

5.2. MATERIAL CHANGE OF USE FOR A FUNCTION CENTRE AT 188-190 TREZISE RD MOWBRAY

REPORT AUTHOR	Jenny Elphinstone, Senior Planning Officer
MANAGER	Paul Hoye, Manager Environment and Planning
DEPARTMENT	Environment and Planning
APPLICATION NO	MCUI 2020_3910/1
PROPOSAL	Material change of use for a Function facility in addition to the continuing use of a dwelling house on each lot.
APPLICANT	John and Joanne Wootten, C/- Eventcore, Mr Nick White 45 Owen St, Craiglie Qld 4877
LOCATION	188 - 190 Trezise Road Mowbray
PROPERTY	Lot: 115 on SP199697 and Lot 49 on N157479.
PLANNING SCHEME	2018 Douglas Shire Council Planning Scheme Version 1.0
ZONING	Rural Zone
LEVEL OF ASSESSMENT	Impact
PROPERLY MADE DATE	21 January 2021
STATUTORY ASSESSMENT DEADLINE	10 June 2021
REFERRAL AGENCIES	Not required.
LOCALITY	



Figure 1 – Locality Plan

RECOMMENDATION

That Council approves the development application for Material Change of Use Function facility in addition to the continuing use of a dwelling house on each lot over land described as 115 on SP199697 and Lot 49 on N157479, being 188-190 Trezise Road, Mowbray, subject to the following:

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 Layout	Lot 115 on SP199697 & Lot 49 on N157479 (Trezise Road, Mowbray), as prepared by the applicant and submitted to Council on 22 February 2021 (Council document 998018).	22 February 2021
Event Floorplan	As prepared by the applicant and submitted to Council on 22 December 2020 (Council document 989347).	22 December 2020

ASSESSMENT MANAGER CONDITIONS & ADVICES

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.

Limitation of Use

3. The Development Permit remains valid only while both Lot 115 on SP199697 and Lot 49 on Plan N157479 are both made available to accommodate the approved use. In the event circumstances change that result in either lot not being available to accommodate or be used for the approved use, the Development Permit has no force or effect.

Approved Use

4. Approval is granted for the purpose of a private functions, that are facilitated by Eventcore Pty Ltd (or another event company, that is a registered company under Commonwealth law, to the satisfaction of the Chief Executive Officer) or the landowner.

Events Management Plan

- 5. The applicant must submit a Function Facility Management Plan that outlines how functions will be managed including, but not limited to, matters such as parking, lighting, ablutions, noise, waste, health, service of food and beverages (including a copy of the associated food license held by a provider for the function) and safety (including crocodile management such as temporary fencing as is necessary). The Function Facility Management Plan must be submitted to the satisfaction of the Chief Executive Officer prior to Commencement of Use. The Function Facility Management Plan must be adhered to at all times during events.**

Location of the Function facility

- 6. The location of the Function facility area must be generally in the north-western portion of Lot 115 on SP199697 as detailed on the applicant's Site Plan, as submitted to Council on 22 February 2021 (Council document reference 998018). The use of the Function facility must not be undertaken beyond the property boundary and if necessary temporary fencing is to be provided to the northern property boundary to ensure attendees remain on the land.**

Availability of onsite management

- 7. When hosting an event, the owners of the property or their representative (which maybe the event company providing for the Function facility) must be present at all times to ensure the Development Permit and the nominated Function Facility Management Plan are complied with.**

The owner or their representative as the Function facility on-site manager is responsible for all persons on the premises (including all invited guests, hosts, employees, charter drivers and subcontractors) display an acceptable level of behaviour at all times.

The owner or their representative, who is attending the premises as the Function facility on-site manager, must make their telephone number available to nearby neighbours and Queensland Police (Port Douglas Station).

The owner or their onsite representative must manage any complaints immediately when a function occurs.

