

Our Ref: 33762-001-01

**Senior Principals**

t.d. brazier | d.w. kirchner | s.r. motti

**Principals**

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**Associates**

g. allwood | r.j. melick

26 May 2015

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

**Attention:** Mr. Neil Beck

Dear Neil

**JOHN & JOANNE WOOTTEN  
APPLICATION SEEKING A DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE – UNDEFINED USE (WEDDING CEREMONY & RECEPTION VENUE)  
ON LAND DESCRIBED AS LOT 115 ON SP199697 & LOT 49 ON N157479  
LOCATED AT TREZISE ROAD, MOWBRAY**

We act on behalf of the applicant, John and Joanne Wootten, in relation to the abovementioned development and provide herewith an application seeking a Development Permit for a Material Change of Use – Undefined Use (Wedding Ceremony and Reception Venue) on land located along Trezise Road, Mowbray being properly described as Lot 115 on SP199697 and Lot 49 on N157479.

To assist in Councils assessment of the application, please find enclosed the following documents:

- Attachment A: IDAS Forms 1 & 5;
- Attachment B: Certificates of Title;
- Attachment C: Smart Map;
- Attachment D: Locality Plan;
- Attachment E: Planning Area Map;
- Attachment F: Proposal Plans;
- Attachment G: Noise Assessment Report; and
- Attachment H: Existing Vehicular Access Photos.

**THE SITE**

**Property Description**

Property Address:	Trezise Road, Mowbray
Property Description:	Lot 115 on SP199697& Lot 49 on N157479 Parish of Mowbray, County of Solander
Total Subject Area:	5.19 hectares
Planning Area:	Rural

The Certificates of Title, included at *Attachment B* confirms that John Peter Wootten and Joanne Clare Wootten are the registered owners of the subject land parcels. The Certificates of Title 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 Planning Area under the Douglas Shire Planning Scheme and has frontage to Trezise Road on its eastern boundary where vehicular access is provided. A current Smart Map is included at *Attachment C*, which identifies the existing allotment configuration.

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 Locality Plan at *Attachment D* incorporates an aerial photo of the land parcel and shows a brief outline of the surrounding properties.

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.

### **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.

*Appendix E* contains a Planning Area 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 – Undefined Use (Wedding Ceremony and Reception Venue) on land described as Lot 115 on SP199697 and Lot 49 on N157479 located along Trezise Road, Mowbray.

The proposed Undefined Use (Wedding Ceremony and Reception Venue) will provide an outdoor facility upon the premises, which can be hired by public members to host specific wedding ceremonies and associated formal receptions. 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.

It is expected that there will be approximately two (2) wedding events and functions per month between April and October, therefore being an average of only fourteen (14) wedding events and functions throughout the year. Further to the above, such wedding events and functions are expected to generally occur during a weekend, however a restriction to accommodate these functions throughout the week will not be applied to potential applicants and will be made available if required.

It should be noted that the current landowners of Lot 115 on SP199697 and Lot 49 on N157479 reside within the existing dwelling located upon Lot 49 and will be responsible for caretaker duties during a function upon Lot 115. The applicant has indicated that a 12pm conclusion on wedding reception events will be imposed to ensure that responsible actions are taken by future event organisers and associated guests to ensure any potential nuisance upon surrounding properties is avoided.

An existing single highset dwelling house has recently been constructed upon Lot 115 and has been complemented with manicured landscape gardens. This building contains toilet facilities that are connected to an on-site wastewater disposal and treatment system that will be utilised to assist with catering for the expected wedding functions upon the site. Additional portable toilets can be separately organised depending on guest numbers.

Proposal plans are provided at *Attachment F*, which identifies the proposed site layout and concept function area for the Wedding Ceremony and Reception Venue. Internal floor and elevation plans of the recently constructed dwelling upon Lot 115 is also provided as part of the suite of proposal plans.

The venue for proposed wedding events and functions will be restricted to a maximum capacity of 150 people. It is also noted that all food and beverages will be catered for by the wedding event organisers, along with any associated entertainment (i.e. music, bands etc).

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 events. This perimeter vegetation also assists in providing an acoustic and visual buffer to surrounding properties.

A noise assessment report has been prepared to accompany the development proposal in order to provide an understanding of potential noise sources from the anticipated use, while establishing parameters to achieve compliance with acceptable noise nuisance levels. This noise assessment is provided at *Attachment G*.

Vehicular access and egress to the venue will be made available from Trezise Road, via two (2) existing driveway crossovers attached to Lot 49 on N157479. We provide at *Attachment H* photos of the existing access points. These existing vehicular access points will connect to an informal designated car parking area that is proposed to be contained within the southern portion of the site.

Rather than providing for hardstand areas upon the site, informal car parking and manoeuvring can be sufficiently accommodated within close proximity of the existing access points, which will ensure the site grounds are kept in its current state and to minimise any visual change upon the streetscape and surrounding area. Furthermore, as shown upon the proposed layout plan for the site, an informal car parking area will be allocated for guest parking and will remain unsealed to ensure that this aspect over the site does not become a permanent fixture should the proposed use type cease.

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 Reception Venue option that will further benefit the locality, while being complemented by the surrounding natural landscape features throughout the immediate area.

## **THE PLANNING FRAMEWORK**

### **Assessment Criteria of Impact Assessable – Material Change of Use Application**

Under the Douglas Shire Planning Scheme the site is included in the **Rural Planning Area**. Based on the type of development proposed to be carried out, the Assessment Table for 'Rural Areas and Rural Settlements Locality – Table '1' identifies that the level of assessment required for the proposed Undefined Use is **Impact Assessment**. All aspects of the proposed development are generally considered to be compliant with the relevant performance criteria and acceptable solutions of the Rural Areas and Rural Settlements Locality Code, Rural Planning Area Code, Design & Siting of Advertising Devices Code, Filling & Excavation Code, Landscaping Code, Natural Areas and Scenic Amenity Code, Vehicle Parking & Access along with the Natural Hazards Code being applicable to the proposed development.

An assessment against the applicable codes is provided below:

### **Rural Areas and Rural Settlements Locality Code**

The subject land is located within the Rural Areas and Rural Settlements Locality where the predominant form of surrounding development is primary industry upon medium to large rural sized allotments, along with low density residential development.

It is considered that the proposed material change of use for a Wedding Ceremony and Reception Venue is generally consistent with the overall outcomes and performance criteria sought by the code, as justified below;

- The proposed development will ensure that existing primary industry production throughout the locality is maintained, while having no impact upon the rural landscape character or scenic visual amenity of the area;
- No additional built form structures are required to be constructed as part of this proposal, with the subject site already being serviced by the required level of infrastructure. Furthermore, the existing vehicular access points into the site will be maintained in order to complement the intended use;
- Indigenous interests throughout the area will not be impacted given that the subject site is not associated with any Indigenous Land Use Agreements (ILUA); and
- The proposal will not pose an environmental or conservation threat upon the nearby waterway of Spring Creek nor will it impact upon the future activities or the strategic intent of the immediate locality.



### **Rural Planning Area Code**

The subject land parcels are wholly contained within the Rural Planning Area. It is expected that land within this planning area is intended to comprise a wide range of agricultural and animal husbandry uses, together with other compatible primary production uses.

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 associated receptions.

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 Planning Area Code and therefore will not impact the strategic intent of the area.

### **Design & Siting of Advertising Devices Code**

The purpose of the Design & Siting of Advertising Devices Code is to ensure that Advertising Devices do not adversely impact the streetscape or surrounding amenity of the locality through scale and quantity restrictions of such advertising devices.

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 venue hire is expected to be undertaken through avenues such as social media and affiliated wedding organisers.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable solutions and performance criteria of the Design & Siting of Advertising Devices Code.

### **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 Wedding Ceremony and Reception Venue.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable solutions and performance criteria of the Filling and Excavation 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, an existing single highset dwelling house has recently been constructed upon Lot 115 and has 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 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 solutions and performance criteria of the Landscaping Code.

