

NT PLANNING COMMISSION

REPORT TO THE MINISTER FOR INFRASTRUCTURE, PLANNING AND LOGISTICS

Section 24(1) of the *Planning Act*

Pursuant to section 24(1) of the *Planning Act* the NT Planning Commission has prepared this report to advise you with regards to the proposal for an Exceptional Development Permit (EDP), to allow the installation and operation of 4 x 34.5m high lighting towers (ancillary to leisure and recreation use) on Lot 6774 (8) Albrecht Drive, Suburb of Larapinta, Town of Alice Springs. The development of structures higher than 8.5m above ground level would otherwise be prohibited in Zone PS (Public Open Space) of the NT Planning Scheme. Leisure and recreation is a discretionary use in Zone PS and the application also seeks consent for that use.

A Locality and Site Map are at **Attachment A** to the Ministerial briefing.

The proposal was advertised in the Centralian Advocate on 18 May 2018 and 1 June 2018, and placed on public exhibition for 28 days in accordance with the requirements of the *Planning Act*. A copy of the exhibition material is at **Attachment B** to the Ministerial briefing.

24(1)(a) Issues raised in the submissions

19 submissions were received from the public regarding this proposal. Below is a summary of the matters raised in the public submissions. Two submission were in support of the proposal and the remaining submissions objected to the application. Copies of the public submissions are attached to this report (**Appendices A to N**) to this report. A summary of the issues raised by each submitters is included in the following table.

<u>Submitter</u>	<u>Summary of Comment</u>
South Alice Sporting Club (Appendix A)	<ul style="list-style-type: none"> • Supports the proposal. • The Club trains at the oval at least 3 times per week for most of the year and would only use the lights during winter (due to earlier darkness). • Current lack of lighting on the oval limits opportunity to train and offer programs (e.g. the Right Tracks program) to daylight hours. • Improved lighting at the oval will assist in providing opportunities for a healthier community.
Bruce Walker for Alice Springs Cricket Association Inc (ASCA) and Northern Territory Cricket Association Inc (NTCA) (Appendix B)	<ul style="list-style-type: none"> • Support the proposal and request to formalise the purpose of Albrecht Oval as a place for leisure and recreational purposes. Reference the ASTC Master Plan for Sporting Facilities 2010 which identified trends driving a need for opportunities for sport at other times, particularly week nights. • Availability of facilities at night through the week improves flexibility and options for developing sports and participation, particularly for women and juniors. • Alice Springs needs to upgrade sports facilities to capitalise on 'sports tourism' opportunities. • Improved night time facilities will reduce need to play sports in the midday sun. • The facility would support events such as the combined Imparja Cup and National Indigenous Cricket Competition. • NTCA anticipates that Alice Springs will struggle to retain the national carnival if the additional lighting at Albrecht Oval does not proceed. • Residents could expect at least one game on a weekend with an occasional Friday and a Saturday night double header game or a Saturday and a Sunday night game within a period 5 to 6 weeks prior to Christmas and potentially a mid-week evening match for

- women or junior development.
- ASCA and NTCA:
 - Caution any reduction in lux levels as this would compromise the ability of the facility to respond to the standard required for special events;
 - Support a design lux of 750 lux on the turf wicket block as outlined in the consultant's report;
 - Would prefer to work with the community and have the ability to manage community concerns on an ongoing basis by dimming if required on specific occasions rather than under design from the outset;
 - Accept that 4 lights towers will be visible to some residents but note the assurances provided in the technical report in relation to the very low impact of the existence of the light towers across the panorama of the MacDonnell Ranges;
 - Are advised that taller light towers provide less light spill and local interference than lower towers as the higher tower allows the light to be directed more efficiently at the playing surface;
 - Clubs must pay for lighting on a 'user pays' basis and clubs will minimise unnecessary use to minimise cost (and by implication) thereby also limiting impact on surrounding residential properties;
 - Do not anticipate any significant increase in scheduling of fixtures rather moving from high summer daytime to evening; and
 - Do not envisage increased noise and frequency when compared to current activity or increased amenity impacts.
 - Aware of only one complaint to ASTC regarding lights at Traeger Park.
 - ASCA and NTCA detail responses to a range of community concerns (and potential concerns) relating to lighting and the use of sports facilities at night and identifies benefit.
 - Reference community consultation regarding oval lighting at Gardens Oval, Darwin and note common concerns from local residents including:
 - Distrust of the information provided about the impact of the lights;
 - Impacts of lights and height of towers; and
 - Adverse amenity impacts on the area, such as rubbish, noise and late-night antisocial behaviour and fears that this may be compounded with greater evening use.
 - There are approximately 3000 sport participants registered with the Alice Springs Town Council as using Council playing facilities. A third of them are AFL and Cricket players using Albrecht Oval at some time.
 - the trends that we found from that consultation and the issues that were raised by the community as a whole compared to the issues raised by the community of residents living within vicinity of Gardens Oval. Based on our experience there are strong similarities in the concerns particularly from local residents. (Appendix 2 outlines the extent of the Community consultation around Gardens Oval).
 - ASCA and NTCA cannot speak for Council or government but in the spirit of openness and integrity it is important to state that Crickets purpose in supporting the Exceptional Development Application for the installation of light towers at Albrecht Oval is focussed solely on creating and developing pathways for cricketers, particularly women and young people, in family friendly environments that are healthier for the participants because of the time of day they can participate.
 - Supports improved lighting to the oval, but considers proposed lighting to be excessive.
 - Queries the need to have a 'mini Traeger Park'.
 - Anticipates/implies that the proposed lighting will adversely impact on the amenity of residents and result in reduced property values in the locality.

