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YES

1ST ORDINARY COUNCIL MEETING/OPEN

AGENDA ITEM: 14.1.1

## GARDENS OVAL LIGHTS CONSULTATION OUTCOMES

REPORT No.: 17CL0012 SJ:kl

COMMON No.: 3246533

DATE: 17/10/2017

**Presenter:** Manager Engagement and Participation, Sheree Jeeves

**Approved:** General Manager City Life, Anna Malgorzewicz

### **PURPOSE**

The purpose of this report is to present the outcomes of the community consultation process on the proposal to install lights at Gardens Oval One.

### **LINK TO STRATEGIC PLAN**

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

#### **Goal**

2 Vibrant, Flexible and Tropical Lifestyle

#### **Outcome**

2.3 Increased sport, recreation and leisure experiences

#### **Key Strategies**

2.3.2 Position Darwin as a host centre for local, national and international sport and other events

### **KEY ISSUES**

- In September 2016, AFL NT received Council endorsement to consult the community regarding a proposal to light Gardens Oval One with directional LED lighting to a maximum lumen capacity of 600LUX.
- Following subsequent advice from lighting engineers and suppliers, AFL NT and NT Cricket advised City of Darwin that HID technology was the preferred lighting choice and not LED lighting.
- At a Council Workshop in May 2017 Council supported AFL NT and NT Cricket to consult with the community on the revised proposal to light Gardens Oval One with HID Lighting to a maximum lumen capacity of 600LUX.
- True North Strategic Communication was engaged by City of Darwin to deliver the consultation, which was funded by AFL NT and NT Cricket.
- The feedback received from the community is presented in the consultation report at **Attachment A**.
- Northern Territory Government has committed \$3.5M for City of Darwin to light sports ovals in 2017/18 and 2018/19 under the NT Government Urban and Regional Oval Lights Program.

## **RECOMMENDATIONS**

- A. THAT Report Number 17CL0012 SJ:kl entitled Gardens Oval Lights Consultation Outcomes, be received and noted.
- B. THAT based on the outcomes of the community consultation Council provide in principle support for the lighting of Gardens Oval One to a maximum lumen capacity of 600LUX to enable AFL NT and NT Cricket to develop detailed design, documentation and cost estimates.
- C. THAT the key concerns of the community as identified in Report Number 17CL0012 SJ:kl Gardens Oval Lights Consultation Outcomes be taken into consideration in the planning and design of lighting Gardens Oval One.
- D. THAT a further report be presented to Council for project endorsement based on the finalised design and cost.

## **BACKGROUND**

### **PREVIOUS DECISIONS**

*DECISION NO. 21\5490 (13/06/17)*

**Northern Territory Government's Urban and Regional Oval Lights Program**  
*Report No. 17C0043 AM:kl (13/06/17) Common No. 3246533*

- B. THAT Council accept the Northern Territory Government's offer of \$3.5 million (plus GST) over the 2017-18 and 2018-19 financial years for the purposes of lighting urban sporting ovals, including Gardens Oval 1.*
- C. THAT Council write to the Northern Territory Government indicating its acceptance of the funding offer for lighting urban sporting ovals, including Gardens Oval 1, and that decisions to light other urban sporting ovals are subject to budget and a needs based analysis, consultation with peak sporting organisations and the outcomes of a community consultation process.*

*DECISION NO. 21\4794 (13/09/16)*

### **Gardens Oval Lights**

*Report No. 16C0055 AM:kl (13/09/16) Common No. 3246533*

- B. THAT Council undertake a Level 3 "Participate" community consultation process regarding a proposal to install LED lighting to a maximum lumen capacity of 600 lux at Gardens Oval One.*
- C. THAT a further report be presented to Council following the community consultation process.*

DECISION NO. 21\4391 (17/05/16)

**AFL Northern Territory – Gardens Oval**

Common No. 3246533

*THAT the presentation from Mr Michael Solomon, Chief Executive Officer, and Mr Stephen Nugent, Chief Operating Officer, AFL Northern Territory in relation to the Gardens Oval Lights be received and noted.*

At the Council Workshop on 2 May 2017 Council supported AFL NT and NT Cricket in consulting with the community on the revised proposal to install lights at Gardens Oval One using HID technology rather than LED technology to a maximum lumen capacity of 600LUX.

**DISCUSSION**

In May 2016 AFL NT presented to Council a proposal to light Gardens Oval One with LED lighting to a maximum lumen capacity of 300LUX. In September 2016 AFL NT and NT Cricket presented a revised proposal to Council to light Gardens Oval One with 600LUX LED lighting to accommodate the growth in both sports which is creating capacity issues at existing sports ovals. The higher LUX level was proposed to accommodate the needs of both sports for training and match requirements.

The City of Darwin *Sports Field Plan 2016 – 2026* identifies the growing demand for the provision of sports lighting to increase the use of sports fields. Sports lighting is viewed as a pathway to increasing the accommodation of additional uses, managing allocations and maximising participation opportunities. Therefore, Council supported the proposal to seek community views on lighting Gardens Oval One.