### **Natural Areas and Scenic Amenity Code**

The purpose of this code seeks to ensure that areas of natural significance and scenic amenity value is retained and conserved in order to protect unique environmental values including biodiversity throughout the shire.

The proposal does not require any filling or excavation works to be undertaken that will cause a detrimental impact upon any aquatic environment. Additionally, the proposed development will not impact upon any vegetated 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.

### **Vehicle Parking and Access Code**

The Vehicle Parking and Access 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. The code also seeks to ensure that access arrangements do not impact the efficiency of the transport network.

While schedule 1 of this code does not specify a prescribed number of on-site vehicle parking spaces for a Wedding Ceremony and Reception Venue, the proposal seeks to utilise an informal car parking and manoeuvring arrangement upon the site. Given the large site area and ease of access, sufficient room is available to satisfy this requirement.

It is expected that in some instances alternative transport arrangements will be made through local bus charter businesses, which will shuttle wedding guests from various accommodation venues throughout Port Douglas to the site. This will limit the impact of providing on-site car parking for users to the site.

No hardstand areas are intended to be constructed for the proposed low impact transient use as a Wedding Ceremony and Reception Venue, 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.

### **Natural Hazards Code**

The Douglas Shire Planning Scheme Overlay Mapping Identifies that the majority of the site is located in the Medium Risk Bushfire Hazard Area. Accordingly, assessment against the Natural Hazards Code is applicable. The Natural Hazards Code seeks to ensure that development minimises the potential adverse impacts of bushfire on people, property and the environment.

The subject site has previously been cleared of any hazardous vegetation, however incorporates well established vegetation only to the northern, eastern and western perimeter boundaries. As indicated earlier, a single highset dwelling house has recently been constructed upon Lot 115 being within close proximity to the proposed function area and has been complemented with manicured landscape gardens. This structure is positioned a significant distance from the larger perimeter vegetation and is in no threat of being impacted by a bushfire event.

Additionally, the site is connected to a reliable source of reticulated bore water and also to rainwater tanks. The subject site incorporates unrestricted road access for firefighting or other emergency vehicles.

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

### **LEGISLATIVE FRAMEWORK – SUSTAINABLE PLANNING ACT 2009**

The *Sustainable Planning Act 2009* (SPA) forms the foundation of Queensland's planning and development assessment legislation. The purpose of SPA is to balance community well-being, economic development and the protection of the natural environment by providing a framework for managing growth and change within the State.

SPA imposes requirements on state and local government through the Integrated Development Assessment System (IDAS). IDAS aims to co-ordinate and integrate the assessment and conditioning powers of government agencies responsible for administering a range of legislation dealing with development approvals.

#### **Assessment Manager**

In accordance with Schedule 6, Table 1, Item 1 of the *Sustainable Planning Regulation 2009* the Douglas Shire Council is the assessment manager for the development application.

Douglas Shire Council's jurisdiction is limited to that stated in section 314 of the *Sustainable Planning Act 2009*.

#### **Referral Agencies**

The Integrated Development Assessment Process incorporates a referral process, established through the *Sustainable Planning Regulation 2009* enabling relevant state agencies to have input in the assessment process.

Schedule 7 of the *Sustainable Planning Regulation 2009* outlines the triggers for the referral of the development application to other agencies.

A review of the proposal against Schedule 7 of the *Sustainable Planning Regulation 2009* confirms that this application does not trigger referral to the chief executive administering the *Sustainable Planning Act 2009* (SPA), being the Director-General of the Department of State Development, Infrastructure and Planning (DSDIP).



## **CONCLUSION**

This report forms part of the development application, which seeks a Development Permit for an Undefined Use (Wedding Ceremony and Reception Venue) over Lot 115 on SP199697 and 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 site 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 Areas and Rural Settlements Locality Code, Rural Planning Area Code, Design & Siting of Advertising Devices Code, Filling & Excavation Code, Landscaping Code, Natural Areas and Scenic Amenity Code, Vehicle Parking & Access and Natural Hazards Code including each of the performance criteria and acceptable solutions;
- 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 Receptions upon this uniquely located site.



We trust that the enclosed documentation is sufficient to allow Council's assessment of the proposed development, however, should you have any further queries or wish to discuss please do not hesitate to contact this office.

Yours sincerely,  
Brazier Motti Pty Ltd

  
**CHARLTON BEST**  
*Senior Town Planner*

cc John and Joanne Wootten



# IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.1 effective 4 July 2014)

This form must be used for **ALL** development applications.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete this form (*IDAS form 1—Application details*)
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form and any other IDAS form relevant to your application must be used for development applications 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*. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

PLEASE NOTE: This form is not required to accompany requests for compliance assessment.

This form can also be completed online using MyDAS at [www.dsdip.qld.gov.au/MyDAS](http://www.dsdip.qld.gov.au/MyDAS)

## Mandatory requirements

**Applicant details** (Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all IDAS application forms is correct. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the applicant.)

Name/s (individual or company name in full)	John and Joanne Wootten			
For companies, contact name				
Postal address	C/- Brazier Motti Pty Ltd			
	PO Box 1185			
	Suburb	Cairns		
	State	QLD	Postcode	4870
	Country	Australia		
Contact phone number	(07) 4033 2377			
Mobile number (non-mandatory requirement)				
Fax number (non-mandatory requirement)	(07) 4033 2599			

Email address (non-mandatory requirement)

charlton.best

@ braziermotti.com.au

Applicant's reference number (non-mandatory requirement)

33762-001-01

**1. What is the nature of the development proposed and what type of approval is being sought?**

**Table A**—Aspect 1 of the application (If there are additional aspects to the application please list in Table B—Aspect 2.)

a) What is the nature of the development? (Please only tick one box.)

☒ Material change of use    ☐ Reconfiguring a lot    ☐ Building work    ☐ Operational work

b) What is the approval type? (Please only tick one box.)

☐ Preliminary approval under s241 of SPA    ☐ Preliminary approval under s241 and s242 of SPA    ☒ Development permit

c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

Material Change of Use for an Undefined Use (Wedding Ceremony & Reception Venue)

d) What is the level of assessment? (Please only tick one box.)

☒ Impact assessment    ☐ Code assessment

**Table B**—Aspect 2 of the application (If there are additional aspects to the application please list in Table C—Additional aspects of the application.)

a) What is the nature of development? (Please only tick one box.)

☐ Material change of use    ☐ Reconfiguring a lot    ☐ Building work    ☐ Operational work

b) What is the approval type? (Please only tick one box.)

☐ Preliminary approval under s241 of SPA    ☐ Preliminary approval under s241 and s242 of SPA    ☐ Development permit

c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

d) What is the level of assessment?

☐ Impact assessment    ☐ Code assessment

**Table C**—Additional aspects of the application (If there are additional aspects to the application please list in a separate table on an extra page and attach to this form.)

☐ Refer attached schedule    ☐ Not required

**2. Location of the premises** (Complete Table D and/or Table E as applicable. Identify each lot in a separate row.)

**Table D**—Street address and lot on plan for the premises or street address and lot on plan for the land adjoining or adjacent to the premises (Note: this table is to be used for applications involving taking or interfering with water). (Attach a separate schedule if there is insufficient space in this table.)

☒ Street address **and** lot on plan (All lots must be listed.)

☐ Street address **and** lot on plan for the land adjoining or adjacent to the premises (Appropriate for development in water but adjoining or adjacent to land, e.g. jetty, pontoon. All lots must be listed.)

Street address					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)		210R	Trezise Road, Mowbray	4877	115	SP199697	Douglas
ii)		210R	Trezise Road, Mowbray	4877	49	N157479	Douglas
iii)							

**Planning scheme details** (If the premises involves multiple zones, clearly identify the relevant zone/s for each lot in a separate row in the below table. Non-mandatory)

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)	Rural		
ii)			
iii)			

**Table E**—Premises coordinates (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.) (Attach a separate schedule if there is insufficient space in this table.)

