

Enquiries: Bee Brooke
Phone: 07 5433 2764
Our Ref: DA/2023/0673
Your Ref: TP1346-A
Date: 22 May 2026

Hildon Investments Pty Ltd
c/- Hickey Oatley Planning and Development
PO Box 70
NEW FARM QLD 4005

Dear Applicant,

DEVELOPMENT APPROVAL

Planning Act 2016

Development Application No.: DA/2023/0673

Property Location: 195 Dobson Lane BELLMERE
224 Bellmere Road BELLMERE

Property Description: Lot 1 RP 213877
Lot 2 RP 214838

Please be advised that on 15 May 2026 the above development application was approved by Council's Delegate as the Assessment Manager subject to conditions.

The following type of approval has been issued:

- Material Change of Use - Development Permit for Childcare Centre

The development allowed by this approval must be carried out in accordance with the attached Decision package.

In addition to this approval you may also be required to obtain a water approval from Unity Water.

Attached is an extract from the *Planning Act 2016* which details your appeal rights and the appeal rights of any submitters, if applicable, regarding this decision.

Should you have any further queries in relation to this decision, please contact Bee Brooke as referenced above.

Yours faithfully



Bee Brooke
Principal Planner
Development Services

Enclosures: Attachment 1 - Decision Notice
Attachment 2 - Assessment Manager Conditions
Attachment 3 - Approved Plans/ Documents
Attachment 4 - Infrastructure Charges Notice
Attachment 5 - Appeal Rights

ATTACHMENT 1

Decision Notice

Decision Notice

Planning Act 2016, section 63

APPLICATION DETAILS

Application No: DA/2023/0673
Applicant: Hildon Investments Pty Ltd
Street Address: 195 Dobson Lane BELLMERE
 224 Bellmere Road BELLMERE
Real Property Description: Lot 1 RP 213877
 Lot 2 RP 214838
Planning Scheme: Moreton Bay Regional Council Planning Scheme

APPROVAL DETAILS

Date of Decision: 15 May 2026

The development application was approved by Council's Delegate as the Assessment Manager subject to conditions (refer Attachment 2).

APPROVAL TYPE	Development Permit	Preliminary Approval
Material Change of Use for Child Care Centre	☒	☐

OTHER NECESSARY PERMITS

Listed below are other permit/s that are necessary to allow the development to be carried out:

- Operational Works – Development Permit.
- Building Works - Development Permit (Building Act)

CURRENCY PERIOD OF APPROVAL

In accordance with section 85 of the *Planning Act 2016*, the currency period for each aspect of the development approval is as outlined below:

- Material Change of Use – 6 years from the date this approval starts to have effect.

INFRASTRUCTURE

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions under Chapter 4, section 145 of the *Planning Act 2016*.

Infrastructure Charges are applicable for this development approval.

ASSESSMENT MANAGER CONDITIONS

The conditions relevant to this development approval are listed in Attachment 2 of the Decision package.

APPROVED PLANS / DOCUMENTS

The approved plans and/or documents as listed below for this development approval are included in Attachment 3 of the Decision package.

Approved Plans and Documents			
Plan / Document Name	Reference Number	Prepared By	Dated
Site / Floor Plan	SK-05 2214 Issue K	Peninsula Architects	16/09/2024
Floor Plan	SK-06 2214 Issue K	Peninsula Architects	16/09/2024
Elevations	SK-07 2214 Issue K	Peninsula Architects	16/09/2024
Elevations (Fencing Hidden)	SK-08 2214 Issue K	Peninsula Architects	16/09/2024

Plans to be Amended			
Plan / Document Name	Reference Number	Prepared By	Dated
Landscape Planting Plan	SL PP – Bellmere – 071123	Facelift Landscapes	10/11/2023
Noise Assessment Report	6781R3	Noise Measurement Services	08/02/2024
Concept Bulk Earthworks Layout Plan	21-0184 P101 Rev 2	Colliers	21/11/2023
Concept Bulk Earthworks Typical Sections	21-0184 P102 Rev 2	Colliers	21/11/2023
Concept Roadworks and Drainage Layout Plan	21-0184 P103 Rev 2	Colliers	21/11/2023
Concept Detention Tank Layout Plan and Details	21-0184 P104 Rev 2	Colliers	21/11/2023
Stormwater Management Plan	21-0184SMP01-V2	Colliers	17/11/2023

ASSESSMENT BENCHMARKS

The Assessment Benchmarks that applied to the development from the following Categorising Instruments include;

Categorising Instrument (*Caboolture West Interim Structure Plan, Schedule 10, Part 2A*)

State Planning Policy

- *State Planning Policy 2017, Part E*

Regional Plan

- *South East Queensland Regional Plan 2023 (ShapingSEQ)*

Local Categorising Instrument (*Moreton Bay Regional Council Planning Scheme*)

- Caboolture West Local Plan Code - Urban Living Precinct - Next Generation Sub Precinct;
- The Strategic Framework of the MBRC Planning Scheme

Local Categorising Instrument (Variation Approval)

Not applicable.

Local Categorising Instrument (Temporary Local Planning Instrument)

Not applicable.

REASONS FOR DECISION

Subject to development conditions being imposed (refer Attachment 2), the development can comply with the applicable Assessment Benchmarks against which the application was required to be assessed. For further details, refer to the Reasons for the Decision section of the Assessment Report which is available on Council's website (via *DA Tracker*) <https://www.moretonbay.qld.gov.au/Services/Building-Development/DA-Tracker> using the application number referenced in this Notice.

REFERRAL AGENCY CONDITIONS

There are no Referral Agencies applicable to this development approval.

SUBMISSIONS

There were 0 properly made submissions about this application.

In accordance with section 63(2)(h) of the *Planning Act 2016*, the name, address and email (if provided) of the principal submitter for each properly made submission is listed in Attachment 7 of the Decision package.

A description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a decision, is outlined in the Public Notification and Submissions section of the Assessment Report which is available on Council's website (via *DA Tracker*) <https://www.moretonbay.qld.gov.au/Services/Building-Development/DA-Tracker> using the application number referenced in this Notice.

APPEAL RIGHTS

Attachment 5 of the Decision package is an extract from the *Planning Act 2016* which details your appeal rights and the appeal rights of any submitters, if applicable, regarding this decision.

OTHER DETAILS

If you wish to obtain more information about Council's decision, please refer to the Assessment Report for the application on Council's (via *DA Tracker*) <https://www.moretonbay.qld.gov.au/Services/Building-Development/DA-Tracker> using the application number referenced in this Notice.

ATTACHMENT 2

Assessment Manager Conditions of Approval

CONDITIONS - ALL STAGES		TIMING
1.	Approved Plans and/or Documents	
	Undertake development in accordance with the approved plans and/or documents. These plans and/or documents will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to commencement of use and to be maintained at all times.
2.	Amended Plans Required	
A	Submit amended plans including the following: a. Amended '<i>Concept Bulk Earthworks Layout Plan</i>', '<i>Concept Bulk Earthworks Typical Sections</i>', '<i>Concept Roadworks and Drainage Layout Plan</i>' and '<i>Concept Detention Tank Layout Plan and Details</i>' that accurately depicts the layout of the development on the site with respect to current lot boundaries and new lot boundaries and is aligned with the approved Site / Floor Plan; and, b. Amended engineering plans are to detail wheel stops on all car parks that may interact with a pedestrian or landscaped area to ensure that these areas are protected from encroachment by vehicles; Note: Amended engineering outcomes must comply with the assessment benchmarks that applied to this application, as stated on the Decision Notice. Any proposed alternative solutions are to be supported by detailed justification and negotiated with Council Officers. The acceptance of any temporary works and any proposed interim solutions will be at the sole discretion of Council.	Prior to lodging an application for Operational Works or prior to engaging a building certifier for Building Works, whichever occurs sooner.
B	Obtain approval from Council for the amended plans and documents in accordance with (A) above.	
C	Implement the requirements and recommendations of the approved plans and documents. The approved amended plans and documents will form part of the approval.	
3.	Amended Stormwater Report Required	
A	Submit an amended Stormwater Management Plan incorporating the following: a. Updated as required to reflect the amended layout on the approved plans and any amendments as a result of item A of this condition; and b. Internal drainage paths (including roof water drainage by builders) is to convey all water to the stormwater basin. Amended plan be provided to show location of inlets to confirm this is achieved.	Prior to lodging an application for Operational Works or prior to engaging a building certifier for Building Works, whichever occurs sooner.
B	Obtain approval from Council for the amended plans and documents in accordance with (A) above.	

CONDITIONS - ALL STAGES		TIMING
C	Implement the requirements and recommendations of the approved plans and documents. The approved amended plans and documents will form part of the approval.	To be maintained at all times.
4.	Amended Landscape Plan Required	
A	Submit an amended Landscape Plan incorporating the following: a. Update landscaping to reflect the amended layout on the approved plans; and b. Ensure that the amended plan complies with Performance Outcome PO84 of the Caboolture West Local Plan Code - Urban Living Precinct - Next Generation Sub Precinct and the Council's <i>Planning Scheme Policy for Integrated Design - Appendix D</i> .	Prior to lodging an application for Operational Works or prior to engaging a building certifier for Building Works, whichever occurs sooner.
B	Obtain approval from Council for the amended plans and documents in accordance with (A) above.	
C	Implement the requirements and recommendations of the approved Landscape Plan. The approved amended plans and documents will form part of the approval.	Prior to commencement of use.
D	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with (A) above.	Prior to commencement of use.
E	Maintain the landscaping.	To be maintained at all times.
5.	Infrastructure Agreement	
	In accordance with Section 65(2)(c) of the <i>Planning Act 2016</i> , carry out development in accordance with, and comply with the obligations in, the executed <i>Hildon Investments Pty Ltd Infrastructure Agreement</i> dated 21 April 2026 and as varied from time to time, between City of Moreton Bay and Hildon Investments Pty Ltd.	Prior to commencement of use.
6.	Operating Capacity - Child Care Centre	
	Ensure the capacity of the Child Care Centre is limited to a maximum of 124 children at any one time, unless otherwise agreed to in writing by Council.	Prior to commencement of use and to be maintained at all times.
7.	On-Site Spaces	
A	Provide a minimum of 46 car parking spaces plus 1 PWD space on the site in accordance with the approved plans.	Prior to commencement of use and to be maintained at all times.
B	Provide for the manoeuvring of vehicles on site, generally in accordance with the approved plans. Car spaces, access lanes and driveways shown on the approved plan must not be used for any other purpose. Ensure areas at the entrance to the car park as shown on the approved plan are kept clear for sight visibility at all times for safety reasons.	

CONDITIONS - ALL STAGES		TIMING
C	All parking spaces, including staff and visitor spaces, must remain in common property and not be allocated for exclusive use of individual tenancies in any Community Management Statement unless indicated on the Approved Plans or otherwise permitted by the conditions of this development approval.	At all times.
8.	Pedestrian Pathway	
	Provide pedestrian pathway connections from the external footpaths along the site frontages to the development as per the approved plans. The pathways within the site must be contrasting in colour and/or texture from the driveway surface as shown on the approved plans.	Prior to commencement of use of each stage and to be maintained at all times.
9.	Bicycle Parking Facilities	
	Install secure bicycle parking facilities for a minimum of nine (9) bicycles. Bicycle parking is to be provided in accordance with <i>Austroads (2008), Guide to Traffic management - Part 11: Parking</i> .	Prior to commencement of use and to be maintained at all times.
10.	Bicycle End of Trip Facilities	
A	Provide a minimum of one (1) unisex and one (1) female change room on site with one (1) shower, closet pan, and wash basin each, with a minimum 3-star Water Efficiency Labelling and Standards (WELS) rating shower head.	Prior to commencement of use and to be maintained at all times.
B	Provide a minimum of 14 storage lockers on site.	
11.	Fencing	
	Provide fencing along the primary and secondary frontage of the site, to Bellmere Road and Dobson Lane, in accordance with the approved architectural plans, acoustic report and landscape plan. To remove any doubt, fencing to Bellmere Road and Dobson Lane is to have a high quality architectural treatment in materials, colours, moldings, elements, offsets, articulation and the like to ensure it makes a positive contribution to the street and eliminates the appearance of a blank flat surface.	Prior to commencement of use and to be maintained at all times.
12.	Vehicle Encroachment	
	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops, kerbing or similar barrier approved by the Council.	Prior to commencement of use and to be maintained at all times.
13.	Screening of Loading Facilities / Plant Areas	
	Screen plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to commencement of use and to be maintained at all times.

CONDITIONS - ALL STAGES		TIMING
14.	On Site Services	
	Ensure garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners are: - Located in the side setbacks and include screening (e.g. fencing or landscaping) from view of any road frontage; or - Entirely underground where located in the front setback. Note: Rainwater tanks are not permitted within easements.	Prior to commencement of use and to be maintained at all times.
15.	Water and/or Sewerage	
	Submit to Council a Certificate of Completion or Provisional Certificate of Completion (for each stage where there are stages) for the development from the Northern SEQ Distributor–Retailer Authority (Unitywater) confirming: - Reticulated water supply network connection is available to the land; and - A sewerage network connection is available to the land; and - All the requirements of Unitywater have been satisfied.	Prior to commencement of use..
16.	Fibre Ready Telecommunications – Single	
A	Provide Fibre-Ready telecommunications infrastructure (Internal and External conduit paths) in accordance with NBN Co Guideline New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs as amended, that: - Extends the service drop conduit from the property boundary to the external Premises Connection Device (PCD) or the likely location of the PCD; and - Extends a communications conduit with drawstring from the external PCD or the likely location of the PCD to the internal Fibre Wall Outlet (FWO) or the likely location of the FWO.	Prior to commencement of use.
B	Provide certification to Council from the installer or an RPEQ engineer (electrical engineer) that the works and infrastructure required in (A) above has been done. Note: A template for certification is available from Council for the purpose of this condition.	
17.	Telecommunications Internal Wiring	
A	Install internal wiring (Category 6 or better) within the building from the expected location of any future Network Termination Device (NTD) for High Speed Broadband (based on the recommended locational criteria in the NBN Co Guideline (MDU Building Design Guide for New Developments or NBN Co. Preparation and Installation Guide for SDUs and MDUs) to the same connection points in the building that would have been or have been installed for telephone and television connections; including but not limited to reception, offices, staff rooms, children rooms and the like.	Prior to commencement of use of each stage.

CONDITIONS - ALL STAGES	TIMING
B Provide certification from the installer or an RPEQ engineer (electrical engineering) that the wiring required in (A) above has been done. Note: A template for certification is available from Council for the purpose of this condition. Installers are recommended to be a registered cabler.	
18. Pad Mount Transformer	
Ensure any PAD Mount transformer visible from a public road is painted or has a film applied to it with a mural on all sides that integrates the infrastructure into the location. Concepts for the mural are to be approved by the Council in writing and align with the use of the land or locality such as children at play, families, going out, entertainment or the like. Examples are shown in the images below:  Alternately, ensure that any pad mounted transformer (PMT) is screened so that the transformer is not visible from any road frontage and achieves the following: - A combination of screening device and landscaping; - The screening device is constructed of durable, weather resistant materials; and, - Is integrated with the design of the development and positively contributes to the streetscape.  Note: The use of barbed wire or metal prongs is not permitted.	Prior to commencement of use of Stage 1 and to be maintained at all times.
19. Electricity	
Provide an underground electricity supply to the development and/or ensure that the existing underground electricity supply connection to the development is maintained.	Prior to commencement of use of each stage and maintained at all times.

CONDITIONS - ALL STAGES		TIMING
ENVIRONMENTAL HEALTH		
20.	External Lighting	
A	Install external lighting in accordance with <i>AS4282:2023 - (Control of the Obtrusive Effects of Outdoor Lighting)</i> or as amended.	Prior to commencement of use of each stage and to be maintained at all times.
B	Provide certification from a suitably qualified person that external lighting has been installed in accordance with <i>AS4282:2023 - (Control of the Obtrusive Effects of Outdoor Lighting)</i> .	Prior to commencement of use.
21.	Pedestrian Lighting	
A	Install lighting in any pedestrian areas that require illumination in accordance with <i>AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements</i> or as amended.	Prior to commencement of use of each stage and to be maintained at all times.
B	Provide certification from a suitably qualified person that lighting for pedestrian areas satisfies the intent of <i>AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements</i> or as amended.	Prior to commencement of use of each stage.
22.	Waste Management Program Required	
A	Submit a waste management program in accordance with <i>SC 6.22 Planning Scheme Policy - Waste</i> .	Prior to commencement of use.
B	Obtain approval from Council for the waste management program in accordance with (A) above.	
C	Implement the approved waste management program.	Prior to commencement of use and to be maintained at all times.
D	Manage waste in accordance with <i>SC 6.22 Planning Scheme Policy - Waste</i> .	At all times.
23.	Acoustic Attenuation Measures	
A	Submit an amended acoustic impact assessment in accordance with <i>Planning Scheme Policy - Noise</i> . The assessment is to reference the approved development plan.	Prior to submission of application for building approval.
B	Obtain approval from Council for the amended acoustic impact assessment in accordance with (A) above.	Prior to submission of application for building approval.
C	Implement all noise attenuation measures recommended in the approved amended acoustic impact assessment in order to achieve the specified noise limits.	Prior to the commencement of the use and to be maintained at all times.

CONDITIONS - ALL STAGES		TIMING
D	Provide certification from a suitably qualified person that all recommendations of the approved amended acoustic impact assessment have been installed/implemented in accordance with the report. Certification is to include the results from attended noise monitoring of mechanical plant and equipment.	Prior to the commencement of the use.
24.	Operational Limits	
A	Limit hours of operation for the Child Care Centre to between 6am and 7pm Monday to Friday.	At all times
B	Limit use of the Child Care Centre outdoor play areas to between 7am and 6pm only.	At all times
DEVELOPMENT ENGINEERING		
25.	Replace Existing Council Infrastructure	
	Replace existing Council infrastructure (including but not limited to street trees and footpaths) that is damaged as part of works carried out in association with the development to Council's standards.	Prior to commencement of use.
26.	Alterations and Relocation of Existing Services	
	Ensure any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of an entity engaged in the provision of public utility services is to be carried out with the development and at no cost to Council unless agreed to in writing by the Council.	Prior to commencement of use.
27.	Stormwater	
	Carry out the development to ensure that adjoining properties, reserves and roads are protected from ponding or nuisance from stormwater as a result of any works undertaken.	To be maintained at all times.
28.	Stormwater Management	
A	Implement and maintain the works identified in the approved Stormwater Management Plan.	Prior to commencement of use and then to be maintained at all times.
B	Submit certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that the works have been built in accordance with the approved Stormwater Management Plan.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
C	Provide registered easements in favour of Council over any drainage paths and drainage infrastructure within all new lot/s in accordance with the approved plans and documents of development. The easement documents must acknowledge the maintenance, repair and replacement responsibilities of the owner of this development site.	Prior to commencement of use.

CONDITIONS - ALL STAGES		TIMING
	Note: All easements are to be shown on plans submitted as part of operational works applications.	
29.	Construction Management Plan	
A	Submit and have approved by Council, a Construction Management Plan (CMP) prepared by the Principal Contractor. The CMP is to outline, in sufficient detail, the processes that will be employed to minimise impacts on the surrounding community during construction. These processes are to cover the following: a. Material delivery and storage locations b. Waste locations and collection details c. Construction office accommodation d. Contractor / tradesman vehicle parking arrangements e. Works that may make audible noise outside of 6:30am to 6:30pm any business day or Saturday. f. Any activities that may impact on the traffic, access and parking for Bellmere State School. The CMP may include a site layout drawing identifying these areas. The CMP needs to reflect any staging requirements. Notes: a. Council will generally only approve early starts for large concrete pours during summer (e.g. monolithic concrete pours for basements and suspended floor slabs) b. Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable c. Traffic control measures may need to be put in place for the duration of the construction works to control contractor / tradesman vehicle parking arrangements, this should be documented within the CMP d. Materials unloading and loading must occur on-site unless prior written approval is given by Council. e. All construction office accommodation and associated temporary buildings is to be contained within the site or on a nearby site.	Not less than two (2) weeks prior to commencement of works. To be maintained current at all times.
B	Implement the approved Construction Management Plan (CMP) and keep a copy of the approved CMP on site at all times during construction.	At all times during construction of the development.
30.	Erosion and Sediment Control	
	Implement an Erosion and Sediment Control Plan prepared by an experienced Certified Professional in Erosion and Sediment Control (CPESC) in accordance with the International Erosion Control Association Australasia (IECA) Best Practice and Sediment Control document.	Prior to commencement of works and to be maintained current at

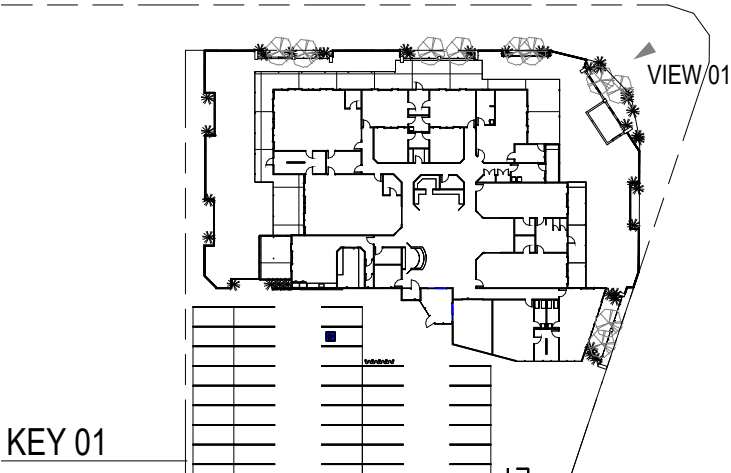
CONDITIONS - ALL STAGES		TIMING
		all times during construction.
31.	Existing Dams	
A	Drain, desilt, remove embankments of existing dams and fill the dam to reinstate the ground levels generally as they existed prior to the dam being constructed and in accordance with the plans and documents of development. The dam area is to be made free draining and stabilized to prevent erosion. Any filling required to ensure the area is free draining is to be carried out in accordance with Level 1 supervision as detailed in AS3798.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
B	Provide certification from a suitable geotechnical testing authority that filling has been conducted in accordance with AS3798.	Prior to submitting to the Council any request for approval of a plan of subdivision (i.e. a survey plan).
32.	Driveway Crossover	
A	Construct a driveway crossover to the development in accordance with the approved plans and documents of development and MBRC Standard Drawing/s RS-051. Provide signage and line marking in accordance with the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD) that clearly denotes separate entry and exit driveways for development.	Prior to commencement of use.
B	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use.
33.	Existing Driveway Crossover	
	Remove completely all redundant driveway crossovers fronting the development site on Dobson Lane. Reinstate all disturbed areas (including kerb and channel) to Council's standards current at the time of development.	Prior to commencement of use.
34.	Access, Internal Roadways, Parking and Servicing Areas	
A	Design and construct sealed (concrete or bitumen) accesses, internal roadways, parking and servicing areas (and associated works), in accordance with the approved plans and documents of development, the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices (MUTCD), Australian Standards and the MBRC Planning Scheme current at the time of the building works application.	Prior to commencement of use and to be maintained at all times.

