes	n/a		
Total													50	30	36	16	30	20	51	31					56	36	35	15	30	20			Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Criteria																																	45									
Car door closure	75	2	77	20	20	4	2	38					-32	25	5	25	5	18	8						31	11	31	11					n/a	Yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
Car passby	69	69	20	20																																						

As the surrounding commercial properties are also air conditioned, the 20dB reduction from outside to inside was also applied to Receivers 5 & 7.

## 7.1.2 Background Creep

The noise source levels and predicted levels at the residential receiver locations (Receivers 1-4 & 6) are shown as follows;

Table 9: Background Creep Noise Levels, 15min

Receiver	Description	Receivers																L <sub>Aeq</sub> 15 min Compliance		
		1. 52 Ramsey Rd 2. Plantation Resort, 1 Captain Cook Highway. 3. 5903 Captain Cook Highway 4. Caretaker 10-12 Teamsters Cl. 5. Commercial Teamster Cl 6. Caretakers 9-11 Teamsters Cl. 7. Commercial Owen St																Day	Eve	Night
		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	Distance (m)	No Barrier (height (m))	Barrier screening dB	Building TL or shield dB	Topo screening/absorption dB	Dist atten. @ 6dB/dd	L <sub>Aeq</sub> adj., T ext. dB(A) Day	L <sub>Aeq</sub> adj., T ext. dB(A) Eve	L <sub>Aeq</sub> adj., T ext. dB(A) Night			
1	Criteria																	54	43	35
	Car door closure	75	2	77	5	5	1	2	254					-49	8	8	1	Yes	Yes	Yes
	Car passby	69		69	5	5	1	15	254					-48	10	10	3	Yes	Yes	Yes
	Car start	74	2	76	5	5	1	2	254					-49	7	7		Yes	Yes	Yes
	Dog kennel 38 dogs (day)	94	2	96	1				900	230		-20		-48	28			Yes	n/a	n/a
	Dog kennel 38 dogs (eve)	90	2	92		1			900	230		-20		-48		24		n/a	Yes	n/a
	Dog kennel 38 dogs (night)	84	2	86			1		900	230		-20		-48			18	n/a	n/a	Yes
	2 Dogs, Dog run 1	92	2	94	1				900	247		-7		-48	39			Yes	n/a	n/a
	2 Dogs, Dog run 2	92		92	1				900	238		-7		-48	37			Yes	n/a	n/a
	2 Dogs, Dog run 3	92	2	94	1				900	232		-7		-48	39			Yes	n/a	n/a
2 Dogs, Dog run 4	92		92	1				900	215		-7		-47	38			Yes	n/a	n/a	
Total														44	25	19	Yes	Yes	Yes	
2	Criteria																	54	43	35
	Car door closure	75	2	77	5	5	1	2	206					-47	10	10	3	Yes	Yes	Yes
	Car passby	69		69	5	5	1	15	206					-46	12	12	5	Yes	Yes	Yes
	Car start	74	2	76	5	5	1	2	206					-46	10	10	3	Yes	Yes	Yes
	Dog kennel 38 dogs (day)	94	2	96	1				900	226		-20		-47	29			Yes	n/a	n/a
	Dog kennel 38 dogs (eve)	90	2	92		1			900	226		-20		-47		25		n/a	Yes	n/a
	Dog kennel 38 dogs (night)	84	2	86			1		900	226		-20		-47			19	n/a	n/a	Yes
	2 Dogs, Dog run 1	92	2	94	1				900	224		-7		-47	40			Yes	n/a	n/a
	2 Dogs, Dog run 2	92		92	1				900	232		-7		-47	38			Yes	n/a	n/a
	2 Dogs, Dog run 3	92	2	94	1				900	240		-7		-48	39			Yes	n/a	n/a
2 Dogs, Dog run 4	92		92	1				900	255	2	-10		-48	34			Yes	n/a	n/a	
Total														44	26	20	Yes	Yes	Yes	
3	Criteria																	54	43	35
	Car door closure	75	2	77	5	5	1	2	296					-50	7	7		Yes	Yes	Yes
	Car passby	69		69	5	5	1	15	296					-49	9	9	2	Yes	Yes	Yes
	Car start	74	2	76	5	5	1	2	296					-49	7	7		Yes	Yes	Yes
	Dog kennel 38 dogs (day)	94	2	96	1				900	275		-20		-49	27			Yes	n/a	n/a
	Dog kennel 38 dogs (eve)	90	2	92		1			900	275		-20		-49		23		n/a	Yes	n/a
	Dog kennel 38 dogs (night)	84	2	86			1		900	275		-20		-49			17	n/a	n/a	Yes
	2 Dogs, Dog run 1	92	2	94	1				900	290		-10		-49	35			Yes	n/a	n/a
	2 Dogs, Dog run 2	92		92	1				900	290		-10		-49	33			Yes	n/a	n/a
	2 Dogs, Dog run 3	92	2	94	1				900	290		-10		-49	35			Yes	n/a	n/a
2 Dogs, Dog run 4	92		92	1				900	285	2	-10		-49	33			Yes	n/a	n/a	
Total														40	24	18	Yes	Yes	Yes	
4	Criteria																	54	43	35
	Car door closure	75	2	77	5	5	1	2	22		-5			-27	25	25	18	Yes	Yes	Yes
	Car passby	69		69	5	5	1	15	26		-5			-28	25	25	18	Yes	Yes	Yes
	Car start	74	2	76	5	5	1	2	22		-5			-27	25	25	18	Yes	Yes	Yes
	Dog kennel 38 dogs (day)	94	2	96	1				900	24		-25		-28	43			Yes	n/a	n/a
	Dog kennel 38 dogs (eve)	90	2	92		1			900	24		-25		-28		39		n/a	Yes	n/a
	Dog kennel 38 dogs (night)	84	2	86			1		900	24		-25		-28			33	n/a	n/a	Yes
	2 Dogs, Dog run 1	92	2	94	1				900	19	-20	-5	-26	42				Yes	n/a	n/a
	2 Dogs, Dog run 2	92		92	1				900	14	-20	-5	-23	44				Yes	n/a	n/a
	2 Dogs, Dog run 3	92	2	94	1				900	14	-20	-5	-23	46				Yes	n/a	n/a
2 Dogs, Dog run 4	92		92	1				900	30	-20	-5	-30	37				Yes	n/a	n/a	
Total														50	40	34	Yes	Yes	Yes	
6	Criteria																	54	43	35
	Car door closure	75	2	77	5	5	1	2	36					-32	25	25	18	Yes	Yes	Yes
	Car passby	69		69	5	5	1	15	32					-30	28	28	21	Yes	Yes	Yes
	Car start	74	2	76	5	5	1	2	36					-31	25	25	18	Yes	Yes	Yes
	Dog kennel 38 dogs (day)	94	2	96	1				900	65		-20		-36	40			Yes	n/a	n/a
	Dog kennel 38 dogs (eve)	90	2	92		1			900	65		-20		-36		36		n/a	Yes	n/a
	Dog kennel 38 dogs (night)	84	2	86			1		900	65		-20		-36			30	n/a	n/a	Yes
	2 Dogs, Dog run 1	92	2	94	1				900	54	-14		-35	44				Yes	n/a	n/a
	2 Dogs, Dog run 2	92		92	1				900	63	-14		-36	42				Yes	n/a	n/a
	2 Dogs, Dog run 3	92	2	94	1				900	71	-14		-37	43				Yes	n/a	n/a
2 Dogs, Dog run 4	92		92	1				900	91		-10		-39	43			Yes	n/a	n/a	
Total														50	37	31	Yes	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 internal acoustic quality objectives for proposed onsite caretakers residence 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 22 dB(A) would be required to satisfy the criteria, refer to Section 8 for further recommendations.