Teresa Clonan
2 Pohl Court
(Appendix D)

- Recommends reconsideration of the strength of the proposed lighting.
- Objects to the proposed light towers.
- Disappointed at the consultation conducted by the Council.
- Attended consultation and received inadequate responses to questions regarding the proposed light towers.
- Perceives existing noise impacts from AFL games and practice.
- Anticipates a large number of residences will be significantly affected by increased night time use of the facility and lose amenity.
- Concerned at:
 - Potential for ambient light from towers to impact capacity of residents to enjoy the night sky from their homes;
 - Potential for lighting to impact on night birds which use the area to hunt;
 - Potential for significant loss of amenity from increased noise impacts associated with the proposed use;
 - Potential for increased pedestrian traffic and associated noise, anti-social behaviour and littering;
 - Light towers obstructing views for some residential properties and devaluing properties;
 - Operational Aspects section of proposal seeks approval that would allow use of the light towers 365 days per year; and
 - The proposed development/use will reduce accessibility to 'green space' for family play, dog-walking and other community sports that would otherwise occur at Albrecht Oval.
- Other locations in town would be more suitable for this type of development as they would have less impact on nearby residences.
- The assertion that an increase in properties in Larapinta will mean an increase in demand for sporting facilities in the area is ridiculous, as people are willing to travel between suburbs to participate in sport activities.
- The proposal is of great concern to a large number of local residents who will be affected by the proposed development.
- Further consultation and research is warranted.

Doug & Simone Austin
50 Bokhara Street
2 submissions
(Appendix E)

- Not strictly opposed to the proposal if it means that the neighbourhood is having money spent on it and the lights result in a bit more use of the oval at night and create a bit of atmosphere but do want the actual structures to have as little impact as possible.
- Concerns are the height of the light towers, size of the light arrays and therefore the impact of our views and property value.
- Proposed lights will provide a standard of lighting that is required for elite sports whereas the real need is for local football and cricket sport. High light levels are not needed and therefore the towers can be lower and with smaller arrays. While this would still impede the view the impact would be less.
- Don't think that there are enough elite sporting events in Alice Springs to warrant a second venue with the level of lighting proposed (Traeger Oval would meet the needs).
- Anticipates that lighting at Sadadeen Oval would have less impact on neighbouring houses than at Albrecht Oval, but notes that parking at Albrecht Oval has been upgraded at considerable cost, whereas Sadadeen Oval has limited parking available.
- Queries whether the Council will consider (light towers) in assessing property values, reduce property values and reduce rates accordingly.

Stan and Betty Davis
25 Gilbert Place
2 submissions
(Appendix F)

- Request respect for sensitivity of local residents who will be adversely effected if this proposal goes ahead.
- Support calls for feasible options for lights at Albrecht Oval.
- High light towers would be detrimental to aesthetics with severe impact on views of the range to the south of Larapinta.
- Supports alternative option of developing Sadadeen Oval.

Nat Ross
Bokhara Street
(Appendix G)

- Opposed to the lights.
- The light towers will ruin views and landscape and damage traditional custodians 'Dreaming land'.
- Contend that the proposed lights are bigger than those at Traeger (Park).
- Submitter's home backs onto oval and their "home would have constant daylight".
- Anticipates adverse impact on views, loss of privacy and adverse effect on property value.
- If lights are erected, additional infrastructure will follow; and possibility of people attending sports events parking in the street near their dwelling.
- Notes that existing use has significant noise impacts on adjoining residents.
- Queries whether Parrtjima light show will be affected.
- Recognises the need for sports facilities, but advocates a 'strategic plan' looking at how the town will be in 15 years.