Maximum number of persons

- 8. While it is anticipated the average number of attendees (excluding Function facility employees) is 80 persons, the maximum number is limited to 150 persons at any one event. A maximum of 20 employees/sub-contractors associated with the function can attend the site at any one time.**

Function facility operations

- 9. The Function facility can only operate during either of the following times:**
 - a. Daytime function – between 10:00 am and ending by 5:30 pm and all persons attending the Function facility (excluding employees) must be transported off the premises by 6:00pm that day;**
 - b. After a daytime function all employees associated with the Function facility must depart the premises by 7:00pm and while attending and leaving and leaving must do so in a quiet manner;**
 - c. Evening function – between 2:30pm and ending by 10:30pm and all persons attending the Function facility (including employees) must be depart the premises by 11:00pm that evening;**

- d. **Function facility employees may attend the day prior to, during the day or the day after an evening function to setup and pack away equipment. At all such time the employees must behave in an orderly and quiet manner;**
- e. **Only one function (either an evening function or a daytime function) is to be held per day;**
- f. **A maximum of two (2) daytime functions and one (1) evening can be held each calendar month between and including the months of April to November; and**
- g. **No persons are permitted to stay on and either reside or camp on the premises other than the accommodation of persons associated with the established land use of House on each lot.**

Transport of attendees

- 10. **With the exception of disabled persons utilising self-drive or assisted driver transport, all persons attending the function (excluding employees and those who are residing on the premises) must be transported to and from the Function facility by a chartered bus. Attendees are to be transported to and from their place of accommodation.**

Onsite parking and access

- 11. **All vehicles associated with events must be contained onsite at all times generally in the area identified as the "Vehicle Carpark" on Lot 49 as detailed on the Site Plan. Parking of vehicles on Mowbray Road, Trezise Road or Spring Creek Road is not permitted.**

For access and parking areas a minimum of a solid ground cover must be provided and maintained to a satisfactory standard for the life of the approved use (e.g.- blue stone and gravel products) to the satisfaction of the Chief Executive Officer.

All access and egress to the property must only be from the existing constructed access point at the north-eastern vehicle access to Trezise Road (on Lot 49 on N157479. No access or egress is permitted at the access point opposite the intersection of Spring Creek Road.

Provide sufficient concrete aprons on the site to each lot vehicle access point of a minimum of 10 metres length and 3 metres width, to ensure wheel turn does not carry gravel onto the adjacent road, to the satisfaction of the Chief Executive Officer.

All pedestrian accesses within the premises must have either a sealed surface or a minimum full ground cover must be maintained at all times (e.g. a defined pedestrian walkway of gravel or grass) to the satisfaction of the Chief Executive Officer.

Sound emissions

- 12. **Sound emitting from the site from entertainment, music or related activities must not exceed a maximum noise level of no more than 5dB(A) above background when measured from the following points along the boundary:**
 - a. **at the western corner of the common boundary corner of Lot 115 on SP199697 and Lot 49 on N157479;**
 - b. **at the eastern vehicle entry to Trezise Road, just south of the common boundary corner of Lot 115 on SP199697 and Lot 49 on N157479;**

- c. at the south-eastern boundary of Lot 49 on N157479, opposite the intersection of Trezise and Spring Creek Roads.

No entertainment, music or related activity noise is to be emitted beyond the boundaries of the properties after 10:30pm.

Lighting

13. Lighting must not be directed toward nearby properties; and where applicable, shields and baffles must be installed on lighting to prevent spill onto adjoining properties.

Ablution Facilities

14. Sufficient toilets facilities with an adequate supply of toilet paper, potable water and soap must be provided for and maintained during each event.

Waste

15. Waste receptacles must be provided of sufficient number and size capable of containing the volume of waste produced on the premises during each event.

Waste generated during each event must be disposed of at an appropriate waste disposal facility.

Dust

16. Dust emissions or other air pollutants must not extend beyond the boundary of the site. Where dust can be seen extending beyond the boundary of the site, the event manager must immediately provide a directive to cease the activity, or immediately implement corrective actions to prevent activities from causing further dust movements beyond the property boundaries.

ADVICE

1. This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
4. The food and beverage providers at each event must hold relevant licenses and approvals under the *Queensland Food Act 2006*.
5. Despite condition 12, noise emanating from the site must not cause a noise nuisance in accordance with the *Environmental Protection Act 1994* and the *Environmental Protection Policy (Noise) 2008*.
6. Light emanating from the site must not cause a light nuisance to surrounding properties in accordance with the *Environmental Protection Act 1994*.