## 8. Recommendations

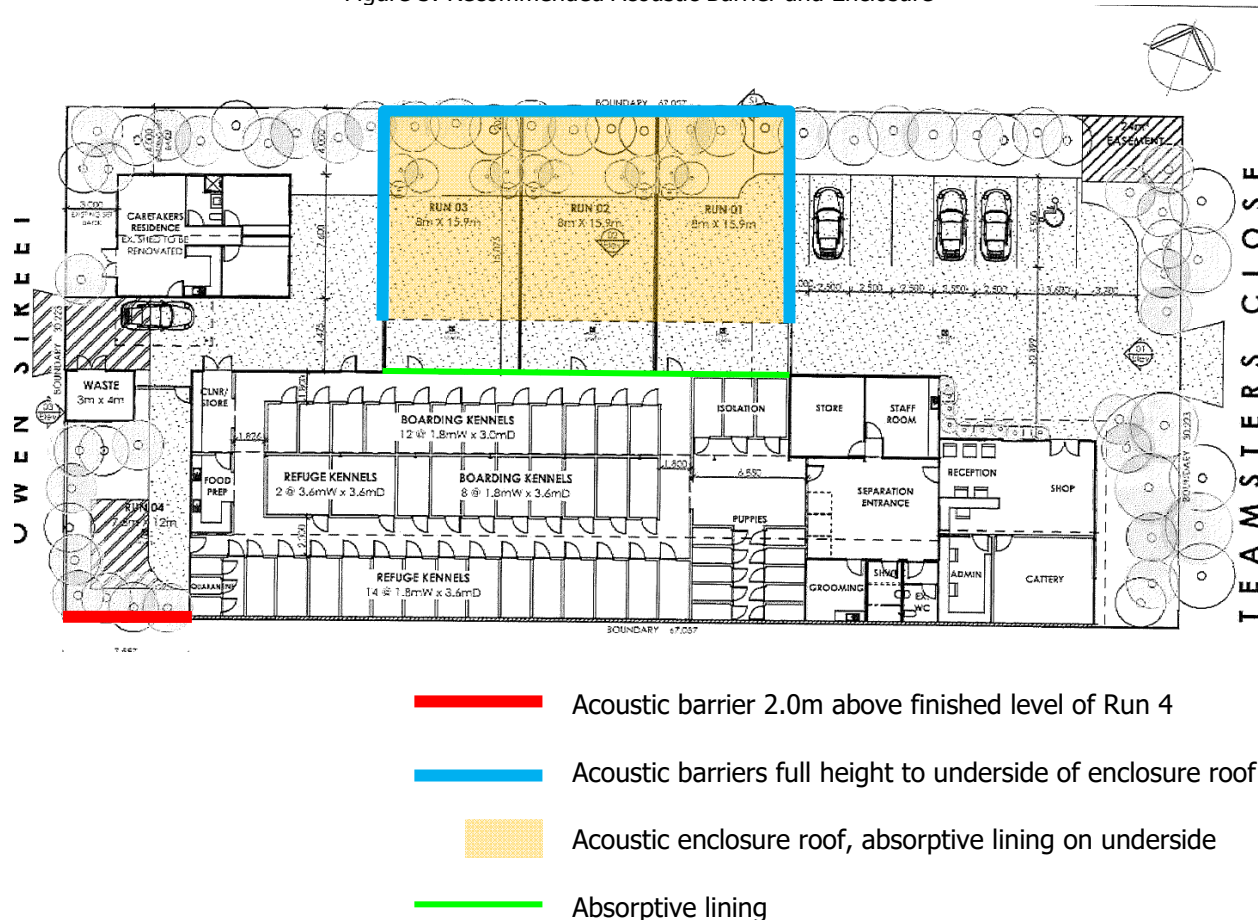
### 8.1 Acoustic Barrier/Enclosure and Absorptive Lining

To reduce noise from the external dog runs at sensitive receivers, acoustic barrier and partial enclosures are recommended to be constructed along the southern and northern boundaries nominated in Figure 3.

The acoustic barrier and roof shall be constructed using materials that achieve a minimum surface density of  $10\text{kg/m}^2$ . 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 barrier and enclosure should be free of gaps and holes.

Absorptive linings are recommended to be installed on the underside of the enclosure roof and along part of the northern facade of the existing shed, as shown in Figure 3. The lining on the shed façade should commence approximately 750mm above ground level and continue to the height of the enclosure roof. The lining is to use 50mm thick Autex AAB32-50 insulation with a density of  $32\text{kg/m}^3$  faced with perforated FC backed with a minimum open area of 11%. The lining to the underside of the roof will cover the entire area (light fitting's exempt) and shall utilise foil faced insulation similar to 50mm thick Anticon insulation or Autex AAB32-50.

Figure 3: Recommended Acoustic Barrier and Enclosure





## 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 external dog runs are limited to the daytime period (8am-4pm), 7 days per week.

## 8.3 Building Treatments

### 8.3.1 Caretaker's Residence

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 walls 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, maintain a minimum cavity of 100mm.

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

### 8.3.2 Boarding Kennel Shed

To achieve a suitable level of amenity for onsite activity to offsite receivers, we recommend the upgrading the boarding kennel shed as follows:

- If not already existing, upgrade the external sheet metal walls and roof to include an internal lining spaced a minimum of 75mm of the sheet metal using 6mm FC with 75mm thick 14kg/m<sup>3</sup> polyester insulation in the resulting wall cavity.
- All access doors of the boarding kennel shed are required to be a minimum 40mm solid core doors with full perimeter and drop seals with the gap at the base of the doors to be a maximum of 5mm.
- Upgrade all façade glazing of the boarding kennel shed to a minimum thickness of 10.38 laminate glass with acoustic seals (e.g. Q-lon or an equivalent product, mohair seals are not acceptable), the installed system shall achieve a minimum Rw 34.

### 8.3.3 Alternative Ventilation

We recommend that the animal shelter shed and all habitable rooms of the caretaker's residence 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 Onsite 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 as nominated in 6.1.2. 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, Craiglie. The assessment has considered all onsite activities associated with the proposal 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 detailed in Section 6.