Coordinates (Note: place each set of coordinates in a separate row)				Zone reference	Datum	Local government area (if applicable)
Easting	Northing	Latitude	Longitude			
					<input type="checkbox"/> GDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> other	

**3. Total area of the premises on which the development is proposed** (indicate square metres)

51,900 square metres

**4. Current use/s of the premises** (e.g. vacant land, house, apartment building, cane farm etc.)

Single Dwelling on each lot

5. Are there any current approvals (e.g. a preliminary approval) associated with this application? (Non-mandatory requirement)


☒ No ☐ Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)

6. Is owner's consent required for this application? (Refer to notes at the end of this form for more information.)

☐ No  
☒ Yes—complete either Table F, Table G or Table H as applicable

**Table F**

Name of owner/s of the land	John Peter Wootten and Joanne Clare Wootten
I/We, the above-mentioned owner/s of the land, consent to the making of this application.	
Signature of owner/s of the land	
Date	20/02/2015

**Table G**

Name of owner/s of the land	
<input type="checkbox"/> The owner's written consent is attached or will be provided separately to the assessment manager.	

**Table H**

Name of owner/s of the land	
<input type="checkbox"/> By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.	

7. Identify if any of the following apply to the premises (Tick applicable box/es.)

- ☐ Adjacent to a water body, watercourse or aquifer (e.g. creek, river, lake, canal)—complete Table I
- ☐ On strategic port land under the *Transport Infrastructure Act 1994*—complete Table J
- ☐ In a tidal water area—complete Table K
- ☐ On Brisbane core port land under the *Transport Infrastructure Act 1994* (No table requires completion.)
- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* (no table requires completion)
- ☐ Listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* (no table requires completion)

**Table I**

Name of water body, watercourse or aquifer

Table J	
Lot on plan description for strategic port land	Port authority for the lot

Table K	
Name of local government for the tidal area (if applicable)	Port authority for the tidal area (if applicable)

**8. Are there any existing easements on the premises?** (e.g. for vehicular access, electricity, overland flow, water etc)

☒ No ☐ Yes—ensure the type, location and dimension of each easement is included in the plans submitted

**9. Does the proposal include new building work or operational work on the premises?** (Including any services)

☒ No ☐ Yes—ensure the nature, location and dimension of proposed works are included in plans submitted

**10. Is the payment of a portable long service leave levy applicable to this application?** (Refer to notes at the end of this form for more information.)

☒ No—go to question 12 ☐ Yes

**11. Has the portable long service leave levy been paid?** (Refer to notes at the end of this form for more information.)

☒ No  
☐ Yes—complete Table L and submit with this application the yellow local government/private certifier's copy of the receipted QLeave form

Table L		
Amount paid	Date paid (dd/mm/yy)	QLeave project number (6 digit number starting with A, B, E, L or P)

**12. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the *Sustainable Planning Act 2009*?**

☒ No  
☐ Yes—please provide details below

Name of local government	Date of written notice given by local government (dd/mm/yy)	Reference number of written notice given by local government (if applicable)

**13. List below all of the forms and supporting information that accompany this application** (Include all IDAS forms, checklists, mandatory supporting information etc. that will be submitted as part of this application. Note: this question does not apply for applications made online using MyDAS)

Description of attachment or title of attachment	Method of lodgement to assessment manager
Brazier Motti Report 33762-001-01	Mail

**14. Applicant's declaration**

☒ By making this application, I declare that all information in this application is true and correct (Note: it is unlawful to provide false or misleading information)

**Notes for completing this form**

- Section 261 of the *Sustainable Planning Act 2009* prescribes when an application is a properly-made application. Note, the assessment manager has discretion to accept an application as properly made despite any non-compliance with the requirement to provide mandatory supporting information under section 260(1)(c) of the *Sustainable Planning Act 2009*

**Applicant details**

- Where the applicant is not a natural person, ensure the applicant entity is a real legal entity.

**Question 1**

- Schedule 3 of the Sustainable Planning Regulation 2009 identifies assessable development and the type of assessment. Where schedule 3 identifies assessable development as "various aspects of development" the applicant must identify each aspect of the development on Tables A, B and C respectively and as required.

**Question 6**

- Section 263 of the *Sustainable Planning Act 2009* sets out when the consent of the owner of the land is required for an application. Section 260(1)(e) of the *Sustainable Planning Act 2009* provides that if the owner's consent is required under section 263, then an application must contain, or be accompanied by, the written consent of the owner, or include a declaration by the applicant that the owner has given written consent to the making of the application. If a development application relates to a state resource, the application is not required to be supported by evidence of an allocation or entitlement to a state resource. However, where the state is the owner of the subject land, the written consent of the state, as landowner, may be required. Allocation or entitlement to the state resource is a separate process and will need to be obtained before development commences.

**Question 7**

- If the premises is listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* it may be necessary to seek compliance assessment. Schedule 18 of the Sustainable Planning Regulation 2009 identifies where compliance assessment is required.

**Question 11**

- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* prescribes when the portable long service leave levy is payable.
- The portable long service leave levy amount and other prescribed percentages and rates for calculating the levy are prescribed in the Building and Construction Industry (Portable Long Service Leave) Regulation 2002.

## Question 12

- The portable long service leave levy need not be paid when the application is made, but the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires the levy to be paid before a development permit is issued.
- Building and construction industry notification and payment forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au). For further information contact QLeave on 1800 803 481 or visit [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au).

**Privacy**—The information collected in this form will be used by the Department of State Development, Infrastructure and Planning (DSDIP), assessment manager, referral agency and/or building certifier in accordance with the processing and assessment of your application. Your personal details should not be disclosed for a purpose outside of the IDAS process or the provisions about public access to planning and development information in the *Sustainable Planning Act 2009*, except where required by legislation (including the *Right to Information Act 2009*) or as required by Parliament. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

## OFFICE USE ONLY

Date received

Reference numbers

## NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

Council. I have been engaged as the private certifier for the building work referred to in this application

Date of engagement	Name	BSA Certification license number	Building classification/s

## QLEAVE NOTIFICATION AND PAYMENT (For completion by assessment manager or private certifier if applicable.)

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

The *Sustainable Planning Act 2009* is administered by the Department of State Development, Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

# IDAS form 5—Material change of use assessable against a planning scheme

(Sustainable Planning Act 2009 version 3.0 effective 1 July 2013)

This form must be used for development applications for a material change of use assessable against a planning scheme.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete *IDAS form 1—Application details*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the Sustainable Planning Act 2009 (SPA) or the Sustainable Planning Regulation 2009.

This form must also be used for material change of use on 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* that requires assessment against the land use plan for that land. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

This form can also be completed online using MyDAS at [www.dsdip.qld.gov.au/MyDAS](http://www.dsdip.qld.gov.au/MyDAS)

## Mandatory requirements

- 1. Describe the proposed use.** (Note: this is to provide additional detail to the information provided in question 1 of *IDAS form 1—Application details*. Attach a separate schedule if there is insufficient space in this table.)

General explanation of the proposed use	Planning scheme definition (include each definition in a new row) (non-mandatory)	No. of dwelling units (if applicable) or gross floor area (if applicable)	Days and hours of operation (if applicable)	No. of employees (if applicable)

- 2. Are there any current approvals associated with the proposed material change of use?** (e.g. a preliminary approval.)