7. **Ablution facilities are to be provided having regard to the Commonwealth *Premises Standards* and the Building Code of Australia, under the Building Act 1975.**
8. **For information relating to the *Planning Act 2016* log on to www.dsdmip.qld.gov.au . To access the FNQROC Development Manual, Local Laws and other applicable Policies, log on to www.douglas.qld.gov.au .**

REASONS FOR DECISION

1. **The reasons for this decision are:**
 - a. **Sections 60, 62 and 63 of the *Planning Act 2016*:**
 - b. **to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; 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 21 January 2021 under section 51 of the *Planning Act 2016* and Part 1 of the Development Assessment Rules;**
 - b. **the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.**
3. **Evidence or other material on which findings were based:**
 - a. **the development triggered assessable development under the Assessment Table associated with the Rural 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 conditions, the development satisfactorily meets the Planning Scheme benchmarks.**

EXECUTIVE SUMMARY

Application has been made to utilise the land as a Function facility, primarily for wedding functions. The applicant advises that the average function accommodates 80 persons and the maximum hosting sought is 150 persons. The Function facility will comprise a marquee and outdoor area located in the north-western corner of the site. The functions will include the provision of food and drink service, entertainment and associated activities, such as a wedding service.

The Planning Scheme includes a limited Function facility within the use of Rural Activities which is accepted development in the Rural Zone. The proposed development does not meet the criteria set-out for Rural Activities and the development is therefore impact assessable development under the defined use of a Function facility.

Two submissions were received against the proposal citing issues of noise and traffic impacts on the amenity of the area, safety concerns in regards to flood hazard, concern with crocodiles, conflict with road use by school children and that the approval will set a precedence for other similar development in the Mowbray Valley. The approval sought is for a limited extent of development, being for 24 occasions in a limited period of the year.

The conditions limit the operation of the facility, the conduct of the functions and require the presence of an on-site manager. Given the dry season use of the land and the temporary nature of the function set-up, flood is not considered a hazard. Safety considerations are to be considered in the required Events Management Plan. The report finds the application to be of merit and through the conditions of the approval, the use is considered appropriate.

TOWN PLANNING CONSIDERATIONS

Background

The land is in the Rural zone in Mowbray. The application is over two properties, each of which supports a single dwelling house.

Previous application as made in 2015 for the development of a similar use on the land, being for a Material Change of use for an Undefined Use (Wedding and Reception Venue). The application sought a facility which can be hired by members of the public to host specific wedding ceremonies and associated formal receptions to a maximum capacity of 150 people and would operate approximately two (2) wedding events and functions per month between April and October, therefore a total of approximately fourteen (14) wedding events and functions throughout the year. It was anticipated that the events will generally occur on the weekend and each event would conclude at 12:00 midnight at the latest. The application as lodged under the 2006 Douglas Shire Planning Scheme (as amended) where the land was in the Rural Planning Area of the Rural Areas and Rural Settlements Locality. The application was accompanied by an Acoustic Noise report. The application was impact assessable and six submissions were received (four (4) against and two (2) in support). Council resolved to refuse the application and no appeal was instigated.

Since this previous decision Council has adopted the 2018 Planning Scheme. Notable changes between the superseded and current Schemes are the inclusion of the uses Rural Activities (Small scale function facility) and the use of Function facility. Under the grouping of Rural Activities, where a small scale function facility is established, consistent with the Planning Scheme codes, the use is accepted (self-assessable) development. The use of a Function facility is impact assessable development.

The property is currently improved with two (2) individual dwelling houses, with one being located towards the northern portion of the site within the confines of Lot 115, while the other being located within the north-western proximity of Lot 49. The majority of the site is generally flat and is orientated in a north-south direction. The subject land parcels are bounded by Spring Creek along the western perimeter, while adjoining Trezise Road along the eastern perimeter. Infrastructure such as electricity and telecommunications are located within close proximity to the site and access to these services is already provided.

The land parcels subject to this application are located within the Mowbray Valley locality. On occasion the houses on the land are rented to a visiting household(s) for a limited period of time. The uses in the locality which surround the subject site are generally medium to large rural sized allotments. A number of properties are utilised for single dwelling houses. Agricultural uses in the area include sugarcane farming and horse agistment.