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

Report prepared by



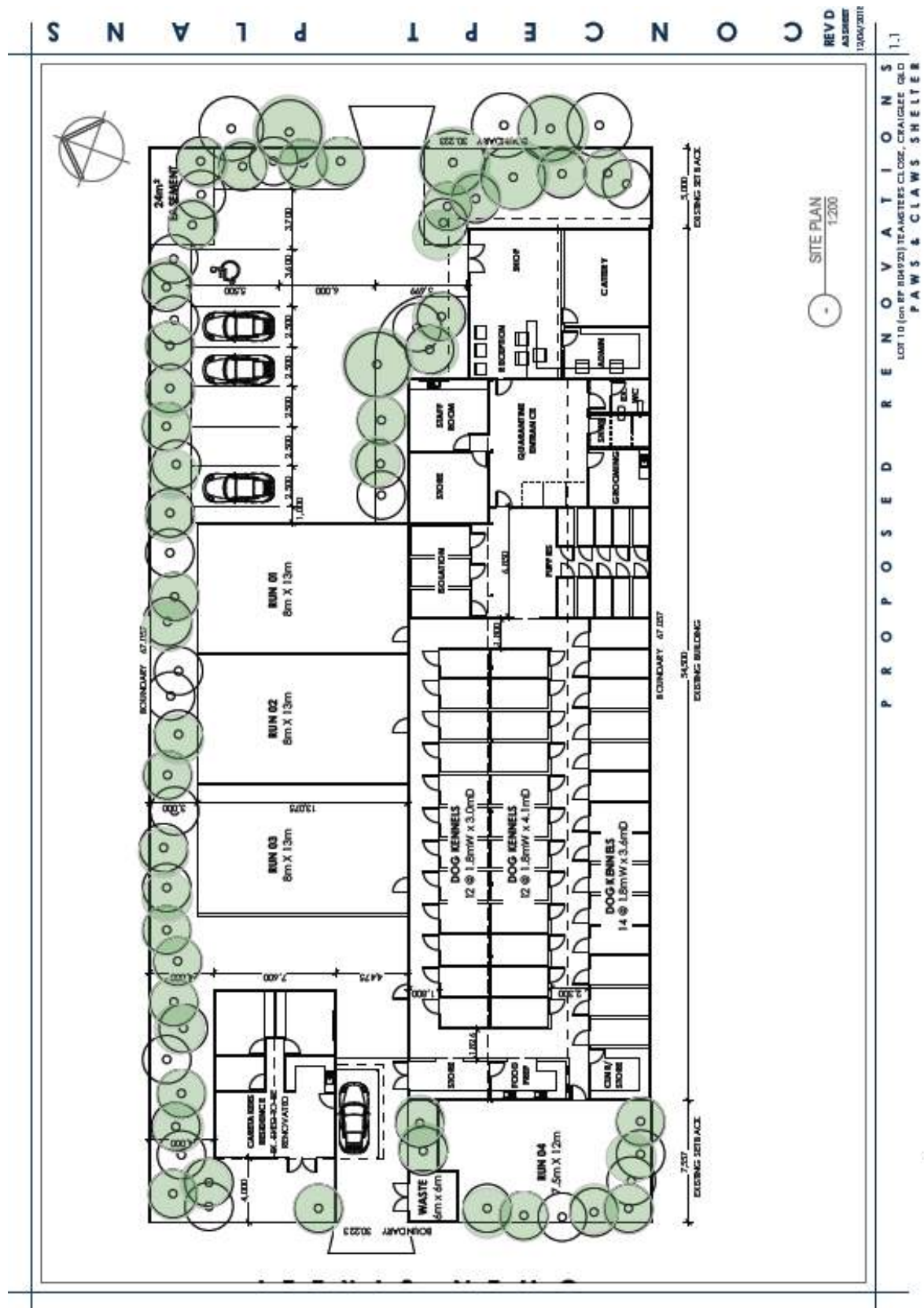
**GREG PEARCE B.Eng (Mech)**

Director

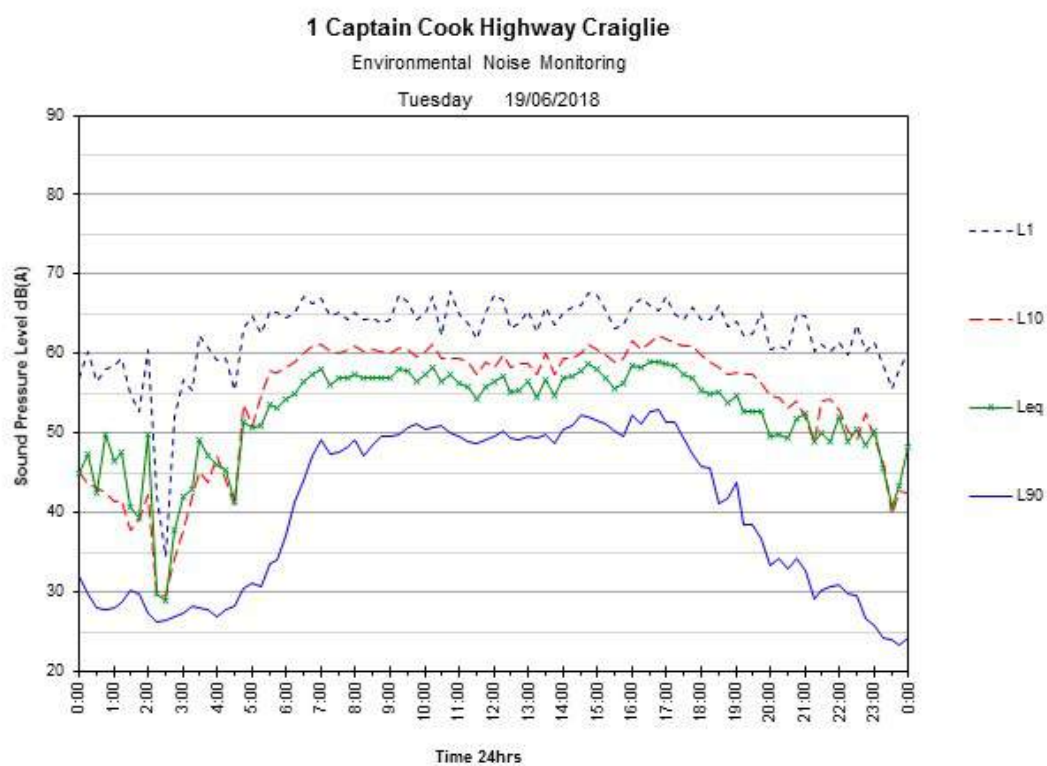
