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16 December 2020

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Dear Sir/Madam

**DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT
MATERIAL CHANGE OF USE – FUNCTION FACILITY
ON LAND DESCRIBED AS LOT 115 ON SP199697 & LOT 49 ON N157479
LOCATED AT TREZISE ROAD, MOWBRAY**

I refer to the aforementioned development application seeking a Development Permit for a Material Change of Use – Function Facility on land located along Trezise Road, Mowbray being properly described as Lot 115 on SP199697 and Lot 49 on N157479.

Please find attached the following documents to assist with Council's assessment of the application:

Attachment A: DA Form 1;
Attachment B: Zoning Map;
Attachment C: Site Layout Plan and Event Floorplan; and
Attachment D: Noise Assessment Report.

Property Description

Property Description: Lot 115 on SP199697 & Lot 49 on N157479
Total Subject Area: 5.19 hectares
Zoning: Rural

Title searches for subject Lot 115 on SP199697 & Lot 49 on N157479 confirms ownership by John Peter Wootten and Joanne Clare Wootten. The title searches also confirms that there are no easements affecting the land.

Site Characteristics

The subject land parcels are irregular in shape and encompasses a combined total site area of approximately 5.19 hectares. The subject site is located within the Rural Zone under the Douglas Shire Planning Scheme and has frontage to Trezise Road on its eastern boundary where vehicular access is provided.

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.

As identified on Figure 1 below, the subject land parcel is predominately located within a rural landscape setting west of the Captain Cook Highway.



Figure 1: Aerial Photo of the subject site (source – Queensland Globe 2018)

Surrounding Area

The land parcels subject to this application are located within the Mowbray Valley locality. The uses in the locality which surround the subject site are generally medium to large rural sized allotments with the majority being utilised for single dwelling houses and sugarcane farming.

The subject site is located approximately 8.5 kilometres south of the Port Douglas township centre and approximately 1.5 kilometres south-west of the Captain Cook Highway at its closest point. The surrounding environment of the locality is presented with natural landscape features, while being connected to a formalised local road network.

Dominant land uses adjacent to, and/or within proximity to the premises are represented by the surrounding planning areas which include:-

- North: Rural
- East: Rural
- South: Rural
- West: Rural

As demonstrated above, the locality is generally comprised of land uses consistent with the Rural designation. Therefore, it is considered that the proposal, as detailed in this report, will assimilate and positively contribute towards the local character of the area.

Attachment B contains a Zoning Map identifying the site in relation to the surrounding area.

Proposal

Approval of the Development Application will authorise a Development Permit for the Material Change of Use – Function Facility on land described as Lot 115 on SP199697 and Lot 49 on N157479 located along Trezise Road, Mowbray.

The proposed Function Facility will provide an outdoor facility upon the premises, which can be hired by public members to host specific wedding ceremonies and events. It is expected to assist in bolstering the successful wedding market in the Port Douglas region, while promoting direct expenditure through local dining, accommodation and tourist businesses.

Events at the property will be only permitted if managed by a qualified Event Company. Eventcore Pty Limited has been contracted to facilitate all Event management regarding the property at this stage.

Proposal plans incorporating a Site Layout Plan and Event Floorplan are provided at *Attachment C*, which identifies the proposed Function Facility designated space upon the site.

Event Parameters

'It is proposed by Eventcore Pty Ltd to host no more than:

Two (2) day time events and one (1) night time event per month between April to November. The average size of an event hosts 80 people, with the view to limit any function to 150 people. The first five (5) events will be day time only, in order to gain the trust of the Mowbray Valley residents and problem solve any issues if so required.

Day time events;

- will have an operating time between 10am – 5:30pm (all event patrons to be transported off site by 6pm)

Night time events;

- will have an operating time between 2:30pm – 10:30pm (all event patrons to be transported off site by 11pm)

All audio levels will be managed, recorded and tested during the course of an event. 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 upon the event site as there are no immediate neighbours within this direction.' To assist with the acoustic control limitations, a noise assessment report is provided at *Attachment D*.

Given the current COVID situation in regards to hosting events and gatherings, Eventcore Pty Limited will be required to prepare a COVID – 19 Safe Plan for any events hosted upon the site until such time circumstances change. Event numbers will also be governed by the ever changing parameters in regards to hosting such functions upon the site.

It is also noted that all food and beverages will be managed and catered for by the associated event company organisers, along with any associated entertainment (i.e. music, bands etc). Portable toilets will be provided by the Event Management Company for all events.

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. 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.

It is a requirement by the event management company 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.

Rather than providing for hardstand areas upon the site, informal car parking will only 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 is shown on the Site Layout Plan. It should also be noted that this informal car parking area can appropriately contain any vehicles associated with all abilities self-driven guests.

Also shown upon the Site Layout Plan is the vehicle access driveway and associated drop off locations for the all abilities self-driven guests, which are identified in close proximity to the designated Function Facility area. In regards to providing toilets for any disabled guests to the venue, it should be noted that these specific amenities can be provided upon written request from the event clientele.