Proposal

Application has been made to operate a Function facility over the two lots for two daytime and one evening function per calendar month during the months April to November. An average number of 80 patrons are anticipated with a maximum of 150 patrons together with fifteen employees / subcontractors providing: set-up and pack-up of a marquee and associated tables, chairs, bar; food and drink service; and music and activities.

The proposed Function facility will provide an outdoor facility on the north-western part of Lot 115 which can be hired through an event management company for hosting wedding ceremonies and events.

The applicant expects the development to assist in bolstering the successful wedding market in the Port Douglas region, while promoting direct expenditure through local dining, accommodation and tourist businesses.

The applicant, Eventcore Pty Limited, has indicated that the functions at the property will be only permitted if managed by a qualified event company. The applicant has been contracted to facilitate all event management regarding the property at this stage.

A site layout plan and Function facility floorplan are provided at Attachment A, which identifies the proposed Function facility designated space upon the site.

The applicant seeks approval for no more than two (2) daytime functions and one (1) night time function per month between April to November. This being a total of 24 functions in the calendar year. The applicant has indicated that the first five (5) functions could be daytime functions, in order to gain the trust of the Mowbray Valley residents and problem solve any issues if so required.

The average size of a function provides for 80 people with a maximum at any function of 150 people. Under separate State Health Regulations COVID-19 requirements will also be govern attendance numbers.

Day time functions will have an operating time between 10am - 5:30pm with all function patrons transported off site by 6pm. Evening functions will have an operating time between 2:30pm - 10:30pm with all event patrons transported off site by 11:00pm.

All audio levels will be managed, recorded and tested during the course of a function. An Eventcore Event Manager phone number will be made available to all adjoining neighbours, police and relevant parties to manage any complaints immediately during the course of the event. Noise will always be contained at an acceptable level. Audio will be projected in a northerly direction as there are no immediate neighbours within this direction. To assist with the acoustic control limitations, a noise assessment report was provided as part of the supporting material to the application.

Food and beverages will be managed and catered for by either the company organising the function or a subcontractor, along with any associated officials (wedding celebrant) and entertainment providers (i.e. music, bands etc). Portable toilets will be provided by the managing company.

The applicant advises that the subject venue incorporates well established vegetation surrounding the perimeter of the site that will complement an attractive natural open-air setting for formal wedding ceremonies and events. The applicant notes that this perimeter vegetation also assists in providing an acoustic and visual buffer to surrounding properties.

The proposal does not seek to establish any visible advertising signage upon the site or within any nearby road reserve area. Promotional advertising for the intended wedding and event venue hire is expected to be undertaken through avenues such as social media and affiliated event company organisers.

The applicant advised that in all instances, clients will be required to organise transport arrangements for their guests through a bus charter operation, which will shuttle guests from various accommodation venues throughout Port Douglas to the site via a bus service. Vehicular access and egress to the venue will be made available from Trezise Road, via an existing driveway crossover. It is anticipated transport of function attendees will typically be by 3 x 22 -seater busses.

Rather than providing for hardstand areas upon the site, informal car parking will be made available for staff and associated event personnel within an allocated area near the existing work shed, to ensure the site grounds are kept in its current state and to minimise any visual change upon the streetscape and surrounding area. This parking area is shown on the Site Layout Plan.

It is anticipated this informal car parking area can appropriately contain any vehicles associated with all abilities self-driven or assisted-driven guests. A drop-off area for disabled persons is provided closer to the function area. The applicant contends that the proposed low-impact development use over the site will not detrimentally impact the strategic intent of the area to which it is located. The proposed use seeks to offer an alternative Wedding Ceremony and Event Venue option that will further benefit the locality, while being complemented by the surrounding natural landscape features throughout the immediate area.

State Planning Requirements

State Planning Policy

The State Planning Policy ('SPP') was introduced on 3 July 2017 as part of the State's planning system. The SPP defines the Queensland Government's policies about matters of state interest in land use planning and development, providing direction for the preparation of local planning instruments and assessment of development applications. The 2018 Douglas Shire Planning Scheme version 1.0 reflects the applicable State interests to the extent relevant to the proposed development and further assessment against the SPP is unnecessary.