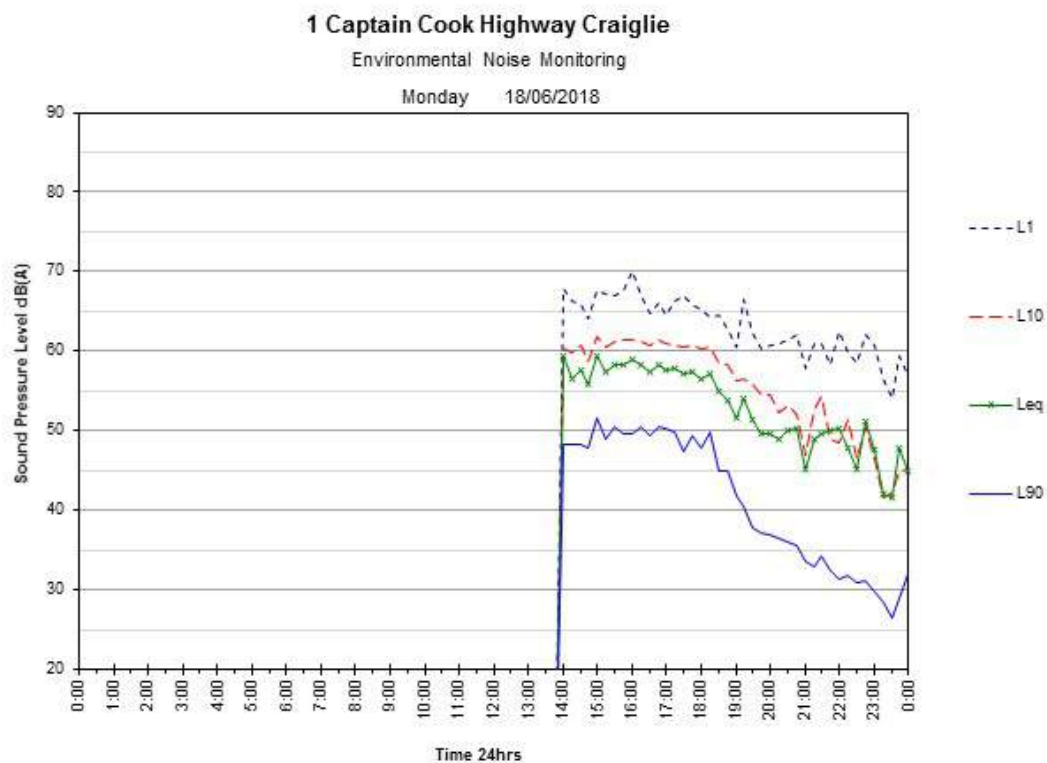
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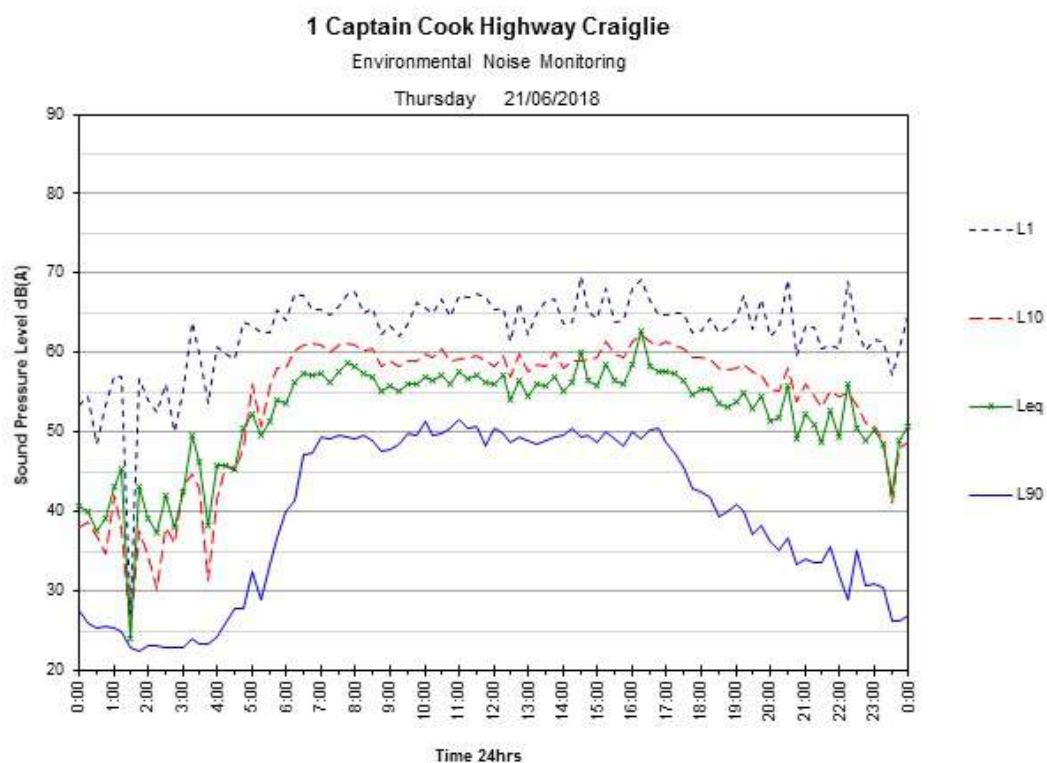
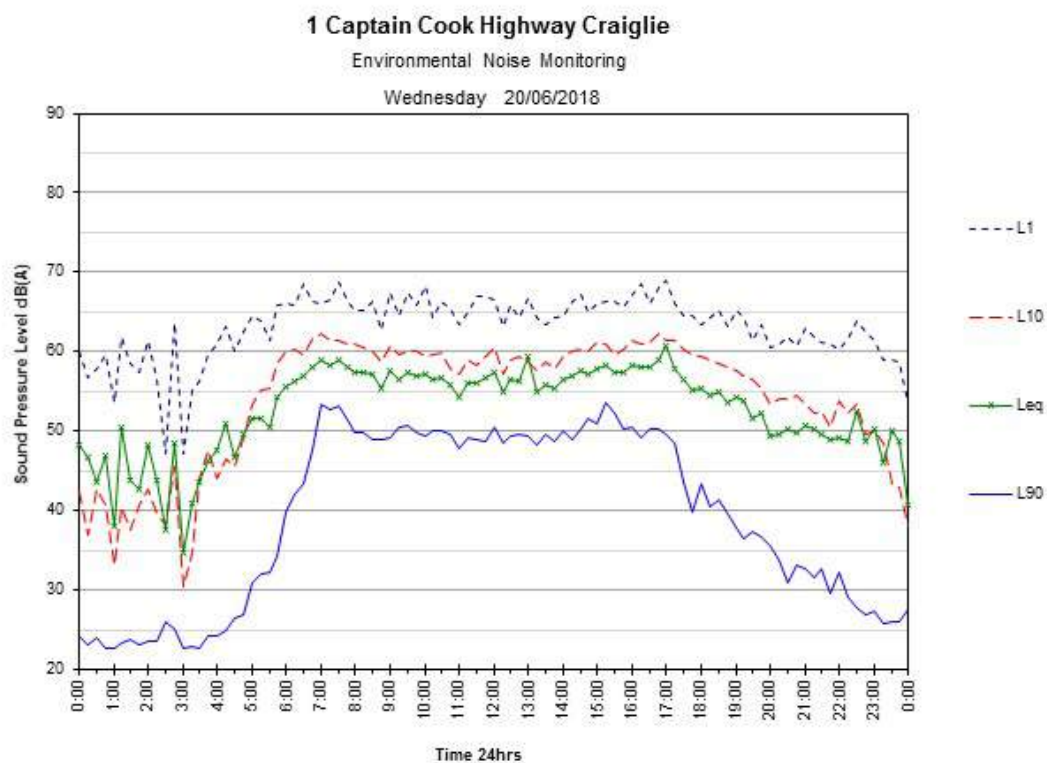
## 10. Appendices