☐ No ☐ Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)

**3. Does the proposed use involve the following?** (Tick all applicable boxes.)

The reuse of existing buildings on the premises	<input type="checkbox"/> No	<input type="checkbox"/> Yes
New building work on the premises	<input type="checkbox"/> No	<input type="checkbox"/> Yes
The reuse of existing operational work on the premises	<input type="checkbox"/> No	<input type="checkbox"/> Yes
New operational work on the premises	<input type="checkbox"/> No	<input type="checkbox"/> Yes

**Mandatory supporting information**

**4. Confirm that the following mandatory supporting information accompanies this application**

Mandatory supporting information	Confirmation of lodgement	Method of lodgement
<b>All applications</b>		
<p>A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are <b>recommended</b> scales) which shows the following:</p> <ul style="list-style-type: none"> <li>the location and site area of the land to which the application relates (<i>relevant land</i>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the location and use of any existing or proposed buildings or structures on the relevant land (note: where extensive demolition or new buildings are proposed, two separate plans [an existing site plan and proposed site plan] may be appropriate)</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>the location and use of buildings on land adjoining the relevant land</li> <li>all vehicle access points and any existing or proposed car parking areas on the relevant land. Car parking spaces for persons with disabilities and any service vehicle access and parking should be clearly marked</li> <li>for any new building on the relevant land, the location of refuse storage</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any proposed landscaping on the relevant land</li> <li>the location of any stormwater detention on the relevant land.</li> </ul>	<input type="checkbox"/> Confirmed	
A statement about how the proposed development addresses the local government's planning scheme and any other planning instruments or documents relevant to the application.	<input type="checkbox"/> Confirmed	
A statement about the intensity and scale of the proposed use (e.g. number of visitors, number of seats, capacity of storage area etc.).	<input type="checkbox"/> Confirmed	
<p>Information that states:</p> <ul style="list-style-type: none"> <li>the existing or proposed floor area, site cover, maximum number of storeys and maximum height above natural ground level for existing or new buildings (e.g. information regarding existing buildings but not being reused)</li> <li>the existing or proposed number of on-site car parking bays, type of vehicle cross-over (for non-residential uses) and vehicular servicing arrangement (for non-residential uses).</li> </ul>	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
<b>When the application involves the reuse of existing buildings</b>		
Plans showing the size, location, existing floor area, existing site cover, existing maximum number of storeys and existing maximum height above natural ground level of the buildings to be reused.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
<b>When the application involves new building work (including extensions)</b>		
Floor plans drawn to an appropriate scale (1:50, 1:100 or 1:200 are <b>recommended</b> scales) which show the following: <ul style="list-style-type: none"> <li>the north point</li> <li>the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only)</li> <li>the room layout (for residential development only) with all rooms clearly labelled</li> <li>the existing and the proposed built form (for extensions only)</li> <li>the gross floor area of each proposed floor area.</li> </ul>	<input type="checkbox"/> Confirmed	
Elevations drawn to an appropriate scale (1:100, 1:200 or 1:500 are <b>recommended</b> scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)	<input type="checkbox"/> Confirmed	
Plans showing the size, location, proposed site cover, proposed maximum number of storeys, and proposed maximum height above natural ground level of the proposed new building work.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
<b>When the application involves reuse of other existing work</b>		
Plans showing the nature, location, number of on-site car parking bays, existing area of landscaping, existing type of vehicular cross-over (non-residential uses), and existing type of vehicular servicing arrangement (non-residential uses) of the work to be reused.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
<b>When the application involves new operational work</b>		
Plans showing the nature, location, number of new on-site car parking bays, proposed area of new landscaping, proposed type of new vehicle cross-over (non-residential uses), proposed maximum new vehicular servicing arrangement (non-residential uses) of the proposed new operational work.	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

**Privacy**—Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.

#### OFFICE USE ONLY

Date received

Reference numbers

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Department of State Development, Infrastructure and Planning

PO Box 15009 City East Qld 4002

tel 13 QGOV (13 74 68)

[info@dsdip.qld.gov.au](mailto:info@dsdip.qld.gov.au)

[www.dsdip.qld.gov.au](http://www.dsdip.qld.gov.au)

IDAS form 5—Material change of use assessable  
against a planning scheme  
Version 3.0—1 July 2013



# CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 20280130

Search Date: 04/02/2015 11:25

Title Reference: 50800149

Date Created: 05/02/2010

Previous Title: 40059748

## REGISTERED OWNER

Dealing No: 713695582 02/02/2011

JOHN PETER WOOTTEN

JOANNE CLARE WOOTTEN

JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 115 SURVEY PLAN 199697

County of SOLANDER

Parish of MOWBRAY

Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 40059748 (Lot 115 on SP 199697)
2. MORTGAGE No 715948319 12/08/2014 at 12:17  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.B.N. 11  
005 357 522

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (DEPT OF NATURAL RESOURCES AND MINES) [2015]

Requested By: D APPLICATIONS GLOBAL X

# CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 20911836

Search Date: 07/05/2015 13:42

Title Reference: 21043212

Date Created: 28/04/1977

Previous Title: 20636047

20636048

## REGISTERED OWNER

Dealing No: 713695585 02/02/2011

JOHN PETER WOOTTEN

JOANNE CLARE WOOTTEN

JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 49

CROWN PLAN N157479

County of SOLANDER

Parish of MOWBRAY

Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20178078 (POR 49)
2. MORTGAGE No 715948318 12/08/2014 at 12:17  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.B.N. 11  
005 357 522

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

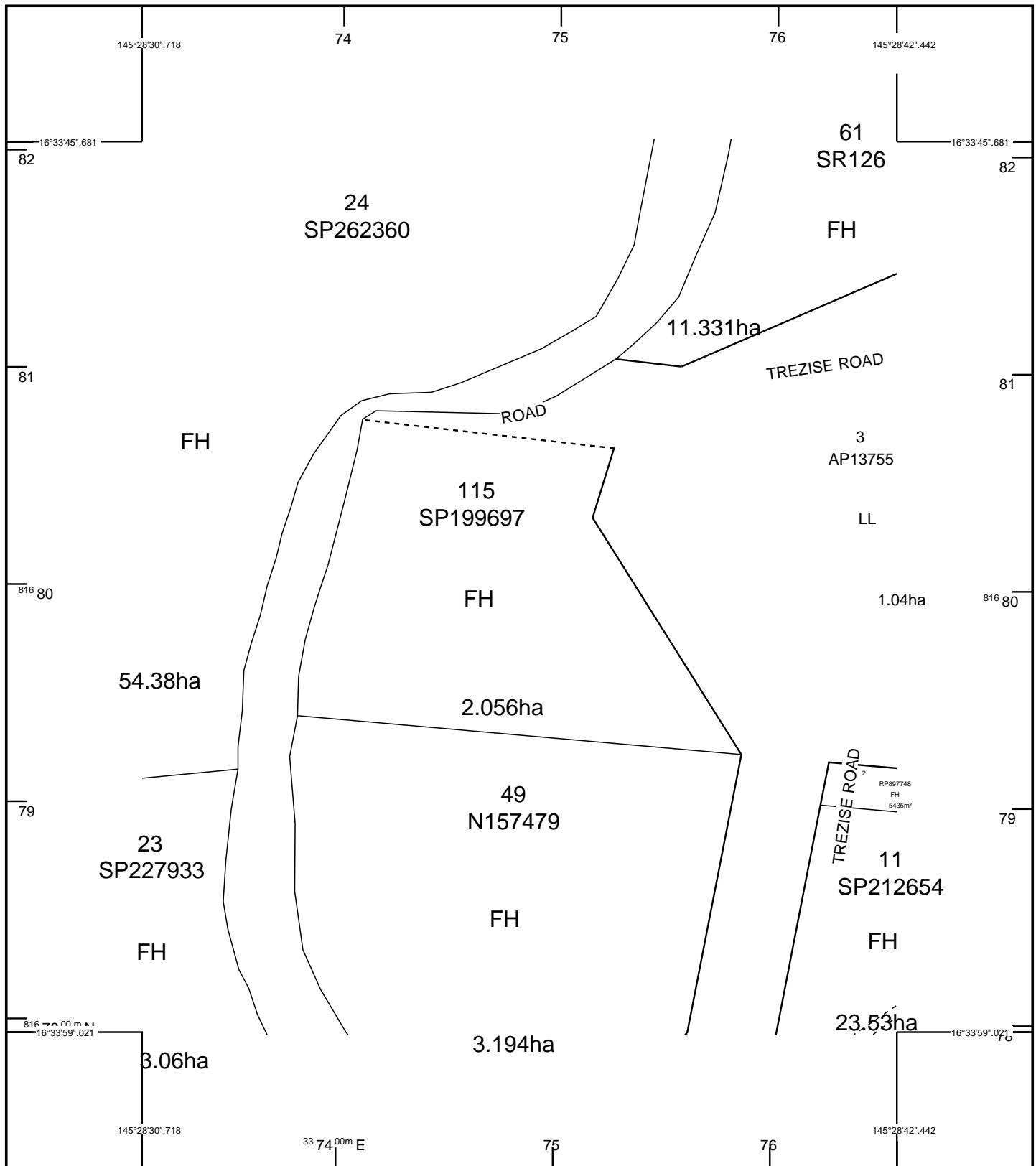
Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

