

Ref: L31719/BH/19-142

10 October 2019

Circus Joseph Ashton Pty Ltd
c/- RPS Group
Level 4, HQ South
520 Wickham Street
Fortitude Valley QLD 4006

Attention: Ms Lyndelle Seymour

PLANS AND DOCUMENTS
referred to in the PDA
DEVELOPMENT APPROVAL

Approval no: DEV2019/1071

Date: 24 October 2019



Dear Lyndelle

Re: Review of Potential Noise Impacts from ‘Infamous Cabaret’ at 53 to 91 Dalton Drive, Maroochydore

Further to your request, MWA Environmental has reviewed the potential noise issues relating to a proposed temporary 'Infamous Cabaret' use at 53 to 91 Dalton Drive, Maroochydore.

The development application seeks approval for a PDA Development Permit for a Material Change of Use for Theatre which is a temporary use proposed between 8 November and 22 December 2019 (with setting up from 28 October).

The site location is shown on **Figure 1**.



Figure 1: Site Location

The general layout of the proposed use is shown on the Proposal Plan included as **Attachment 1**.

Key noise emissions from the proposed use, which occur at different times, are:

- Cabaret show noise (amplified voice and music and patron noise within the tent)
- Carparking prior to and following shows
- Patron noise

It is expected that the Cabaret show would generate higher noise emissions than the pre- and post- show periods.

Shows are scheduled between 6pm and 10pm Wednesday to Sunday.

The nearest sensitive land uses are residential dwellings (townhouses) situated approximately 100 metres to the southeast of the proposed Cabaret area (refer **Attachment 1**). The noise environment at the surrounding residential land uses is affected by elevated background noise associated with the Sunshine Motorway to the south.

RPS Group has supplied MWA Environmental with the following documents for the purpose of our review:

- *Infamous Maroochydore 2019 Noise Management Plan* (refer **Attachment 2**) ("**the Noise Management Plan**") – which stipulates noise monitoring to be undertaken during events to ensure that specified noise levels are not exceeded external to the tent.
- *53-91 Dalton Drive East, Maroochydore - Acoustic Report - Stage 1* (Vipac Engineers & Scientists, 28 March 2019) ("**the Vipac report**") – which was prepared in support of a commercial development on the subject land that was approved by the Queensland Government in July 2019.
- *Environmental Protection Act 1994 – Noise from Infamous Cabaret – 593-619 Mulgrave Road, Earlville 4870* (Cairns Regional Council, 28 May 2019) ("**the Cairns Regional Council report**") – which assessed noise from the Infamous Cabaret in Cairns at a residential location approximately 55 metres from the main tent.

The Vipac report determined that ambient background (L_{A90}) noise levels at the nearest residential interface were 45 dB(A) during the 7am to 6pm period and 50 dB(A) during the 6pm to 10pm period.

The Cairns Regional Council report assessed noise compliance against the s440W Indoor Venues default noise standard from the Queensland *Environmental Protection Act 1994* based upon the L_{Aeq} noise parameter, which relates to an allowable noise levels of 5 dB(A) above the background level during the 7am to 10pm period, as follows:

440W Indoor venues

- (1) An occupier of a building must not use, or permit the use of, the building as an indoor venue on any day—
 - (a) before 7a.m, if the use makes an audible noise; or
 - (b) from 7a.m. to 10p.m, if the use makes a noise of more than 5dB(A) above the background level; or
 - (c) from 10p.m. to midnight, if the use makes a noise of more than 3dB(A) above the background level.
- (2) However, subsection (1)(b) does not apply if—
 - (a) the building is, or is part of, an educational institution; and
 - (b) the use of the building as an indoor venue is organised by or for the educational institution for non-commercial purposes of the institution.

The noise level of the Infamous Cabaret was assessed by Cairns Regional Council to be L_{Aeq} 48 dB(A) at a location identified by Circus Joseph Ashton Pty Ltd to be approximately 55 metres from the main tent.

MWA Environmental has prepared a simple SoundPLAN computer noise model to predict the resultant noise level from the main tent at a 100 metres separation distance (i.e. the townhouse development to the southeast) on the basis that noise levels measured in accordance with the Noise Management Plan do not exceed 55 dB(A) L_{Aeq} at locations more than 20 metres external to the main tent.

The results of the noise modelling relate to a noise level within ± 1 dB(A) of the level measured by Cairns Regional Council at a distance of 55 metres. This provides confidence that the model is a reasonable representation of noise from the main tent.

At a distance of 100 metres from the main tent, indicative of the minimum distance to sensitive receptors, the SoundPLAN model predicts a resultant noise level of 42 dB(A) L_{Aeq} .

The predicted Infamous Cabaret show noise level of L_{Aeq} 42 dB(A) at the nearest sensitive receptors is noted to:

- Be well below the prevailing background noise levels for the 7am to 6pm and 6pm to 10pm period as determined in the Vipac report;
- Comply with the Indoor Venues default noise standard from the Queensland *Environmental Protection Act 1994* based upon the background noise levels determined in the Vipac report;
- Comply with the relevant *Environmental Protection (Noise) Policy 2019* outdoor acoustic quality objective for the 7am to 10pm period; and
- Comply with the relevant *Environmental Protection (Noise) Policy 2019* indoor acoustic quality objective for the 7am to 10pm period based upon a default sound transmission loss of 7 dB(A) through an open window.

Based upon the review undertaken, the available information indicates that operation of the 'Infamous Cabaret' in accordance with the Noise Management Plan will not result in environmental nuisance at sensitive receptors.

If you require any clarification or additional information please contact the undersigned.

Yours sincerely



Ben Hyde

Senior Environmental Engineer

ATTACHMENT 1

Proposal Plan