## 10.1 Development Plans

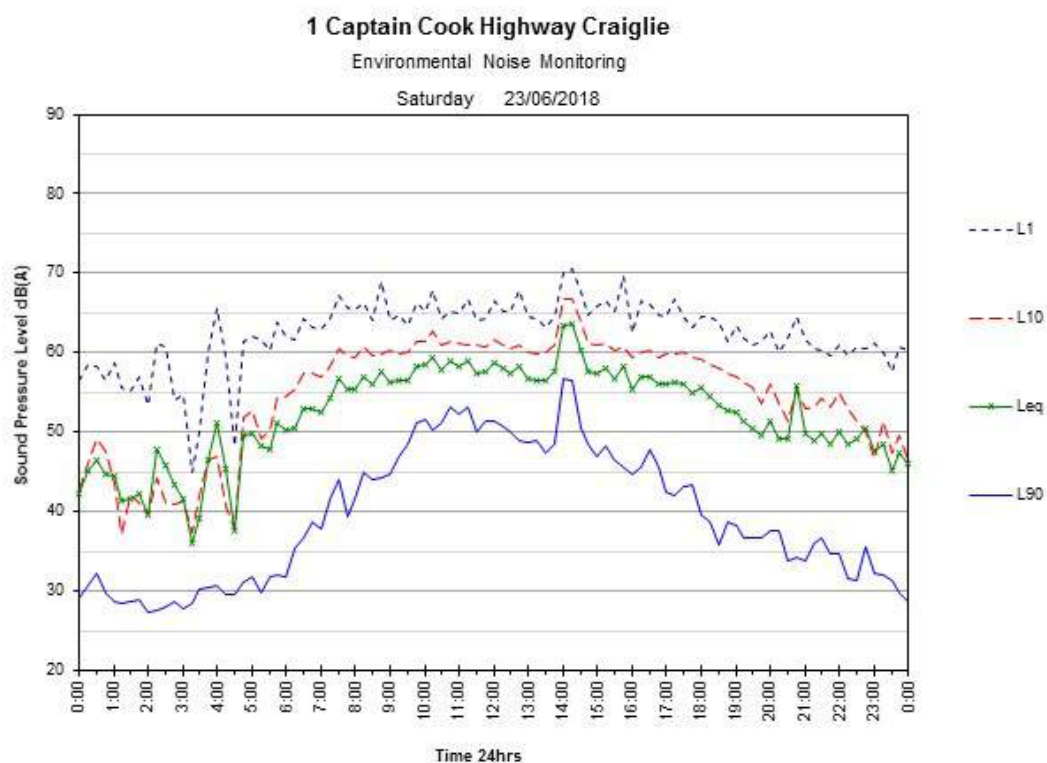
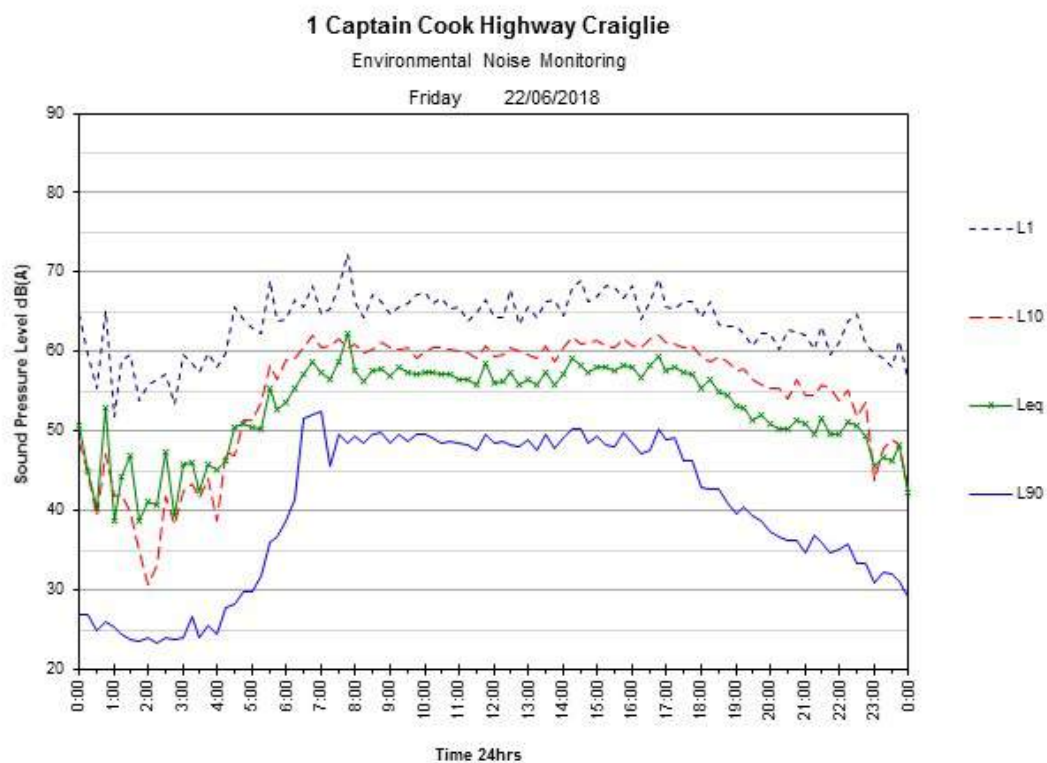