Amanda Cawthorn-Crosby
(Appendix H)

- Questions capacity of lights (lux) when use is only local sporting clubs.
- Proposed light strength will have an overwhelming intrusion on those living in Bokhara Street and around Larapinta School area.
- Requests re-consideration of this proposal with the local residents' needs at the forefront and not sports clubs.

Ben and Sarah Crawford
32A Kramer Street
(Appendix I)

- Concerned at the height and size of the proposed light towers and the area of the light arrays.
- Anticipate that the light towers would disturb residents, spoil views and affect quality of living and possibly the potential to attract residents to the area.
- A lesser level of lighting with much smaller light towers would seem a better proposal for the residents of Larapinta and more appropriate to support local club sports.
- Suggest alternative site with less disturbance to resident and lifestyles.

Michael Crowe
40 Bokhara Street
(Appendix J)

- Strongly opposes the installation of the proposed light towers.
- Consultation by the Council has been ineffective, inappropriate and inadequately detailed to allow local residents to make an informed response.
- The information provided lacks enough detail about the project for local residents to be able to make an informed response and does not provide adequate scale diagrams and similar explanatory devices to explain what was proposed.
- Lighting required for training and local club matches (300 - 500 lux) is significantly less than that proposed (750 lux).
- The classification of Albrecht Oval (under Zone PS) is now regarded as ASCA's number one cricket field and lights of 750 lux would allow for elite/national level competitions.
- Notes that NT Cricket/AFLNT are proposing a 600 Lux installation with towers at the Gardens Oval in Darwin but have commissioned a full professional consultation process and have delayed decisions about the proposal until the detailed report about the consultation is considered.
- The proposed development is inappropriate in Zone PS and incongruous to the zoning.
- Queries how the development may affect community access to the public open space.
- Contends that "a real community of people use the park" and queries whether it may end up being locked up like Traeger Park, making it unavailable to community members and reducing the level of amenity available to local residents.
- Anticipates that the light towers will likely be visible from Anzac Hill,

affecting views from the hill for tourists who go there at sunset. This has not been addressed in the application.

- The towers as proposed will affect many residents especially at sunset if lights are on but also any time of the day when the lights are not on.
 - Anticipates adverse impacts on property values, on account of adverse light spill and noise impacts on residential amenity in the locality if the proposal proceeds.
 - Notes that a 'less invasive' proposal for Ross Park on the Eastside was rejected in the 1990's and lower (20m) towers with 300 Lux were installed instead.
 - Queries why 'Larapinta residents' should be treated differently to 'East siders', especially as residences in Larapinta are much closer to the Oval than at Ross Park;
 - Suggests that an approach consistent with Ross Park should be taken (300 Lux and maximum height of 20 m for light towers.
 - Suggests that if 750 Lux lighting is required, more appropriate, less invasive options exist.
 - Contends that there should be no sense of urgency to accept the Albrecht Oval proposal as presented in the application.
- Feel the consultation process has not been done correctly and is designed push an unnecessary and undesirable structure through planning so the local residents cannot stop it.
 - Will adversely affect residents due to additional noise and light pollution.

Stephen Ings
18 Bokhara Street
(Appendix K)

Simon and Fiona Pettit
28 Bokhara Street
(Appendix L)

- Strongly object to the 34.5m high light towers.
- Refers to Alice Springs Town Council Master Plan For Alice Springs Sporting Facilities Final Report May 2010 and notes that floodlighting suitable for cricket was listed as a low priority.
- Refers to the ASCA 2009-2014 Five Year Development Plan and notes/contends that "the required lighting level as being 300 lux (similar to the lighting currently provided at Ross Park, via 4 x 20m tall towers with, comparatively, very small floodlight arrays on top)";
- Contends that "whilst the lighting of Albrecht Oval may have been discussed over the past decade or so, it has only been since Friday 18th of May, some 4 weeks ago, that the actual size, scale and detail of the lighting level to be provide (i.e. Level 1, 2 & 3 for Cricket requiring 750 lux) has become known to the general public via the EDP submission".
- Contends that had residents been aware of the proposed scale and level of the current proposal they would certainly have voiced concerns and objections much, much earlier.
- Query the appropriateness of 750 lux adjacent to residential land.
- Contends that it is inconceivable to imagine 750 lux level lights used 7 days a week between 5.30 – 10.00pm (summer / winter season dependent) will not have an adverse impact on adjacent properties, only 70m away from the oval.
- Contends that the oval was previously a suburban oval, for local community use and has incrementally over the years now become the most used oval in Alice Springs for local cricket and AFL matches.
- Have observed incremental increases in usage of Albrecht Oval as well as increasing number of spectators attending and queries what data, evidence or study has been conducted to determine:
 - The number of anticipated spectators attending current events (be it a local or national event);
 - The noise levels currently emanating from Albrecht oval, across different sports/events; and
 - Subject to the above, what are the anticipated noise levels which will be generated, till 10.00-10.30pm at night, by increasing spectator numbers if the proposed new lights went ahead?