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.

Douglas Shire Planning Scheme

Assessment Criteria of Impact Assessable – Material Change of Use Application

Under the Douglas Shire Planning Scheme the site is included in the **Rural Zone**. Based on the type of development proposed to be carried out, the Table of Assessment for the 'Rural Zone – Table 5.6j' identifies that the level of assessment required for the proposed Function Facility is **Impact Assessment**. All aspects of the proposed development are generally considered to be compliant with the relevant performance outcomes and acceptable outcomes of the Rural Zone Code, Access, Parking & Servicing Code,

Filling & Excavation Code, Infrastructure Works Code and the Landscaping Code being applicable to the proposed development.

Strategic Framework

The proposed development being for a transient Function Facility is considered to be a low impact use within the Rural Zone of the Mowbray Valley. The proposal is specifically designed to ensure that the strategic intent for the Douglas Shire community is not compromised and the rural residential amenity of the locality is maintained.

In particular, the proposal will ensure that the development is provided with the necessary and essential services together with appropriate noise abatement / control measures required to facilitate future event functions over the site. The positioning of the designated ceremony and reception areas upon the site achieves the relevant provisions associated with mitigating against any impact on natural features and physical amenity upon the site or within the immediate area.

Furthermore, the proposal seeks to further promote one of the Shire's key focus of catering for economic opportunity by offering a unique and tranquil setting that will appropriately cater for and play host to event functions such as Wedding Ceremonies that is a drawcard for many patrons throughout the nation and beyond.

An assessment against the applicable codes is provided below:

Rural Zone Code

The subject land is wholly contained within the Rural Zone. It is expected that land within this zone is intended to comprise a wide range of agricultural and animal husbandry uses, together with other compatible primary production uses. The predominant form of surrounding development is primary industry upon medium to large rural sized allotments, along with low density residential development.

Given that the land has previously been cleared of any primary production uses and subsequently the site has been transformed into a low density rural lifestyle block, any potential future uses involving agriculture has been removed. The proposal seeks to utilise the current built environment and landscape throughout the site in order to facilitate the low impact transient operations involving formal wedding ceremonies and events.

The subject proposal is not considered to be an inconsistent use for the site, which will be buffered from surrounding rural properties by existing well established vegetation prominent along the northern, eastern and western site perimeter boundaries.

The proposed development will not impact upon any environmental aspects throughout the immediate area, rather will seek to utilise the existing natural landscape beauty of the site and surrounds in order to support and complement the expected use.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable solutions and performance criteria of the Rural Zone Code and therefore will not impact the strategic intent of the area.

Access, Parking and Servicing Code

The Access, Parking and Servicing Code seeks to ensure that sufficient car parking is provided for users on-site, while manoeuvring areas are designed to allow for safe and efficient transport movements, particularly for any short term uses. The code also seeks to ensure that access arrangements do not impact the efficiency of the transport network.

Table 9.4.1.3.b of this code specifies a prescribed number of on-site vehicle parking spaces for a Function Facility being 1 space per 15m² of GFA. The proposal seeks to utilise an informal car parking and manoeuvring arrangement upon the site that will cater for a 15 cars, being broken down into the following:-

- 1 x Event Management
- 7 x Catering and Service Staff
- 2 x Entertainment Staff
- 1 x Celebrant
- 2 x Videography and Photography.

Given the large site area and ease of access, sufficient room is available to satisfy this requirement. The informal car parking area can be easily increased to cater for any perceived overflow of vehicles to the site.

It will be a requirement by the event management company that in all instances clients are 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. This will limit the impact of providing on-site car parking for users to the site and minimise road congestion.

An informal car parking area will only be made available for staff and disabled patrons on-site within the allocated area near the work shed as shown on the proposed site plan.

No hardstand areas are intended to be constructed for the proposed low impact transient use as a Function Facility, which will ensure that the site grounds are kept in its current state and any visual change upon the streetscape and surrounding area is minimised.

As identified earlier, the existing vehicular access points into the site will be maintained from Trezise Road in order to complement the intended use, therefore ensuring that the effective function of the existing street and traffic network is maintained.

Filling and Excavation Code

The purpose of this Code is to ensure that filling and excavation does not adversely affect the environmental and scenic amenity of the locality or cause downstream flooding and drainage problems.

The proposal does not require any site works to be undertaken, rather seeks to utilise the existing built form and natural landscape beauty of the site and surrounds in order to support and complement the expected use as a Function Facility.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable solutions and performance criteria of the Filling and Excavation Code.

Infrastructure Works Code

The Infrastructure Works Code seeks to ensure that development is safely and efficiently serviced by and connected to infrastructure.

It is not expected that any new infrastructure works will be carried out upon the site as part of this proposal. The existing vehicular crossovers will remain within their current locations, with the existing buildings upon the site being serviced by essential infrastructure. Should any future infrastructure connections be required, they will be undertaken in accordance with the relevant Council standards.