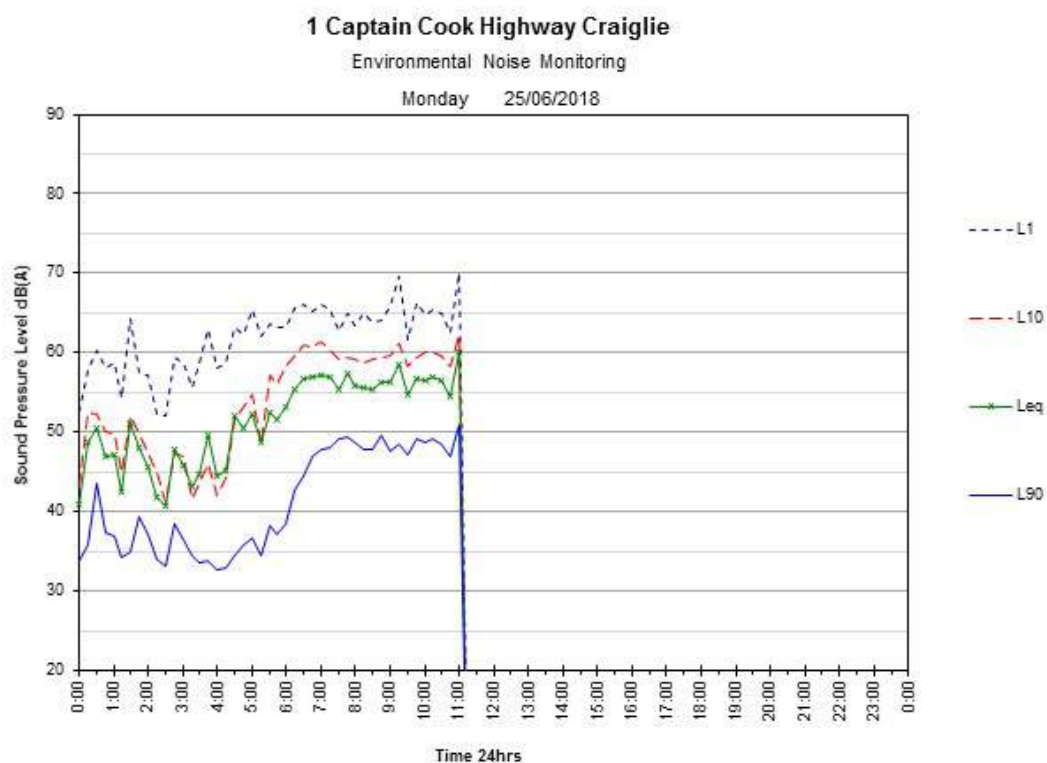
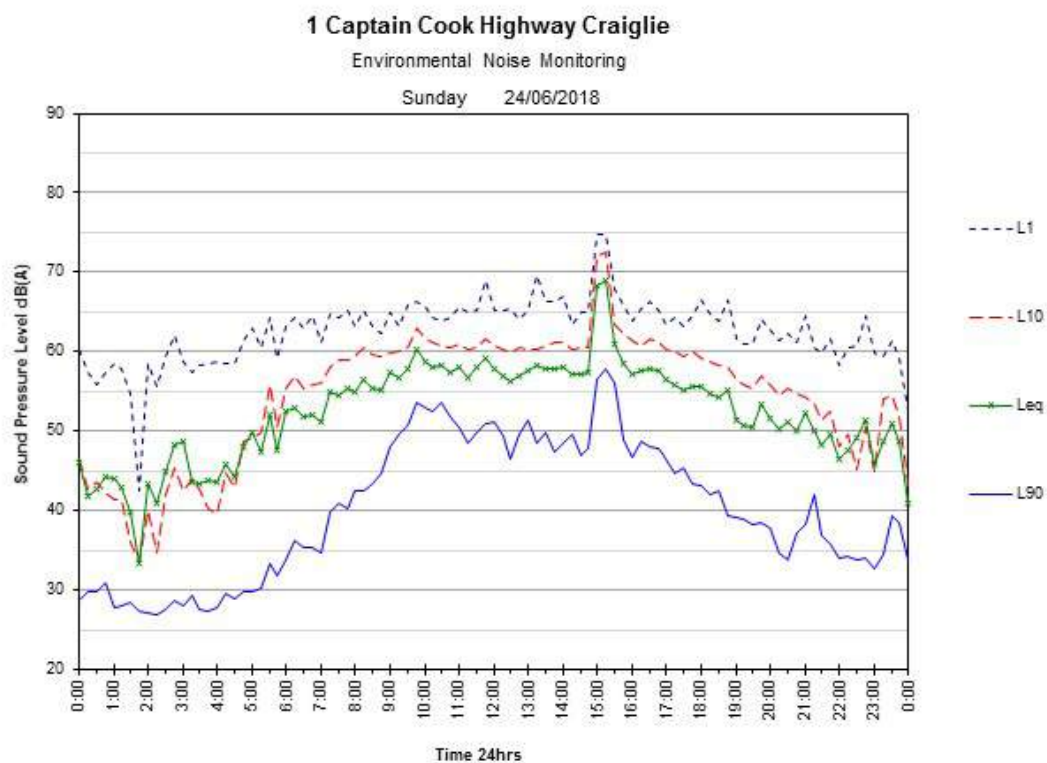
## 10.2 Noise Monitoring Charts













27 August 2018

Reference: 2018205 L02A 6-8 Teamsters Close Craiglie ENV RFI Response

Neil Beck  
Douglas Shire Council  
64-66 Front Street  
Mossman

RE: 6-8 Teamsters Close, Craiglie ENV – Request for Further Information

---

The following letter is in response to Douglas Shire Council's information request in relation to the development application for the proposed animal shelter at 6-8 Teamsters Close, Craiglie. In relation to the acoustic issues raised we provide the following response;

Council Request

1. The noise profile of the existing industrial estate which contains a mix of light industry and commercial service / office type uses; This has not been done. The noise measurements taken for the original report taken adjacent and on the other side of the Captain Cook Highway is not adequate to meet this condition. It is measuring traffic noise outside the estate. The condition required an understanding of the noise profile in and around the existing estate. From discussions with the author this morning, the noise measurements taken onsite in June 2018 are being relied upon. However this noise monitoring was taken for a duration of 30 minutes and doesn't contain background noise levels for day evening or night?

Response

The proposed site is located in an industrial area highly affected by extraneous noise source associated with the existing businesses; therefore any logging would be highly affected by existing activities within the area and not provide accurate criteria for all parties. To allow an accurate assessment, noise logging was undertaken away from the industrial activities at the nearest residential receivers behind an acoustic barrier, providing screening from the road which would further reduce noise levels. All noise monitoring was conducted in accordance with Australian Standard AS1055 (parts 1 to 3) and the relevant state policies. The monitoring location was selected for 2 reasons, it eliminated extraneous industrial noise sources from the assessment and provided a conservative background levels for use in determining the EPP2008 Background Creep criteria.

If noise logging within the industrial site was used to establish the criteria, the measured levels could be challenged due to the monitor proximity to industrial, highly affected by extraneous noise and not representative of the existing environment. This was further confirmed during the site investigation when it was observed that extraneous noise associated with the existing industrial and commercial was clearly present.

In accordance with the Environmental Protection Noise Policy 2008 assessment requirements for the existing commercial, industrial and caretakers residence, the criteria nominated in (EPP2008) Acoustic Quality Objectives was utilised to determine compliance. In addition the background creep criteria from the noise logging was utilised to establish an external criteria for existing caretakers residences.

Council Request

2. The generation of noise associated with the proposed use; This is an estimation based on bark dB levels. I discussed with the author of the report as to why noise levels decrease at night and evening when compared to day. At the time, this was acknowledged by the author who advised this was an error and would be amended in the revised report. This has remained unchanged and there is no explanation why noise levels are lower at evening and night times. The chosen dB levels for dogs needs to be explained as they differ to other reports reviewed.

Response

To clarify the levels used and the reduction in the bark dB noise levels, data and acoustic analysis is based on assessments previously carried out over 7 days for a facility containing 60 dogs. The kennel was of combined masonry and lightweight wall construction, as well as sections open to the exterior. The measurements were taken in the direction of open mesh fence side to provide 'worst-case' scenario'.

The noise was measured using two noise loggers set up at distances of 3m and 20m respectively from the open face of the kennels. The noise monitors were set to measure in 15 minute periods and the highest average maximum 15 minute results determined for each of the time periods. Noise levels were then converted to provide a 'source' noise level at equivalent distance of 1m.

Calculated source noise levels for 60 dogs based on the measured levels are as follows;

Table 1: Equivalent source noise levels due to 60 dogs

Time period	Source noise pressure level dB(A) @1m
	Leq
Day	96
Evening	92
Night	86

Noise levels are then adjusted to allow for 38 mature dogs as proposed;

Table 2: Equivalent source noise levels due to 38 dogs

Time period	Source noise pressure level dB(A) @1m
	Leq
Day	94
Evening	90
Night	84

These noise levels were used for the basis of the analysis.

Council Request

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; There is no assessment of existing attenuation treatments in the shed which was relied upon in the development application. The purpose of this condition was to have this investigated and assessed so any additional noise attenuation treatments can supplement what exists now.

The additional dB reduction for the nearby care takers for inside levels based on this residence being an enclosed air conditioned building is noted. It is unreasonable to expect that the caretaker must have the place air conditioned 24/7 or otherwise be subject to noise impacts. Further explanation / details is required to address or qualify what the impact may be. There are no noise monitoring results of the existing conditions for the caretaker present.