Far North Queensland Regional Plan 2009-2031

The Far North Queensland Regional Plan 2009-2031 ('FNQ Regional Plan') provides the framework for the sustainable management of growth and development in Far North Queensland. The site is contained within the Regional Landscape and Rural Production Area of the FNQ Regional Plan. Nearby land, that is zoned Rural Residential is included in the Rural Living Area in the Regional Plan. The proposed development is not in conflict with the FNQ Regional Plan.

State Assessment and Referral Agency

A review of Schedule 10 of the Planning Regulation revealed that the proposed development does not trigger referral to the State Assessment and Referral Agency (SARA) within the Department of State Development, Manufacturing Infrastructure and Planning. The development application therefore was not referred to any state agencies for assessment.

DOUGLAS SHIRE PLANNING SCHEME ASSESSMENT

The following benchmarks are applicable to the proposed development:

Table 1:

Douglas Shire Planning Locality	Comment
Strategic Framework	
Consider having regard to Themes of Settlement Pattern, Environment and Landscape values, Natural resource management, Strong communities and identity, Economy and Infrastructure and transport.	Through the conditions of the approval the development will have a minimal physical impact on the land, the surrounding area and rural environment. The development does not compromise the strategic intent as outlined in the Strategic framework.
Planning Zone	
Rural Zone	Complies. While the proposed marquee may be sited within 6m of the property boundary however the function area neighbours creek to the property boundary, thereby giving adequate separation of buildings. The conditions address noise emissions and activities are suitably separated from nearby properties. The temporary and infrequent use of the site for the proposed development does not compromise the ability to utilise the land for rural purposes. The development promotes the appreciation of the rural character and landscape of the area and the activity is sufficiently separated away from sensitive uses. The activity is not considered to compromise the ongoing agricultural activity in the locality.
Local Plan Code	
	No applicable local plan.
Overlay Codes	
Acid sulphate soils overlay	Complies, no excavation or fill is anticipated.
Bushfire hazard overlay	Complies. No permanent built structure or building is required. Sufficient exit is available from the site.
Flood and storm tide hazard overlay	Satisfactory. The land is included in the Flood plan mapped overlay area. The infrequency of the events nature and time of year of the events minimises possible confluence of a flood event concurrent with an event function. The use is essentially temporary in nature and issues of safety can be adequately addressed through the condition requiring an Event Management Plan.
Landscape values overlay	Complies. The development does not impact on vegetation and there is no further impact on landscape values.

Douglas Shire Planning Locality	Comment
Natural areas overlay	While part of the Activity may occur in an area mapped as MSES - Regulated Vegetation no impact of vegetation removal is anticipated. A condition requires the function event to remain within the property boundaries.
Transport network overlay	Complies. Access is provided from local roads which are sufficient to cater to the associated demand. The impact of the development is minimal as the majority of guests will use bus transportation. A condition does not allow parking on the adjacent local roads.
Other Development Codes	
Access, parking and servicing code	Satisfactory. Sufficient area is available for drop off and pick up by private transport and sufficient facilities are provided for all abilities access by private vehicle. Employees are able to park on the land. Given the infrequent use of the premises the formal sealing, drainage and line marking of the onsite parking areas would be an unreasonable requirement. The conditions require a basic gravel surface be provided and address dust emissions.
Advertising devices code	No proposed advertising devices.
Environmental performance code	Complies, the applicant has provided an acoustic report. Refer to the comments below.
Filling and excavation code	No filling or excavation proposed. The "indoor facility" is a temporary marquee structure.
Infrastructure works code	Satisfactory compliance. The Function facility operator will provide temporary amenity facilities. A condition of the approval requires ablution facilities be provided.
Landscaping code	Satisfactory. The development is substantially setback from the main road with existing landscaping in place. The development is sufficiently setback from the neighbouring rural land by the Creek area.
Vegetation management code	No change to existing vegetation. The approval limits the use to the land and the conditions nominate the use of temporary fencing to ensure attendees remain on the land during the function.