Overall it is considered that the proposed development achieves general consistency with the applicable acceptable outcomes and performance outcomes of the Infrastructure Works Code.

Landscaping Code

The purpose of the Landscaping Code is to ensure that the tropical and native landscape character of the shire is maintained and strengthened, while complementing the built form environment through landscape design.

As indicated earlier, two (2) highset dwelling houses that exist upon the subject premise have been complemented with manicured landscape gardens. The subject venue also incorporates well established vegetation surrounding the perimeter of the site that will be maintained in order to provide an attractive natural open-air setting for formal wedding ceremonies and events. This perimeter vegetation also assists in providing an acoustic and visual buffer to surrounding properties.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Landscaping Code.

Referral Agencies

The Development Assessment Process incorporates a referral process, established through the *Planning Regulation 2017*, enabling relevant state agencies to have input in the assessment process.

A review of Schedule 10 of the *Planning Regulation 2017* against the proposed development indicates that there are no referral agencies applicable to this application.

Conclusion

This report forms part of the development application, which seeks a Development Permit for a Function Facility over Lot 115 on SP199697 & Lot 49 on N157479 located along Trezise Road, Mowbray.

Site treatments are able to be managed by conditions. The proposal is considered an appropriate development given the site's inclusion within the Rural Zone and based on the surrounding natural beauty of the Mowbray Valley. Furthermore, the development is generally in accordance with the provisions prescribed by the Douglas Shire Council Planning Scheme. The following conclusions can be drawn from the above referenced planning aspects of the proposal:

- The proposed development is compatible within the Rural Zone, with the subject allotment incorporating an appropriate area and dimensions to accommodate the intended low impact development prospect;

- The proposed development is in keeping with the scenic qualities of the surrounding locality and will not diminish the existing character of the area to which it is located nor will it impact upon the strategic intent for the area;
- The proposed development is responsive to all environmental constraints and is expected to have minimal impact on the landscape character and visual amenity;
- The proposed material change of use addresses the relevant elements of the Douglas Shire Planning Scheme and in particular the Rural Zone Code, Access, Parking & Servicing Code, Filling & Excavation Code, Infrastructure Works Code and the Landscaping Code including each of the performance outcomes and acceptable outcomes;
- The proposed development does not intend to modify existing land contours, therefore ensuring that overland flow paths do not directly or indirectly cause nuisance to a downstream or adjoining property;
- The proposed development is capable of being adequately serviced by the required level of infrastructure;
- The proposal will not have a detrimental impact on the function of the existing street and traffic network, with the existing vehicular access point into the site being maintained; and
- The proposed use is of a scale and nature that contributes to the proper and orderly development of the locality while respecting the character of the locality.

On balance, it is considered that the proposed development is an appropriate response to the site and, subject to the imposition of reasonable and relevant conditions, Council will be able to issue a permit for a Material Change of Use to accommodate Wedding Ceremonies and Events upon this uniquely located site.

Yours faithfully,

Nick White - Eventcore

ATTACHMENT A

DA Form 1 – Development application details

Approved form (version 1.1 effective 22 JUNE 2018) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	John and Joanne Wootten C/- Eventcore
Contact name (only applicable for companies)	Nick White
Postal address (P.O. Box or street address)	PO Box 984 45 Owen st
Suburb	Port Douglas Craiglie
State	QLD
Postcode	4877
Country	Australia
Contact number	0411 610 311
Email address (non-mandatory)	nick@eventcore.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application
<input type="checkbox"/> No – proceed to 3)

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (all lots must be listed), **or**

☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Trezise Road	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		115	SP199697	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Trezise Road	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		49	N157479	Douglas Shire Council

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input checked="" type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this application

☒ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

5) Are there any existing easements over the premises?
Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see DA Forms Guide.

☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application

☒ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect			
a) What is the type of development? <i>(tick only one box)</i>			
<input checked="" type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input checked="" type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input type="checkbox"/> Code assessment	<input checked="" type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>			
Material Change of Use – Function Facility			
e) Relevant plans			
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>			
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application			
6.2) Provide details about the second development aspect			
a) What is the type of development? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>			
e) Relevant plans			
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>			
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application			

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete DA Form 2 – Building work details

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Wedding Ceremony & Event Venue	Function Facility		

8.2) Does the proposed use involve the use of existing buildings on the premises?

<input checked="" type="checkbox"/> Yes		
<input type="checkbox"/> No		

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?

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9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?