CONDITIONS - ALL STAGES		TIMING
B	Ensure that all car parks that adjoin pedestrian or landscaped areas are provided with wheel stops.	Prior to commencement of use.
C	Provide certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) that all works have been designed and constructed in accordance with this permit condition.	Prior to commencement of use.
35.	Site Access Prohibited	
	Ensure vehicular access directly from Bellmere Road to the development is prohibited for traffic management and safety reasons. Note: A property condition will be attached to the affected lots to advise land owners of this restriction.	To be maintained at all times.
36.	Site Access – Restricted	
	Ensure vehicular access directly from Dobson Lane to the development is restricted to the approved driveway crossover location only, for traffic management and safety reasons. Note: A property condition will be attached to the affected lots to advise land owners of this restriction.	To be maintained at all times.

ATTACHMENT 3

Approved Plans / Documents

LYNTON FAMILY TRUST CHILD CARE CENTRE 224 BELLMERE ROAD, BELLMERE



VIEW 01

Peninsula Architects
CITY OF MORETON BAY

3 Killara Crescent, Kippa-Ring Q 4021
M: 0421 011 124
E: pen.arch@bigpond.com

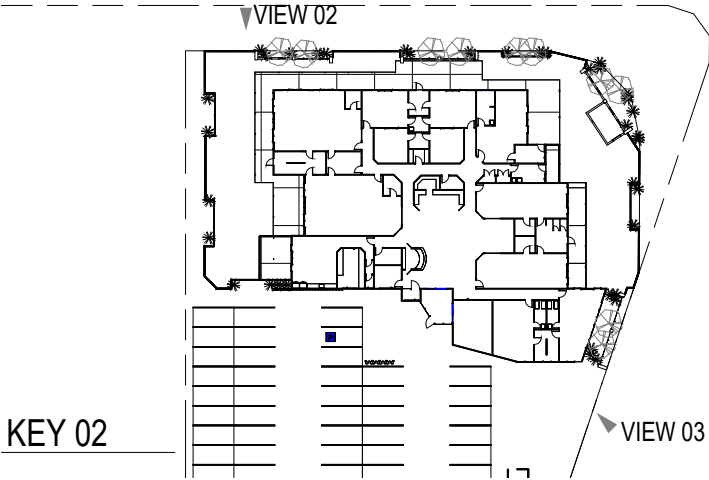
Project No.: 2214
Issue: K
15/05/2026

Approved subject to conditions of DA/2023/0673

LYNTON FAMILY TRUST CHILD CATE CENTRE 224 BELLMERE ROAD, BELLMERE



VIEW 02



VIEW 03

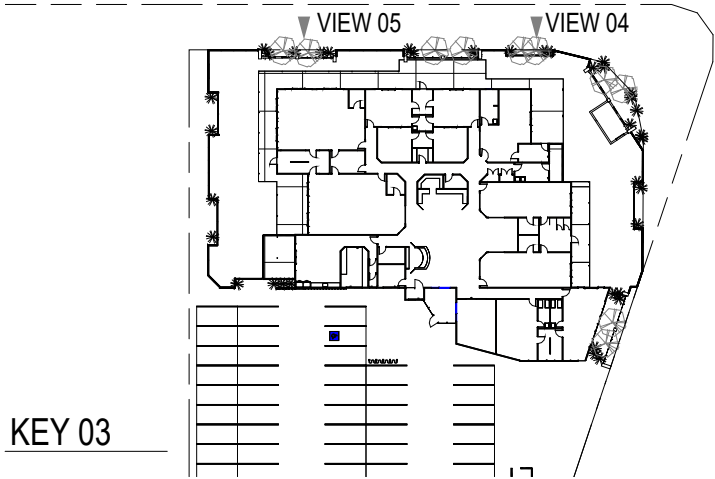
Peninsula Architects
CITY OF
MORETON BAY

3 Killara Crescent, Kippa-Ring Q 4021
M: 0421 011 124
E: pen.arch@bigpond.com

Project No.: 2214
Issue: K
15/05/2026

Approved subject to conditions of DA/2023/0673

LYNTON FAMILY TRUST CHILD CATE CENTRE 224 BELLMERE ROAD, BELLMERE



VIEW 04



VIEW 05

3 Killara Crescent, Kippa-Ring Q 4021
 M: 0421 011 124
 E: pen.arch@bigpond.com

Peninsula Architects
 CITY OF MORETON BAY

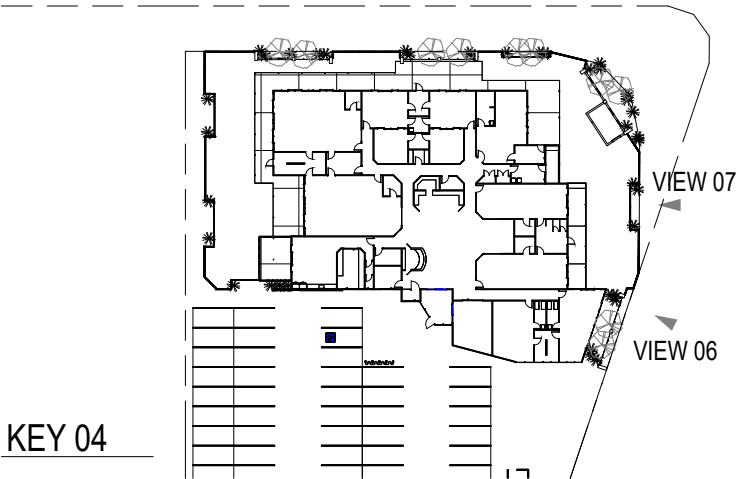
Approved subject to conditions of DA/2023/0673

Project No.: 2214
 Issue: K
 15/05/2026

LYNTON FAMILY TRUST CHILD CATE CENTRE 224 BELLMERE ROAD, BELLMERE



VIEW 06

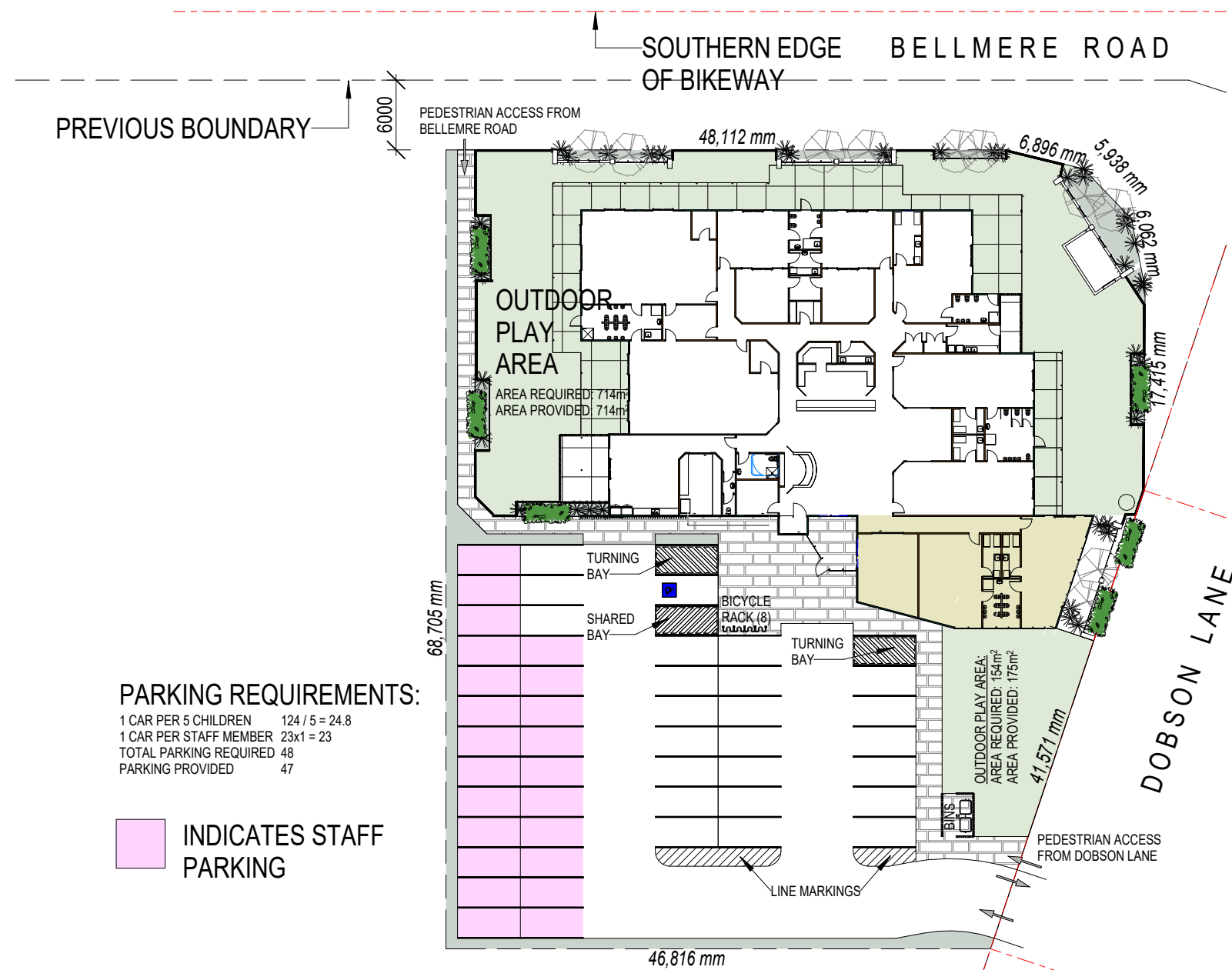


VIEW 07

Peninsula Architects
CITY OF MORETON BAY

3 Killara Crescent, Kippa-Ring Q 4021
M: 0421 011 124
E: pen.arch@bigpond.com

Project No.: 2214
Issue: K
15/05/2026

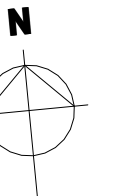


PARKING REQUIREMENTS:

1 CAR PER 5 CHILDREN 124 / 5 = 24.8
1 CAR PER STAFF MEMBER 23x1 = 23
TOTAL PARKING REQUIRED 48
PARKING PROVIDED 47

INDICATES STAFF PARKING

○ SITE / FLOOR PLAN (1 to 500)
1 : 500



Figured dimensions to be taken in preference to those scaled.
Contractors to verify all dimensions on site before commencing
any work or making any shop drawings.

All rights reserved. No part of these documents shall be
reproduced without prior permission of Peninsula Architects.

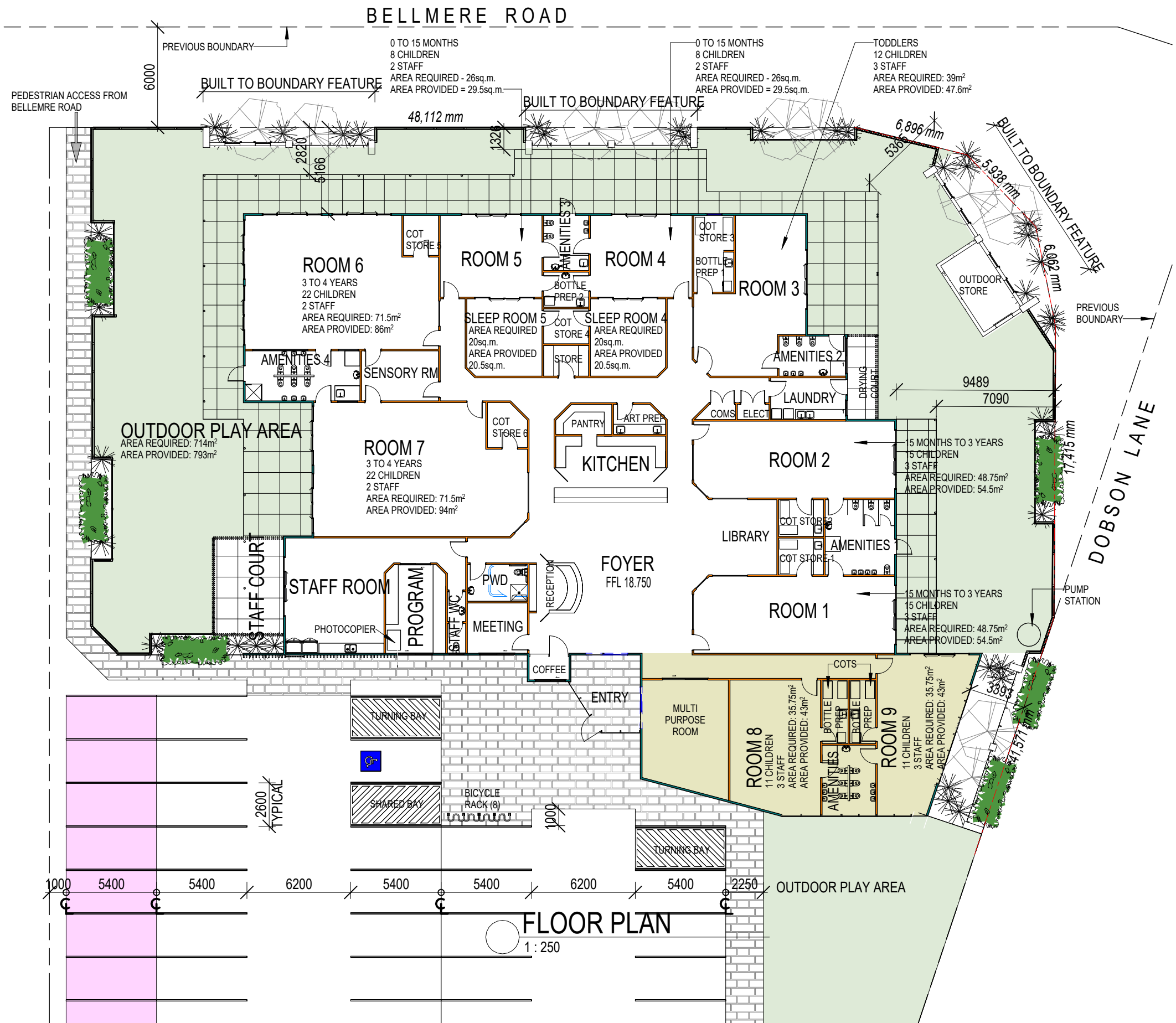
Peninsula Architects

3 Killara Crescent, Kippa-Ring Q 4021
M: 0421 011 124
E: pen.arch@bigpond.com

Approved subject to conditions of DA/2023/0873

Project: CHILD CATE CENTRE
Client: LYNTON FAMILY TRUST
Address: 224 BELLMERE ROAD, BELLMERE

Drawing:	SITE / FLOOR PLAN (1 to 500)	
Date:	16.09.24	Drawn: JHD
Scale:	1 : 500	Issue: K
Sheet No.:	SK-05	Project No.:
		15/03/2026



Figured dimensions to be taken in preference to those scaled.
Contractors to verify all dimensions on site before commencing
any work or making any shop drawings.

All rights reserved. No part of these documents shall be
reproduced without prior permission of Peninsula Architects.

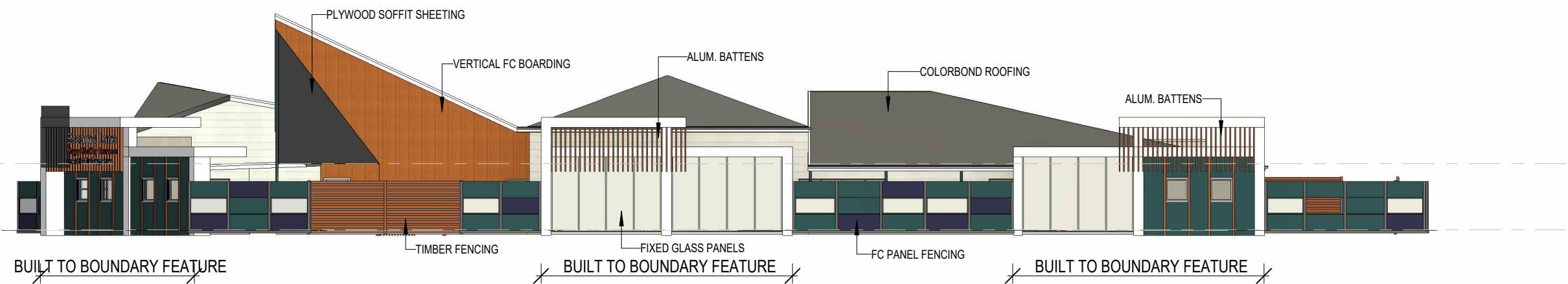
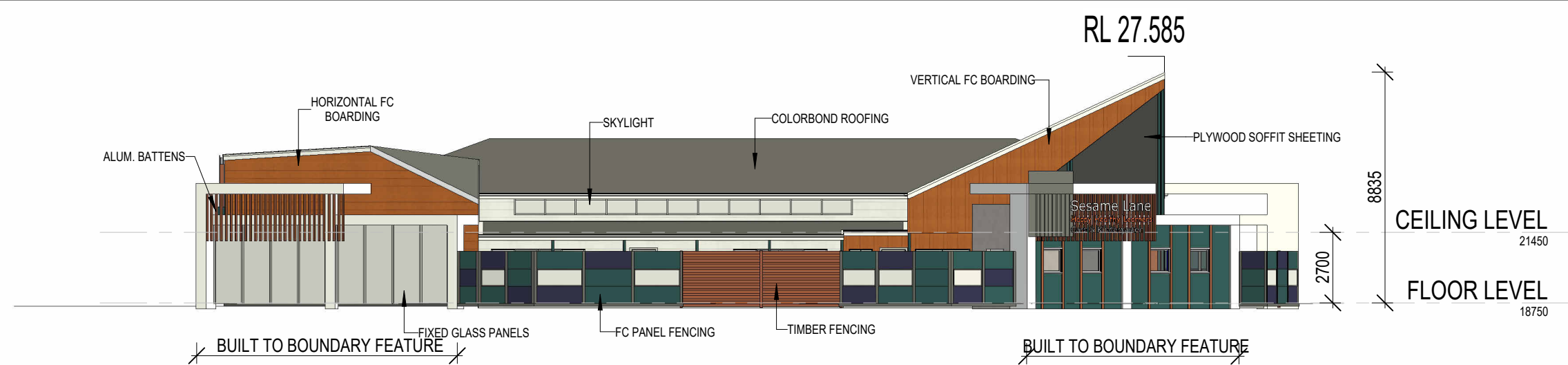
Peninsula Architects

3 Killara Crescent, Kippa-Ring Q 4021
M: 0421 011 124
E: pen.arch@bigpond.com

Approved subject to conditions of DA/2023/0673

Project: CHILD CATE CENTRE
Client: LYNTON FAMILY TRUST
Address: 224 BELLMERE ROAD, BELLMERE

Drawing: FLOOR PLAN	
Date: 16.09.24	Drawn: JHD
Scale: 1 : 250	Issue: K
Sheet No.: SK-06	Project No.: 15/03/2026



Figured dimensions to be taken in preference to those scaled.
Contractors to verify all dimensions on site before commencing
any work or making any shop drawings.

All rights reserved. No part of these documents shall be
reproduced without prior permission of Peninsula Architects.