Compliance Issues

Environmental performance - Noise Emissions

The application was supported by an acoustic report that assessed noise emissions from a distance close to the point of noise source. The report gives comparable noise emissions to that of a lawn mower during the day and evening period and of a washing machine during the night-time period (as an indoor source emission). The noise report reflects the standards of the Office of Liquor and Gaming Regulation. While liquor will be consumed at these events it is unlikely a Liquor License will be required given the nature of the intended use.

A condition nominates the noise emissions are not to exceed more than 5dB from the property boundary having regard to ambient noise. The condition seeks to give certainty with an effective measure of a standard that is considered reasonable and measurable.

Public Notification / Submissions

Public notification was carried out in accordance with section 53 of the *Planning Act 2016* for the proposed development. A fifteen (15) business day public notification period was carried out with two properly made submissions were received by Council in relation to the proposed development. The grounds of the submission and corresponding planning considerations are tabled below.

Table 2:

Grounds of Submissions	Planning Considerations
<p>The emission of noise and amplified music will disturb the amenity of nearby residents. Local people reside in the area for the peace and quiet of the Mowbray Valley area. Residents work long hours and the disruption of loud music on a regular basis will be considerable and undesirable. Sound will detrimentally impact on houses that are located on the nearby hillside.</p>	<p>The conditions of the approval limit the number and extent of time which an event can occur. The amenity of the area is one of a rural activity and amenity can range from tranquillity to excessive sugarcane harvest and tractor hauling emissions. The conditions of the approval limit and reflect the nature of the development application sought for the Function facility activity. The use seeks to have 24 events during part of the year. Some of these events are during the day and some during the evening. Given the limited number and frequency of events noise emissions are not continual nor detrimental. Some of the hillside residents are located in rural zone, others are in the rural residential zone. There is always reverse amenity where residents are located in or close to rural zones, due to the nature of agricultural activities that may be conducted. There is "quietness" experienced by hillside residents is depreciated by the agricultural activities from the valley floor. Conversely, the hillside provides increased amenity achieved by the views from these elevated houses in terms of visual amenity and cool breezes. The conditions of the approval limit noise emissions by decibels and by time periods. The approval is only supported subject to the conditions of the approval.</p>
<p>The development will result in increased traffic in a rural residential area.</p>	<p>The traffic demand associated with the development is minimal and can be accommodated on the local roads. A condition of the approval requires utilising a single point of access and egress.</p>
<p>The facility is to be inappropriately located on a flood plain.</p>	<p>A condition of the approval requires safety considerations to be documented in the required Function Facility Event Management Plan.</p>

Grounds of Submissions	Planning Considerations
The adjacent river has crocodiles. Concern is raised whether Council will protect the facility from crocodiles.	A condition of the approval requires safety considerations to be documented in the required Function Facility Event Management Plan. The ultimate safety for all those on the land during the function inactivity rests with the onsite manager.
The development will set a precedent. Concern is raised with more people seeking Function facilities on other land in the area.	Subject to compliance with the planning scheme codes there is opportunity for smaller functions as accepted development in the Rural Zone. This land is considered of sufficient size to accommodate the proposed development and through the conditions of the approval this development is considered meritorious. There is limited opportunity in the surrounding area for similar applications, in particular along the southern side of Mowbray River Road, as many of these lots are constrained by hillslopes and vegetation. Each application is considered separately.
The traffic associated with the development will be a safety hazard to children catching the school bus at the corner of Trezise and Spring Creek Roads.	The traffic demand associated with the development is minimal and can be accommodated on the local roads. A condition of the approval requires the access and egress only form the existing constructed vehicle access near to the common boundary of the two lots and is some distance from the intersection of Trezise and Spring Creek Roads.

Internal Referrals

Advice was sought from Environmental Health regarding noise and amenity impacts. The conditions are considered to adequately address and limit the development so as not to cause detriment having regard to the general rural nature of the area and nearby sensitive uses.

ADOPTED INFRASTRUCTURE CHARGES

The development triggers Infrastructure Charges.

Refer to Attachment 2 to review the calculated Infrastructure Charge.