<input type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: _____		

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

<input type="checkbox"/> Yes – specify number of new lots: _____	
<input type="checkbox"/> No	

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$ _____

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Douglas Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Regulation 2017:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure – designated premises
- ☐ Infrastructure – state transport infrastructure
- ☐ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – near a state-controlled road intersection
- ☐ On Brisbane core port land near a State transport corridor or future State transport corridor
- ☐ On Brisbane core port land – ERA
- ☐ On Brisbane core port land – tidal works or work in a coastal management district
- ☐ On Brisbane core port land – hazardous chemical facility
- ☐ On Brisbane core port land – taking or interfering with water
- ☐ On Brisbane core port land – referable dams
- ☐ On Brisbane core port land - fisheries
- ☐ Land within Port of Brisbane's port limits
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – construction of new levees or modification of existing levees (*category 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the **local government:**

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- ☐ Local heritage places

Matters requiring referral to the chief executive of the distribution entity or transmission entity : <input type="checkbox"/> Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council : <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the Minister under the <i>Transport Infrastructure Act 1994</i> : <input type="checkbox"/> Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons) <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator : <input type="checkbox"/> Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the Chief Executive of the relevant port authority : <input type="checkbox"/> Land within limits of another port (below high-water mark)
Matters requiring referral to the Gold Coast Waterways Authority : <input type="checkbox"/> Tidal works, or work in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service : <input type="checkbox"/> Tidal works marina (<i>more than six vessel berths</i>)

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (<i>if applicable</i>). 		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge:
<ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
Further advice about information requests is contained in the <u>DA Forms Guide</u> .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements			
Environmentally relevant activities			
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
Hazardous chemical facilities			
23.2) Is this development application for a hazardous chemical facility?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.

2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala conservation

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work within an assessable development area under Schedule 10, Part 10 of the Planning Regulation 2017?

☐ Yes

☒ No

Note: See guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000**?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

23.9) Does this development application involve the removal of quarry materials from a watercourse or lake under the *Water Act 2000*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

23.10) Does this development application involve the removal of quarry materials from land under tidal water under the *Coastal Protection and Management Act 1995*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a referable dam required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application
☒ No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve tidal work or development in a coastal management district?

- ☐ Yes – the following is included with this development application:
☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work)
☐ A certificate of title
☒ No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- ☐ Yes – details of the heritage place are provided in the table below
☒ No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Brothels

23.14) Does this development application involve a material change of use for a brothel?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- ☐ Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>

PART 9 – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	

Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

ATTACHMENT B

DOUGLAS SHIRE COUNCIL

Planning Scheme Zone Map

Zones:

Low Density Residential	Environmental Management
Low-medium Density Residential	Conservation
Medium Density Residential	Industry
Tourist Accommodation	Tourism
Centre	Community Facilities
Recreation and Open Space	Rural
	Rural Residential
	Special Purpose

Other Map Layers:

1:15,000 Map Extents	Property Boundaries
Local Government Boundaries	Ocean

Based on or contains data provided by Douglas Shire Council and the State of Queensland, in consideration of these agencies permitting use of this data you acknowledge and agree that these agencies give no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accept no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

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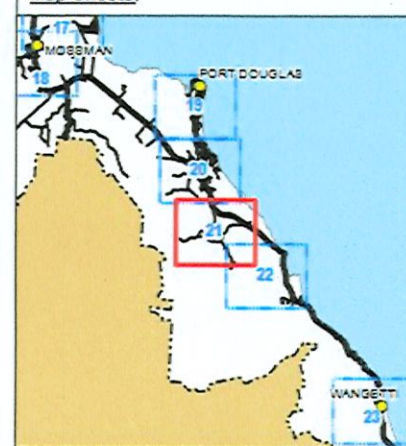
Produced by: Mangosmapping Pty Ltd on 31/10/2017
hello@mangosmapping.com.au

Projection: MGA54 Zone 55
Approx. Scale: A3 1:15,000

0 0.2 0.4 0.6 Kms



Map Sheets:



