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| DEVELOPMENT NO.: | 22002907 |
| APPLICANT: | CME GROUP PTY LTD |
| ADDRESS: | 410-420 BRIGHTON RD HOVE SA 5048 |
| NATURE OF DEVELOPMENT: | The construction of 2 x 15 metre light poles to the northern side of the rugby field |
| ZONING INFORMATION: | <p>Zones:</p> <ul style="list-style-type: none"> • Recreation <p>Overlays:</p> <ul style="list-style-type: none"> • Heritage Adjacency • Major Urban Transport Routes • Prescribed Wells Area • Advertising Near Signalised Intersections • Hazards (Flooding) • Local Heritage Place • Traffic Generating Development • Hazards (Flooding - General) • Key Railway Crossings • Airport Building Heights (Regulated) • Regulated and Significant Tree |
| LODGEMENT DATE: | 4 Feb 2022 |
| RELEVANT AUTHORITY: | Assessment panel |
| PLANNING & DESIGN CODE VERSION: | 3 February 2022 2022.2 |
| CATEGORY OF DEVELOPMENT: | Code Assessed - Performance Assessed |
| NOTIFICATION: | Yes |
| RECOMMENDING OFFICER: | Dean Spasic Development Officer - Planning |

CONTENTS:

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|----------------------|---------------------------------------|----------------------|----------------------------|
| APPENDIX 1: | Relevant P&D Code Policies | ATTACHMENT 2: | Plans and Documents |
| ATTACHMENT 1: | Locality Map | | |

DETAILED DESCRIPTION OF PROPOSAL:

The proposal comprises the installation of 2 light poles, at a height of 15 metres adjacent to the northern property boundary. The light poles are intended to be in addition to a series of existing light poles associated with the rugby oval.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 410-420 BRIGHTON RD HOVE SA 5048

Title ref.: CT 5748/558 **Plan Parcel:** F40109 AL3 **Council:** CITY OF HOLDFAST BAY

The subject site is the Brighton sports complex, which accommodates a number of recreational uses including rugby, cricket, lacrosse, lawn bowls, skating and basketball, as well as amenities, club rooms and viewing stands. The site is on the eastern side of Brighton Road, comprises an area of some 70,000 square metres and is generally divided by 3 main ovals and a bowling green. The rugby oval is the oval closest field to Brighton Road.

Locality

The locality is described as accommodating a mix of land uses including residential to the north, east and south of the subject site, as well as commercial uses west of the site, including (but not limited to) shops, car dealership, mechanic, restaurants, offices, consulting and fitness centres.



CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Other - Community - Install lighting to the sports field: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed

- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
The type of development is not listed in Table 5 - Procedural Matters (PM) - Notification of the Recreation Zone and could not be considered minor.
- **REPRESENTATIONS Nil**

PLANNING ASSESSMENT

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

Zone

The Recreation Zone envisages the provision of a range of recreational facilities. In the case of the subject site, which is used to facilitate rugby, the proposed light poles are proposed to complement and enhance the usability of the site to support the recreational facility.

Height and Appearance

The light poles are proposed at a height of 15 metres, which are consistent with the height of the existing poles previously approved on the site. Although they have a substantial height, the posts have a base thickness of only 375mm and reduce to a thickness of only 84mm at the top. They are grey in colour and therefore not visually prominent, particularly as noted with the existing poles, which are less prominent than the street lighting, which are black. It is useful to also note that there were no objections to the proposal from the northern adjacent aged care units on Stopford Road, hence further emphasising the relatively minor nature of the built form.



The existing light poles are the grey coloured structures in the background. The black poles are the vehicle and pedestrian lamp posts.

Boundary Setbacks

The poles are proposed to be placed on the edge of the grassed area, adjacent to the northern boundary. In effect, the northern boundary contains a garden bed, a footpath, then the commencement of the grassed area in which the poles would be positioned. The poles are located a distance of 5.5 metres from the northern boundary fence.

Light Spill

Documentation submitted by the applicant (as per Attachment 2) demonstrates the light spill, including in relation to the northern adjacent aged care properties.

The plans demonstrate not more than 10 Lux on the northern boundary and not more than 2 Lux levels during pre-curfew use. The existing lights operate between 5pm and 9pm Monday to Friday and 5pm to 9.30pm on Saturdays. For clarity, a condition of approval is included limiting use to ensure lighting is not in operation outside of the existing times already conditioned.

In addition, a condition is also included to ensure that light spill levels are not more than 5 Lux when measured at the window of any adjacent dwelling or aged care facility.

Heritage

The site is adjacent to Local Heritage Places along Stopford Road and 411 Brighton Road.

The Local Heritage Listing along Stopford Road comprises a row of 16 Stone Pine Trees. The proposed light poles are located some 110 metres from the trees and are not considered to visually dominate the heritage trees.

The Local Heritage listing at 411 Brighton Road comprises the external form, materials and detailing of the original 1929 building. The proposed light poles are also located some 110 metres from the building and not considered to visually dominate the heritage building.

CONCLUSION

The proposed poles are ancillary to the existing land use and are sought to contribute to improvement in lighting, which is insufficient at the northern end of the rugby field. As seen with other light poles over recent years, the technology is such that the lighting is specifically designed to cover a specific area, with light spill being avoided on nearby sensitive land uses, such as dwellings. The poles are visually unobtrusive and are not considered to adversely impact on the locality.

RECOMMENDATION**Planning Consent**

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 22002907, by CME GROUP PTY LTD 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 between 9:30pm and sunrise the following day.
3. Light spill levels from the light herein approved are not more than 5 Lux when measured at the window of any adjacent dwelling or aged care facility.

ADVISORY NOTES

General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

OFFICER MAKING RECOMMENDATION

Name: Dean Spasic

Title: Development Officer - Planning

Date: 08/03/2022