

<b>DEVELOPMENT NO.:</b>	23018732
<b>APPLICANT:</b>	City of Holdfast Bay
<b>ADDRESS:</b>	28-40 WILTON AV SOMERTON PARK SA 5044 27-39 PARINGA AV SOMERTON PARK SA 5044
<b>NATURE OF DEVELOPMENT:</b>	LED tennis court lights and chainmesh perimeter fencing to Somerton Park tennis club
<b>ZONING INFORMATION:</b>	<p><b>Zones:</b></p> <ul style="list-style-type: none"> <li>• Open Space</li> </ul> <p><b>Overlays:</b></p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Building Near Airfields</li> <li>• Hazards (Flooding - General)</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Traffic Generating Development</li> </ul>
<b>LODGEMENT DATE:</b>	29 Jun 2023
<b>RELEVANT AUTHORITY:</b>	Assessment panel at City of Holdfast Bay
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	2023.9
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	Yes
<b>RECOMMENDING OFFICER:</b>	Alexander Stamatopoulos Development Planner
<b>REFERRALS STATUTORY:</b>	Nil
<b>REFERRALS NON-STATUTORY:</b>	Nil

**CONTENTS:**

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**APPENDIX 1:            Relevant P&D Code Policies**

**ATTACHMENT 1:      Application Documents**

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**DETAILED DESCRIPTION OF PROPOSAL:**

The application is for the construction of six 15m high light poles (L1) located on the northern, southern and eastern sides of the tennis courts and three lights located on top of the 3.2m high western side fence posts (FL1). Four of the F1 light poles will contain singular flood lights and the two central F1 poles contain two lights pointing east and west to capture a majority of the courts. The FL1 light poles will contain singular lights. New 3.2m high chainmesh fencing to the perimeter of the tennis courts is also included in the application for consent.

**SUBJECT LAND & LOCALITY:****Site Description:**

**Location reference:** 28-40 WILTON AV SOMERTON PARK SA 5044

**Title ref.:** CT 5658/902 **Plan Parcel:** F9994 AE568 **Council:** CITY OF HOLDFAST BAY

**Location reference:** 27-39 PARINGA AV SOMERTON PARK SA 5044

**Title ref.:** CT 5658/902 **Plan Parcel:** F9994 AE568 **Council:** CITY OF HOLDFAST BAY

The subject site contains six tennis courts which are used by the Somerton Park Tennis Club. The courts are on a single allotment shared with Paringa Park Reserve to the north.



**Above:** Aerial View of the Subject Site



**Above and Below:** Streetscape view of the site



The immediate locality is predominantly comprised of residential land uses typically in the form of single-storey dwellings. Immediately north of the site, there is an interface between zones where the Employment Zone is located on the northern side of Paringa Avenue with the General Neighbourhood and Open Space Zone on the southern side. The Employment Zone contains a variety of commercial and light industrial type land uses. Immediately west, east and south of the site are residential properties.