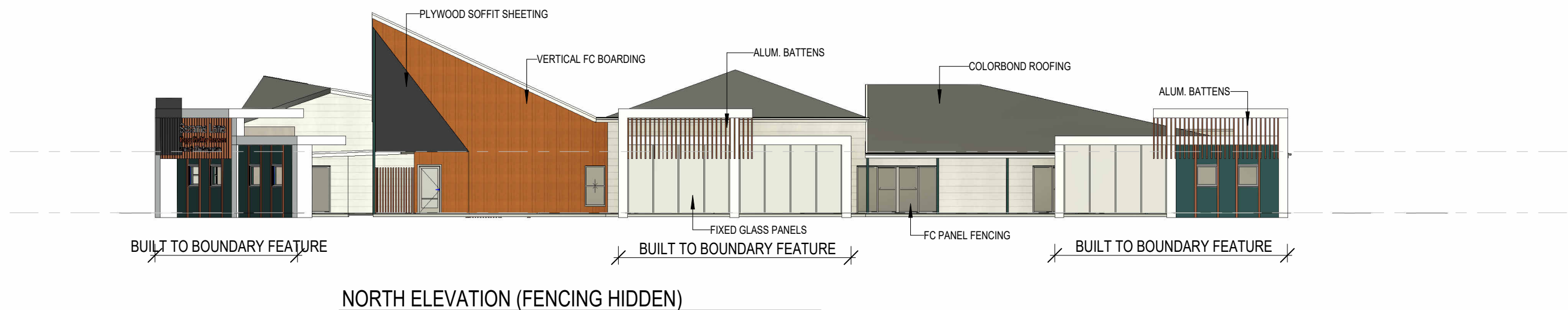
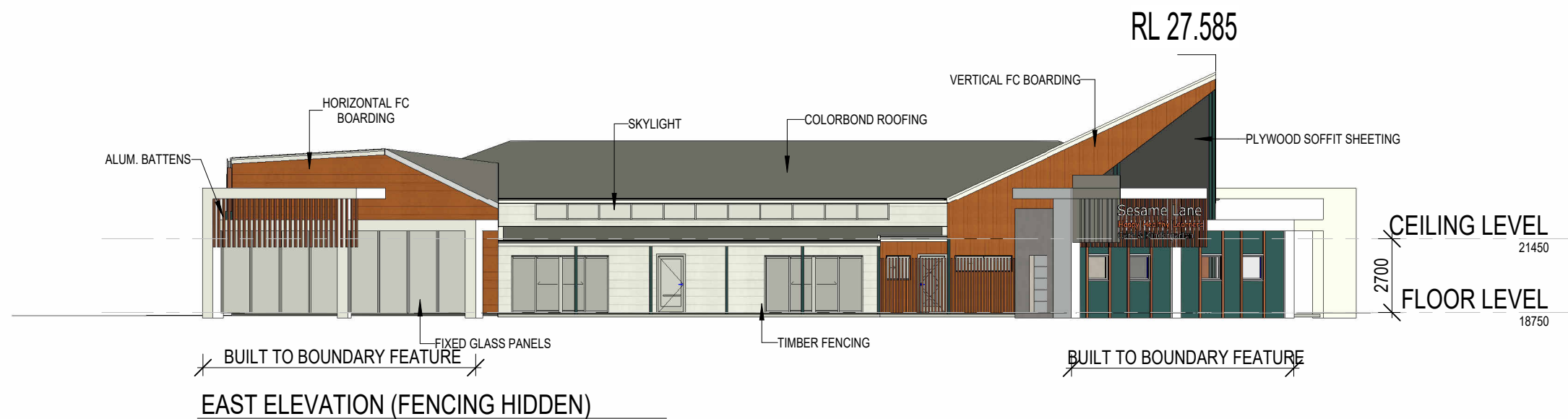
Peninsula Architects

3 Killara Crescent, Kippa-Ring Q 4021
M: 0421 011 124
E: pen.arch@bigpond.com

Approved subject to conditions of DA/2023/0873

Project: CHILD CATE CENTRE
Client: LYNTON FAMILY TRUST
Address: 224 BELLMERE ROAD, BELLMERE

Drawing:	ELEVATIONS	
Date:	16.09.24	Drawn: JHD
Scale:	1 : 200	Issue: K
Sheet No.:	SK-07	Project No.:
		15/03/2026



Figured dimensions to be taken in preference to those scaled.
Contractors to verify all dimensions on site before commencing
any work or making any shop drawings.

All rights reserved. No part of these documents shall be
reproduced without prior permission of Peninsula Architects.

Peninsula Architects

3 Killara Crescent, Kippa-Ring Q 4021
M: 0421 011 124
E: pen.arch@bigpond.com

Approved subject to conditions of DA/2023/0873

Project: CHILD CATE CENTRE
Client: LYNTON FAMILY TRUST
Address: 224 BELLMERE ROAD, BELLMERE

Drawing:	ELEVATIONS (FENCING HIDDEN)	
Date:	16.09.24	Drawn: JHD
Scale:	1 : 200	Issue: K
Sheet No.:	SK-08	Project No.:
		15/03/2026

Landscape Specification

Soils

- Cultivate site soil to minimum 100mm
- Treat sub grade with gypsum and organics
- Import soil premium blended that complied with AS4419
- Soil depths
 - Turf areas – 100mm
 - Planted areas – 300mm

Fertiliser

- Turf - apply a balanced slow release "starter" fertilizer to manufacturer specifications
- Planting areas - apply a balanced slow release fertilizer with added organics prior to mulching

Turf

- Obtain turf from a specialized licensed grower
- Provide turf of even thickness
- Turf to be laid within 12 hours of harvesting
- Turf is to be A grade Cynoden species

Plants

- Plants are to be in accordance with the planting schedule
- They are to have large root systems with no evidence of root curls
- Vigorous and well established in their nominated pot size as well as disease free
- All plants are to be sun hardened
- Mix water retention crystals through the backfill materials for all plants

Mulch

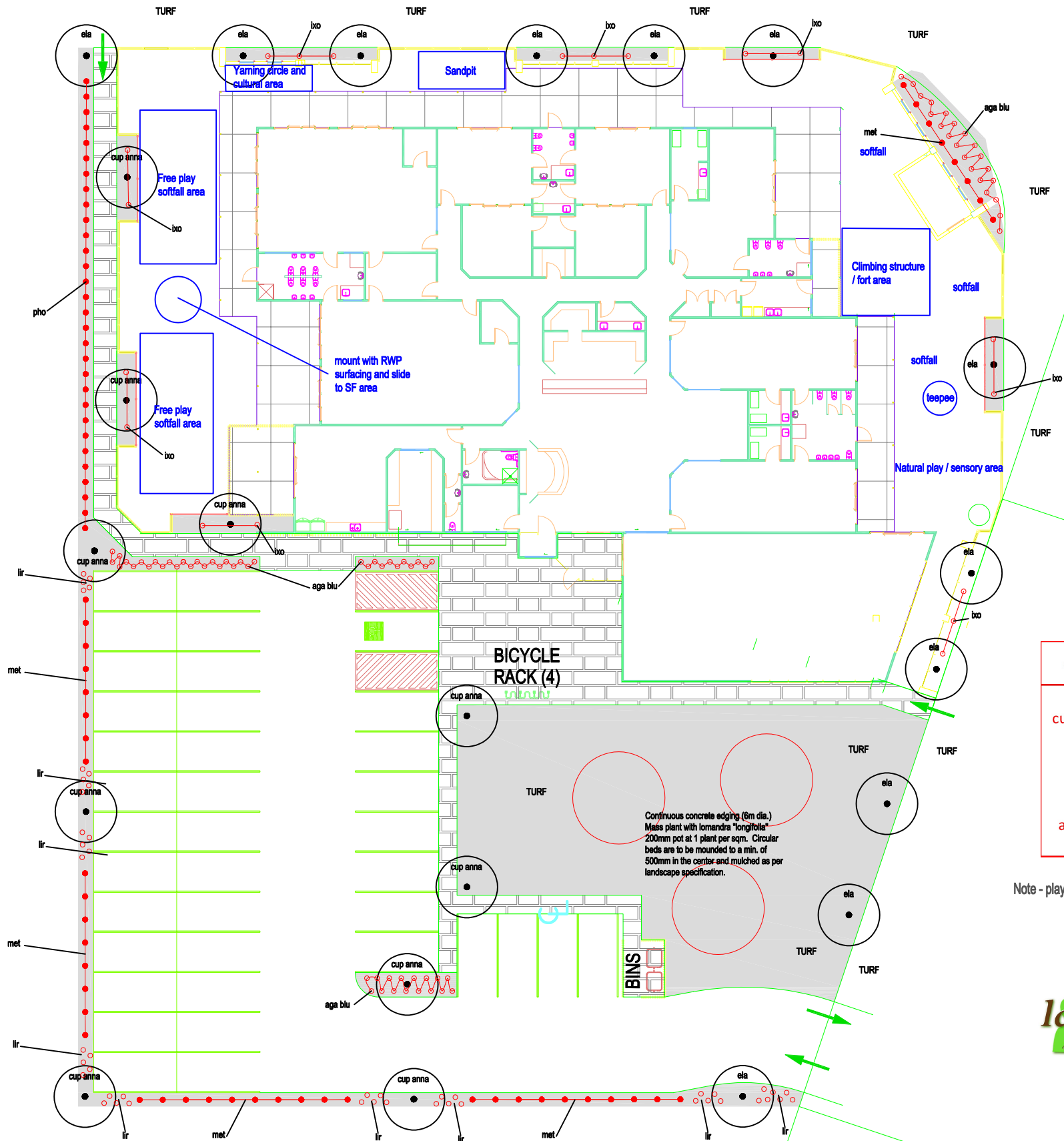
- Provide clean mulch which is free of soil and other contaminants
- Mulch is to be supplied in accordance with AS4454
- Spread evenly to a minimum depth of 75mm
- Mulch materials – pine bark

Stakes

- Stake all trees with two 50mm x 50mm hardwood stakes and tie with hessian webbing
- Ensure webbing is nailed to the stakes - not stapled
- The webbing is to be placed ¾ way up the trunk

Grow in and Maintenance

- Lawn and garden areas are to receive a minimum 35mm of precipitation per week
- This is to be split into three cycles via the automatic irrigation system once the grass and plants are established. Initially the turf is to be watered on a daily basis for the first seven days after laying
- Remove all weeds fortnightly



Code	Species	Pot Size
cup anna	Cupaniopsis anacardiodes	100lt
ela	Elaeocarpus Eumundi	100lt
met	Metrosideros-Little-Ewan	300mm
ixo	ixora "coral fire"	300mm
pho	Photinia "red robin"	200mm
aga blu	agapanthus africanus - blue	200mm
lir	liriope "evergreen giant"	200mm

Note - playground layout is indicative pending further client input and Department approval.



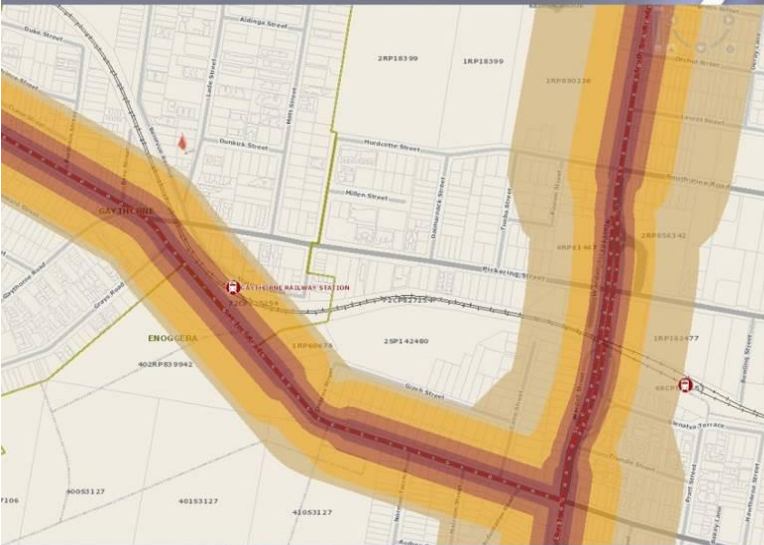
ABN - 22 101 199 697
Phone - 1300 667 350
Email -
info@faceliftlandscapes.com.au
Address - P.O. Box 561
Burpengary, QLD 4505



NOISE MEASUREMENT SERVICES

Noise Assessment Report
Proposed Childcare Centre
224 Bellmere Road
Bellmere, QLD 4510
(Lot 1 on RP213877)

Report No 6781R3 8th February 2024



Noise Measurement Services Pty Ltd
18 Lade Street, Gaythorne QLD 4051
PO Box 2127, Brookside Centre QLD 4053

Ph: (07) 3355 9707
Fax: (07) 3355 7210
Email: info@noisemeasurement.com.au

Not Approved - DA/2023/0673

Document Control

NOISE MEASUREMENT SERVICES PTY LTD

18 Lade Street Gaythorne, QLD 4051

PO Box 2127

Brookside Centre, QLD 4053

Telephone: (07) 3355 9707

Facsimile: (07) 3355 7210

E-mail: info@noisemeasurement.com.au

Copy No _____

Revision No	Issue Date	Revision Description	Author	Review
0	17/05/2023	Report	GR	MT
1	23/05/2023	Minor text change	GR	MT
2	21/11/2023	New development plans	GR	MT
3	08/02/2024	Response to Council RFI	GR	MT

Copy No(s)	Rev No	Destination
1 pdf	3	Hickey Oatley Planning and Development
2	3	Noise Measurement Services

REPORT FOR Hickey Oatley Planning and Development *on behalf of* Hildon Investments Pty Ltd**CONTACT** Wayne Cullen, Mia Hickey**Signed****Max Thorne**
Director - NMS**DISCLAIMER**

This Report by Noise Measurement Services Pty Ltd is prepared for a particular Client and is based on the agreed objective, scope, conditions and limitations as may be stated in the Executive summary. The Report presents only the information that Noise Measurement Services Pty Ltd believes, in its professional opinion, is relevant and necessary to describe the issues involved. The Report should not be used for anything other than the intended purpose and should not be reproduced, presented or reviewed except in full. The intellectual property of this Report remains with Noise Measurement Services Pty Ltd. The Client is authorized, upon payment to Noise Measurement Services Pty Ltd of the agreed Report preparation fee, to provide this Report in full to any third party.

Contents

Executive Summary	4
Conclusions	4
Recommendations	5
1. Introduction.....	7
1.1 Development Site and Locale.....	7
1.2 Sensitive Receivers	9
2. Measurement of Ambient Noise Levels	10
2.1 Measurement Procedures.....	10
2.2 Measurement Results	11
3. Noise Criteria and Limits	15
3.1 Moreton Bay Regional Council Planning Scheme 2016.....	15
3.2 Environmental Protection (Noise) Policy 2019	17
3.3 Air Conditioning Noise Emissions.....	18
3.4 State and Commonwealth Regulation	18
4. Noise Impact Assessment.....	19
4.1 Summary of Assessment Criteria	19
4.2 Acoustic Screening	20
4.3 Road Traffic Noise Intrusion.....	21
4.4 Noise Emissions.....	24
4.4.1 Noise Sources.....	24
4.4.2 Environmental Noise Calculations – Vehicle Movements	25
4.4.3 Environmental Noise Calculations – Outdoor Play	26
4.4.4 Environmental Noise Calculations – Car Doors	27
4.4.5 Environmental Noise Calculations – Rubbish Collection	28
4.5 Future Residential Development	29
Appendix A: Development Plans.....	30
Appendix B: Environmental Noise Calculations.....	38
Appendix C: Road Traffic Noise Calculations	43
Appendix D: Glossary	46

Executive Summary

The Report is in response to a request from Hickey Oatley Planning and Development for a noise impact assessment of a proposed childcare centre at 224 Bellmere Road, Bellmere (Lot 1 on RP213877). The site is subject to the Caboolture West Local Plan Code (Next Generation Sub-Precinct). The proposal is to construct childcare facilities for 102 children, with associated parking. The purpose of this Report is to assess road traffic noise impacts onto the development, and potential noise impacts from the development onto neighbouring noise sensitive uses. The following standards and policy documents are referenced:

- *Moreton Bay Regional Council Planning Scheme*
- *Environmental Protection Act 1994*
- *Environmental Protection (Noise) Policy 2019*
- Department of Transport and Main Roads – *Policy for Development on Land Affected by Environmental Emissions from Transport and Transport Infrastructure*, v2
- Education and Child Care National Regulations
- Australian Standard AS3671:1989 - *Acoustics: Road traffic noise intrusion – Building siting and construction*
- Australian Standard AS1055:2018 - *Acoustics-Description and measurement of environmental noise*
- Australian Standard AS2702:1984 - *Acoustics-Methods for the measurement of road traffic noise*
- Association of Australasian Acoustical Consultants' *Guideline for Child Care Centre Acoustic Assessment v3.0*

Conclusions

It is concluded that-

- Subject to the considerations and recommendations presented in this Report, it is the opinion of this consultancy that the proposed childcare centre can meet the acoustic requirements of Moreton Bay Regional Council and be otherwise compliant with relevant State and National Regulations.
- Subject to provision of the recommended acoustic barriers and restriction to outdoor play, noise emissions are forecast to meet criteria at all receivers during all periods.
- Subject to provision of the recommended acoustic barriers, and construction in accordance with recommended acoustic treatments, road traffic noise is forecast to meet criteria at all outdoor play areas, indoor play areas and sleeping areas.
- The precise type and siting of air conditioning plant has not been determined at this stage. Detailed plant noise assessment can be conducted – if required – at the Building Approval stage, although the relevant criterion is considered to be readily achievable through appropriate plant selection and siting.

Recommendations

It is recommended that:

- The childcare building be constructed in accordance with the Rw schedule presented in **Table ES1** below.
- Acoustic fencing be provided as shown in **Plate ES1** below. To effectively function as acoustic barriers, fencing should be continuous and gap-free, with a density of not less than 12.5 kg/m².
- Air conditioning plant be selected, sited and (if necessary) screened to not exceed 35 dB(A) at neighbouring premises. Due to the significant setback from sensitive uses, it is expected that this criterion will be readily achievable without additional acoustic treatment.
- Outdoor play be limited to the hours of 7am to 7pm.
- Rubbish collection be limited to the hours of 7am to 6pm.

Table ES1: Showing AS3671 calculations, and Rw requirements for building elements

STC Child Care Centre		<i>TNR is Leq façade corrected Leq, 11hr vs Design Mitigation Requirement</i>												
JOB:	6781R2	<i>TNac is the traffic noise attenuation required of the component</i>												
Project:	224 Bellmere Road, Bellmere	<i>"6" is the approximate allowance for the traffic noise spectrum</i>												
Date:	21/11/2023	TNac = TNR + 10Log10[(Sc/Sf) x (3/H) x 2T60 xC]												
		STC = TNac + 6												
Room	Element	Facing	Ext Leq	MBRC	TNR	Category	Element (Sc)	Floor (Sf)	Height	RT60	C	TNac	Calc	
			dB(A)	criteria			area	area	(m)	(s)			STC/Rw	
Room 1	Sliding Doors	E	55	35	20.4	Category 2	7	55	2.7	0.7	3	18.39	24	
Room 1	Wall	E	55	35	20.4	Category 2	8	55	2.7	0.7	3	18.95	25	
Room 1	Roof	-	55	35	20.4	Category 2	55	55	2.7	0.7	3	27.09	33	
Room 2	Sliding Doors	E	57	35	21.5	Category 2	7	55	2.7	0.7	3	19.49	25	
Room 2	Wall	E	57	35	21.5	Category 2	8	55	2.7	0.7	3	20.05	26	
Room 2	Roof	-	57	35	21.5	Category 2	55	55	2.7	0.7	3	28.19	34	
Room 3	Sliding Doors	E	58	35	23.3	Category 2	7	48	2.7	0.7	3	21.88	28	
Room 3	Wall	E	58	35	23.3	Category 2	12	48	2.7	0.7	3	24.09	30	
Room 3	Wall	N	60	35	25.2	Category 2	11	48	2.7	0.7	2	23.95	30	
Room 3	Roof	-	60	35	25.2	Category 2	48	48	2.7	0.7	3	31.89	38	
Room 4	Sliding Doors	N	60	35	25.1	Category 2	7	30	2.7	0.7	3	25.75	32	
Room 4	Wall	N	60	35	25.1	Category 2	16	30	2.7	0.7	3	29.19	35	
Room 4	Roof	-	60	35	25.1	Category 2	30	30	2.7	0.7	3	31.79	38	
Room 5	Sliding Doors	N	60	35	25.2	Category 2	7	30	2.7	0.7	3	25.85	32	
Room 5	Wall	N	60	35	25.2	Category 2	16	30	2.7	0.7	3	29.29	35	
Room 5	Roof	-	60	35	25.2	Category 2	30	30	2.7	0.7	3	31.89	38	
Room 6	Sliding Doors	N	60	35	25.1	Category 2	15	86	2.7	0.7	3	24.12	30	
Room 6	Wall	N	60	35	25.1	Category 2	11	86	2.7	0.7	3	22.84	29	
Room 6	Sliding Doors	W	58	35	22.6	Category 2	15	86	2.7	0.7	3	21.62	28	
Room 6	Wall	W	58	35	22.6	Category 2	7	86	2.7	0.7	3	18.33	24	
Room 6	Roof	-	60	35	25.1	Category 2	86	86	2.7	0.7	3	31.79	38	
Room 7	Sliding Doors	W	55	35	20.2	Category 2	15	94	2.7	0.7	3	18.83	25	
Room 7	Wall	W	55	35	20.2	Category 2	7	94	2.7	0.7	3	15.55	22	
Room 7	Roof	-	55	35	20.2	Category 2	94	94	2.7	0.7	3	26.89	33	

Plate ES1: Showing the location of recommended 2m high acoustic fencing



1. Introduction

The Report is in response to a request from Hickey Oatley Planning and Development for a noise impact assessment of a proposed childcare centre at 224 Bellmere Road, Bellmere (Lot 1 on RP213877). The site is subject to the Caboolture West Local Plan Code (Next Generation Sub-Precinct). The proposal is to construct childcare facilities for 102 children, with associated parking. The purpose of this Report is to assess road traffic noise impacts onto the development, and potential noise impacts from the development onto neighbouring noise sensitive uses. The following standards and policy documents are referenced:

- *Moreton Bay Regional Council Planning Scheme*
- *Environmental Protection Act 1994*
- *Environmental Protection (Noise) Policy 2019*
- Department of Transport and Main Roads – *Policy for Development on Land Affected by Environmental Emissions from Transport and Transport Infrastructure, v2*
- Education and Child Care National Regulations
- Australian Standard AS3671:1989 - *Acoustics: Road traffic noise intrusion – Building siting and construction*
- Australian Standard AS1055:2018 - *Acoustics-Description and measurement of environmental noise*
- Australian Standard AS2702:1984 - *Acoustics-Methods for the measurement of road traffic noise*
- Association of Australasian Acoustical Consultants' *Guideline for Child Care Centre Acoustic Assessment v3.0*

Nominal hours of operation are 6:00am to 7:00pm.