Following subsequent advice from lighting engineers and suppliers, AFL NT and NT Cricket advised City of Darwin that HID technology was the preferred lighting choice and not LED lighting. At a Council Workshop in May 2017 Council supported AFL NT and NT Cricket consulting with the community on the revised proposal to light Gardens Oval One with HID Lighting to a maximum lumen capacity of 600LUX.

The proposal includes the installation of four 32m light poles to achieve a maximum light level of 600LUX. The system would use metal halide luminaires, each with glare shield and rear visor to prevent unwanted light spill to surrounding areas. The system can control the level of LUX utilised, with the following table indicating the maximum expected use and LUX levels during a week:

Day	Time	Lux Level
Monday	6-9pm	100 lux (training)
Tuesday	6-9pm	100 lux (training)
Wednesday	6-9pm	100 lux (training)
Thursday	6-9pm	100 lux (training)

Friday	6-9pm	600 lux (dry season cricket match)
Saturday	6-9pm	300 lux (wet season football game)
Sunday	Not in use	

True North Strategic Communication delivered the consultation process from the 13 June to 11 August 2017. The consultation included a variety of communication material and methods to ensure people were aware of the consultation and able to contribute their views. 392 people completed the survey, 18 written submissions were received and about 40 people attended a community meeting.

A summary of the consultation findings includes:

#### Support for lighting Gardens Oval 1:

- there was a high level of support for the proposal and little opposition to its intent, namely to provide female and junior teams with an alternative training venue;
- most people (94%) surveyed were supportive of the lights;
- those who were supportive could be characterised as people who would benefit from the lights, in particular the Waratah Cricket Club, Waratah Football Club and other sporting groups that would use the facility;
- supporters could also be characterised as Darwin families whose children play sport;
- a high percentage of the supporters of the lights are individuals and families who use Gardens Oval often (more than once a week);
- there was strong sentiment around the need for another lit oval in Darwin to offer a cooler and safer place for women and children to play sport given the hot and humid Darwin climate and the incidence of heat-related illness in sport;
- the majority of supporters felt that installing lights at Gardens Oval was long overdue, and felt that it is necessary to support the growth of sport in the Territory; and
- supporters felt the hours of operation were reasonable and unlikely to be fully used. They were confident that clubs could regulate the use of lights in accordance with conditions and said most users would be junior teams who were unlikely to add to anti-social behaviour in the area.

#### Opposition to lighting

- there was strong opposition from a concentrated group of Gardens residents and from PLAN;
- the opponents could be characterised as long-term Darwin residents living in highrise units that look over the oval, who value their lifestyle, enjoy the green outlook from their units and fear impacts on their amenity from the lights;
- the majority of the opponents indicated that they used Gardens Oval rarely (once or twice a year) but look over / view it daily;
- the reasons for strong opposition include:
  - distrust of the information provided about the impact of the lights;
  - concern because of their previous experience with lights from the golf course, which they were told would not impact their amenity, yet many feel they have suffered significant impacts, which compounded their mistrust of the latest proposal (legacy issue unrelated to current proposal);
  - a perception that nothing has been done to address these concerns;
  - concerns not just at the lights but the height of the towers;
  - general concerns about changes to amenity of the area, such as rubbish, noise and late-night antisocial behaviour and fears that this may be compounded with greater evening use of Gardens Oval, affecting not just residents but wildlife;
  - a general cynicism towards any consultation by government and council on planning issues and whether consultation has any influence on decisions; and
  - some queries about whether this was money well-spent and why the lights couldn't be installed at another oval.

The consultation findings show a high level of support for the lighting proposal with 94% of survey respondents and three written submissions supporting the lights. There were a small percentage of respondents opposing the proposal, 4% of survey respondents and 13 written submissions.

Although it is a small number of respondents opposing the project, there is a high level of concern from this group. There are some concerns raised by respondents which are a reality of the project, however there are a number of concerns raised by respondents that are able to be addressed. Should the project proceed the concerns of respondents opposing the proposal need to be taken into consideration and addressed where possible. The key concerns of the respondents opposing the proposal include:

### **Local amenity**

Respondents expressed concerns regarding the lighting and subsequent later use of the oval changing amenity of the area, such as rubbish, noise and anti-social behaviour. Whilst the concern regarding anti-social activity was raised by opponents of the lights, supporters argued that activation of the area could disperse the existing anti-social activity. In the community meeting held on 26 July 2017 AFLNT and NT Cricket responded to this concern with assurance that they have codes of conduct for their members so anti-social behaviour directly related to the oval use will be monitored carefully. These concerns can be monitored by City of Darwin officers in partnership with the sporting clubs and addressed if they arise.

### **Impact of lights**

The respondents expressed distrust and concern regarding the impact of lights, there was a concern that the shields would not be effective in directing the lights downward and managing light spill. Therefore there is a concern that the glare and light spill will have a greater impact on residential properties than described through the technical information provided. AFL NT and NT Cricket provided a technical report which demonstrates the level of light spill and that the lights would be directed downwards and glare shield and rear visor would prevent unwanted light spill. During detailed design, further specifications on light spill will be required and should be an important factor throughout the design and delivery of the project.