#### Response

The existing shed construction and the proposed caretakers residence was taken in account, with specific upgrades specified in the acoustic report in relation to the minimum structural upgrades detailed in section 8.3 of the report.

In regards to the assumed 20dB reduction as noted in the report, this has only been applied to the caretaker's residence during the daytime period when the surrounding area is active; we have assumed during the night time period that windows and doors will be open. This assumption was made on the basis that observations onsite showed that levels of extraneous noise were present during the daytime period at the offsite caretaker's residences. If the report assumed that windows and doors were open, then compliance would still be achieved with the EPP2008 Background Creep criteria, with only a minor exceedance of the acoustic quality objectives during the daytime period, note the surrounding activities would also not comply.

#### Council Request

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. Recommendations are noted for the shed and caretakers.

#### Response

The existing shed construction of the kennel and the proposed caretakers residence was taken into account, with specific upgrades specified in the acoustic report in relation to the minimum structural upgrades as detailed in section 8.3 of the report.

#### Council Request

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 tonal correction (2dB) is not explained but appears low). Dog barking would lean towards impulsive noise and have a higher annoyance factor. Dog barking is also intrusive and particularly distracting. It is unlike steady background noise such as traffic. It is suspected that the ambient noise level in the light industrial area is very low in the evening and at night but we have no background measurements. The house in Ramsey Road would likely have an even lower background noise in the evening and at night. The physical sound qualities of dog barking and psychological factors aren't considered. The barking noise is being introduced to an area and to receptors (people) who do not have that type of sound impacting on them at the

moment. Any barking heard will be a new intrusive sound and likely be particularly annoying.

Response

All treatment requirements are detail in section 8 of the acoustic report with the tonal corrections in accordance with AS1055.

In regards to the impacts at Ramsay Road, during the night period are predicted to occur at 25dB(A) externally, 8 dB below the current criteria and 15dB(A) below the internal criteria. Further noise reduction can be achieved by installing absorptive lining within the kennels, which could further reduce noise impact by 5dB with noise impacts predicted to comply at all residential receivers.

Further Comments

Although the kennel has been designed to comply at all receivers, this does not mean noise impacts associated with dogs barking will be inaudible, onsite management will be required to manage the kennel in addition to the acoustic treatments nominated. To design the kennel to be inaudible, noise levels would need to be 10dB below the existing background levels. Consideration is required of the existing area, the area is zoned industrial and as such the proposed kennel should have the same criteria as applied as other industries in the area.

In regards to the impacts to commercial and industrial receivers, the predicted impacts contained within the report show even at the closest location, dog barking will occur at levels 10-15dB below normal conversation (65dB(A) at 1 metre) for the external areas. This level will be further reduced over distance and internally with an additional 10-20dB reduction from standard construction depending on whether the business operates with doors and windows closed.

The report provided has shown the proposed kennel can achieve predicted compliance with the council assessment requirements nominated in the EPP2008 at the neighbouring receivers. If further noise reduction are required above those normally accepted for other industrial businesses, then council may want to consider financing the extra works to achieve the requirements above those normally applied to similar operations. If required the design can be further upgraded to achieve further noise reduction not required under the current planning scheme.

We trust this information meets your current requirements. If you should have any further queries, please do not hesitate to contact us.

Yours faithfully,



**GREG PEARCE B.Eng (Mech)**

Director

acousticworks)))

30 August 2018

Reference: 2018205 L03A 6-8 Teamsters Close Craiglie Supporting Information

Neil Beck  
Douglas Shire Council  
64-66 Front Street  
Mossman

RE: 6-8 Teamsters Close, Craiglie ENV – Supporting Information

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The following letter is in response to Douglas Shire Council's request for supporting information in relation to the development application for the proposed animal shelter located at 6-8 Teamsters Close, Craiglie. The purpose of the document is to provide clarification in relation to the proposal and provide clarification in relation to noise issues raised by the complainants in support of the current application.

### Background Information

From discussion with council officers and the applicants for the development approval, the previous animal shelter resulted in numerous complaints regard the operation of the centre due to dogs barking, eventually resulting in the closure of the shelter. Discussions regarding the previous centre clearly indicate that noise issues arose due to the lack of acoustic design for the attenuation of dogs barking to sensitive receivers including the fact the shelter was not designed to maintain the acoustic amenity within the area.

Acoustic Works has been involved in the assessment and design of many dog kennels over the past years, from experience we know that unless specific criteria and detailed assessment is undertaken, most kennels are simply designed to fail. This results from the operator not considering the amenity of the occupants in the area. For an animal shelter or dog kennel to be successful, they must operate in a manner that minimises noise impacts to sensitive receiver in the area including appropriate acoustic design as required.

### Criteria

Currently Douglas Shire Council does not have specific noise criteria relating to the operation of dog kennels or shelters, this is not unusual for smaller council who simply don't have the expertise, funding or the resources of large councils to implement such policies. Douglas Shire Council realising this has been proactive in utilising state planning policies, the purpose of the state policies is to provide criteria to maintain the acoustic amenity and assessment requirements. It should also be noted that a number of Councils including Cairns, Townville, Gold Coast to name a few have implemented the same policy due to the high level assessment requirements required. Furthermore most legal cases refer to the State Policies to set the minimum noise criteria in regards to disputes.

Referenced in Council's planning scheme is the *Environmental Protection (Noise) Policy 2008*, the policy provides specific criteria for the assessment of noise in relation to all sensitive receivers including industrial, commercial and residential. The EPP (Noise) 2008 has 2 parts that consider not only the existing ambient noise levels, but specific internal assessment requirements to guarantee a level acoustic amenity. In addition the document reference other state policies which outlines how the assessment process will take place, measurement procedures and allows standards for noise to be put in place if ever complaints are received.

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### Acoustic Assessment

Acoustic Works was engaged by the Homeless Animal Society and Boarding Kennels Inc. to conduct an environmental noise assessment of a proposed animal shelter located at 6-8 Teamsters Close, Craiglie. Understanding that this shelter was a major issues of contention for occupant of the area, the detailed assessment consider not only residential receiver but the existing business and caretakers residences in the area. The assessment was based on noise monitoring, EPP (Noise) 2008 internal and external criteria to determine compliance of the operation.

The assessment determined that unless specific design upgrades were implemented, the shelter would exceed the EPP (Noise) 2008 criteria at sensitive receivers. Once this was determined, the buildings and dog runs were acoustically designed to allow compliant operation and to maintain a reasonable level of amenity in the area. The first part was consideration of the dog runs based on the dogs barking continually, although unlikely to occur the worst case must be consider with barriers and lined enclosure designed to reduce noise impacts to compliant levels.

Hours were limited for the dog runs with the existing buildings for the kennel significantly upgraded to maintain the acoustic amenity during the evening and night periods. The full recommendations are provided in the Acoustic Works (ref: 2018205 R01F 6-8 Teamsters Close Craiglie ENV) in section 8 of the report which also includes specific upgrades to walls, roof, doors and glazing.