1.1 Development Site and Locale

The locality and development design are presented below. Further plans are set out in **Appendix A**, while terms and definitions used in this report are presented in **Appendix D**.

Plate 1: Showing the development site and locality (Source: Google)



Plate 2: Showing zoning in the immediate locale (source: Moreton Bay Regional Council)

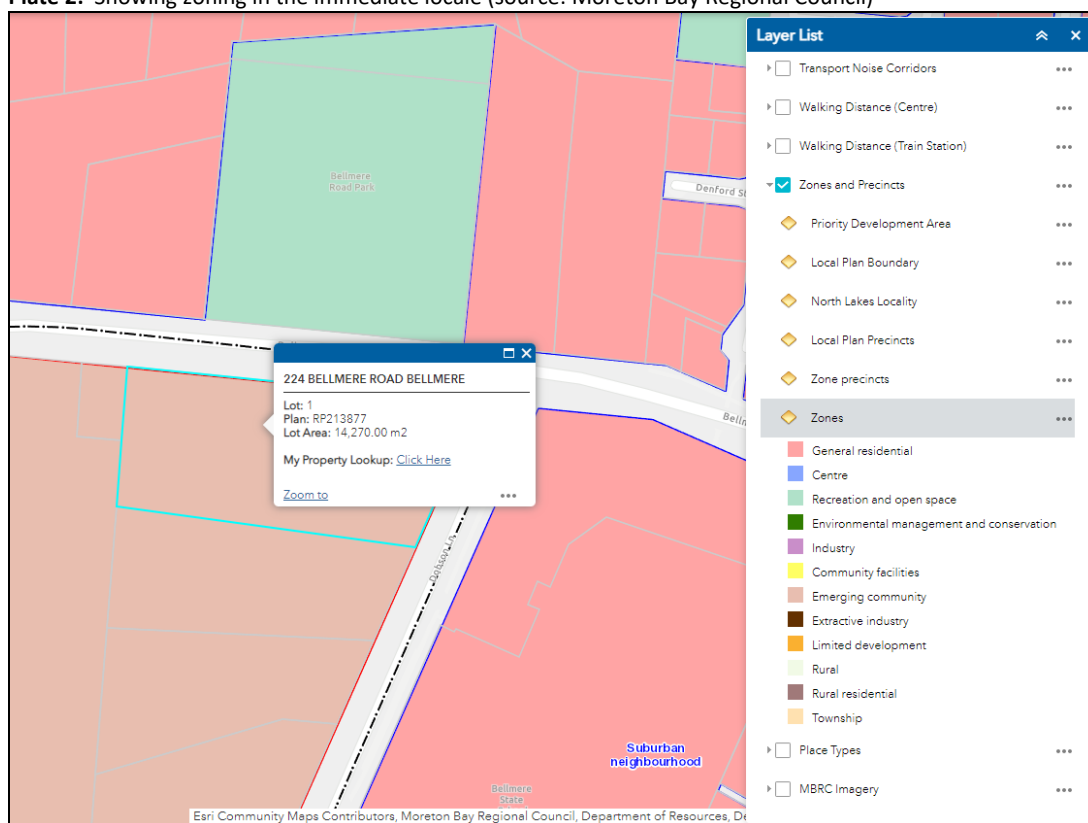


Plate 3: Showing the development site plan (source: client)



1.2 Sensitive Receivers

The development site is located near residential land to the north, west and south, and to Bellmere State School to the east. Seven receiver locations – referred to as R1 to R7 in this Report – have been assessed, representing the most affected noise sensitive uses. The locations of R1 to R7 are shown in **Plate 4** and **Table 1** below.

Plate 4: Showing sensitive receivers R1 – R7



Table 1: Showing sensitive receivers R1 – R7

Receiver	Address	Co-ordinates (UTM)		Receiver Height
		Easting	Northing	
R1	233 Bellmere Road	491471	7003486	1.8m
R2	205-209 Bellmere Road	491673	7003479	1.8m
R3	176 Dobson Lane	491689	7003332	1.8m
R4	176 Dobson Lane	491607	7003273	4.6m
R5	191 Dobson Lane	491524	7003270	4.6m
R6	240 Bellmere Road	491413	7003314	1.8m
R7	234 Bellmere Road	491429	7003403	1.8m

2. Measurement of Ambient Noise Levels

2.1 Measurement Procedures

In order to assess the potential impact of noise from all sources of noise in the locale, ambient noise surveys were conducted at two locations on site, referred to as ML1 and ML2 in this Report. ML1 was located on the eastern boundary, 5m from the southern boundary. Levels measured at this location are considered representative of the existing acoustic environment at the most sensitive residential interface. ML2 was located on the northern boundary, 35m from the western boundary. Levels measured at this location are considered representative of road traffic noise intrusion, and have been used to validate the road traffic noise calculations presented in **Appendix B**. Both microphones were at a height of 1.4m in a free-field environment. Measurement locations are presented in **Plate 5** and **Photos 1 and 2** below.

Plate 5: Showing measurement locations ML1 and ML2



Photo 1: Showing measurement location ML1 (source: NMS)



Photo 2: Showing measurement location ML2 (source: NMS)

The operation of the sound level measuring equipment was field calibrated before and after each measurement session and no significant drift was observed from the reference signal. All instrumentation used in this assessment holds a current calibration certificate from a certified NATA calibration laboratory. The following instruments were used to measure the ambient noise levels-

- 2 x Larson Davis SoundTrack LxT Class 2 environmental noise loggers
- 1 x Larson Davis CAL200 Class 1 acoustic calibrator

2.2 Measurement Results

Ambient sound pressure levels were measured generally in accordance with Australian Standard *AS1055:2018 – Acoustics - Description and measurement of environmental noise* and Australian Standard *AS2702:1984 – Acoustics - Methods for the measurement of road traffic noise*. Ambient noise levels were measured in 15 minute intervals between the 18th and the 23rd of April 2023.

Measurements include noise from all sources in the locale, including road traffic, residential activity, meteorology and wildlife. Measurement location ML1 was well setback from Bellmere Road, and was observed to be within a generally quiet residential environment. The calculated Rating Background Levels at ML1 are consistent with this observation, and ‘background plus’ criteria are considered appropriate for assessment of potential noise impacts. Levels measured at ML1 are presented graphically in **Figure 1** below, and in tabular format in **Table 2** following.

Road traffic noise was observed to be the dominant source of noise at ML2, and as a conservative assumption, the measured $L_{10,18hr}$ from all sources at ML2 is considered to be representative of road traffic noise intrusion. Measured levels are considered to be consistent with an environment exposed to significant road traffic noise, and have been used to validate the road traffic noise model presented in **Appendix C**. Levels measured at ML2 are presented graphically in **Figure 2** below, while data from Friday the 21st of April (representing a ‘typical’ day of road traffic noise) are presented in **Table 3** following.

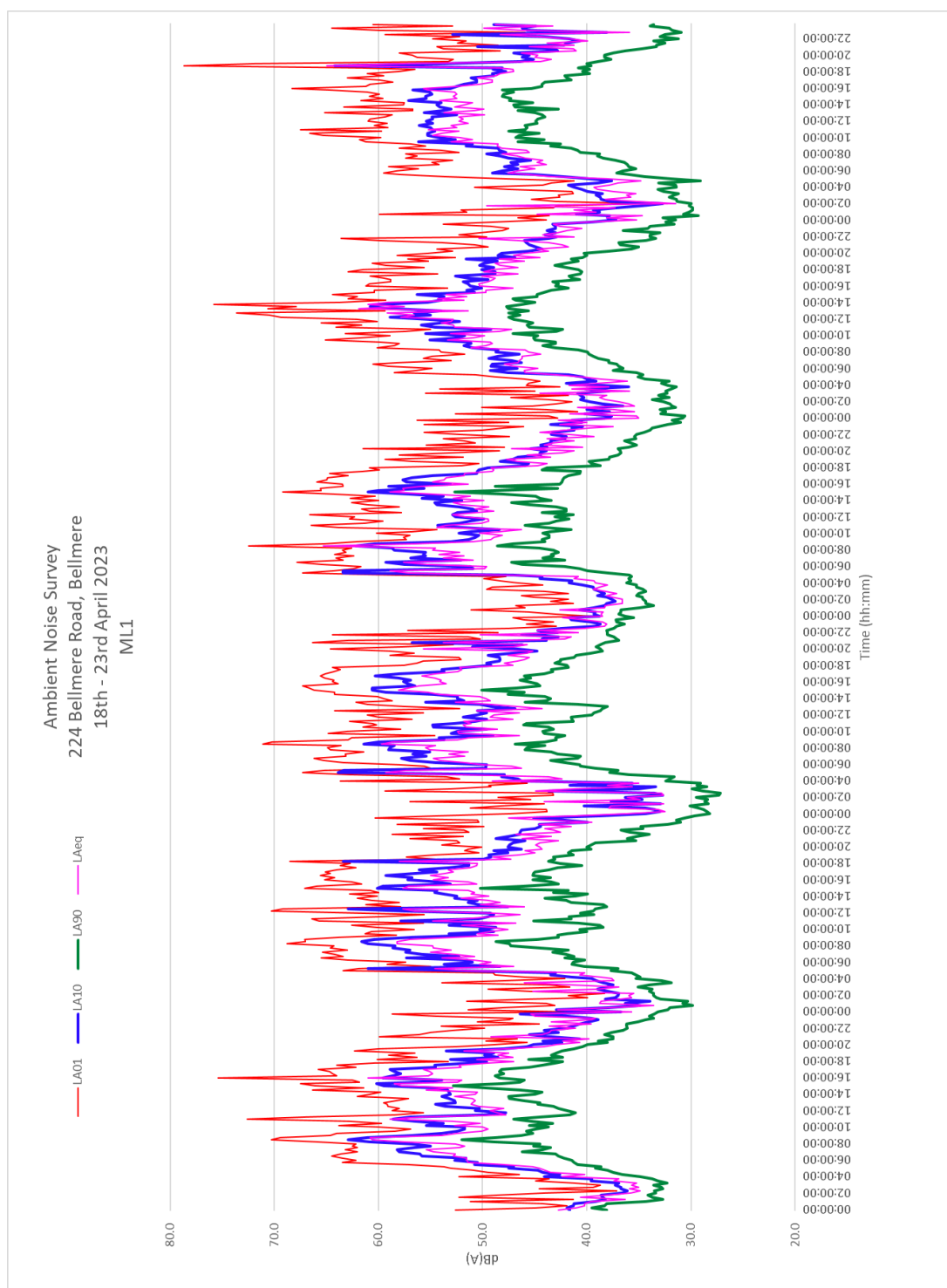


Figure 1: Ambient noise levels at ML1, 18th – 23rd April 2023. Levels are in dB(A), free-field

Table 2: Averaged measured noise levels at ML1. Levels are in dB(A), free-field

Day	Date	Period	L ₀₁	L ₁₀	L ₉₀	L _{eq}
Tuesday	18 th April	7:00am – 6:00pm	67	55	46	55
		6:00pm – 10:00pm	60	47	40	47
		10:00pm – 7:00am	63	43	37	46
Wednesday	19 th April	7:00am – 6:00pm	67	54	43	53
		6:00pm – 10:00pm	61	49	40	49
		10:00pm – 7:00am	62	42	35	46
Thursday	20 th April	7:00am – 6:00pm	66	55	44	53
		6:00pm – 10:00pm	65	48	40	49
		10:00pm – 7:00am	64	43	33	49
Friday	21 st April	7:00am – 6:00pm	66	54	44	54
		6:00pm – 10:00pm	60	45	37	45
		10:00pm – 7:00am	64	44	37	49
Saturday	22 nd April	7:00am – 6:00pm	69	53	44	54
		6:00pm – 10:00pm	61	47	39	47
		10:00pm – 7:00am	57	41	33	42
Sunday	23 rd April	7:00am – 6:00pm	65	54	45	52
		6:00pm – 10:00pm	67	47	37	54
		10:00pm – 7:00am	58	41	33	44
Arithmetic Average		Day	67	54	44	54
		Evening	62	47	39	48
		Night	62	42	35	46
Rating Background Level		Day	-	-	42	-
		Evening	-	-	36	-
		Night	-	-	32	-

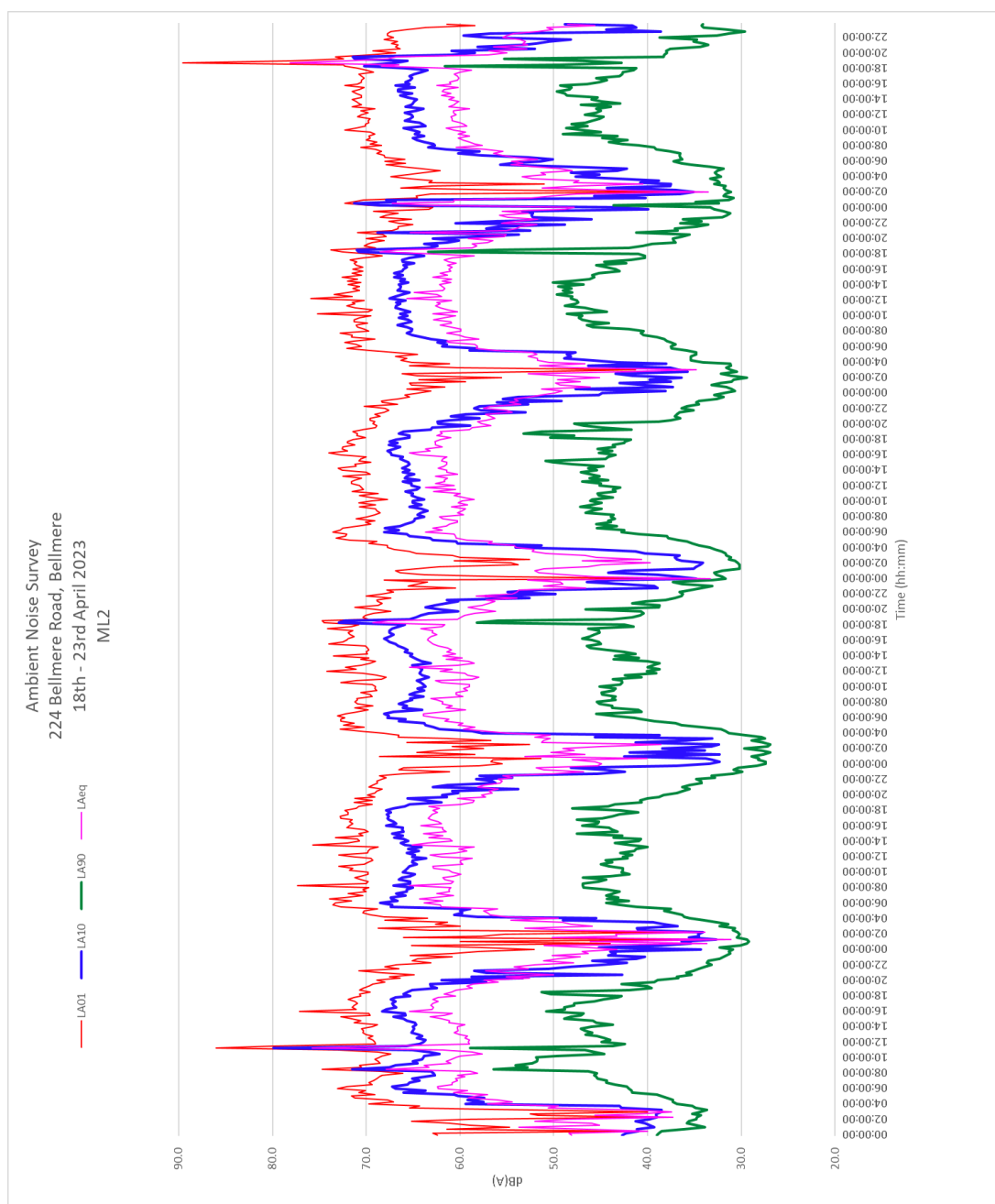


Figure 2: Ambient noise levels at ML2, 18th – 23rd April 2023. Levels are in dB(A), free-field

Table 3: Average ambient levels recorded at ML2 on Friday 21st April 2023. Levels are in dB(A), free-field

Time	LA(01)	LA(10)	LA(90)	LAeq
Day 7am to 6pm	73	65	45	62
Evening 6pm to 10pm	71	62	43	59
Night 10pm to 7am	72	48	35	56
Day max 1-hr				64
Night max 1-hr (night to 7am)				63
CoRTN 6am to 12pm		63	43	
24 hour	73			60

3. Noise Criteria and Limits

3.1 Moreton Bay Regional Council Planning Scheme 2016

The development site is subject to the Caboolture West Local Plan Code (Next Generation Sub-Precinct). Performance Outcomes **PO12**, **PO13** and **PO14** of the Code relate to acoustic issues, and are reproduced below. Further guidance is contained within the (SC6.17) Planning Scheme Policy – Noise, which is reproduced (in part) following.

Table 4: Caboolture West Local Plan Code (in part)

Performance Outcomes	Examples that achieve aspects of the Performance Outcomes
Amenity	
PO12 The amenity of the area and adjacent sensitive land uses are protected from the impacts of dust, odour, noise, light, chemicals and other environmental nuisances	No example provided.
Noise	
PO13 Noise generating uses do not adversely affect existing or potential noise sensitive uses. Note – The use of walls, barriers or fences that are visible from or adjoin a road or public area are not appropriate noise attenuation measures unless adjoining a motorway, arterial road or rail line. Note – A noise impact assessment may be required to demonstrate compliance with this PO. Noise impact assessments are to be prepared in accordance with the Planning scheme policy – Noise	No example provided.
PO14 Sensitive land uses are provided with an appropriate acoustic environment within designated external private outdoor living spaces and internal areas while: a. contributing to safe and usable public spaces, through maintaining high levels of surveillance of parks streets and roads that serve active transport purposes (e.g. existing or future pedestrian paths or cycle lanes etc); b. maintaining the amenity of the streetscape. Note – A noise impact assessment may be required to demonstrate compliance with this PO. Noise impact assessments are to be prepared in accordance with the Planning scheme policy – Noise Note – Refer to Planning Scheme Policy – Integrated design for details and examples of noise attenuation structures.	E14.1 Development is designed to meet the criteria outlined in the Planning Scheme Policy – Noise.
	E14.2 Noise attenuation structures (e.g. walls, barriers or fences): a. are not visible from an adjoining road or public area unless: i. adjoining a motorway or rail line; or ii. adjoining part of an arterial road that does not serve an existing or future active transport purpose (e.g. pedestrian paths or cycle lanes) or where attenuation through building location and materials is not possible. b. do not remove existing or prevent future active transport routes or connections to the street network; c. are located, constructed and landscaped in accordance with Planning scheme policy – Integrated design Note – Refer to Planning scheme policy – Integrated design for details and examples of noise attenuation structures. Note – Refer to Overlay map – Active transport for future active transport routes.

Table 5: Planning Scheme Policy – Noise (in part)

General noise emission criteria for noise generating uses unless otherwise stipulated				
Both column 1 and 2 are applicable	Column 1 – Intrusive noise criteria	Column 2 – Acoustic amenity criteria		
Criteria Location	L _{Aeq,adj,T} is not greater than the Rating Background Level (RBL) for Day Evening and Night plus the value in column 1 for the relevant criteria location. These limits are component Levels “T” is either a relevant representative 15 minutes or if the duration of the noise occurs for less than 15 minutes the duration of the noise source.	Day, evening and night L _{Aeq,adj,T} are not greater than the values in column 2 for the relevant criteria location, where T equals: • Day: 11hr • Evening: 4hr • Night: 9hr		
		Day	Evening	Night
External to a noise sensitive use in the following zones where the proposed use is located in the same zone (inter alia): • General Residential Zone • Rural living precinct (Caboolture West Local Plan) • Urban living precinct (Caboolture West Local Plan) • Emerging Community Zone	3 dB(A)	55 dB(A)	45 dB(A)	40 dB(A)
Night-time noise criteria				
	Average of the highest 15 single L _{Amax} events over a given night (10pm-7am) period is not greater than the following values at the relevant criteria location			
Inside a noise sensitive use within (inter alia): • General Residential Zone • Rural living precinct (Caboolture West Local Plan) • Urban living precinct (Caboolture West Local Plan) • Emerging Community Zone	45 dB(A)			
Design Mitigation Requirements				
Location where the criteria applies inside a noise sensitive use	Adjusted equivalent continuous sound pressure level (L _{Aeq,adj,T}) to be achieved during day, evening and night time periods			Maximum sound pressure level (L _{Amax}) to be achieved during the night time period
	Day 7am – 6pm L _{Aeq,adj,11hr}	Evening 6pm – 10pm L _{Aeq,adj,4hr}	Night 10pm – 7am L _{Aeq,adj,9hr}	
Sleeping areas	35 dB(A)	35 dB(A)	30 dB(A)	45 dB(A)
Other habitable rooms	35 dB(A)	35 dB(A)	35 dB(A)	N/A

The *Planning Scheme Policy – Noise* also includes provisions for road traffic noise assessment of sensitive uses within 50m of an arterial road, and road traffic noise assessment has been conducted to the Design Mitigation Requirements presented in **Table 5** above. It is furthermore noted that the residential outdoor space criteria referenced is not applicable to the proposed childcare centre, although the Department of Transport and Main Roads – *Policy for Development on Land Affected by Environmental Emissions from Transport and Transport Infrastructure*, v2 includes a 63 dB(A) $L_{10,12hr}$ criterion for childcare outdoor space. Assessment has therefore been conducted to this childcare outdoor space criterion.