Zoning Map Sheet - ZM-021

Lot 115 on SP199697 and
Lot 49 on N157479

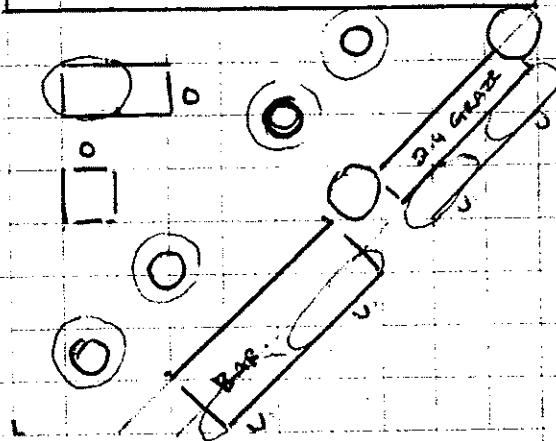
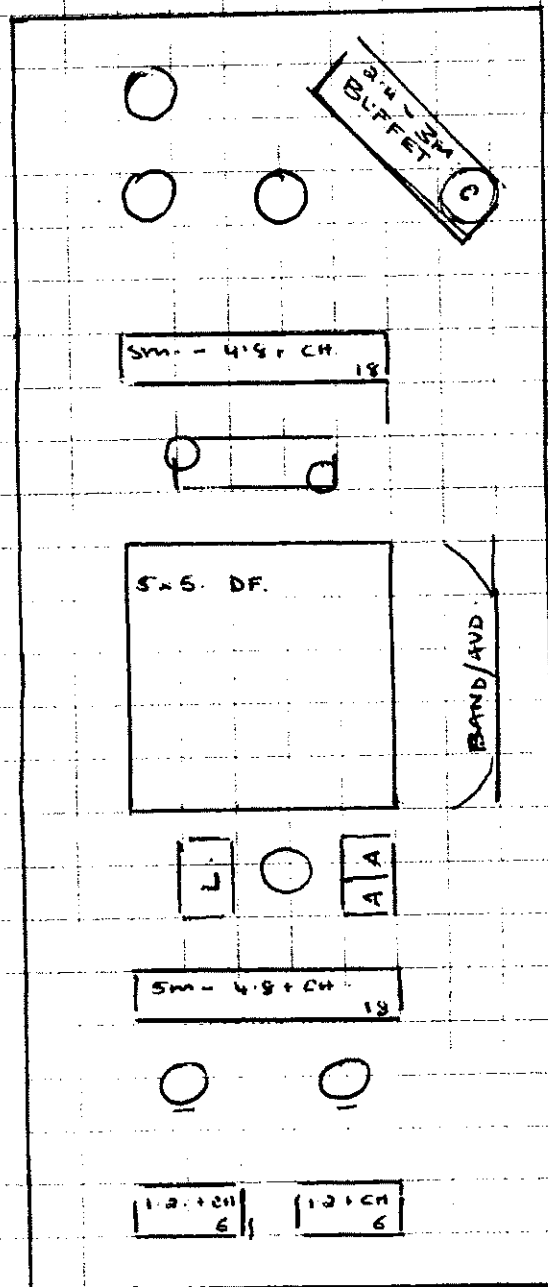
ATTACHMENT C

Site Layout: Lot 115 Trezise Road, Mowbray



MARQUEE 16x24 - 150 PAX COCKTAIL

□ = 150m.



Individual owner's consent for making a development application under the *Planning Act 2016*

We, John Peter Wootten and Joanne Clare Wootten

as owners of the premises identified as follows:

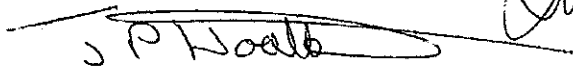
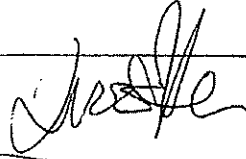
Trezeise Road, Mowbray – Lot 115 on SP199697 and Lot 49 on N157479

consent to the making of a development application under the *Planning Act 2016* by:

Eventcore

on the premises described above for:

Material Change of Use – Function Facility

  (signature of owner and date signed)
31/8/2020

ATTACHMENT D

Noise assessment report

Lot 115 Trezise Road

Mowbray

issued: 4 May 2015

Anne Pals Bleeksma, MSC Appl Physics
Acoustic Consultant
0422 718 753

Premises:

Lot 115 Trezise Road
Mowbray

Client:

John and Joanne Wootten
C/- Brazier Motti Pty Ltd
PO Box 1185
Woree 4870 Qld

Object of this report:

The objective of this report is to establish a guideline for sound levels that can be produced whilst remaining in compliance with the Environmental Protection Act. In a live environment there are many factors that vary wildly and are beyond human control, such as wind and relative humidity and wildlife sounds.

The calculations in this report take a cautionary approach, it is likely that they will lead to compliance. Only physical measurement of sound levels at the sensitive receptor's location can firmly establish compliance, however that would be a matter of usage and beyond the scope of a building application.

Brief description of the project:

The subject of this project is a change of use application to use the premises as an occasional wedding and reception venue. When in use, noise will emanate from the premises, which may impact on the environmental quality of nearby residences.

In the case, 'nearby' refers to a distance in the order of approximately 250 meters for the nearest, which is quite different from the usual environment for venues, where neighbours are often just meters away, or, for outside venues, dozens of meters.

The venue is completely outdoor, which makes it impossible to use noise restraining systems, however the growth of vegetation in the surrounding does have a dampening effect, as has the earth, which absorbs sound, contrary to water and hardened surfaces which reflect sound.

Brief description of current noise environment:

Appendix 1 contains two views on the venue, one as a map and one satellite image. On the map, dwelling as are indicated with the letter x, and x1 is the dwelling occupied by the owners of the venue and as such can be regarded as the source of the sound and thus can be disregarded for calculations according to 8.4.b of the Environmental Protection Act, the relevant parts of which are listed in Appendix one.

Background creep:

The use of regulation concerning background creep is intended mostly for urban environments where several venues operate in proximity and thus one could provide – with its noise – a false reading of the real background sound levels to which the other venue must refer its levels. In a situation like this, where sound levels are only occasional it would be not in line with the intention of the law to apply rules of background noise. And as a matter of being a level solely depending on actual use, there is no case for using these levels in the building application process.

Noise levels at the source

Noise levels at the source in regulations are measured 3 m from the main source of the noise. In this case we take the source that produces the highest noise levels, which would be the main loudspeakers of a live band.