### Clarification of Noise Impacts

Acoustic Works was informed of major concerns of occupants in the industrial area, specifically noise due to the dogs barking impeding the ability to conduct business and cause annoyance. To put this into perspective we provide the following points:

- At the nearest location within the industrial estate from all dogs barking, noise impacts are predicted to be 15dB(A) below the levels of normal conversation outside.
- All noise impacts are predicted to occur at levels of less that 30dB(A) at the nearest internal commercial receiver locations, usually the background levels within office spaces are 35-45dB(A).
- The impact of dogs barking at the existing residential receivers at 52 Ramsey Road and The Plantation Resort during the evening and night time is predicted to be inaudible on the condition the recommendation in the acoustic report are implanted.

To provide perspective of the worst possible noise impacts from the kennel, a car passby is 75dB(A), conversation is 65dB(A) and a truck idling is 84dB(A) with impacts from the shelter predicted to be 15dB(A) below.

### Safeguards for Sensitvie Receviers

Obviously there are concerns that once the development is approved, the occupants of the industrial estate and residents in the area will have no rights, this couldn't be further from the truth. The purpose of the Development Approval is to establishment specific noise criteria and safeguards for the animal shelter including operation controls, any approval will set out the minimum requirements to be required to complied with. This will include complying with the recommendations of the acoustic report, the EPP (Noise) 2008 criteria at

sensitive receives (commercial, industrial and residential) and a final inspection to prove they have implemented all recommendations.

This is not the end of the process either; if noise complaints are received the shelter would be required to conduct a compliance noise assessment by an acoustic consultant to prove they comply, if they are found to exceed the criteria the issues would require rectification. Failure to comply with the assessment requirements could result in heavy fines and closure of the centre.

The Development Approval of the animal shelter is only the first step and establishes safeguards for future operation with a high level of consideration on the existing occupants of the area and their amenity. After the approval, further detailed design will be undertaken with certification to ensure the proposal has been constructed in accordance with all DA requirements.

We trust this information meets your current requirements. If you should have any further queries, please do not hesitate to contact us.

Yours faithfully,



**GREG PEARCE B.Eng (Mech)**

Director

acousticworks)))



## ATTACHMENT 3 - NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS AND SUMMARY OF MATTERS RAISED IN SUBMISSIONS AND RESPONSE IN MAKING DECISION

### ASSESSMENT BENCHMARKS

Assessment Benchmark	Reasons for approval despite non-compliance with benchmark
<b>Industry zone code</b>  AO2.1 Building and structures are setback 6 metres from road frontages.	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.
<b>Animal keeping code</b>  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.	The proposal represents a new model in which the boarding of animals takes place.  The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.  Conditions of approval also require additional measurements be undertaken with respect to the existing background noise to establish pre and post development conditions in order to appropriately address noise emissions.
The use is setback in accordance with Table 9.3.1.3.b, as follows:  -For kennels and cattery Road frontages – min. of 50 metres  Side and rear	The proposal represents a new model in which the boarding of animals takes place.  The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.  Conditions of approval also require additional measurements be undertaken with respect to the existing background noise to establish pre and post development conditions in order to appropriately address

boundaries- min. of 15 metres	noise emissions.
<p><b>Environmental Performance code</b></p> <p>AO2.1- Development does not involve activities that would cause noise related environmental harm or nuisance;</p> <p>or</p> <p>AO2.2 Development activities do not cause noise related environmental harm or nuisance;</p> <p>or</p> <p>Through the use of materials noise emissions do not adversely impact on adjacent uses.</p>	<p>The proposal represents a new model in which the boarding of animals takes place.</p> <p>The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.</p> <p>Conditions of approval also require additional measurements be undertaken with respect to the existing background noise to establish pre and post development conditions in order to appropriately address noise emissions.</p>

## **SUBMISSIONS – DESCRIPTION OF MATTERS RAISED IN THE SUBMISSION & HOW MATTERS WERE CONSIDERED IN MAKING THE DECISION**

### 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.**

### 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.**

### Response

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

The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.

**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.**

### Response

The above comments are noted and the submission raises valid issues. However these comments do not takeaway that the original Acoustic Report lodged with the Development Application didn't address noise attenuation properties of the building or impacts on neighbouring or surrounding properties.

The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.

Conditions of approval also require additional measurements be undertaken with respect to the existing background noise to establish pre and post development conditions in order to appropriately address noise emissions.

#### 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.**

#### 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 it is acknowledged that a Caretaker is identified as a sensitive land use under the State Planning Policy.

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.*

Despite Caretaker's Accommodation is not being included in the above list, the decision to approve the development has given due regard to potential noise levels emanating from the site and the impacts this may have on the adjoining property. The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.

In relation to the residential amenity experienced by sensitive land uses to the east, west and south of the site, the revised Acoustic Report dated 30 August 2018 demonstrates that the proposed development will not adversely impact on sensitive land uses as defined by the Planning Scheme.

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 presented to Council on 31 July 2018.

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

This concern was initially shared by Council and for this reason a Preliminary Approval was issued.

The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.

Conditions of approval also require additional measurements be undertaken with respect to the existing background noise to establish pre and post development conditions in order to appropriately address noise emissions.

**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.**

#### 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.

**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.**

#### Response

The comments in relation to inadequate information with reference to sound attenuation and concerns over the impact on surrounding properties when the application was first submitted were agreed. For this reason a Preliminary Approval was issued requiring further investigation and clarification with regard to noise impacts on adjacent and nearby properties.

The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.



Conditions of approval also require additional measurements be undertaken with respect to the existing background noise to establish pre and post development conditions in order to appropriately address noise emissions.

The control of odour requires significant management measures. 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.**

#### Response

The amended plans lodged as part of the Information Request Response 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.

The revised Acoustic Report dated 30 August 2018 has expanded the investigation with respect to adjacent and nearby properties and has applied additional attenuation treatments to the proposed facility.

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 must 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.**

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.

	<b>2018 Douglas Shire Planning Schemes Applications</b>
<b>ADOPTED INFRASTRUCTURE CHARGES NOTICE</b>	

Paws & Claws		0	0
DEVELOPERS NAME		ESTATE NAME	STAGE
6 - 8 Teamsters Close		L 10 RP804923	
STREET No. & NAME	Craiglie	LOT & RP No.s	PARCEL No.
MCUI - Animal Keeping including Caretaker's Residence		MCUI 2711/2018	6
DEVELOPMENT TYPE		COUNCIL FILE NO.	VALIDITY PERIOD (year)
#870716		1	
DSC Reference Doc . No.		VERSION No.	

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & GL Code
<b>Rural Areas - Water Only</b>					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			<b>0.00</b>		
<b>Urban Areas - Water only</b>					
proposed	0	0.00	0.00		
	0	0.00	0.00		
existing	0	0.00	0.00		
Total			<b>0.00</b>		Code 895 GL 07500.0135.0825
<b>Urban Areas - Water &amp; Sewer</b>					
One Caretaker's Residence	1	10,479.00	10,479.00		
	0	0.00	0.00		
	0	0.00	0.00		
	0	0.00	0.00		
Total			<b>10,479.00</b>		
<b>TOTAL</b>			<b>\$10,479.00</b>		

Prepared by	Neil Beck	5-Sep-18	Amount Paid	
Checked by	D Lamond	5-Sep-18	Date Paid	
Date Payable				
Amendments				
Date				
			Receipt No.	
			Cashier	

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016*.

Charge rates under the current Policy are not subject to indexing.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)