3.2 Environmental Protection (Noise) Policy 2019

The *Environmental Protection (Noise) Policy 2019* establishes Acoustic Quality Objectives to protect or enhance stated environmental values. The environmental values to be enhanced or protected under the policy are the qualities of the acoustic environment that are conducive to protecting the health and biodiversity of ecosystems; and the qualities of the acoustic environment that are conducive to human health and well-being, including ensuring a suitable acoustic environment for individual's to sleep, study and learn, to be involved in recreation including relaxation and conversation; and the qualities of the acoustic environment that are conducive to protecting the amenity of the community.

Table 6: Acoustic Quality Objectives from EPP (Noise) 2019 (in part)

Type of Occupancy / Activity	Recommended Acoustic Quality Objective		
RESIDENTIAL BUILDINGS	LAeq,adj,1hr	LA10,adj,1hr	LA01,adj,1hr
Dwelling, outdoors, daytime & evening	50	55	65
Dwelling, indoors, daytime & evening	35	40	45
Dwelling, indoors, night-time	30	35	40

It is noted that the Acoustic Quality Objectives are to be progressively achieved over the long term, to meet the stated purpose of the Noise Policy:

- (a) identifying environmental values to be enhanced or protected; and
- (b) stating acoustic quality objectives for enhancing or protecting the environmental values; and
- (c) providing a framework for making consistent, equitable and informed decisions about the acoustic environment.

Noise management strategies are required to the extent it is reasonable to do so. It is therefore concluded that the AQO are not intended to be necessarily limiting criteria, as reasonableness and equity are fundamental precepts of the policy. It is further understood that the Acoustic Quality Objectives are not intended to override Council noise policies, where in force. Application of Council noise policy regarding potential emissions from and immissions onto the development is therefore considered to meet the intent of the *Environmental Protection (Noise) Policy 2019*.

3.3 Air Conditioning Noise Emissions

It is expected that some form of alternative ventilation, such as air-conditioning, will be installed. State requirements are set out under Section 440U of the *Environmental Protection Act 1994*; in that Act noise from air conditioning must not exceed the following noise levels when measured as the LA90 dB(A) level over a period of 15 minutes at an affected building:

- Between 10pm and 7am: 3 dB(A) above the background level
- From 7am to 10pm: 5 dB(A) above the background level

Council also specifies General Noise Emission Criteria under the Planning Scheme Policy – Noise (discussed in **Section 3.1** above), and it is recommended that air-conditioning meet Council's more stringent noise limits. It is nonetheless noted that the Environmental Protection Act represents an ongoing legal obligation, and that plant should be appropriately maintained to meet criteria at all times.

The specific design of air-conditioning plant has not been determined at this Stage. Detailed plant noise assessment can be conducted – if required – at the Building Approval stage once these specifications can be determined, although the relevant criteria are expected to be achievable through appropriate plant selections and siting.

3.4 State and Commonwealth Regulation

Regulation 81 of the Education and Child Care National Regulations requires that: "The approved provider of an education and care service must take reasonable steps to ensure that the needs for sleep and rest of children being educated and cared for by the service are met, having regard to the ages, development stages and individual needs of the children." It is noted that Council noise policy includes Design Mitigation Requirements of 35 dB(A) within sleeping areas during the daytime period. This is considered an appropriate criterion for internal amenity, and it is therefore concluded that the acoustic requirements of National Child Care Regulations can be met through design in accordance with Council criteria.

4. Noise Impact Assessment

4.1 Summary of Assessment Criteria

Under the Planning Scheme Policy – Noise, criteria are referenced to existing Rating Background Levels (RBL), and the night time $L_{Aeq,9hr}$. Applicable assessment criteria are presented in **Table 7** below. The ‘design criteria’ refer to the most stringent applicable criteria.

Table 7: Summary of assessment criteria. Levels are in dB(A)

	Descriptor	Daytime	Evening	Night
Noise Emissions				
RBL at ML1	RBL	42	36	32
Intrusive Noise Criteria (RBL + 3)	$L_{eq, 15m}$	45	39	35
Acoustic Amenity Criteria	$L_{eq, adj, T}$	55	45	40
Existing night L_{eq}	$L_{eq, 9hr}$	-	-	46
Night-time Noise Criteria	$L_{max, average 15}$	-	-	53*
Design Criteria	$L_{eq, 15min}$	45	39	35
	$L_{max, average 15}$	-	-	53*
	$L_{max, single event}$	-	-	63*
Design Mitigation Requirements				
Sleep Rooms	$L_{eq, 11hr}$	35	-	-
Other Habitable Areas	$L_{eq, 11hr}$	35	-	-
Department of Transport and Main Roads Criteria				
Child Care Outdoor Play Areas	$L_{10, 12hr}$	63	-	-

* Internal criteria has been converted to external values assuming 7.5 dB(A) of attenuation through open windows

4.2 Acoustic Screening

To screen existing and future neighbouring dwellings from noise emissions, it is recommended that 2m high acoustic fencing be provided, as shown in **Plate 6** below.

To effectively function as an acoustic screen, it is recommended that these barriers be continuous and gap-free, with a density of not less than 12.5 kg/m². This can be achieved with overlapping timber palings (minimum 50% overlap), Perspex (minimum width 11mm), glass (minimum width 6mm), blockwork, or materials in combination which are gap free, and of the required density.

Screening from these barriers has been included (where applicable) in the environmental noise calculations presented in **Appendix B** and the road traffic noise calculations presented in **Appendix C**.

Plate 6: Showing the location of recommended 2m high acoustic fencing (in red)



4.3 Road Traffic Noise Intrusion

Road traffic noise has been forecast into the 2033 (10 year) design horizon using the road traffic noise model presented in **Appendix C**, which has been validated to the $L_{10,18hr}$ measured at ML2. Road traffic noise has been forecast to nominal receivers at the outdoor play areas, and to noise sensitive façades of indoor play and sleep rooms. The locations of outdoor receivers are shown in **Plates 7 and 8** below.

Plate 7: Showing outdoor space receivers

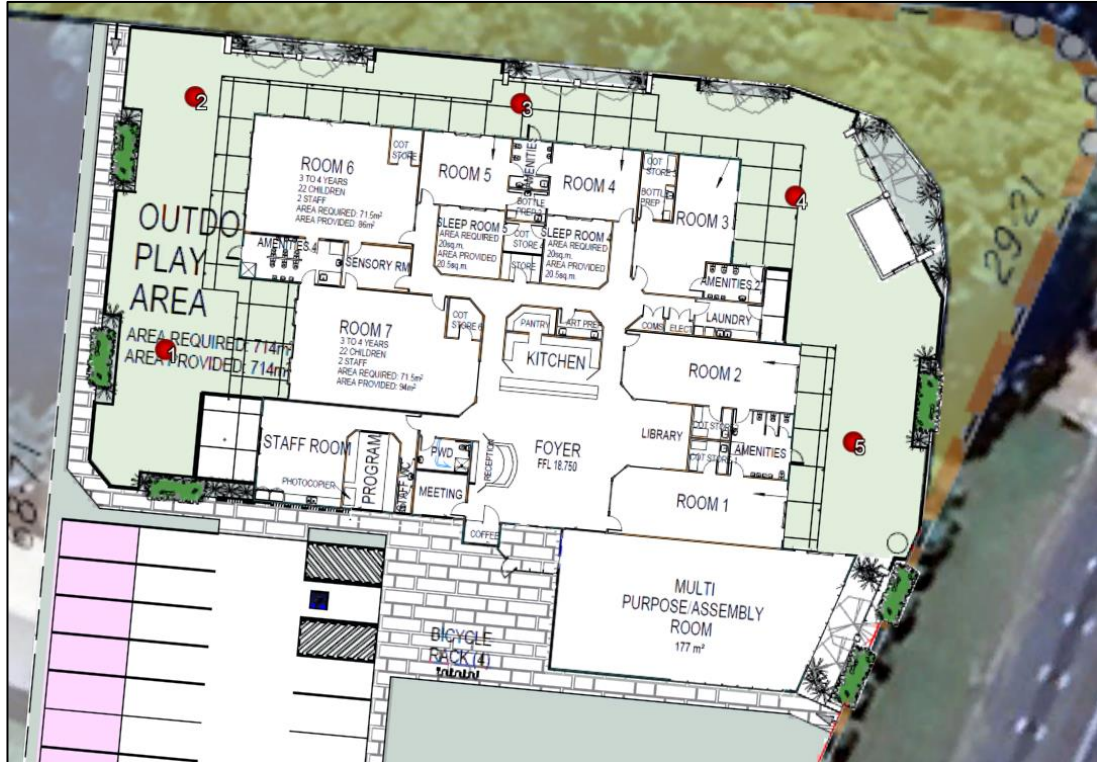
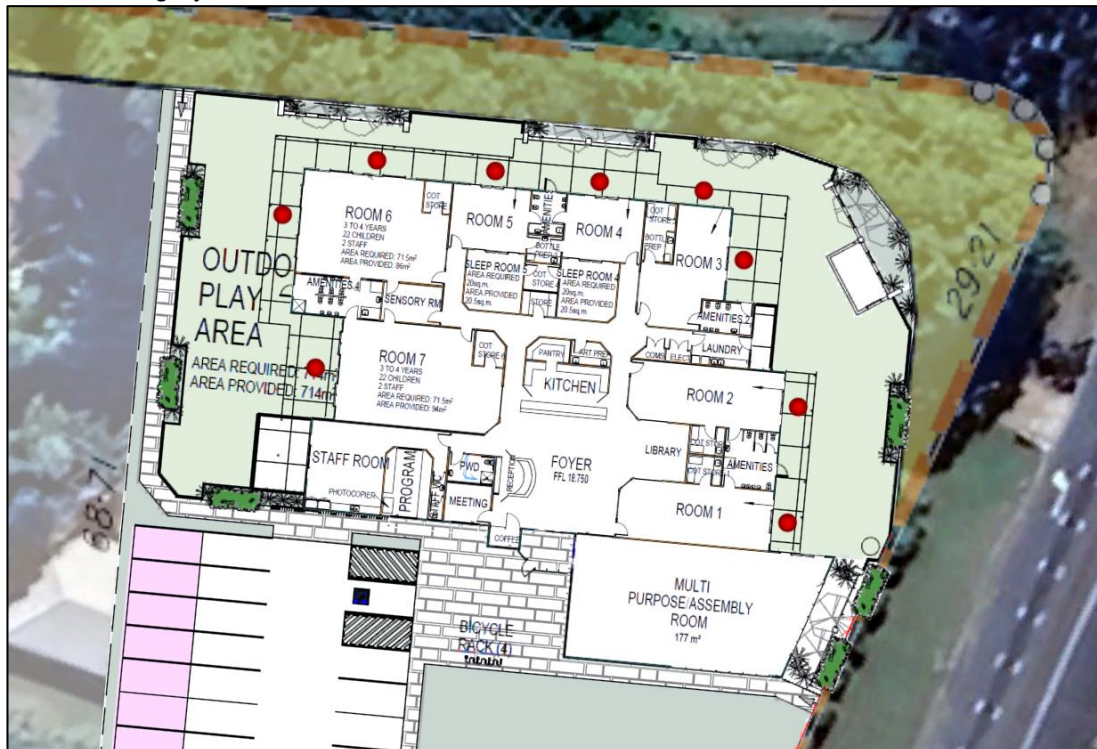


Plate 8: Showing façade receivers



Outdoor road traffic noise forecasts are presented in **Table 8** below, along with the DTMR childcare outdoor space criterion. Forecast $L_{10,18hr}$ has been converted to $L_{10,12hr}$ according to the following relationship between descriptors as measured at ML2:

- $L_{10,12hr} = L_{10,18hr} + 2.2 \text{ dB(A)}$

Table 8: Road traffic noise forecasts and outdoor criteria, 2033. Levels are in dB(A)

Receiver	Descriptor	Forecast	Criteria	Assessment
Outdoor 1	$L_{10,12hr}$ free-field	58	63	Pass
Outdoor 2	$L_{10,12hr}$ free-field	61	63	Pass
Outdoor 3	$L_{10,12hr}$ free-field	61	63	Pass
Outdoor 4	$L_{10,12hr}$ free-field	61	63	Pass
Outdoor 5	$L_{10,12hr}$ free-field	58	63	Pass

As shown above, the DTMR outdoor space criterion is forecast to be met at all outdoor play areas.

To provide a suitable level of acoustic amenity for sleep and rest in accordance with the State and National Child Care Regulations, it is recommended that the proposed childcare centre be constructed to mitigate noise from external sources, and achieve Council's Design Mitigation Requirement of 35 dB(A) $L_{Aeq,11hr}$ within the Sleep Room and other habitable areas.

Road traffic noise has been forecast to the noise sensitive façade(s) of indoor play and sleep rooms. Detailed calculations have then been conducted under Australian Standard *AS3671 – Road traffic noise intrusion – building siting and construction* to determine the Weighted Sound Reduction Index (Rw) required from building components to achieve the 35 dB(A) Design Mitigation Requirement. Forecast $L_{10,18hr}$ has been converted to $L_{eq,11hr}$ according the following relationship between descriptors as measured at ML2:

- $L_{eq,11hr} = L_{10,18hr} - 1.8 \text{ dB(A)}$

Calculations under *AS3671* are presented in **Table 9** below.

Table 9: Showing AS3671 calculations, and Rw requirements for building elements

STC Child Care Centre		<i>TNR is Leq façade corrected Leq,11hr vs Design Mitigation Requirement</i>												
JOB:	6781R2	<i>TNAc is the traffic noise attenuation required of the component</i>												
Project:	224 Bellmere Road, Bellmere	<i>"6" is the approximate allowance for the traffic noise spectrum</i>												
Date:	21/11/2023	$TNAc = TNR + 10\log_{10}[(Sc/Sf) \times (3/H) \times 2T60 \times C]$												
		STC = TNAc + 6												
Room	Element	Facing	Ext Leq	MBRC	TNR	Category	Element (Sc)	Floor (Sf)	Height	RT60	C	TNAc	Calc	
			dB(A)	criteria			area	area	(m)	(s)			STC/Rw	
Room 1	Sliding Doors	E	55	35	20.4	Category 2	7	55	2.7	0.7	3	18.39	24	
Room 1	Wall	E	55	35	20.4	Category 2	8	55	2.7	0.7	3	18.95	25	
Room 1	Roof	-	55	35	20.4	Category 2	55	55	2.7	0.7	3	27.09	33	
Room 2	Sliding Doors	E	57	35	21.5	Category 2	7	55	2.7	0.7	3	19.49	25	
Room 2	Wall	E	57	35	21.5	Category 2	8	55	2.7	0.7	3	20.05	26	
Room 2	Roof	-	57	35	21.5	Category 2	55	55	2.7	0.7	3	28.19	34	
Room 3	Sliding Doors	E	58	35	23.3	Category 2	7	48	2.7	0.7	3	21.88	28	
Room 3	Wall	E	58	35	23.3	Category 2	12	48	2.7	0.7	3	24.09	30	
Room 3	Wall	N	60	35	25.2	Category 2	11	48	2.7	0.7	2	23.95	30	
Room 3	Roof	-	60	35	25.2	Category 2	48	48	2.7	0.7	3	31.89	38	
Room 4	Sliding Doors	N	60	35	25.1	Category 2	7	30	2.7	0.7	3	25.75	32	
Room 4	Wall	N	60	35	25.1	Category 2	16	30	2.7	0.7	3	29.19	35	
Room 4	Roof	-	60	35	25.1	Category 2	30	30	2.7	0.7	3	31.79	38	
Room 5	Sliding Doors	N	60	35	25.2	Category 2	7	30	2.7	0.7	3	25.85	32	
Room 5	Wall	N	60	35	25.2	Category 2	16	30	2.7	0.7	3	29.29	35	
Room 5	Roof	-	60	35	25.2	Category 2	30	30	2.7	0.7	3	31.89	38	
Room 6	Sliding Doors	N	60	35	25.1	Category 2	15	86	2.7	0.7	3	24.12	30	
Room 6	Wall	N	60	35	25.1	Category 2	11	86	2.7	0.7	3	22.84	29	
Room 6	Sliding Doors	W	58	35	22.6	Category 2	15	86	2.7	0.7	3	21.62	28	
Room 6	Wall	W	58	35	22.6	Category 2	7	86	2.7	0.7	3	18.33	24	
Room 6	Roof	-	60	35	25.1	Category 2	86	86	2.7	0.7	3	31.79	38	
Room 7	Sliding Doors	W	55	35	20.2	Category 2	15	94	2.7	0.7	3	18.83	25	
Room 7	Wall	W	55	35	20.2	Category 2	7	94	2.7	0.7	3	15.55	22	
Room 7	Roof	-	55	35	20.2	Category 2	94	94	2.7	0.7	3	26.89	33	

Windows and sliding doors are generally expected to meet criteria with 6.38mm laminate glazing and acoustically rated seals. Wall and roof construction is expected to be achieved with any normal construction methods. Subject to construction in accordance with the Rw ratings presented in **Table 9** above, it is concluded that the proposed childcare centre can achieve the Design Mitigation Requirements, and be otherwise compliant with relevant regulatory obligations.

4.4 Noise Emissions

4.4.1 Noise Sources

The following have been identified as sources of potentially intrusive noise emissions:

- Vehicle movements through the carpark
- ‘Slamming’ car doors
- Children at outdoor play
- Rubbish collection
- Mechanical plant

Noise from internal play activities will be substantively contained within the building envelope, and noise breakout is predicted to generate far lower noise emissions than outdoor play. Accordingly, assessment has been conducted to outdoor play as a worst-case 15 minute scenario.

The precise model(s) and installation of air conditioning has not been determined at this stage. To meet Council criteria, it is recommended that plant be selected, installed and (if necessary) screened to not exceed 40 dB(A) at neighbouring noise sensitive uses. Detailed assessment of air conditioning noise can be conducted (if required) at the Building Approval stage once specifications can be determined. It is nonetheless considered that the relevant criterion will be readily achievable through appropriate plant selection and siting.

Potential noise emissions from other identified sources have been forecast using the environmental noise model presented in **Appendix B**. Design sound power levels have been sourced from the NMS database, and are presented in **Table 10** below. Further details of modelling scenarios are discussed in the **sections** following.

Table 10: Design sound power levels, as modelled

Name	Descriptor	Sound Power Levels in dB(Z)								Total in dB(A)
		63 Hz	125 Hz	250 Hz	500 Hz	1kHz	2 kHz	4 kHz	8 kHz	
Vehicle movements	L _{eq}	74	81	75	72	75	76	72	69	81
Car door ‘slam’*	L _{max}	90	94	89	91	94	89	87	85	97
Rubbish collection	L _{eq}	88	82	83	82	83	85	83	72	90
Outdoor play (8 children ages 0-2)	L _{eq}	53	59	65	71	73	70	66	63	77
Outdoor play (12 children ages 2-3)	L _{eq}	62	68	74	80	82	79	75	71	85
Outdoor play 15 children ages 2-3)	L _{eq}	63	69	75	81	83	80	76	72	86
Outdoor play (11 children ages 3-5)	L _{eq}	64	70	75	81	83	80	76	72	87
Sound Pressure Levels at 1m										
Vehicle movements	L _{eq}	66	73	67	64	67	69	65	62	73
Car door ‘slam’*	L _{max}	82	86	82	83	87	81	79	78	90
Rubbish collection	L _{eq}	81	75	75	75	75	77	75	65	82
Outdoor play (8 children ages 0-2)	L _{eq}	45	51	57	63	65	62	58	55	69
Outdoor play (12 children ages 2-3)	L _{eq}	54	60	66	72	74	71	67	63	78
Outdoor play 15 children ages 2-3)	L _{eq}	55	61	67	73	75	72	68	64	79
Outdoor play (11 children ages 3-5)	L _{eq}	57	63	68	74	76	73	69	65	79

* Includes adjustment for impulsiveness, as per Australian Standard AS10555

4.4.2 Environmental Noise Calculations – Vehicle Movements

Noise emissions from vehicle movements through the site have been conceptualized as a moving line source, based upon sound power levels as proposed in the *Association of Australasian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment v3*. Average speeds of 25 km/hr have been assumed, with a source height of 1.5m (representing dominant engine noise at low speeds). Peak traffic flows of 41 trips/hr have been calculated, as per the *NSW RTA Guide to Traffic Generating Developments v2.2*.

Noise source locations – as modelled – are presented in **Plate 9** below, while results from the environmental noise calculations are presented along with criteria in **Table 11** following.