### **Hours of use**

Opponents to the proposal are concerned that the nominated hours of use will not be adhered to and would be extended over time. This can be managed by Council by specifying usage times in the seasonal use agreements for the venue. The operating costs of the lights will be paid for by the clubs using the lights. Therefore clubs will not want to use the lights at higher LUX levels than needed or for longer time periods than needed to avoid paying unnecessary costs.

### **Impact to wildlife/trees/beauty in and around the oval**

A number of respondents expressed concerns about the impact on the existing shade trees and wildlife in the area. Initial assessments to develop the concept design did not identify the need to remove any trees, however this would need to be confirmed during the detailed design process. The installation of lights if approved by

Council would need to also go through the Planning process which would require further assessment of any environmental impacts. Some respondents felt that the four light poles will impact on their view and detract from the area. The lights poles are an unavoidable element of the project that cannot be addressed.

### **Distrust due to previous experience**

In 2014 a consultation was carried out with the community by a third party regarding a proposal to light Gardens Park Golf Links. The consultation resulted in similar numbers of submissions supporting and rejecting the proposal. There was a total of 56 submissions objecting to or raising concerns with the proposal provided by 34 individual parties. There were 41 individual submissions supporting the proposal. Council resolved not to proceed with the lighting of the Gardens Park Golf Links.

Although the proposal for lighting Gardens Oval One is different to that of the Gardens Park Golf Links, residents stated distrust based on this previous experience. This distrust stemmed from residents being advised that the lights would not impact them once installed on hole one but when it was trialled there these residents stated the light shone directly into their apartments. This emphasises the importance of ensuring there is no adverse light impact and spill in the surrounding area through the detailed design process.

### **Conclusion**

Based on the outcomes of the community consultation process it is recommended that Council provide in-principle support to the lighting of Gardens Oval One. The consultation shows a high level of support for the proposal and many of the key concerns raised by those opposing the project are able to be mitigated. These concerns need to be factored into the further planning and delivery of this project.

### **NEXT STEPS**

If Council provides in-principle support for the project the following needs to occur:

#### **Budget**

NT Government has committed \$3.5M to City of Darwin for the lighting of sports ovals, including Gardens Oval One. An estimate of \$1.2M has been provided by NTBS Consulting for lighting Gardens Oval One as per **Attachment A**. A detailed costing for Gardens Oval One is pending completion of detailed design.

#### **Ongoing costs**

The ongoing maintenance costs will be determined once a detailed design is completed. This will be presented to Council for a full understanding of the costs of the project. AFL NT provided verbal assurance at the Council Workshop in May 2017 that these costs would be met by stakeholders, written confirmation is pending.

#### **Detailed design**

AFL NT and Cricket NT will work with Council's City Operations team to develop the detailed design, documentation and cost estimates. Advice received from Power Water Corporation is that the electrical supply and metering infrastructure at Gardens Oval may require upgrading to enable lighting to 600LUX, an assessment

of the requirement and costs associated with the electrical supply upgrade will be undertaken during the detailed design process.

### **Project delivery**

Should the project receive final endorsement from Council based on funding and technical specifications being met, the installation of the lights would be delivered by City of Darwin.

A planning application will be required and this will be addressed in the subsequent report.

## **CONSULTATION PROCESS**

In preparing this report, the following City of Darwin officers were consulted:

- Senior Capital Works Coordinator
- Acting Manager Leisure and Customer Experience
- Manager Capital Works
- Manager Infrastructure Maintenance

In preparing this report, the following External Parties were consulted:

- True North Strategic Communication
- AFL NT
- NT Cricket

## **POLICY IMPLICATIONS**

City of Darwin Policy No. 046 - *Recreation and Healthy Lifestyle* provides a framework to support equitable and inclusive use and management of Council's network of active reserves and recreation facilities.

This report is also consistent with the strategy and actions outlined in the *Sports Field Plan 2016 – 2026*, specifically to “in partnership with relevant Peak Sporting Bodies and clubs, support the provision of training lights on a case-by-case basis, having regard to site conditions, constraints and demonstrated demand.”

## **BUDGET AND RESOURCE IMPLICATIONS**

AFL NT and NT Cricket funded that consultation process which cost approximately \$42,000.

NT Government has committed \$3.5M to City of Darwin for the lighting of sports ovals in 2017/18 and 2018/19 under the Urban and Regional Oval Lights Program. An estimate of \$1.2M has been provided by NTBS Consulting for lighting Gardens Oval One however a detailed costing has not been completed.

### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

This report details how the key concerns of the respondents opposing the project can be mitigated, however it should be expected that there will always be a cohort of individuals dissatisfied with the decision to proceed with the proposal.

### **ENVIRONMENTAL IMPLICATIONS**

If approved by Council the lighting proposal would need to also go through the Planning process which would require further assessment of any environmental impacts.

### **COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION**

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

**SHEREE JEEVES**  
**MANAGER ENGAGEMENT AND**  
**PARTICIPATION**

**ANNA MALGORZEWICZ**  
**GENERAL MANAGER CITY LIFE**

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#### **Attachments:**

**Attachment A:** Gardens Oval One Consultation Report

*Submitted under separate cover.*