The distance of 3 m is chosen to distinguish the particular source (loudspeaker) from other sources, but to allow for inaccuracy in the distance and to let the sound field even out – at close proximity sound levels vary wildly over small distances in a plane parallel to the field front, which is perpendicular to the direction in which the sound is pointed.

Calculations of loss of sound energy

To establish a first approximation of allowed noise levels, calculate back from the sensitive receptor.

The definition of dB is:

$$1 \text{ dB} = 10 \log (P1/P0)$$

The surface of a sphere is $S = 4 \pi r^2$.

The loss of noise over distance can now be calculated: twice the distance means a quarter of the amount of energy, since it is spread over the sphere's surface.

Thus $P1 = 0.25 P0$.

The loss of sound is thus: $10 \log(0.25) = 6 \text{ dB}$.

Sound levels are measured at 3 m from the source (the loudspeaker).

If we express the multiplication from 3m to the distance of the affected location as a power of 2, then the loss of dB is 6 times that power. (For each doubling of distance we lose 6 dB)

Reduction of sound level due to distance

The map in appendix 2 lists 22 homes in the vicinity of the source of the sound (the proposed venue). Other homes in the vicinity are definitely less susceptible to sound (from the proposed venue) than the 22 listed, also when the directivity of the sound and sound level reduction due to vegetation are concerned.

Reduction of sound level due to vegetation

In peer reviewed experiments it has been established that with 3 m vegetation traffic noise can be reduced by 6 dB. Traffic noise has a strong low frequency component and can therefore serve for comparison with music, as higher frequencies disperse many times faster. To ensure erring on the side of caution we can assume that 40 m of bush can lead to 6dB reduction, and 20m can lead to 3 dB reduction. (That means applying 13 times the width of the experiment to forecast the same noise reduction.)

The loss of noise level due to vegetation is noted as a second number – where applicable - in the dB loss column.

Reduction of sound level due to directivity of loudspeakers

Loudspeakers have directivity, meaning the sound in the direction in which the loudspeakers point is much louder than sideways or reverse. The pattern of a normal modern PA loudspeaker can safely be assumed to yield 3dB less than in the direction of the axis under a 90 to 120 degree angle, 6 dB(A) under a 120 to 150 degree angle and 12dB(A) under an 150 to 180 degree angle with the axis of the speaker. These are conservative numbers

It may be noted that the drop in sound levels related to directivity is much more dramatic in medium and higher frequencies, but much less in low frequencies (below 250 Hz). However the result in A levels, which is a weighted sum of sound levels at different frequencies, is as described. The direction of the loudspeakers is to be chosen away from the most affected receptor.

Choice of direction and resulting worst case

The least amount loss due to combined effects of distance and vegetation is experienced at locations 12 and 13. To also allow location 2 and 4 to benefit from directivity the direction is chosen at 25 degrees West of due North. On the map sections A, B and C indicate directivity loss of 3, 6 and 12 dB respectively.

The choice and its effect are discussed after the following table.

TABLE 1: SENSITIVE RECEPTORS AND LOSS OF SOUND LEVEL DUE TO DISTANCE, VEGETATION AND DIRECTIVITY

Location Index	Distance in m	dB loss	Location Index	Distance in m	dB loss
1	N/A part of venue		12	$335 > 3 \times 2^{6.7}$	$37.2 + 0 + 12 = 49.2$
2	$200 > 3 \times 2^{6.0}$	$36 + 6 + 3 = 45$	13	$325 > 3 \times 2^{6.7}$	$37.2 + 0 + 12 = 49.2$
3	$230 > 3 \times 2^{6.2}$	$37.2 + 3 + 6 = 46.2$	14	$385 > 3 \times 2^{7.0}$	$42 + 6 + 3 = 51$
4	$290 > 3 \times 2^{6.5}$	$39 + 3 + 3 = 45$	15	$435 > 3 \times 2^{7.1}$	$42.6 + 3 + 0 = 45.6$
5	$280 > 3 \times 2^{6.5}$	$39 + 6 + 6 = 51$	16	$470 > 3 \times 2^{7.2}$	$43.2 + 6 + 0 = 49.2$
6	$285 > 3 \times 2^{6.5}$	$39 + 6 + 3 = 48$	17	$490 > 3 \times 2^{7.3}$	$43.8 + 6 + 0 = 49.8$
7	$360 > 3 \times 2^{6.9}$	$41.4 + 6 + 3 = 50.4$	18	$410 > 3 \times 2^{7.0}$	$42 + 6 + 0 = 48$
8	$390 > 3 \times 2^{7.0}$	$42 + 6 + 3 = 51$	19	$490 > 3 \times 2^{7.3}$	$43.8 + 6 + 0 = 49.8$
9	$330 > 3 \times 2^{6.6}$	$39.6 + 6 + 3 = 48.6$	20	$420 > 3 \times 2^{7.1}$	$42.6 + 6 + 3 = 51.6$
10	$325 > 3 \times 2^{6.6}$	$39.6 + 6 + 6 = 51.6$	21	$420 > 3 \times 2^{7.1}$	$42.6 + 6 + 3 = 51.6$
11	$300 > 3 \times 2^{6.5}$	$39 + 6 + 6 = 51$	22	$460 > 3 \times 2^{7.2}$	$43.2 + 6 + 3 = 52.2$

The worst affected locations are 2 and 4 with 45 dB loss compared to measured 3 m from the source.