Plate 9: Showing vehicle moving line source locations, as modelled

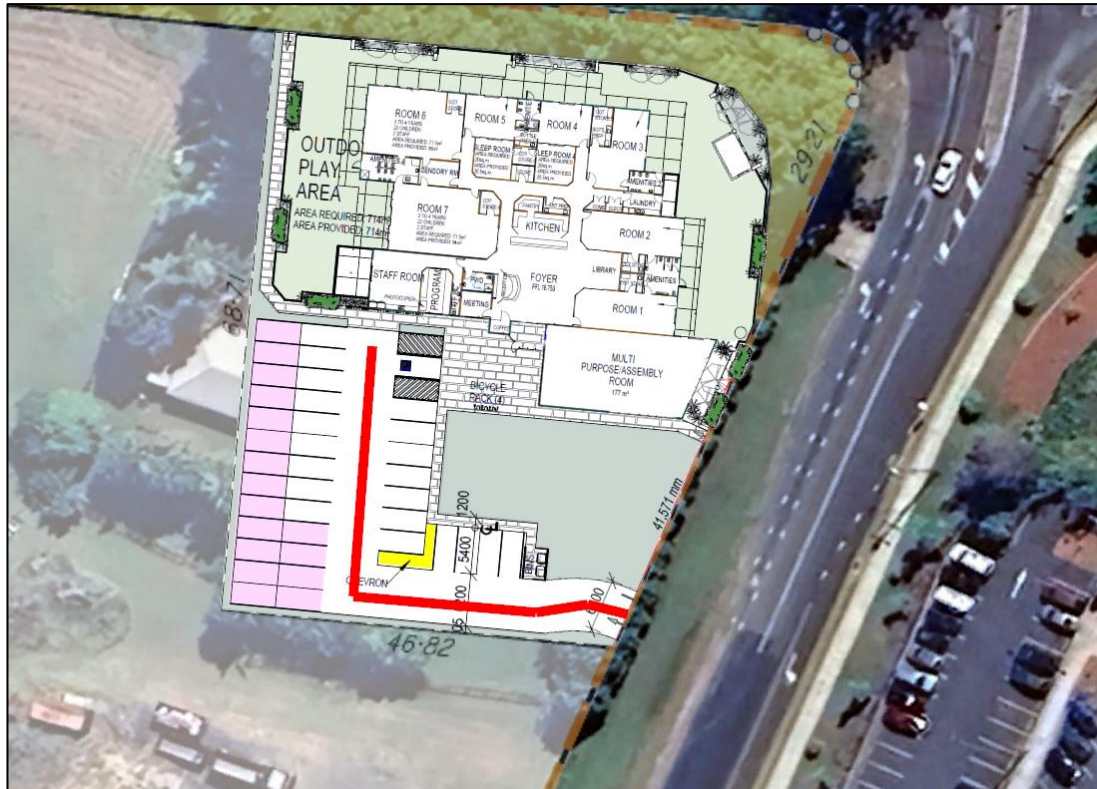


Table 11: Noise forecasts and criteria, vehicle movements. Levels are in dB(A)

Receiver	Descriptor	Forecast	Criteria			Assessment
			Day	Evening	Night	
R1	L _{eq,15min}	10	45	39	35	Pass
R2	L _{eq,15min}	8	45	39	35	Pass
R3	L _{eq,15min}	20	45	39	35	Pass
R4	L _{eq,15min}	22	45	39	35	Pass
R5	L _{eq,15min}	20	45	39	35	Pass
R6	L _{eq,15min}	10	45	39	35	Pass
R7	L _{eq,15min}	11	45	39	35	Pass

As shown above, noise emissions from vehicle movements are forecast to meet criteria at all receivers.

4.4.3 Environmental Noise Calculations – Outdoor Play

Potential noise impacts from outdoor play have been assessed assuming all children to be playing simultaneously, based upon sound power levels as per the *Association of Australasian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment v3*. Outdoor play has been conceptualized as point sources, representing the central focus of an area of play, grouped by room. Sound power levels have been calculated according to the formula as stated in the guideline:

- Effective Sound Power Level for 'n' children = Effective Sound Power Level for 10 children + 10 log (n/10)

The location of noise point sources – as modelled – are presented in **Plate 10** below, while results of the environmental noise calculations are presented along with criteria in **Table 12** following.

Plate 10: Showing playing children noise source locations, as modelled

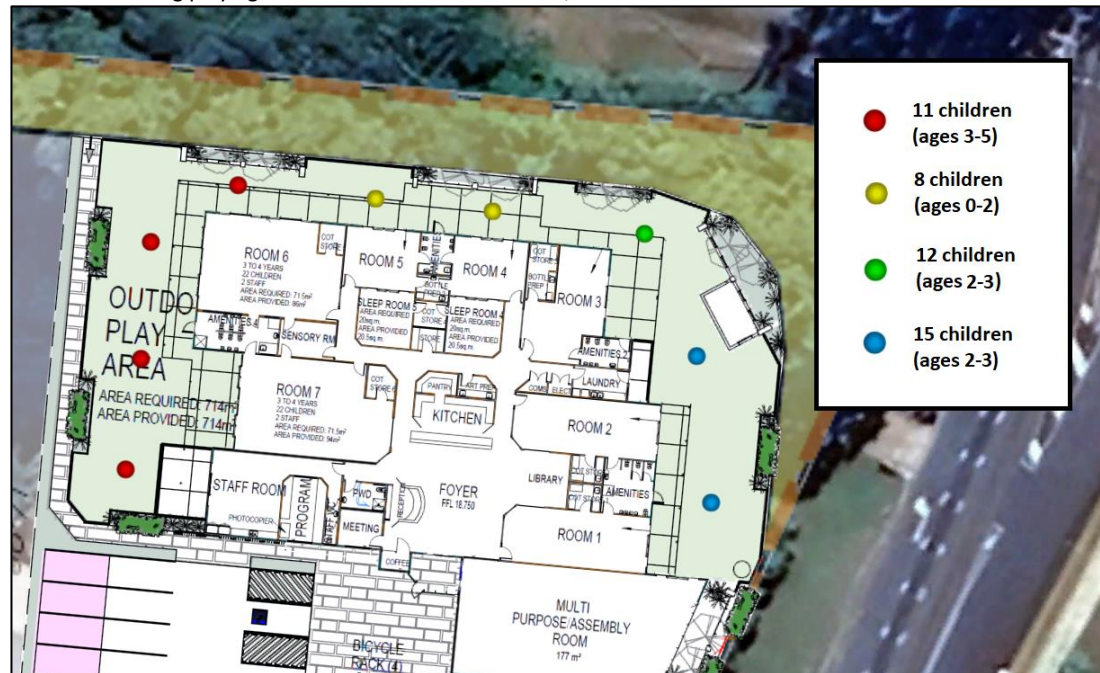


Table 12: Noise forecasts and criteria, playing children. Levels are in dB(A)

Receiver	Descriptor	Forecast	Criteria			Assessment
			Day	Evening	Night	
R1	$L_{eq,15min}$	31	45	39	35	Pass
R2	$L_{eq,15min}$	32	45	39	35	Pass
R3	$L_{eq,15min}$	32	45	39	35	Pass
R4	$L_{eq,15min}$	37	45	39	35	Pass daytime/evening
R5	$L_{eq,15min}$	39	45	39	35	Pass daytime/evening
R6	$L_{eq,15min}$	27	45	39	35	Pass
R7	$L_{eq,15min}$	31	45	39	35	Pass

As shown above, noise emissions from outdoor play are forecast to meet criteria at all receivers during the daytime and evening periods. It is therefore recommended that outdoor play not occur before 7am.

4.4.4 Environmental Noise Calculations – Car Doors

Although the ‘slamming’ of car doors is not a necessary nor unavoidable consequence of car park activity, such events may sporadically occur. Assessment of car door noise emissions are based upon measurements of a ‘reasonable worst-case’ slam event previously measured by NMS. In contrast to ‘slamming’, typical car door closures emit significantly lower levels of noise. As a comparison, a 4 wheel drive door closure – with moderate force – was measured approximately 13 dB(A) lower than assumed in assessment, and typical closures are expected to generate relatively minor noise emissions. Potential noise impacts have been modelled from the worst-case parking bays as presented in **Plate 11** below. Results from the environmental noise calculations are presented in **Table 13** following, along with applicable criteria.

Plate 11: Showing door slam noise source locations, as modelled



Table 13: Noise forecasts and criteria, door slams. Levels are in dB(A)

Receiver	Descriptor	Forecast	Criteria	Assessment
R1	L _{max}	35	53	Pass
R2	L _{max}	33	53	Pass
R3	L _{max}	47	53	Pass
R4	L _{max}	50	53	Pass
R5	L _{max}	40	53	Pass
R6	L _{max}	35	53	Pass
R7	L _{max}	35	53	Pass

As shown above, noise emissions from worst-case door ‘slams’ are forecast to meet criteria at all receivers.

4.4.5 Environmental Noise Calculations – Rubbish Collection

The development plans show a bin storage areas at the south-western corner of the building, and it is assumed that rubbish collection will occur at this location. On-site rubbish collection will be sporadic and very brief in duration, with an expected duration of 1 or 2 minutes per collection cycle, occurring up to twice per week. As a conservative design assumption, calculations assume daily rubbish collection¹, with 5 minutes of continuous activity in a worst-case 15 minute period. The rubbish collection noise source location – as modelled – is shown in **Plate 12** below, with results of the environmental noise calculations presented in **Table 14** following.

Plate 12: Showing rubbish collection noise source location, as modelled

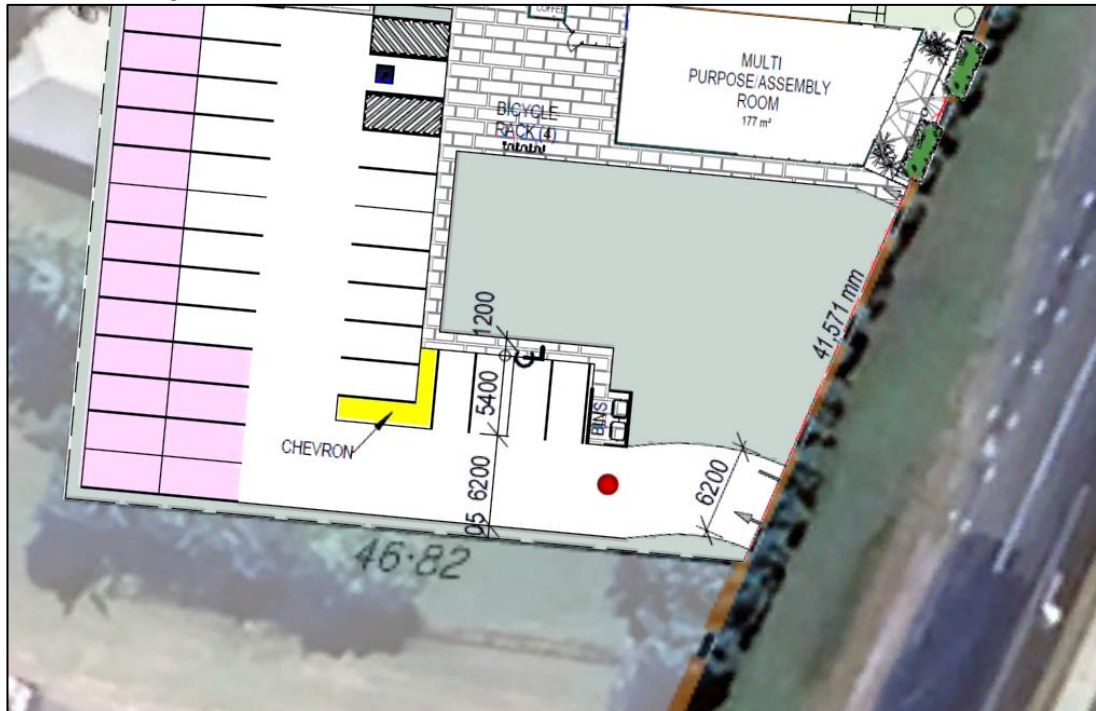


Table 14: Noise forecasts and criteria, rubbish collection. Levels are in dB(A)

Receiver	Descriptor	Forecast	Criteria			Assessment
			Day	Evening	Night	
R1	L _{eq,15min}	28	45	39	35	Pass
R2	L _{eq,15min}	25	45	39	35	Pass
R3	L _{eq,15min}	40	45	39	35	Pass daytime
R4	L _{eq,15min}	43	45	39	35	Pass daytime
R5	L _{eq,15min}	33	45	39	35	Pass daytime
R6	L _{eq,15min}	28	45	39	35	Pass
R7	L _{eq,15min}	29	45	39	35	Pass

As shown above, noise emissions from rubbish collection are forecast to meet criteria during the daytime period. It is therefore recommended that rubbish collection be limited to the hours of 7am to 6pm.

¹ Sound power levels derived from measurements previously conducted by NMS of a typical rubbish collection cycle

4.5 Future Residential Development

It is understood that future residential development is envisioned to the immediate south and west of the site, although the specific design is yet to be finalized. The preliminary layout is nonetheless shown in **Plate 13** below.

Plate 13: Showing preliminary layout of future adjacent residential development (source: Google; client)



The precise layout, siting and construction of future residential dwellings is unknown at this stage, although single storey development is expected.

The recommended acoustic fencing – as presented in **Section 4.2** – includes full perimeter fencing to screen the neighbouring lots, and it is therefore concluded that the proposed child care centre appropriately protects amenity at future neighbouring dwellings. It is nonetheless understood that the residential subdivision will require acoustic assessment for road traffic noise impacts, and it is recommended that this assessment also consider reverse amenity issues regarding child care noise impacts onto Lots 1, 5, 6 & 7.

Considering the attenuation provided by acoustic fencing, it is expected that the Design Mitigation Requirements will be readily achievable for future neighbouring residential dwellings through standard construction methods.