- Notes the proposed lighting has been designed to, and in accordance with, Australian Standard (AS) 4282 'Control of the Obtrusive Effects of Outdoor Lighting', and queries whether light spill been assessed in terms of the actual "basin" type topography of the surrounding Albrecht Oval area, and, if so, where is the relevant baseline survey data/information?
- Notes that AS4282 identifies that light spill should not be the sole basis for approval of a development requiring outdoor lighting, and that other factors also need consideration.
- Query survey data for the proposed development and whether there are guarantees that the projected light spill calculations are accurate.
- Query what recourse residents will have if measured light spill exceeds calculated light spill following installation of the lights.
- The Community Safety in Design Guide pertaining to "activity generators" (i.e. the floodlights) in a residential suburb context have not been addressed in the application.
- Preliminary advice from a local professional spatial consultant advises the proposed light towers (at 34.5m high) will be visible from Anzac Hill. What impact will this have on the iconic sunset views of the Western MacDonnell Ranges from Anzac Hill?
- Notes that under clause 5.14 Zone PS (Public Open Space) of the NT Planning Scheme, "Development should be limited to that which is for public use and enjoyment consistent with the recreational opportunities of the land and which has minimal adverse impact (if any) on adjoining or nearby property". Contends that it is inconceivable to suggest (as has been in the Statement of Effect accompanying this EDP) that the light towers and increased use of the oval cannot but adversely impact the amenity of adjoining or nearby properties.
- The future development potential of the subject location is severely limited given the land use zoning, the physical constraints of the existing site, and setting within a residential area. As such, it is not suitable for future development to a "Traeger Park" type standard of facility.
- A new facility built for AFL and Cricket, at a more suitable, appropriate and larger location which provides for future development and expansion, along with relocation of Rugby from ANZAC Oval to a new site, would be the best outcome for all stakeholders, and local residents.
- Opposes the proposed installation of high lighting towers at Albrecht Oval.
- Lives on Bokhara St, directly behind the Albrecht Oval.
- Contends that the proposed towers will be aesthetically offensive, and directly in her views to the south and west.
- The light spill from the lights will fall directly onto their house as it is only 150m behind the oval.
- The light spill will be disturbing and invasive.
- Accept the noise from the football and cricket competitions and school sports during the day but would find the noise at night too much as it would disturb them as they listen to music, meditate and sleep in the evenings and go to bed before 10pm.
- Concerned with anti-social groups remaining in the area at night with people staying in the area or sleeping along the drain.
- Think that the lights will eventually decrease access to the oval and destroy the community nature of the site as it is currently used by many people when there aren't organised sporting events.
- With increased sporting activities, the general public will have much less access.
- Concerned that the effect will devalue property.
- Concerned about the effect on local fauna (birds and wildlife).

Sally Bryan
41 Bokhara Street
(Appendix M)

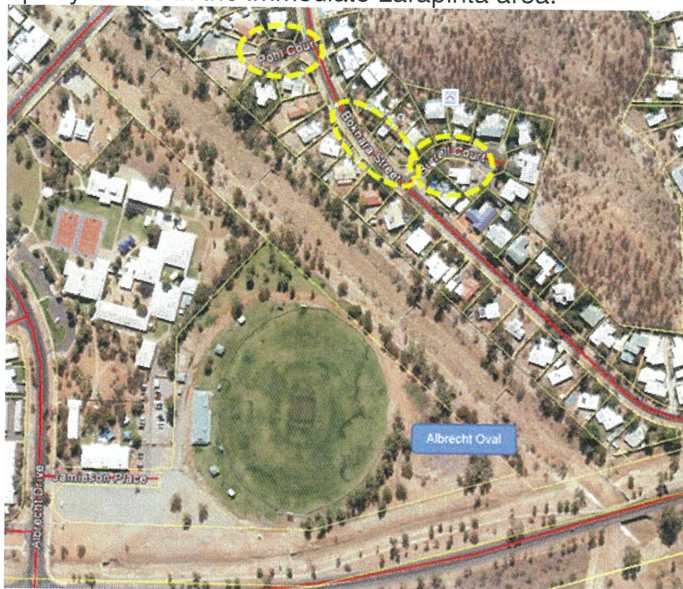
2 Petitions (submitted by Simon & Fiona Pettit) with 58 signatures & 10 signatures
(Appendix N)