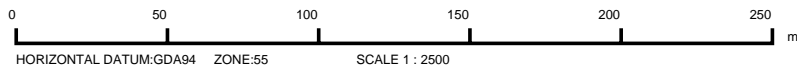
COPYRIGHT THE STATE OF QUEENSLAND (DEPT OF NATURAL RESOURCES AND MINES) [2015]

Requested By: D APPLICATIONS GLOBAL X

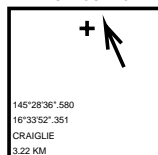




STANDARD MAP NUMBER  
7964-11214



MAP WINDOW POSITION &  
NEAREST LOCATION



#### SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	115/SP199697
Area/Volume	2.056ha
Tenure	FREEHOLD
Local Government	DOUGLAS SHIRE
Locality	MOWBRAY
Parish	MOWBRAY
County	SOLANDER
Segment/Parcel	8616/17

#### CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 04/02/2015

DCDB 03/02/2015

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**SmartMap**

An External Product of  
SmartMap Information Services

Based upon an extraction from the  
Digital Cadastral Data Base

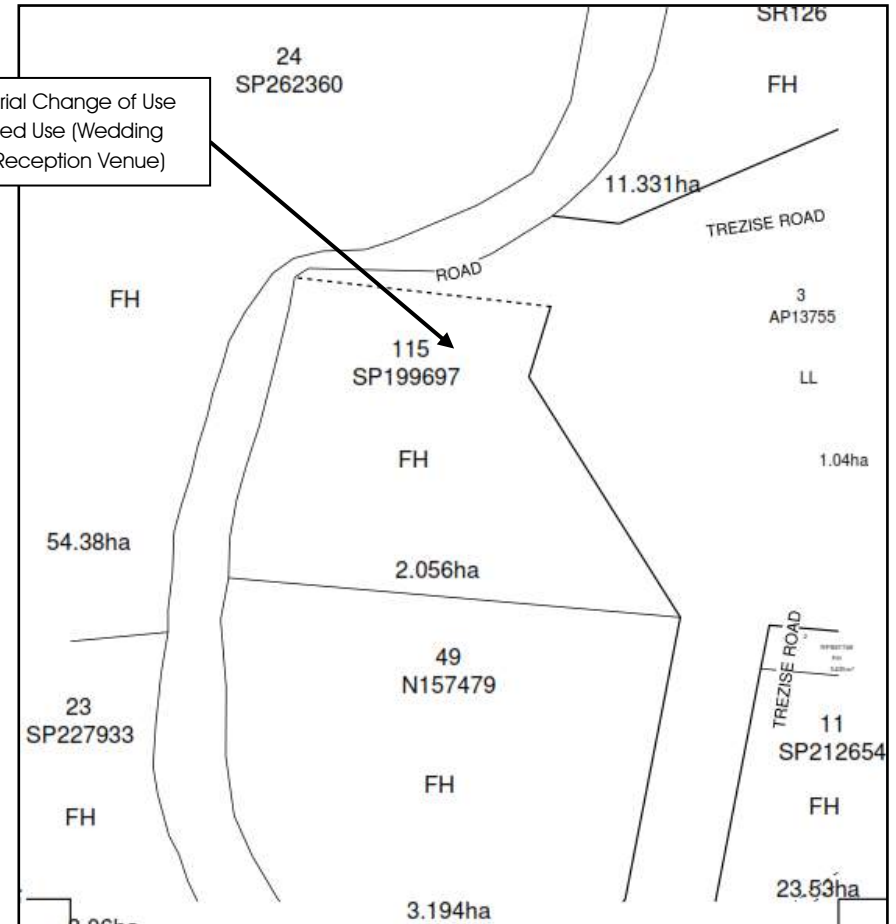


(c) The State of Queensland,  
(Department of Natural  
Resources and Mines) 2015.





Proposed Material Change of Use  
for an Undefined Use (Wedding  
Ceremony & Reception Venue)

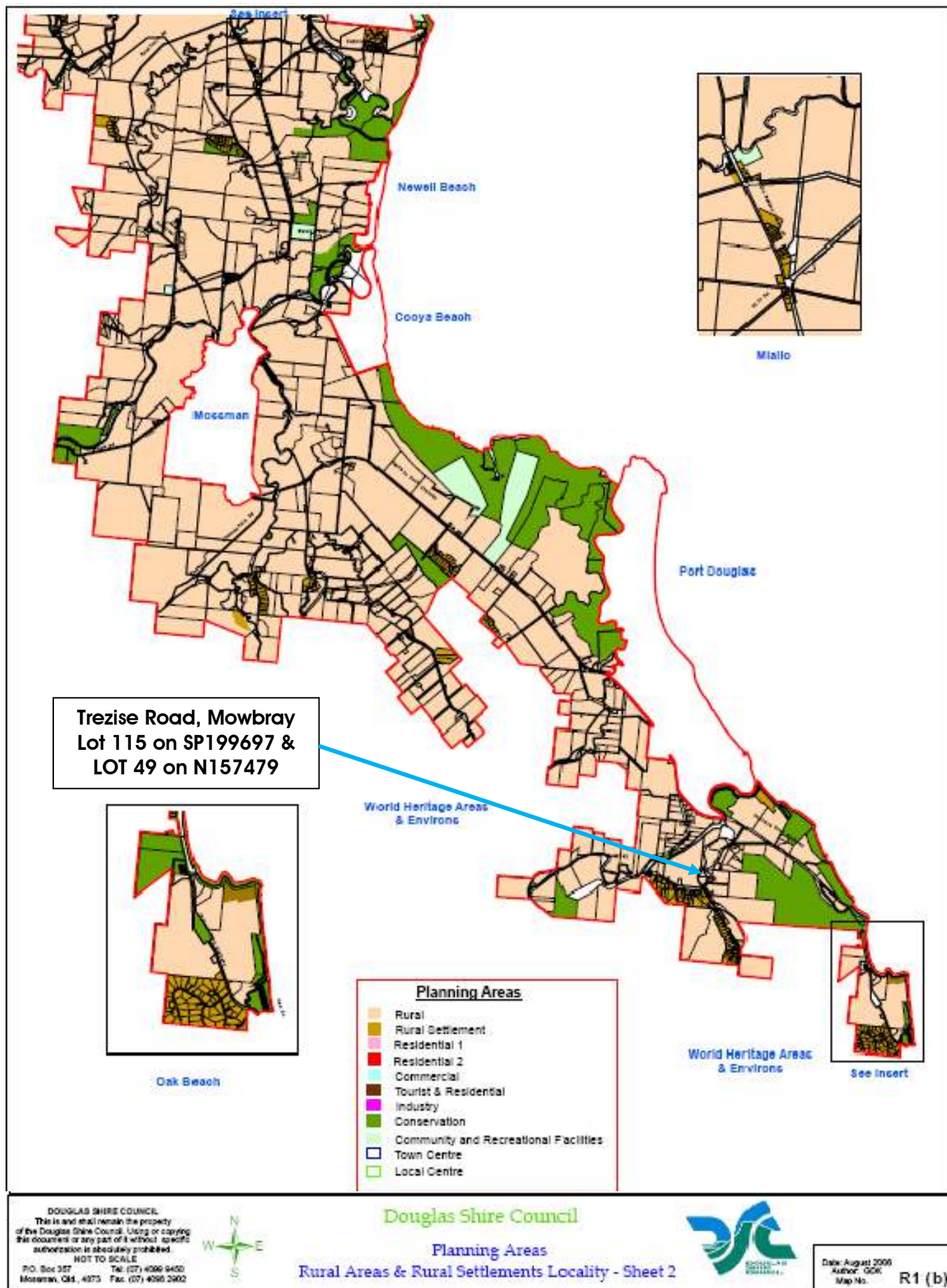


Our Ref: 33762-001-01

© 2015 Google Earth

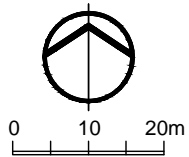
**AERIAL PHOTO AND LOCALITY PLAN  
MATERIAL CHANGE OF USE  
UNDEFINED USE (WEDDING CEREMONY & RECEPTION VENUE)  
LOT 115 ON SP199697 & LOT 49 ON N157479  
TREZISE ROAD, MOWBRAY**