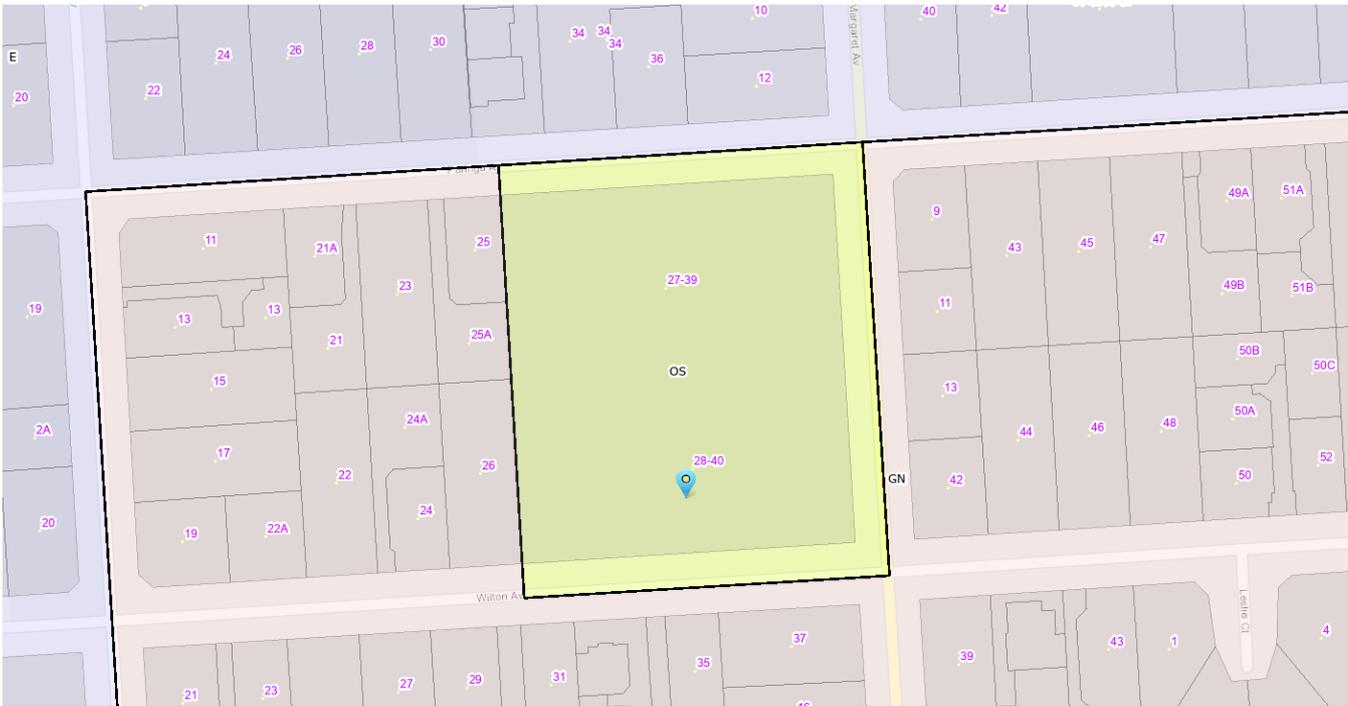


**Zone Legend:**

**OS:** Open Space Zone

**E:** Employment Zone

**GN:** General Neighbourhood Zone



**CONSENT TYPE REQUIRED:**

Planning Consent

**CATEGORY OF DEVELOPMENT:**

- **PER ELEMENT:**  
 Other - Community - Tennis court lighting: Code Assessed - Performance Assessed  
 Fence: Code Assessed - Performance Assessed  
 Fences and walls
- **OVERALL APPLICATION CATEGORY:**  
 Code Assessed - Performance Assessed
- **REASON**  
 P&D Code

**PUBLIC NOTIFICATION**

- **REASON**  
 The development is not listed in Table 5 of the Zone and therefore warrants notification,
- **LIST OF REPRESENTATIONS**  
 Nil

- **SUMMARY**

Nil

**AGENCY REFERRALS**

Nil

**INTERNAL REFERRALS**

Nil

**PLANNING ASSESSMENT**

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

The below assessment provisions are specific to application:

*Open Space Zone Performance Outcome 2.1*

*PO 2.1*

*Development is designed and sited to be unobtrusive and not spoil the open space character or interrupt views of natural or landscape features.*

The visual appearance of the light poles are modest and are structures that are anticipated on tennis courts. There are currently 6 existing lights on the courts that are to be replaced in near identical locations. The three additional lights will be located on top of the poles of the proposed western fence. As such fencing is typical for tennis courts the addition of the lights to the top of the posts are a minor inclusion. The height of the freestanding light poles are likened to stobie poles which are a common feature along residential streets and therefore will not be visually obtrusive to the streetscape. PO 2.1 is satisfied.

*Interface Between land Uses Performance Outcome 6.1*

*PO 6.1*

*External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).*

The applicant has submitted an obtrusive light compliance report which details the performance of the lights against Australian Standard 4284:2019 (attachments 1.2 and 1.3). This standard sets out requirements for the control of obtrusive effects of outdoor lighting. This standard includes limits for the relevant light technical parameters to control unnecessary light spill. As the obtrusive effects of outdoor lighting are best controlled by appropriate design, this standard is primarily applicable to new installations and their potential adverse effects to nearby sensitive receivers.

Attachment 1.2 shows the relevant calculations of the light spill relative to the Australian Standard. The lights passed the relevant tests ensuring that the new lights will avoid unnecessary light spill to sensitive receivers. The site benefits by adjoining Wilton Avenue to the south Margaret Avenue to the east and Paring Park Reserve to the North. The site adjoins one sensitive receiver being a dwelling located at 26 Wilton Avenue to the west. Impacts to this dwelling will not be unreasonable as the lights located on the western fence elevated on top of a 3.2m fence post

are directed to the east away from the property. Further, the wester lights are located adjacent to the carport and driveway of the adjoining dwelling which areas of low amenity. PO 6.1 is satisfied.

*Design in Urban Areas Performance Outcome 9.1*

*PO 9.1*

*Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.*

The 3.2m high chain mesh fences are designed to contain stray balls from the tennis courts. The fencing along the western, southern and eastern side boundaries will contain screening usually in the form of a dark green material which will provide increased visibility to players. The fencing is permeable and will not unreasonably impact visual amenity satisfying PO 9.1.

## **CONCLUSION**

The proposed lighting are ancillary to the existing land use and are sought to contribute to an improvement in illumination, which will facilitate a better use of the land during the evenings. Modern lighting technology is such that light spill is specifically designed to cover a specific area avoiding illumination of nearby sensitive land uses, such as dwellings. The lighting and poles are visually unobtrusive and are not considered to adversely impact on the locality.

## **RECOMMENDATION**

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23018732, by City of Holdfast Bay is granted Planning Consent subject to the following conditions:

## **CONDITIONS**

Planning Consent

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. Lighting is switched off, and remains off, between 10:00pm and sunrise the following day.
3. That the light spill be in accordance with Australian Standard 4284:2019.

## **OFFICER MAKING RECOMMENDATION**

**Name:** Alexander Stamatopoulos

**Title:** Development Planner

**Date:** 01/08/2023