Petition includes a captioned photograph and states:

Petition in objection to the 4 x proposed 34.5m high light towers.

With reference to the above, I, per my details provided below, object to the Proposed 4 x 34.5m High Light Towers on the grounds they will:

1. Severely impact the general and my current visual amenity with respect to views to the McDonnell Ranges and beyond from my home; and/or
2. Increase the probability of antisocial behaviour and noise nuisance in the area due to anticipated increased attendance at and use of the oval as a result of lights being installed (and used up to 10.00pm); and/or,
3. In all probability, given impacts of 1 and 2 above, reduce the property values in the immediate Larapinta area.



The petitions were signed by 68 persons. Signatories provide either an address (majority in Bokhara Street, Pohl Court or Burrell Court) or provide an email address.

A number of service authorities provided comment on the proposal during the exhibition period with their comments summarised below. Copies of the service authority comments are provided at **Appendices O to R.**

Service Authority

Comment

Power and Water Corporation
(Appendix O)

Water Services
 Advised of a number of standard technical requirements and identified that full lot fire coverage cannot be achieved from existing hydrants and internal firefighting arrangements must be made to the satisfaction of NT Fire and Rescue Service.

Electrical
 Advised of a number of standard technical requirements in relation to network connection.

NT Fire and Rescue Service
(Appendix P)

Advised of no objections to the EDP application.

Transport and Civil Services Division (TCSD) - Department of Infrastructure, Planning and Logistics (DIPL)

Advised that:

- The lighting must comply with the requirements of Australian Standard AS 4282-1997 Control of the obtrusive effects of outdoor lighting;

(Appendix Q)

- Glare is to be managed and directed away from driver's eye line particularly at the approach to the intersection of Albrecht Drive with Larapinta Drive;
- Light spill onto Larapinta Drive is to meet the relevant increment thresholds for motorists for this location as well as other design requirements included in AS 4282-1997; and
- Measures must be taken to ensure that trucks involved in construction do not leave mud on the streets.

Department of Environment
and Natural Resources
(Appendix R)

Environment Division

Advised that assessment under the *Environmental Assessment Act* is not required. Consideration however should be given to preparation of an Environmental Management Plan which would address construction (in terms of dust hazard) and subsequent issues relating to light (with reference to AS 4282-1997) impacting the amenity of nearby residents.

Rangelands Division

Advised that no threatened species are considered likely to occur within or immediately adjacent to Lot 6774, Town of Alice Springs and the overall impact on listed threatened species, reserves and Sites of Conservation Significance posed by the proposed development is considered to be low and the proposed works provides no significant risk to threatened species, reserves or Sites of Conservation Significance.

The Alice Springs Town Council is a local authority as identified under section 19 of the *Planning Act*. The Council has advised that it has a conflict of interest in relation to the application and would not be making a submission.

24(1)(b) Issues raised at the hearing and during any consultation

The Planning Commission held a hearing on Tuesday 31 July 2018, to which the applicant and all submitters were invited. Jack Priestly (Masterplan NT), Scott Gill (BCA Engineers), Scott Allen (ASTC), Dilip Nellikat (ASTC) and Opat Innuan (ASTC) attended on behalf of the applicant.

Mr Priestly provided an overview of the site and details of the application with regard to changes to usage of the oval and technical details of the light towers (height and lux capacity). Mr Allen advised that the Council's policy (across all sporting venues) was that the lights could only be used 4 nights a week, with lights off at 9pm on Monday to Thursday and 10pm on Friday and Saturday. Mr Allen indicated that Council would manage the facility in consultation with residents.

Several submitters attended and elected to address the reporting body.