PROPOSED WEDDING CEREMONY & RECEPTION VENUE



This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.



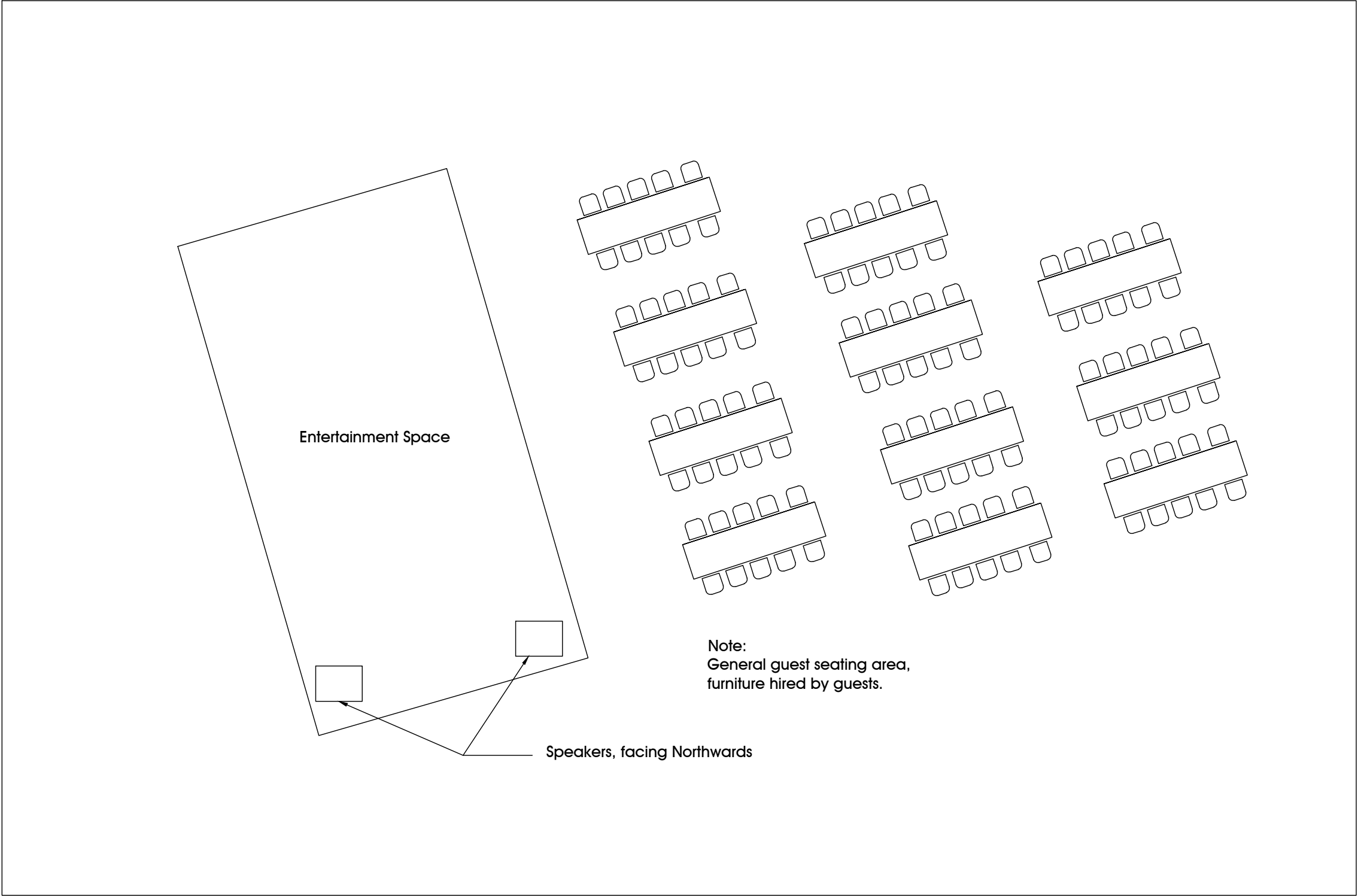
**brazier motti**

P 1300 267 878  
W [www.braziermotti.com.au](http://www.braziermotti.com.au)

Date: 6th May, 2015  
Scale: 1:1000 @ A3  
Drawn: MJM  
Job No: 33762/001-02  
Plan No: 33762/001 B

surveying | town planning | project management | mapping and GIS

FUNCTION AREA (MAXIMUM CAPACITY 150 PEOPLE)



This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.



**brazier motti**

P 1300 267 878  
W [www.braziermotti.com.au](http://www.braziermotti.com.au)

Date: 8th May, 2015

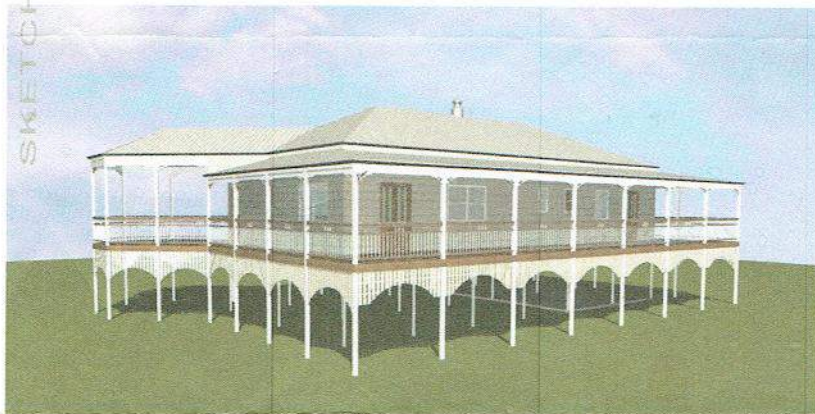
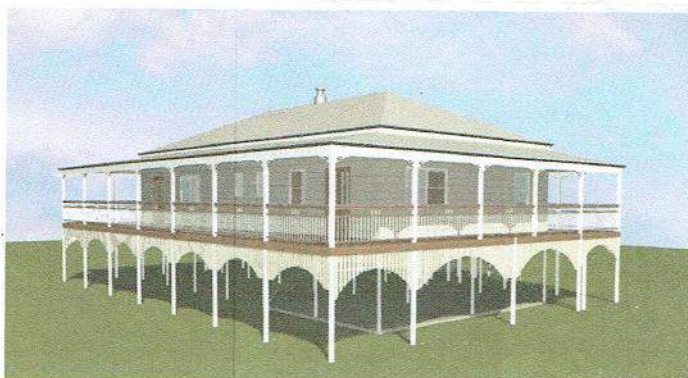
Scale: Not to Scale