Selecting the right level at the source

Schedule 10 has an indoor and an outdoor level for daytime and evening.

50 dB(A)_{eq}

55 dB(A) L₁₀

65 dB(A) L₁

When measured with a sound level meter set to fast sampling (125 ms) the peak levels one reads usually correspond with a level between L₁ and L₁₀. L₁ and L₁₀ are statistical numbers and are read as the levels that are exceeded for no more than 1, respectively 10 per cent of the time. However it is not difficult to take a reading for a few minutes – provided they are not in exceptionally loud or quiet passages to get a good idea of Leq, which is the level that an even sound would have to disperse the same amount of energy over that period of time.

Choosing the outdoor level as a starting point for the worst case location gives a sound level of The recommendation for daytime and evening levels would assume two loudspeakers. This means that the levels measured from one loudspeaker are half of the total energy of sound and since $10 \times \log(0.5) = 3$, the measured levels at the source must be brought down with 3 dB.

At night-time only indoor levels are specified, and a safe amount of 6 dB reduction between outside and inside is assumed.

What is night-time?

The EPA does not explicitly define night-time, however the well researched foundation of the

guidelines from the Office of Liquor and Gaming Regulations prescribes a stricter and more complicated regime for intrusive sounds between 10PM and 6 AM. It is recommended to follow this reference.

We arrive at the following

Recommendation

Daytime and evening:

Between 6 AM and 10 PM maximum sound levels measured at 3 m from the source of :

$$50 + 45 - 3 = 92 \text{ dB(A)Leq.}$$

Night-time indoors levels are applied with a safe reduction from outdoors to indoors of 6 dB.

Between 10 PM and 6 AM maximum sound levels measured at 3 m from the source of :

$$30 + 6 + 45 - 3 = 78 \text{ dB(A)Leq}$$

To give a sense of how loud these levels are, 92 dBA is what a petrol powered lawnmower may produce, 78 dBA has been compared to the noise of a washing machine.

The noise produced by humans must comply with these levels, although the rhythmical and bass aspects of music make it much more penetrating into the perception of the human hearing.

The Handbook of Environmental Acoustics by James Cowan lists the average noise LA,eq of a playground recess at 68-77 dBA, from a crowd of 100-500, and the noise of a basketball game of 12.600 people at 89 dBA. Both are measured at 5 ft, which is half of 1.5m.

The peaks of these events are up to 101 and 107 dB respectively, not surprising when crowds cheer or children scream. These peaks are part of the total noise that makes the averages mentioned.

It can be concluded that well-behaved crowds can easily comply, as long as they refrain from singing in unison or having loud cheers or a rowy atmosphere.

Name of Acoustic Consultant:

Anne Pals Bleeksma

MSC Applied Physics

0422 718 753

annepals@hotmail.com

Appendix 1 – Relevant legislation, from Environmental Protection Act Queensland

The relevant paragraphs from part 3 and 4 of the EPP are cited below.

8 Acoustic quality objectives for sensitive receptors

- (1) An acoustic quality objective stated in schedule 1, column 3 for a sensitive receptor stated in column 1 and for a time of day stated in column 2, is prescribed for enhancing or protecting the environmental value stated in column 4 of the schedule for the objective.
- (2) An acoustic quality objective stated in schedule 1 is expressed as a measurement of an acoustic descriptor.
- (3) It is intended that the acoustic quality objectives be progressively achieved as part of achieving the purpose of this policy over the long term.
- (4) This section does not apply to a noise—
 - (a) mentioned in the Act, schedule 1, part 1, section 1; or
 - (b) experienced within a dwelling or a workplace if the noise is made within the dwelling or workplace.