<u>Submitter</u>	<u>Comments</u>
Bruce Walker	<ul style="list-style-type: none"> • Believed the documents provided with the application fairly summarised the proposal. • Noted that in 2014 when ASCA undertook a 5 year plan there was no NICC, BBL or WBBL competitions and these have arisen due to increased interest in the sport. • Noted that it was a significant investment to bring these national events to Alice Springs, in particular the NICC, which saw over 600 participants in town for 2 weeks in 2017. • Some of these games need to be off set from Traeger Park to Albrecht Oval. • Important to be able to cater for class 1 events and if tower height or lux level are changed then this compromises this capacity. • Confident that there are management options to reduce impact.
Simon Pettit	<ul style="list-style-type: none"> • Believes impact of light spill will be worse, noting that the Australian Standard says that light can meet the lux levels but still be regarded as obtrusive. • Emphasised significant local resident objections and concerns with a range of related matters from more intensive use of Albrecht Oval – noise including

- after-game impacts (as noise doesn't stop at 10pm when lights are switched off), views from Anzac Hill that have not been addressed in the application.
- Land use is inappropriate to Zone PS, noting further development (referred to a recent tender by ASTC for a 140 seat grandstand).
 - Referred to ASTC statement that lights would only be used for 4 nights a week and queried how this could be enforced.
- Teresa Clonan
- Confirmed concerns regarding visual impact of towers, ambient light spill affecting homes, increased hours of use leading to noise, litter and safety issues.
 - Recorded noise from recent footy game to give an idea of existing impact, noting already impacts from school during the day, training from oval in afternoon evening and occasional matches. Expected this to get worse with extended hours of use.
 - Noted ASTC continuing need to repair holes in fences now.
- Michael Crowe
- Provided apologies from Stan Davies (submitter) who could not attend the hearing for health reasons and requested the opportunity to provide photo/drawings done by Stan of the expected visual impact of the towers as soon as possible. [The Chair agreed to this – refer **Appendix S**]
 - Covered matters raised in submission including height of towers, lighting levels and noise implications.
 - Believed impact on residents ignored in favour of benefit to sporting groups.
 - Queried impact on Desert Park and nocturnal tours.
 - No facts available for impact on sunset views from Anzac Hill.
- Aleighta Gray
- Reiterated concerns regarding large lights (height and lux levels), extended hours and related noise, anti-social behaviour after-games, reduced access to site for passive use by residents.
- John Murray
- Additional comments noted poor consultation, expect property values to drop and impact looking straight at lights which will be above tree height.
- Jack Priestly
- Noted recurrent theme by submitters.
 - Emphasised that:
 - The 2010 ASTC Sporting Facilities Study had identified various venues, including Albrecht Oval, as sites for more increased use and facilities for specific sports;
 - The Alice Springs Regional Land Use Plan 2016 had flagged the need to upgrade sporting facilities throughout the town [in response to growing population];
 - Use of LED lights was more economical and reduced light spill;
 - The benefit of higher towers allows lights to be directed downward which reduces light spill; and
 - Compared tower heights at the following venues: Traeger Oval – 54m, Ross Park – 20m, Flynn Park – 36m and Anzac Oval – 34m.
 - Undertook to provide graphic representations of the views from both Anzac Hill and local street/s. [The Chair agreed to this – refer **Appendix T**].
- Scott Allen
- Noted that the 2010 ASTC Sporting Facilities Study identified Albrecht Oval as lacking adequate lighting.
 - Stated that improved venues were needed to cater for increased use, particularly for women and youth sports.
 - Believed that the local climate, particularly in summer, necessitated more evening use.
 - Confirmed Council's policy in regard to limiting night time use of the oval to only 4 nights a week.

24(1)(c) Any other matters the Commission considers the Minister should take into account when considering the proposal.

The Commission noted the concerns raised by a number residents regarding:

- The visual impact of the height of the towers (with attendant lighting arrays); and
- Possible impact the lights would have on iconic sunset views from Anzac Hill.

The Commission noted further information, submitted following the hearing, from both the objectors and the applicant which may help towards a better appreciation of these matters. The additional information was submitted by Mike Crowe on behalf of Stan Davies (refer **Appendix S**) and Jack Priestly (refer **Appendix T**).

The former depicts the estimated levels of the towers in relation to the surrounding area and towards the desert park (to the south). The latter contains two daytime perspectives of the towers from outside 32 and 44 Bokhara Street and two photomontages of the site (dusk and night time) as viewed from the top of Anzac Hill.

While no assurances can be given as to the accuracy of each they do provide some reference to the overall issues of concern for residents.

There were no other issues that were raised during consultation or any other matters identified by the Commission.



DR DAVID RITCHIE

Chairman

NT Planning Commission

13 September 2018