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:

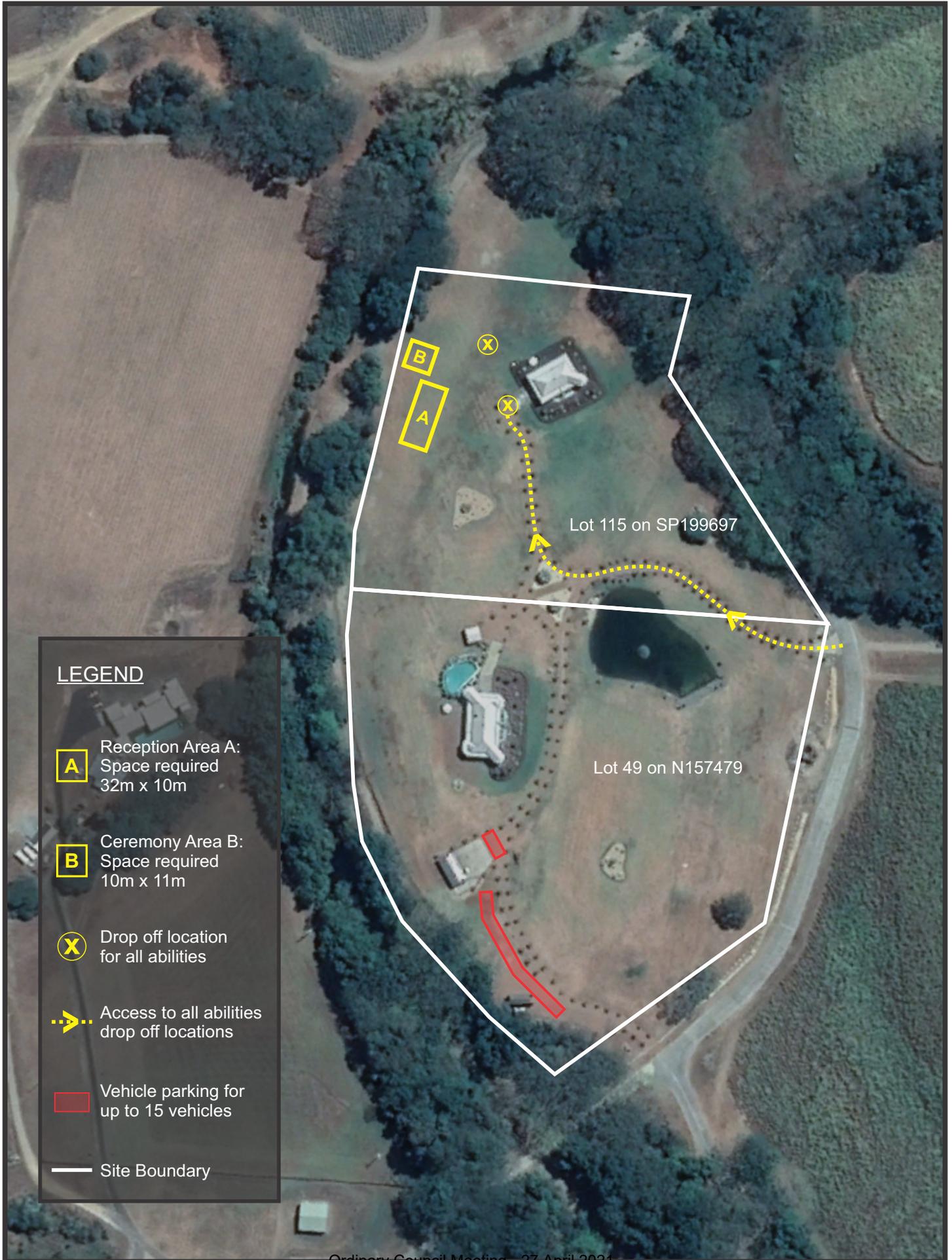
Regulator: Meeting the responsibilities associated with regulating activities through legislation or local law.

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

ATTACHMENTS

1. Attachment 1 Site and Function Event Plans [**5.2.1** - 2 pages]
2. Attachment 2 Adopted infrastructure charges [**5.2.2** - 1 page]

Site Layout: Lot 115 on SP199697 & Lot 49 on N157479 (Trezise Road, Mowbray)



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