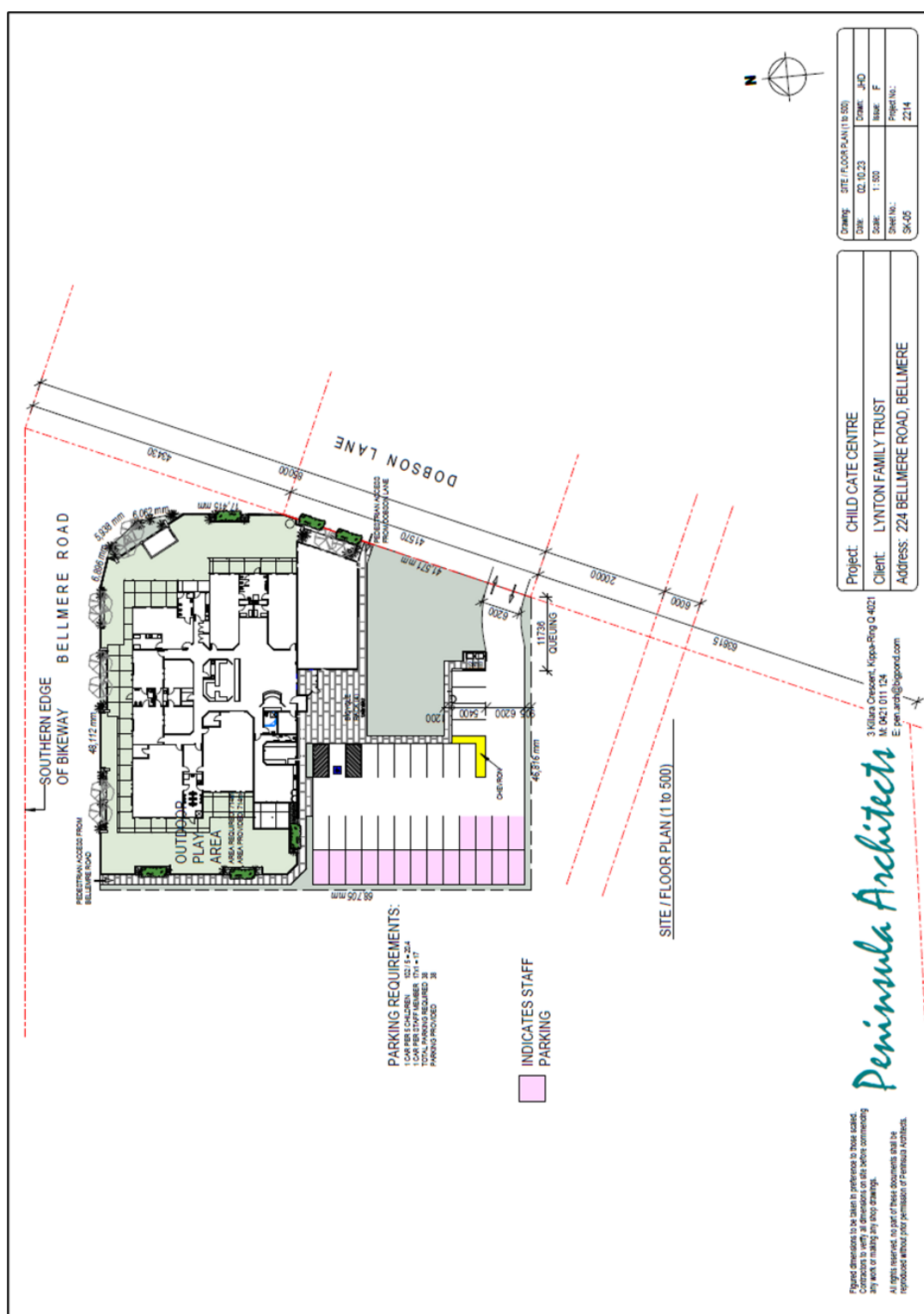
Appendix A: Development Plans

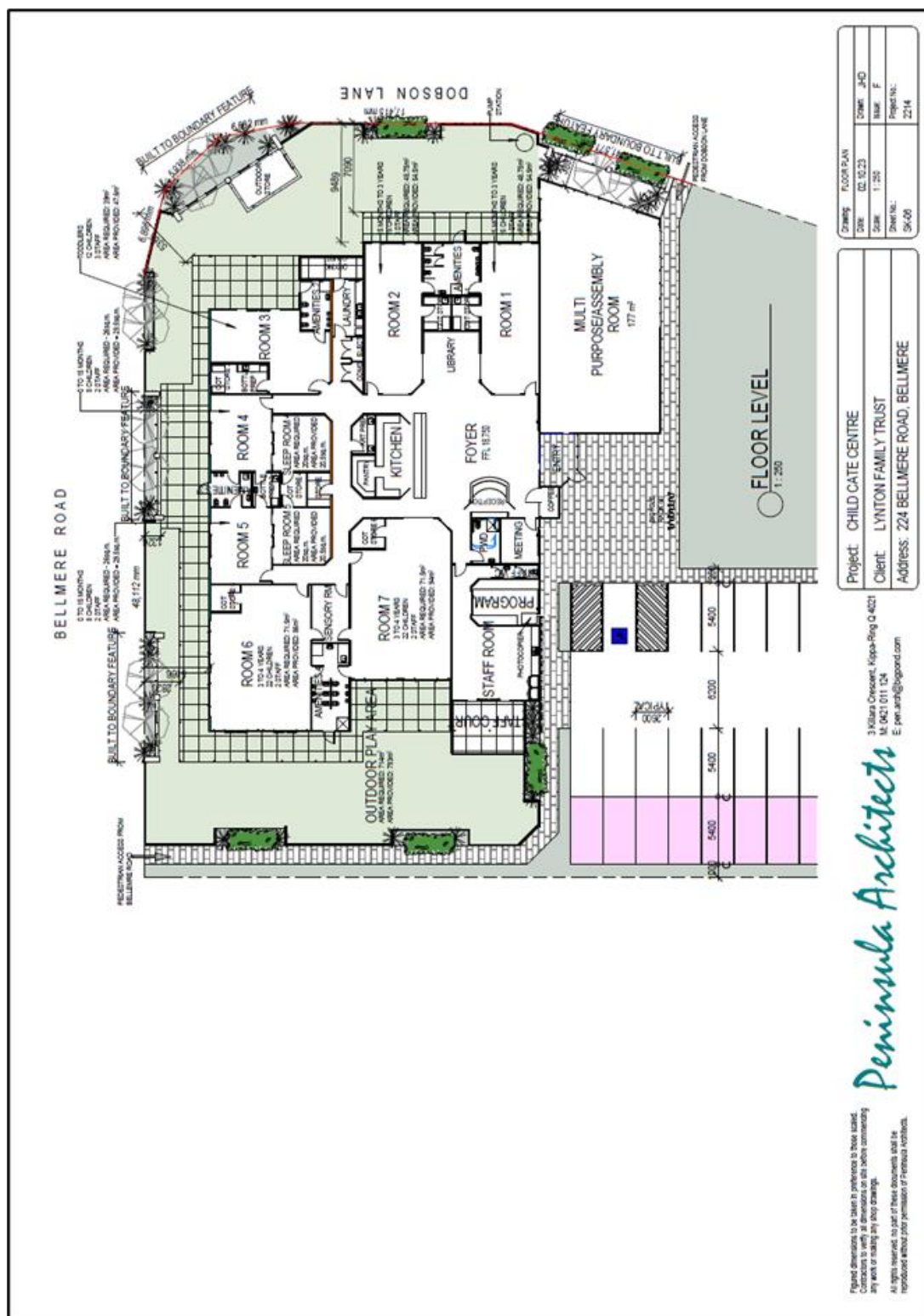


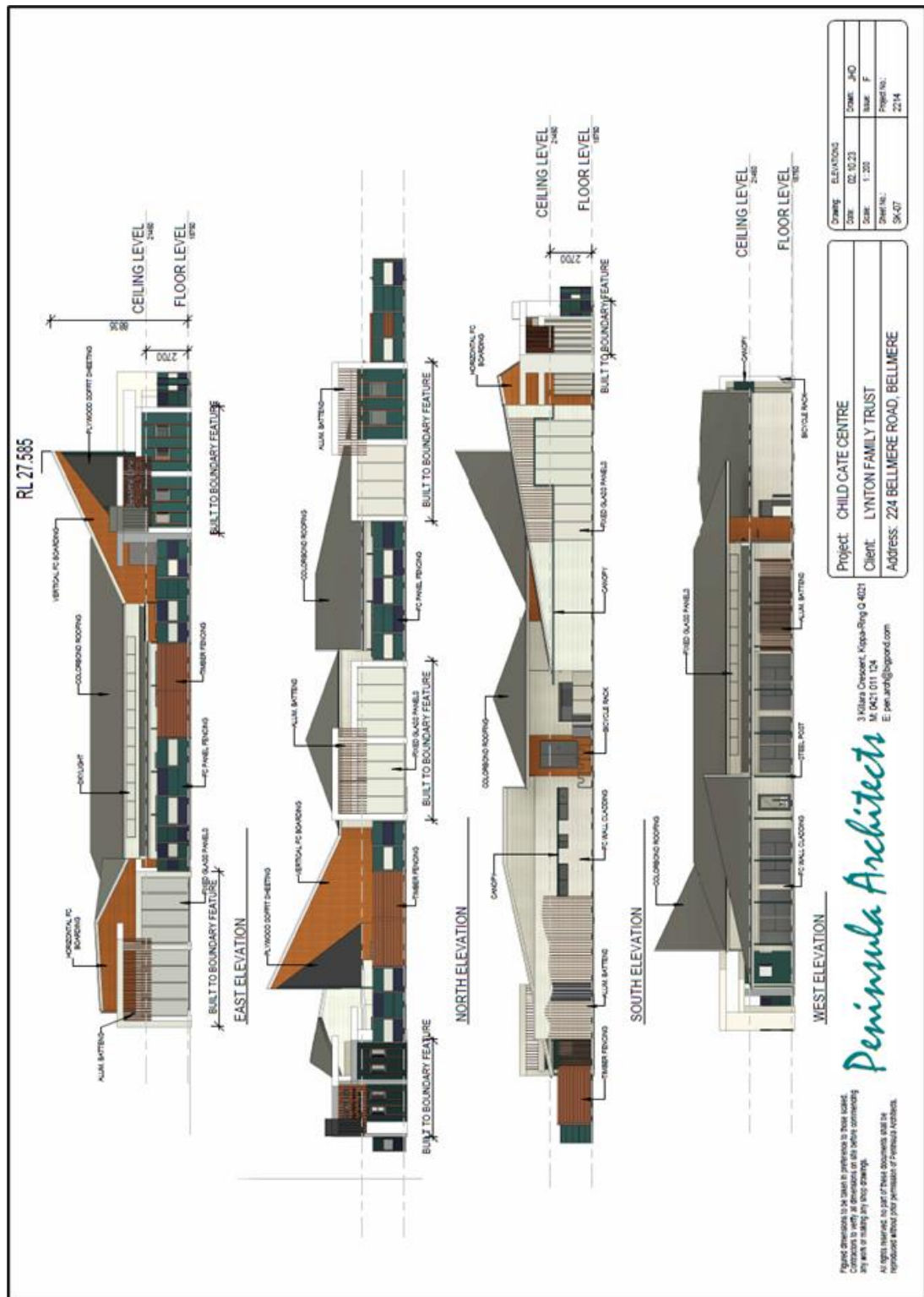


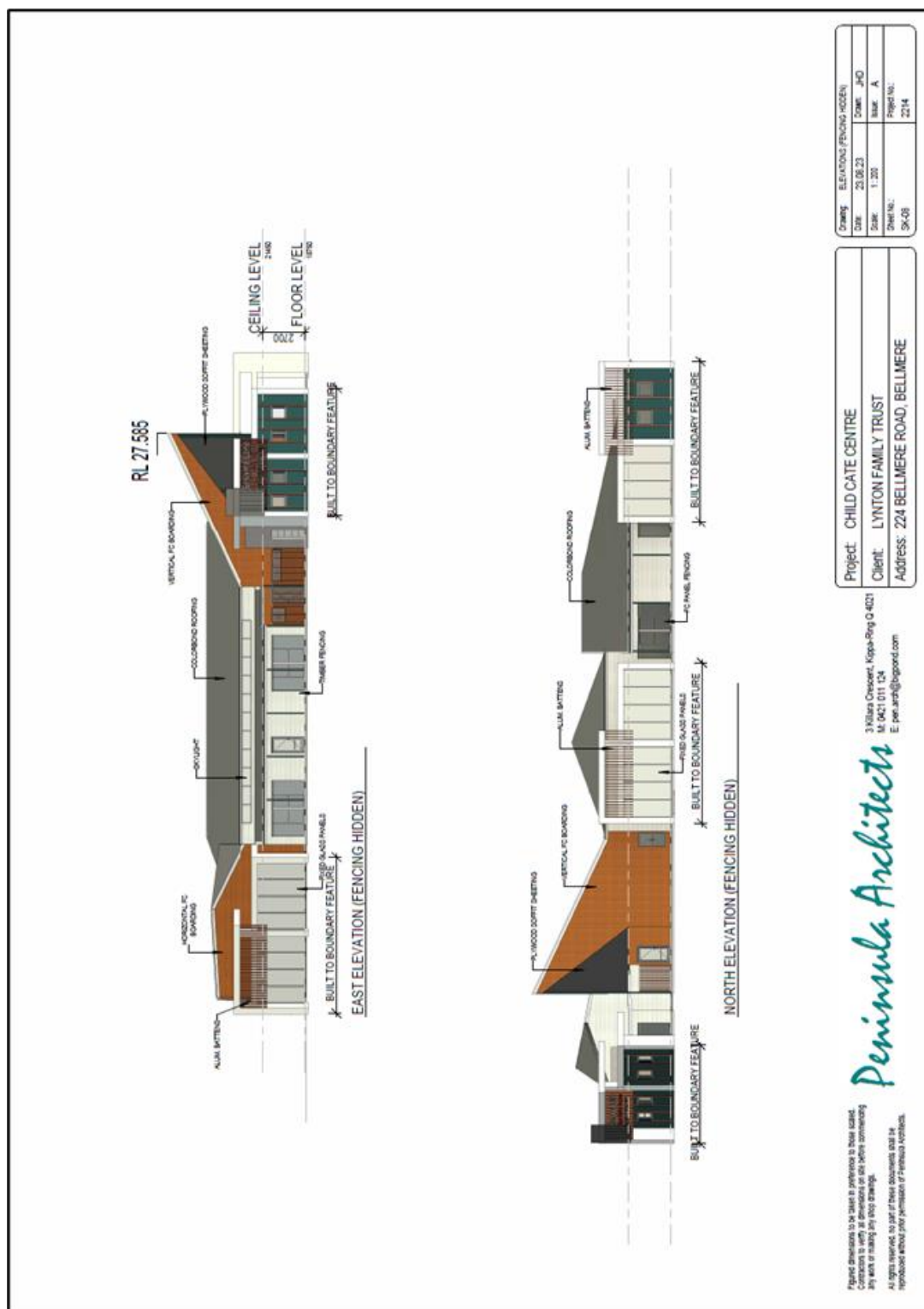
07-Nov-23 12:38:38 PM

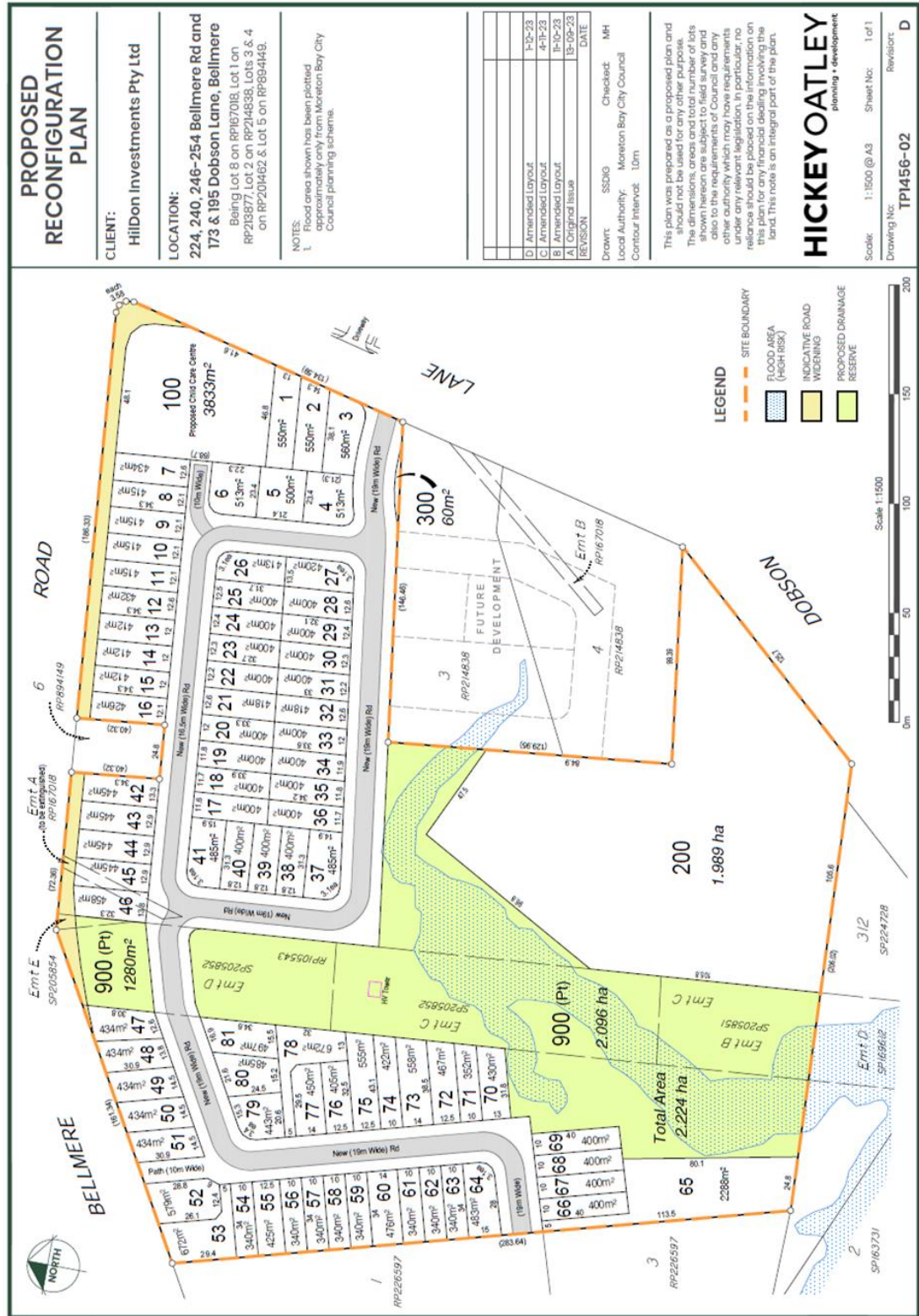












Appendix B: Environmental Noise Calculations

Forecasts noise emissions from expected activities at the proposed development have been calculated with PEN3D2000, a software program implementing a prediction model based on the method described in Bies & Hansen, *ISO 9613-2 (1996) Acoustics – Attenuation of sound propagation outdoors Part 2: General Method of Calculation* and *CONCAWE*. The basic equation adopted is-

$$L_p = L_w - 20 \log_{10}(r) - 10 \log_{10}(4\pi) + AE$$

Where

- L_p is the sound pressure level at an observer
- L_w is the sound power level of the source
- $20 \log_{10}r - 10 \log_{10}(4\pi)$ is the Distance attenuation (spherical)
- AE is the excess attenuation factors and is determined as the sum of the contributions

All prediction models have limits to their accuracy of prediction. This is due to the inherent nature of the calculation algorithms that go into the design of the models, the assumptions made in the implementation of the model, and the availability of good source sound power data. ISO 9613-2 has an estimated accuracy for broadband noise of ± 3 dB at 1000 metres. Atmospheric and meteorological factors are included, but are not considered significant at the distances involved. Topographic data was sourced from Geosciences Australia, and from development plans. The sound power levels used in the environmental noise model are presented in **Table B1** below.

Table B1: Design noise source sound power levels, as modelled

Name	Descriptor	Sound Power Levels in dB(Z)								Total in dB(A)
		63 Hz	125 Hz	250 Hz	500 Hz	1kHz	2 kHz	4 kHz	8 kHz	
Vehicle movements	L_{eq}	74	81	75	72	75	76	72	69	81
Car door 'slam'*	L_{max}	90	94	89	91	94	89	87	85	97
Rubbish collection	L_{eq}	88	82	83	82	83	85	83	72	90
Outdoor play (8 children ages 0-2)	L_{eq}	53	59	65	71	73	70	66	63	77
Outdoor play (12 children ages 2-3)	L_{eq}	62	68	74	80	82	79	75	71	85
Outdoor play 15 children ages 2-3)	L_{eq}	63	69	75	81	83	80	76	72	86
Outdoor play (11 children ages 3-5)	L_{eq}	64	70	75	81	83	80	76	72	87
Sound Pressure Levels at 1m										
Vehicle movements	L_{eq}	66	73	67	64	67	69	65	62	73
Car door 'slam'*	L_{max}	82	86	82	83	87	81	79	78	90
Rubbish collection	L_{eq}	81	75	75	75	75	77	75	65	82
Outdoor play (8 children ages 0-2)	L_{eq}	45	51	57	63	65	62	58	55	69
Outdoor play (12 children ages 2-3)	L_{eq}	54	60	66	72	74	71	67	63	78
Outdoor play 15 children ages 2-3)	L_{eq}	55	61	67	73	75	72	68	64	79
Outdoor play (11 children ages 3-5)	L_{eq}	57	63	68	74	76	73	69	65	79

* Includes adjustment for impulsiveness, as per Australian Standard AS10555

Results from the environmental noise model are presented in the following **Plates** and **Tables**.

Table B2: Receiver point calculations, vehicle movements. Levels are in dB(A) Leq

POINT CALCULATIONS				
Pen3D2000 V 1.9.32				
Project Code: 6781				
Project Description: Noise assessment of 224 Bellmere Road, Bellmere				
File:D:\NZ Drive\6781 224 Bellmere Road, Bellmere - childcare\Model\6781 vehicles.PEN				
Thursday 08 Feb, 2024 at 14:16:51				
Environmental Calculations (Moving Line Source)				
All moving line sources included. Line source segmentation angle: 10 degrees. Calculations for specified meteorology.				
Noise level results include the Leq (1 hour) of all noise sources				
Meteorology :Wind speed 0.0 (m/s) Wind direction 0 Mast height 10.0 (m) Temperature 20.0 (C) Temperature Gradient 0.0 (C/100m) Humidity 50.0 (%)				
Surface Roughness of terrain 0.023000000 (m) Zero plane offset 0.080000000 (m)				
Receptor	X Posn	Y Posn	Height	Noise Level
	(m)	(m)	(m)	(dB(A))
R1	491471.0	7003486.0	1.8	10.0
R2	491673.0	7003479.0	1.8	7.5
R3	491689.0	7003332.0	1.8	20.1
R4	491607.0	7003273.0	4.6	21.9
R5	491524.0	7003270.0	4.6	19.6
R6	491413.0	7003314.0	1.8	10.2
R7	491429.0	7003403.0	1.8	10.7

Plate B1: Noise contours at 1.8m, vehicle movements. Levels are in dB(A) Leq



Table B3: Receiver point calculations, outdoor play. Levels are in dB(A) L_{eq}

POINT CALCULATIONS					
Pen3D2000 V 1.9.32					
Project Code: 6781					
Project Description: Noise assessment of 224 Bellmere Road, Bellmere					
File: D:\VZ Drive\6781 224 Bellmere Road, Bellmere - childcare\Model\6781 children.PEN					
Thursday 08 Feb, 2024 at 14:17:55					
Environmental Calculations					
All point and line sources included. Line source segmentation angle: 10 degrees. Calculations for specified meteorology.					
Noise level results are the logarithmic addition of all the noise sources. Noise level results incorporate the incoherent ground reflection algorithm					
Meteorology: Wind speed 0.0 (m/s) Wind direction 0 Mast height 10.0 (m) Temperature 20.0 (C) Temperature Gradient 0.0 (C/100m) Humidity 50.0 (%)					
Surface Roughness of terrain 0.023000000 (m) Zero plane offset 0.080000000 (m)					
Receptor	X Posn (m)	Y Posn (m)	Height (m)	Ground (m)	Noise Level (dB(A))
R1	491471.0	7003486.0	1.8	18.5	30.8
R2	491673.0	7003479.0	1.8	19.0	31.6
R3	491689.0	7003332.0	1.8	18.5	31.8
R4	491607.0	7003273.0	4.6	19.0	36.9
R5	491524.0	7003270.0	4.6	19.0	39.4
R6	491413.0	7003314.0	1.8	19.0	27.3
R7	491429.0	7003403.0	1.8	18.5	30.7

Plate B2: Noise contours at 1.8m, outdoor play. Levels are in dB(A) L_{eq}



Pen3D2000 V 1.9.32

Project Code: 6781

Project Code: 6781
Project Description: Noise assessment of 224 Bellmere Road, Bellmere
File:D:\Z Drive\6781 224 Bellmere Road, Bellmere - childcare\Mod6781 door slam.PEN
Thursday 08 Feb, 2024 at 14:18:23

All point and line sources included. Line source segmentation angle: 10 degrees. Calculations for specified meteorology.
Noise level results are the maximum of all the noise sources Noise level results incorporate the incoherent ground reflection algorithm
Meteorology: Wind speed 0.0 (m/s) Wind direction 0 Mast height 10.0 (m) Temperature 20.0 (C) Temperature Gradient 0.0 (C/100m) Humidity 50.0 (%)
Surface Roughness of terrain 0.023000000 (m) Zero plane offset 0.080000000 (m)

Receptor	X Posn (m)	Y Posn (m)	Height (m)	Ground (m)	Noise Level (dB(A))
R1	491477.0	7003486.0	1.8	18.5	35.0
R2	491673.0	7003479.0	1.8	19.0	32.5
R3	491689.0	7003332.0	1.8	18.5	47.3
R4	491607.0	7003273.0	4.6	19.0	49.5
R5	491524.0	7003270.0	4.6	19.3	39.7
R6	491413.0	7003314.0	1.8	19.0	35.1
R7	491429.0	7003403.0	1.8	19.0	35.2

Table B5: Receiver point calculations, rubbish collection. Levels are in dB(A) $L_{eq,15mins}$

POINT CALCULATIONS					
Pen3D2000 V 1.9.32					
Project Code: 6781					
Project Description: Noise assessment of 224 Bellmere Road, Bellmere					
File:D:\VZ Drive\6781 224 Bellmere Road, Bellmere - childcare\Mode\6781 rubbish.PEN					
Thursday 08 Feb, 2024 at 14:19:26					
Environmental Calculations					
All point and line sources included. Line source segmentation angle: 10 degrees. Calculations for specified meteorology.					
Noise level results are the maximum of all the noise sources Noise level results incorporate the incoherent ground reflection algorithm					
Meteorology: Wind speed 0.0 (m/s) Wind direction 0 Mast height 10.0 (m) Temperature 20.0 (C) Temperature Gradient 0.0 (C/100m) Humidity 50.0 (%)					
Surface Roughness of terrain 0.023000000 (m) Zero plane offset 0.080000000 (m)					
Receptor	X Posn (m)	Y Posn (m)	Height (m)	Ground (m)	Noise Level (dB(A))
R1	491471.0	7003486.0	1.8	18.5	27.8
R2	491673.0	7003479.0	1.8	19.0	25.1
R3	491689.0	7003332.0	1.8	18.5	39.6
R4	491607.0	7003273.0	4.6	19.0	42.5
R5	491524.0	7003270.0	4.6	19.0	33.0
R6	491413.0	7003314.0	1.8	19.0	28.1
R7	491429.0	7003403.0	1.8	18.5	28.6

Plate B4: Noise contours at 1.8m, rubbish collection. Levels are in dB(A) $L_{eq,15mins}$



Appendix C: Road Traffic Noise Calculations

The 10-year design levels for traffic noise are calculated for the proposed development. Calculations are performed in accordance with Australian Standard AS2702-1984 *Acoustics-Methods for the measurement of road traffic noise* and 'Calculation of Road Traffic Noise', 1975-1988. Predicted levels for this report have been calculated using CRTN prediction models PEN3D2000. Existing and future traffic flows have been calculated from data supplied by Lambert and Rehbein – a professional transport planning consultancy – which includes the future upgrade of Bellmere Road to a 4 lane arterial road. Topographic data was sourced from Geosciences Australia and from development plans. The assumptions that were made for the calculations include-

- Bellmere Road 2023 – 8,460 vehicles / 24hr
- Bellmere Road 2033 – 20,780 vehicles / 24hr
- Traffic speed 60 km/hr
- Heavy vehicles 5%
- Annual traffic growth of 2% into the design horizon
- CoRTN calibration adjustment for Queensland Conditions as per DTMR Code of Practice:
 - -0.7 dB(A) for free-field receivers
 - -1.7 dB(A) for façade-affected receivers
- No road surface adjustment for dense graded asphalt
- Source height 0.5m
- 18hr traffic flow is 94% of 24hr
- Predicted design level for ML2 2023 – 62.8 dB(A) $L_{10, 18hr}$ free-field
- Measured level for ML2, 2023 – 63.2 dB(A) $L_{10, 18hr}$ free-field including noise from all sources

Table C1: Model Validation. Levels are in dB(A) $L_{10, 18hr}$, free-field, CoRTN adjusted

Location	Survey	PEN3D	Difference
ML1	63.2	62.8	-0.4

Note: The levels above are within 2 dB(A) and are therefore considered an acceptable standard of fit. To further calibrate the road traffic noise model with measured levels, forecasts have been adjusted by +0.4 dB(A) in the assessment presented in Section 4.

Results from the road traffic noise model are presented in the following **plates and tables**.