Drawn: MJM

Job No: 33762/001-02

Plan No: 33762/002 A

SKETCH PLAN ONLY



PROPOSED NEW DWELLING, Mowbray Valley

PERSPECTIVE

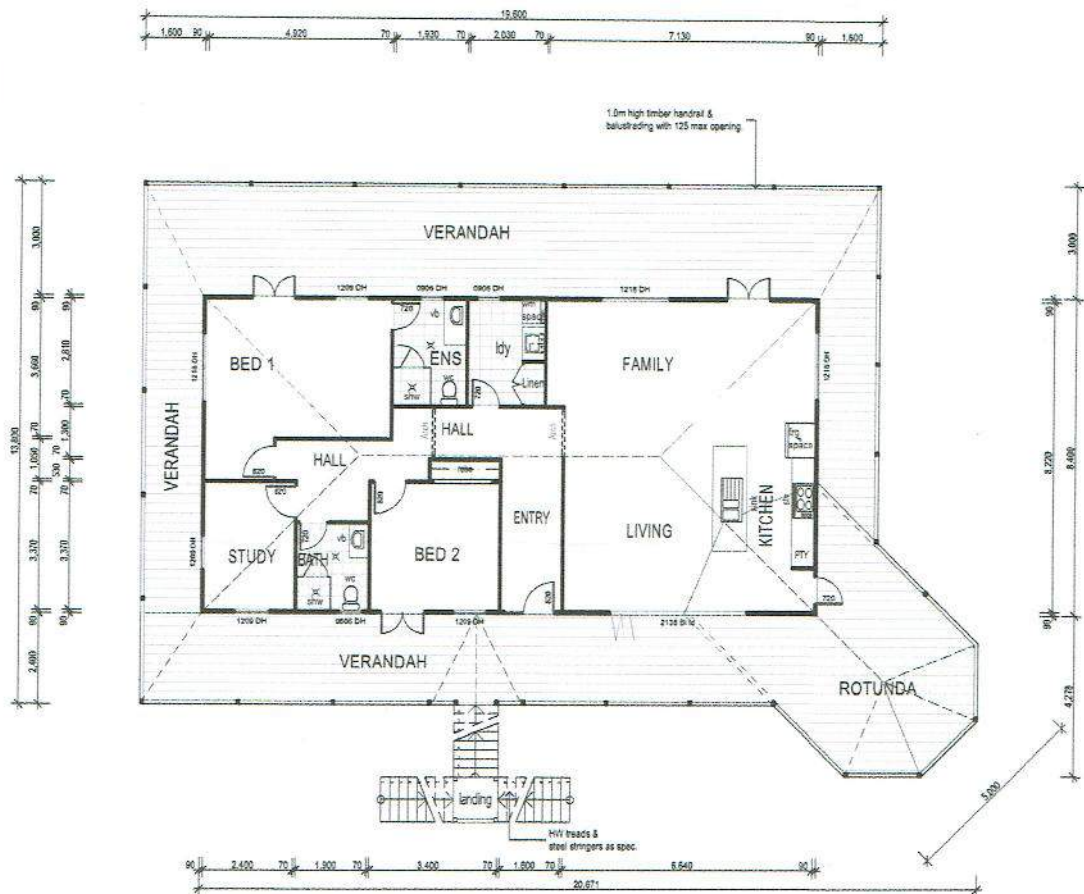
For J & J WOOTTEN,

B-24/10/13

P.101 (B)

MAIN BUILDING	138.0m <sup>2</sup>
ALL VERANDAH	148.0m <sup>2</sup>
TOTAL	286.0m <sup>2</sup>
CAR PARK	50.5m <sup>2</sup>

SKETCH PLAN ONLY



### GROUND FLOOR PLAN

For J & J WOOTTEN.

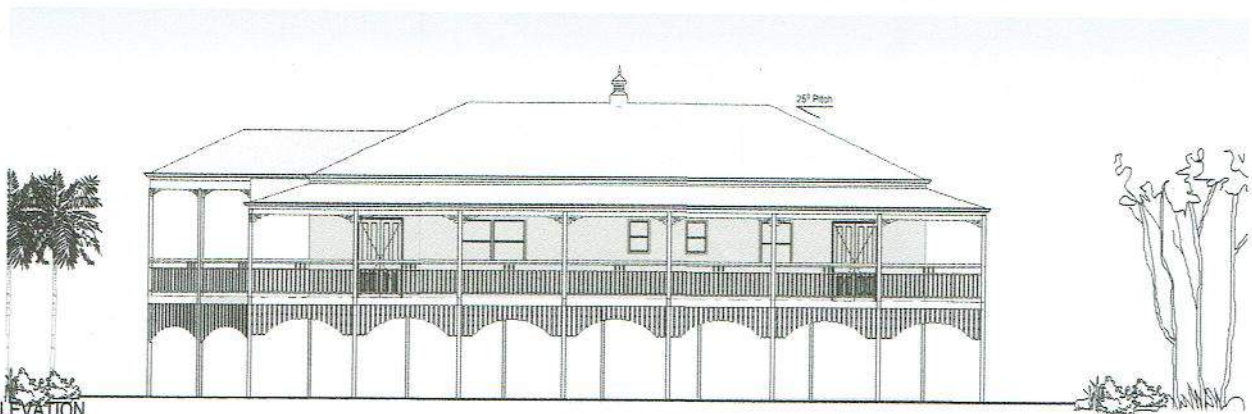
B 24/10/13

A 08/10/13

SD.201 **B**

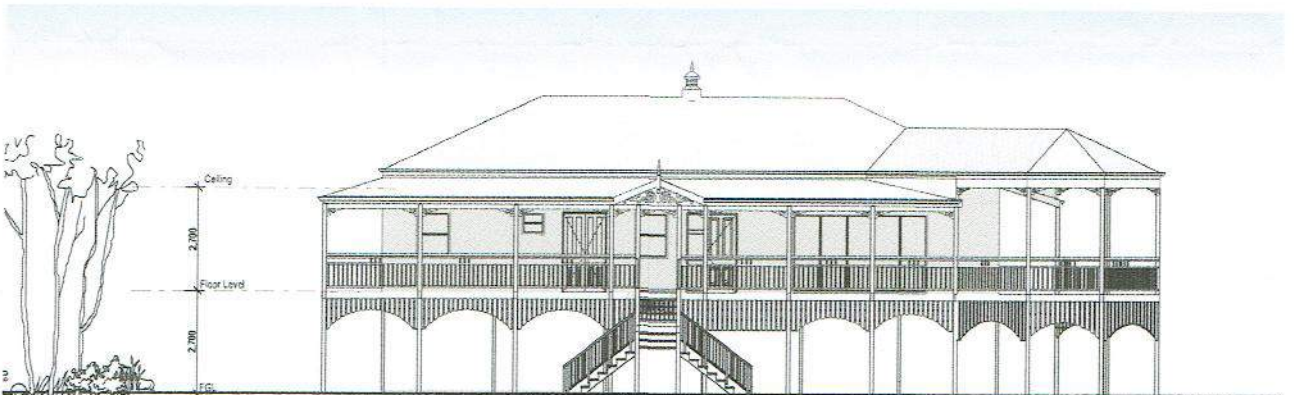
**GROUND FLOOR PLAN**  
SD.201 SCALE 1:100 @ A3

SKETCH PLAN ONLY



WEST ELEVATION

SD.501 SCALE: 1:100 @ A3



EAST ELEVATION

SD.501 SCALE: 1:100 @ A3



PROPOSED NEW DWELLING, Mowbray Valley  
ELEVATIONS  
For J & J WOOTTEN.