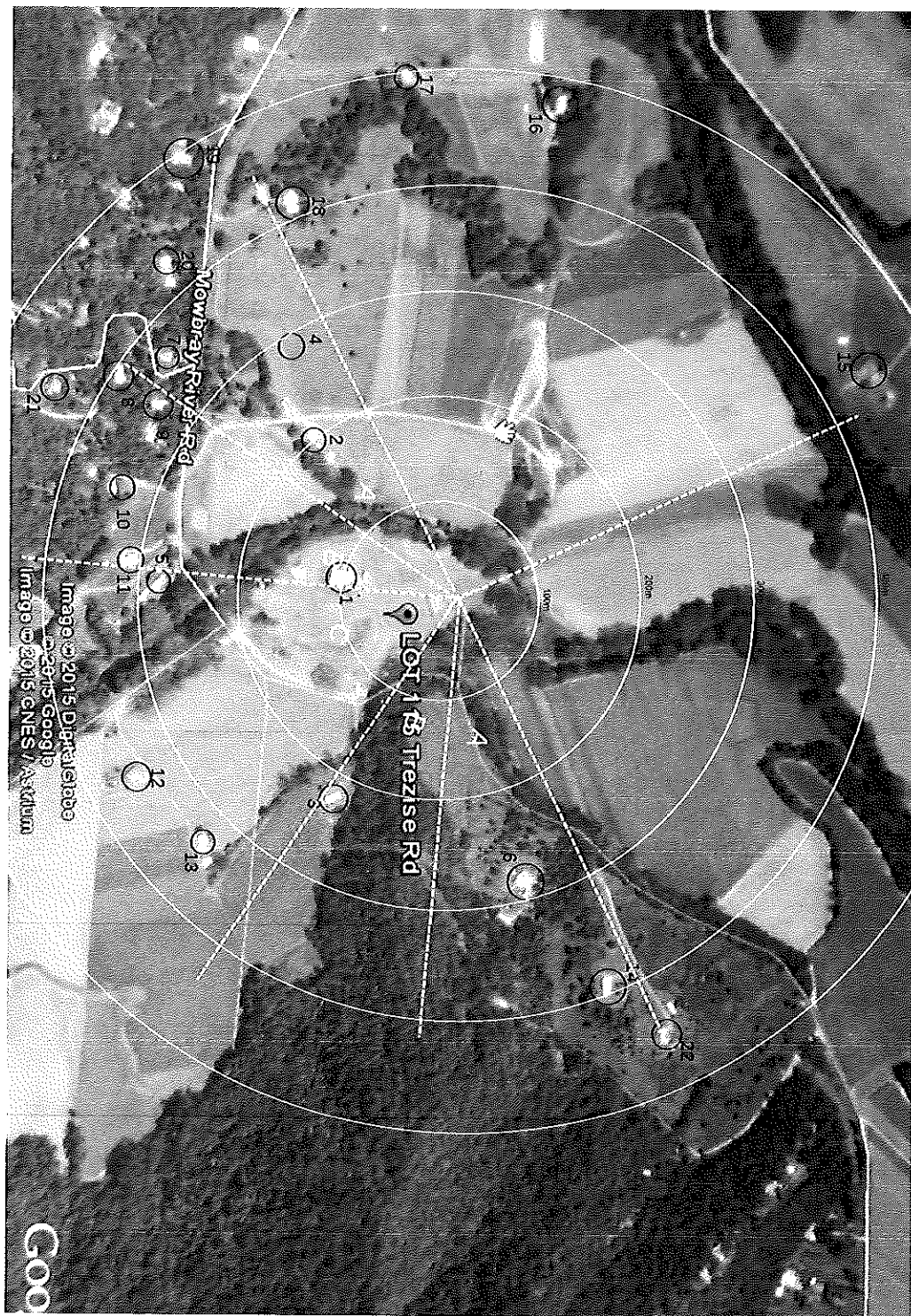
10 Controlling background creep

- (1) This section states the management intent for an activity involving noise.
Note—See section 51 of the Environmental Protection Regulation 2008.
- (2) To the extent that it is reasonable to do so, noise from an activity must not be—
 - (a) for noise that is continuous noise measured by LA90,T—more than nil dB(A) greater than the existing acoustic environment measured by LA90,T; or
 - (b) for noise that varies over time measured by LAeq,adj,T—more than 5dB(A) greater than the existing acoustic environment measured by LA90,T.

Schedule 1 Acoustic quality objectives

Column 1	Column 2	Column 3			Column 4
Sensitive receptor	Time of day	Acoustic quality objectives (measured at the receptor) dB(A)			Environmental value
		LAeq,adj,1hr	LA10,adj,1hr	LA1,adj,1hr	
dwelling (outdoors)	daytime and evening	50	55	65	health and wellbeing
dwelling (indoors)	daytime and evening	35	40	45	health and wellbeing
	Night-time	30	35	40	health and wellbeing, in relation to the ability to sleep

Appendix 2 Map (satellite image) of venue and sensitive receptors



Appendix 3: About the author

I, Anne Pals Bleeksma, obtained my Master's degree in Physics at Delft University of Technology in 1994.

Since moving to Cairns in 2009 I have (In 2011) successfully applied to be enlisted in The Office For Gaming And Liquor Licensing's list of approved acoustical consultant. I have made Noise Assessment reports for Havana Cafe in Lake Street, Rydges Plaza in Spence Street, The Tequila Bar in Shields Street, Strait on the Beach in Machan's Beach, in Airlie Beach at Nomad's backpackers, in Bowen at the Grand Hotel, and recently the Mad Cow Bar and the Casbah.

I have also advised Cairns Regional Council on the regulations of noise levels and how to deal with events in Fogarty park and other City venues and Palm Cove Surf Life Savers in their dealings with liquor licencing.

I teach in my capacity as tutor first year students at James Cook University in Newtonian physics, Modelling of Natural Systems, and Statics and Dynamics. I have lectured a short introductory course in Quantum Physics.