Table C2: Road traffic noise forecasts 2033, outdoor receivers. Levels are in dB(A) $L_{10,12hr}$ free-field

POINT CALCULATIONS						
Pen3D2000 V 1.9.32						
Project Code: 6781						
Project Description: Noise assessment of 224 Bellmere Road, Bellmere						
File:D:\VZ Drive\6781 224 Bellmere Road, Bellmere - childcare\Modell6781 CoRTN outdoor.PEN						
Monday 20 Nov, 2023 at 23:40:34						
CoRTN Calculations						
All road segments included. Segmentation angle: 10degrees. Road elevations apply.						
Receptor	X Posn	Y Posn	Height	L10(18hour)		
	(m)	(m)	(m)	(dB(A))		
1	491559.2	7003385.2	1.0	57.9		
2	491562.5	7003402.0	1.0	60.7		
3	491581.7	7003401.2	1.0	60.5		
4	491602.6	7003395.3	1.0	60.5		
5	491606.4	7003378.0	1.0	57.9		

Plate C1: Noise contours at 1m, 2033. Levels are in dB(A) $L_{10,12hr}$ free-field

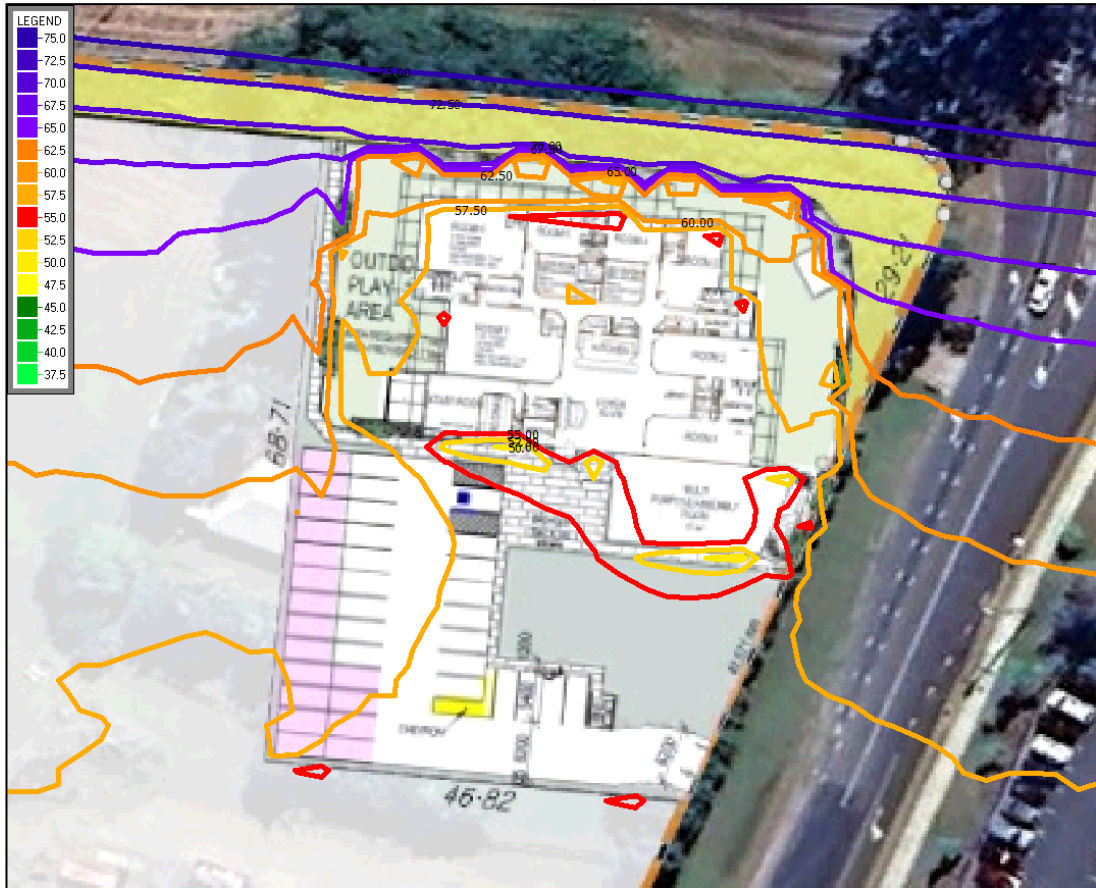
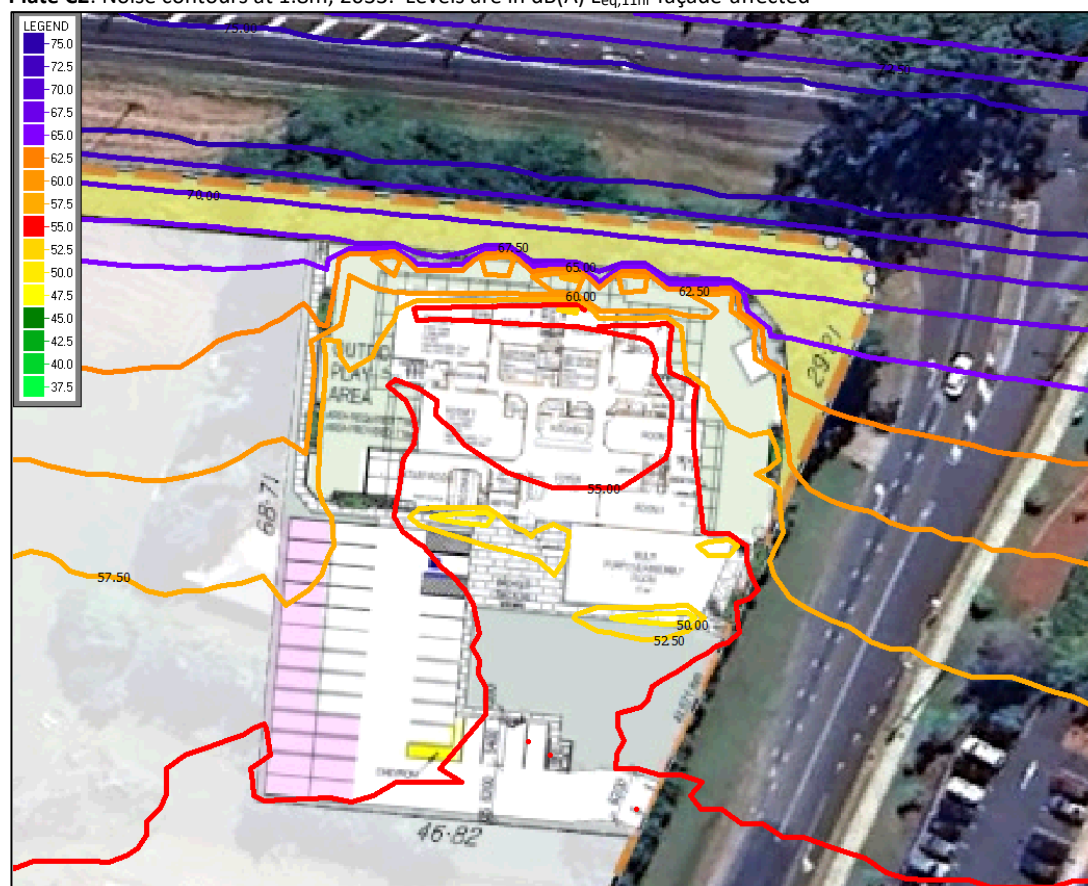


Table C3: Road traffic noise forecasts 2033, façade receivers. Levels are in dB(A) $L_{eq,11hr}$ façade-affected

POINT CALCULATIONS				
Pen3D2000 V 1.9.32				
Project Code: 6781				
Project Description: Noise assessment of 224 Bellmere Road, Bellmere				
File: D:\VZ Drive\6781 224 Bellmere Road, Bellmere - childcare\Model\6781 CoRTN facade.PEN				
Monday 20 Nov, 2023 at 23:49:18				
CoRTN Calculations				
All road segments included. Segmentation angle: 10degrees. Road elevations apply.				
Receptor	X Posn (m)	Y Posn (m)	Height (m)	L10(18hour) (dB(A))
Room 1 E	491602.6	7003372.9	1.5	55.4
Room 2 E	491603.2	7003381.8	1.5	56.5
Room 3 E	491599.4	7003394.2	1.5	58.3
Room 3 N	491596.3	7003397.9	1.5	60.2
Room 4 N	491588.7	7003398.5	1.5	60.1
Room 5 N	491579.8	7003399.3	1.5	60.2
Room 6 N	491570.8	7003400.2	1.5	60.1
Room 6 W	491564.2	7003396.3	1.5	57.6
Room 7 W	491566.9	7003384.6	1.5	55.2

Plate C2: Noise contours at 1.8m, 2033. Levels are in dB(A) $L_{eq,11hr}$ façade-affected

Appendix D: Glossary

Event maximum sound pressure level (LA%,adj,T), L01

The L01 level is calculated as the noise level equalled and exceeded for 1% of the measurement time, for example 9 seconds in any 15 minute interval. L01 is an appropriate level to characterise single events, such as from impulsive or distinctive pass-by noise. In this Report, the measured L01 levels for day/evening/night are not averaged but are arranged from low to high in the relevant day/evening/night interval and the value that is found at the 90th percentile (L10 of L01 sample) in the interval is recorded as its "L01" level. The level can be adjusted for tonality or impulsiveness.

Average maximum sound pressure level (LA%,adj, T), L10

The "L10" level is an indicator of "steady-state" noise or intrusive noise conditions from traffic, music and other relatively non-impulsive noise sources. The L10 level is calculated as the noise level equalled and exceeded for 10% the measurement time, for example 90 seconds in any 15 minute interval. The measured L10 time-intervals for day/evening/night are arithmetically averaged to present the "average maximum" levels of the environment for day/evening/night. The level can be adjusted for tonality or impulsiveness.

Background sound pressure level (LA90,T), L90

Commonly called the "L90" or "background" level and is an indicator of the quietest times of day, evening or night. The L90 level is calculated as the noise level equalled and exceeded for 90% the measurement time. The measured L90 time-intervals are arithmetically averaged to present the "average background" levels of the environment for day/evening/night. The level is recorded in the absence of any noise under investigation. The level is not adjusted for tonality or impulsiveness.

Equivalent Continuous or time average sound pressure level (LAeq,T), Leq

Commonly called the "Leq" level it is the logarithmic average noise level from all sources far and near. The maximum 1-hour levels within the day/evening/night time intervals are referenced for building design. The level can be adjusted for tonality.

Façade-adjusted level

A sound level that is measured at a distance of 1.0 metre from a wall or facade. The level is nominally 2.5 dB higher than the free-field level.

Free-field level

A sound level that is measured at a distance of more than 3.5 metres from a wall or facade.

Weighted Sound Reduction Index, Rw

A single number value used to compare the sound reduction index of building elements. Similar to the Sound Transmission Class (STC) rating that is still in common use. Rw and STC are not identical though may be considered, for most applications, as being interchangeable. A high Rw indicates high sound reduction.

ATTACHMENT 4

Infrastructure Charges Notice

Infrastructure Charges Notice (s119 Planning Act 2016)

Moreton Bay Regional Council
PO Box 159, CABOOLTURE QLD 4510
ABN 92 967 232 136



Applicant: Hildon Investments Pty Ltd
Applicant Address: Sesame Lane Childcare Centres Administration 20-36 Regency Street KIPPA-RING QLD 4021
Date of Notice: 15 May 2026
(s121(3)(a) Planning Act 2016)
Notice Reference Number: DA/2023/0673

APPROVAL DETAILS:

Approval No.: DA/2023/0673
Type of Approval: Development Permit for Material Change of Use
Approval Description: Material Change of Use - Development Permit for Childcare Centre

PREMISES TO WHICH THE CHARGES APPLY: (s121(1)(c) Planning Act 2016)

Property Address: 195 Dobson Lane, Bellmere
224 Bellmere Road, Bellmere
Real Property Description: Lot 1 RP 213877
Lot 2 RP 214838

LEVIED CHARGE:

Version of Charges Resolution: Ver 10 - 5 October 2022

Current Amount of the Levied Charge
(s121(1)(a) Planning Act 2016) **\$121,936.65**

Notes:

- 1) See "CHARGE DETAILS" below for details of how the charge has been worked out.
- 2) This infrastructure charge does not include the levied charges payable for water supply and sewerage networks to be levied by the Northern SEQ Distributor-Retailer Authority (trading as Unitywater).

DATE CHARGES ARE PAYABLE: (s121(1)(d) Planning Act 2016)

The levied charges are payable in accordance with the timing stated in section 122 of the *Planning Act 2016*, namely:

For Material Change of Use - when the change happens.

Before paying the total levied charges you must request an Infrastructure Charges Fee Statement showing the total levied charge payable at the time of payment. Refer to the 'Important Information' section below for details.

CHARGE DETAILS: (s121(1)(b) Planning Act 2016)						
PROPOSED DEVELOPMENT						
Description	Base Charge Rate	Quantity	Base Charge	Council Proportion	Indexation	Total
Education Facility (excluding Flying Start for Queensland Children Program) - Proposed GFA	m ²	1,100.79	110.00	60%	Nil	\$121,097.91
Education Facility (excluding Flying Start for Queensland Children Program) - Stormwater (Impervious) - Proposed	m ²	2,906.00	7.86	60%	Nil	\$22,841.16
CREDITS						
Description	Base Charge Rate	Quantity	Base Charge	Council Proportion	Indexation	Total Credit

Infrastructure Charges Notice (s119 Planning Act 2016)

Moreton Bay Regional Council
PO Box 159, CABOOLTURE QLD 4510
ABN 92 967 232 136



CHARGE DETAILS: (s121(1)(b) Planning Act 2016)						
Residential Use 3 or more Bedroom Dwelling - Existing	Dwelling	1	\$22,002.42			
OFFSET						
						Total Offset
Refer below for details						\$0.00
LEVIED CHARGE						
					Levied Charge	\$121,936.65

OFFSET / REFUND DETAILS: (s121(1)(f) Planning Act 2016)

In accordance with s121(1)(f) of the *Planning Act 2016*, this table identifies whether an offset or refund applies and, if so, information about the offset or refund, including when any refund will be given

Does an offset or refund apply? No

Timing of Refund: Not Applicable

INFRASTRUCTURE AGREEMENT ESTABLISHMENT COST DETAILS:

IA Number (Council Ref): DA/2025/3231
Description: Infrastructure Agreement - Hildon Investments Pty Ltd
Agreement Commencement Date: 21 April 2026

NOTES:

1. Represents the amount of the original value of the infrastructure item agreed in the infrastructure agreement.
2. Represents the amount (if any) of the original agreed value applied as an offset, or refunded, previously (eg an earlier stage of the development).
3. Represents the amount of the original agreed value applied as an offset, or to be refunded, under this Infrastructure Charges Notice.
4. Represents the amount of the original agreed value that remains available after the issuing of this Infrastructure Charges Notice.

IMPORTANT INFORMATION:

PAYMENT

This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to MORETON BAY REGIONAL COUNCIL and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

LEVIED CHARGE IS SUBJECT TO AUTOMATIC INCREASES (s121(1)(e) Planning Act 2016))

In accordance with section 121(1)(e) of the *Planning Act 2016*, the Levied Charge in this notice will be automatically increased from the date of this notice until the date of payment, following the methodology in Council's charges resolution. Under that methodology, an automatic increase will be the lesser of:

- (a) the difference between the levied charge and the maximum adopted charge that Council could have levied for the development when the charge is paid; or
- (b) the increase worked out using the PPI, adjusted according to the 3-yearly PPI average, for the period starting on the day the charge was levied, and ending on the day the charge is paid.

Where indexation is applicable, an [online spreadsheet calculator](#) is available to assist with making the calculation.

Council takes no responsibility for the accuracy of the calculator.

REQUEST FOR AN UPDATED CALCULATION AND INFRASTRUCTURE CHARGES FEE STATEMENT

For confirmation of the current charges applicable for this development and to obtain an Infrastructure Charges Fee Statement, you may submit a [request](#) to Council. To avoid having to make repeat requests, it is recommended that your request is not made until you are ready to make payment of the infrastructure charges.

GOODS AND SERVICES TAX

GST is not applicable to the Infrastructure Charges contained in this Notice.

Infrastructure Charges Notice (s119 Planning Act 2016)

Moreton Bay Regional Council
PO Box 159, CABOOLTURE QLD 4510
ABN 92 967 232 136



APPEAL RIGHTS (s121(3)(b) Planning Act 2016)

You have a right to appeal against the decision to give this notice. Attached is an extract from schedule 1 of the *Planning Act 2016* detailing your appeal rights

REPRESENTATIONS ABOUT THIS NOTICE

During your appeal period (see s229(3)(d) *Planning Act 2016*), you may make representations about this notice under section 125 of the *Planning Act 2016*. Section 126 of the *Planning Act 2016* allows you to suspend your appeal period if you need more time to make such representations

INFRASTRUCTURE CHARGE ENQUIRIES

Enquiries regarding this infrastructure charge notice should be directed to MORETON BAY REGIONAL COUNCIL, Development Services, during office hours, Monday to Friday on phone (07) 3205 0555.

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

- (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (h) a decision to give an enforcement notice—
 - (i) in relation to a matter under paragraphs (a) to (g); or
 - (ii) under the *Plumbing and Drainage Act 2018*; or
 - (i) an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

Attachment - extract of appeal rights

Planning Act 2016

Schedule 1

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—
storey see the Building Code, part A1.1.

Table 1
Appeals to the P&E Court and, for certain matters, to a tribunal
1. Development applications For a development application other than an excluded application, an appeal may be made against— (a) the refusal of all or part of the development application; or (b) the deemed refusal of the development application; or (c) a provision of the development approval; or (d) if a development permit was applied for—the decision to give a preliminary approval.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
2. Change applications For a change application other than an excluded application, an appeal may be made against— (a) the responsible entity's decision on the change application; or (b) a deemed refusal of the change application.			

Attachment - extract of appeal rights

Planning Act 2016

Schedule 1

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 A private certifier for the development application 4 Any eligible advice agency for the change application 5 Any eligible submitter for the change application
3. Extension applications For an extension application other than an extension application called in by the Minister, an appeal may be made against— (a) the assessment manager’s decision on the extension application; or (b) a deemed refusal of the extension application.			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager
4. Infrastructure charges notices An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds— (a) the notice involved an error relating to— (i) the application of the relevant adopted charge; or <i>Examples of errors in applying an adopted charge—</i> - the incorrect application of gross floor area for a non-residential development - applying an incorrect ‘use category’, under a regulation, to the development (ii) the working out of extra demand, for section 120; or (iii) an offset or refund; or (b) there was no decision about an offset or refund; or (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or (d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.			

Attachment - extract of appeal rights

Planning Act 2016

Schedule 1

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
5. Conversion applications An appeal may be made against— (a) the refusal of a conversion application; or (b) a deemed refusal of a conversion application.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
7. Enforcement notices under the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against the decision to give an enforcement notice.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The local government that gave the enforcement notice	—	—

Table 2 Appeals to the P&E Court only			
1. Appeals from tribunal An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of— (a) an error or mistake in law on the part of the tribunal; or (b) jurisdictional error.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
2. Eligible submitter appeals For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to— (a) any part of the development application or change application that required impact assessment; or (b) a variation request.			

Attachment - extract of appeal rights

Planning Act 2016

Schedule 1

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application
3. Eligible submitter and eligible advice agency appeals For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to— (a) any part of the development application or change application that required impact assessment; or (b) a variation request.			

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application 3 An eligible advice agency for the development application or change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application
4. Compensation claims An appeal may be made against— (a) a decision under section 32 about a compensation claim; or (b) a decision under section 265 about a claim for compensation; or (c) a deemed refusal of a claim under paragraph (a) or (b).			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—

Attachment - extract of appeal rights

Planning Act 2016

Schedule 1

Table 2 Appeals to the P&E Court only			
5. Registered premises An appeal may be made against a decision of the Minister under chapter 7, part 4.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 A person given a decision notice about the decision 2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises
6. Local laws An appeal may be made against a decision of a local government, or conditions applied, under a local law about— (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or (b) the erection of a building or other structure.			

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	—	—

Table 3 Appeals to a tribunal only			
1. Building advisory agency appeals An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval

Attachment - extract of appeal rights

Planning Act 2016

Schedule 1

Table 3 Appeals to a tribunal only			
2. Inspection of building work An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against— (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or (b) a decision under the <i>Plumbing and Drainage Act 2018</i> , other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
4. Failure to decide an application or other matter under the Building Act An appeal may be made against a failure to make a decision under the Building Act within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.			

Table 3 Appeals to a tribunal only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The entity that failed to make the decision	—	—
5. Failure to decide an application or other matter under the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i> within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision	—	—

ATTACHMENT 5

Appeal Rights

- (b) the balance of the appeal period restarts on the day after the day the local government receives the notice of withdrawal.

Note—

See also section 126 in relation to suspending the appeal period by notice.

126 Suspending appeal period by notice

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the appeal period restarts on the day after the day the local government receives the notice of withdrawal.

Note—

See also section 125(7) and (8) in relation to other circumstances affecting the appeal period.

Division 3 Development approval conditions about trunk infrastructure

Subdivision 1 Conditions for necessary trunk infrastructure

127 Application and operation of subdivision

- (1) This subdivision applies if—

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
 - conduct** means an act or omission.
 - representative** means—
 - (a) of a corporation—an executive officer, employee or agent of the corporation; or
 - (b) of an individual—an employee or agent of the individual.
 - state of mind**, of a person, includes the person's—
 - (a) knowledge, intention, opinion, belief or purpose; and
 - (b) reasons for the intention, opinion, belief or purpose.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and

-
- (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against a decision of the Minister, under chapter 7, part 4, to amend the registration of premises to include additional land in the affected area for the premises—20 business days after the day a notice is published under section 269A(2)(a); or
 - (e) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (f) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (g) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or

- (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
- (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
- (iv) otherwise—20 business days after the day the notice is given; or
- (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.

- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—

decision includes—

 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and

- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the ***appointer***) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—