B 24/10/13

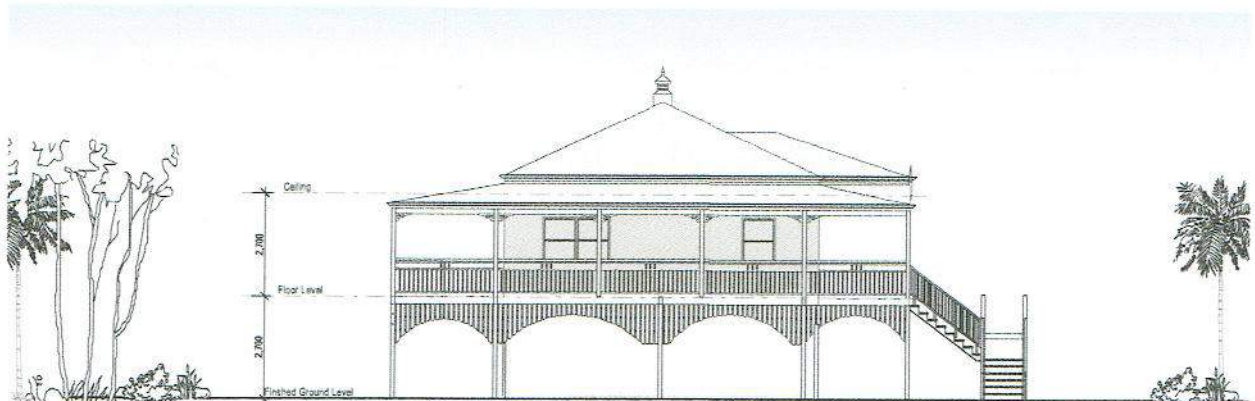
A 08/10/13

SD.501 **B**

SKETCH PLAN ONLY



**NORTH ELEVATION**  
SD 502 SCALE: 1:100 @ A3



**SOUTH ELEVATION**  
SD 502 SCALE: 1:100 @ A3



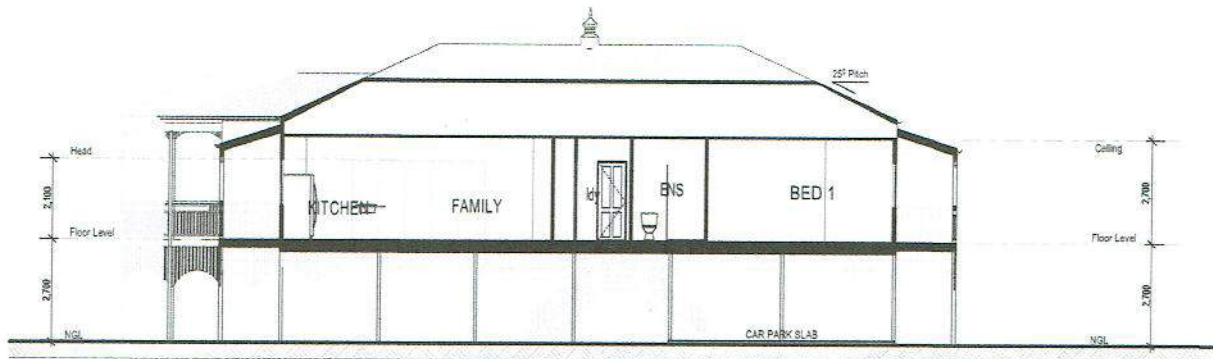
**PROPOSED NEW DWELLING, Mowbray Valley**  
**ELEVATIONS**  
For J & J WOOTTEN,

B 24/10/13

A 08/10/13

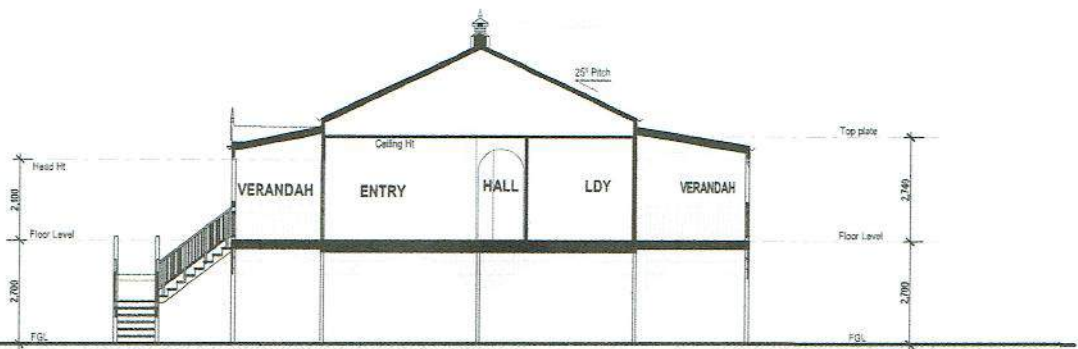
SD.502 **B**

SKETCH PLAN ONLY



**SECTION A**

SD.601 SCALE 1:100 @ A3



**SECTION B**

SD.601 SCALE 1:100 @ A3



PROPOSED NEW DWELLING, Mowbray Valley

SECTIONS

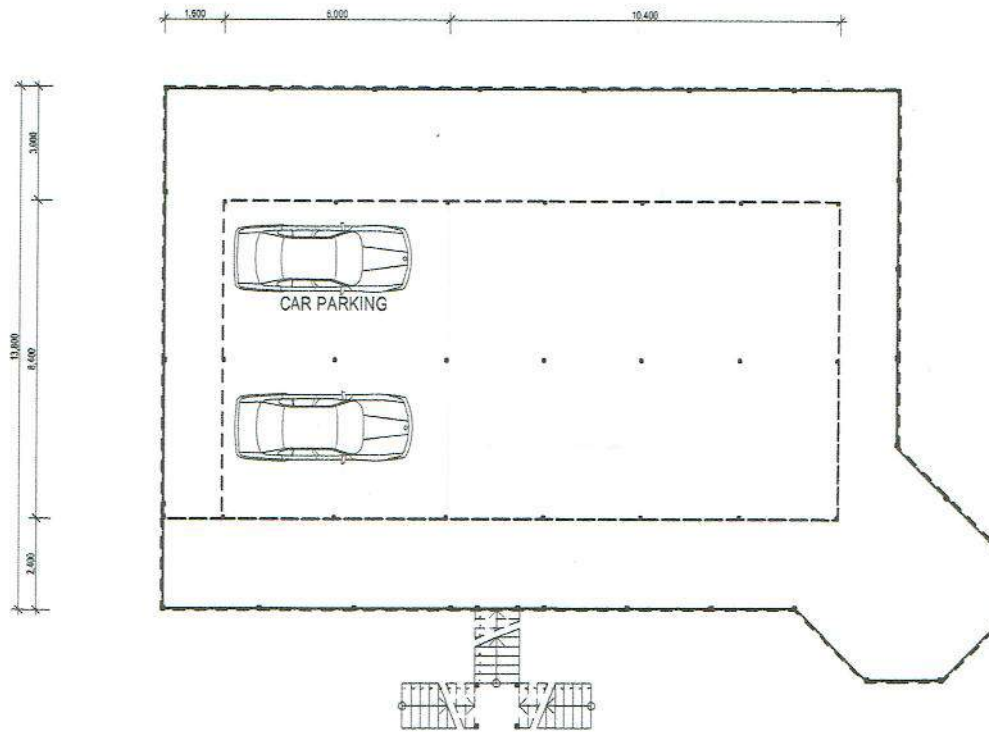
For J & J WOOTTEN,

B 24/10/13

A 08/10/13

SD.601 **B**

SKETCH PLAN ONLY



SUBFLOOR PLAN  
SD.202 SCALE 1:100 @ A3

PROPOSED NEW DWELLING, Mowbray Valley  
SUBFLOOR PLAN  
For J & J WOOTTEN,

B 24/10/13  
A 08/10/13  
SD.202 **B**



# **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, dwellings 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 loss 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 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)<sub>eq</sub>

55 dB(A) L<sub>10</sub>

65 dB(A) L<sub>1</sub>

When measured with a sound level meter set to fast sampling (125 ms) the peak levels one reads usually correspond with a level between L<sub>1</sub> and L<sub>10</sub>. L<sub>1</sub> and L<sub>10</sub> 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.

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## **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.



**Views of existing eastern access point into Lot 49**



**Views of existing southern access point into Lot 49**

