

**From:** [Michael Haynes](#)  
**To:** [Thomas Prosser](#); [Council Northernbeaches Mailbox](#)  
**Cc:** [Cameron Henery](#); [Planning Panels - Northern Beaches](#)  
**Subject:** DA2023/0022 - 120 South Creek Road, Cromer - ITEM 5.2 Northern Beaches Local Planning Panel - Sportsfield lighting  
**Date:** Monday, 15 May 2023 3:16:05 PM  
**Attachments:** [image002.png](#)  
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Dear Tom

I write on behalf of the applicant (copied) in response to the subject matter, which is before the Local Planning Panel this Wednesday. It is a non-public item to be determined in closed session.

We wish to suggest changes / alternate wording in relation to 3 draft conditions of consent and deletion of draft condition 6.

#### Condition 6 – delete

Draft condition 6 relates to payment of development contributions. However, we draw the Consent Authority's attention to the Section 2.5 of the Contributions Plan which excludes Local infrastructure.

Northern Beaches Section 7.12 Contributions Plan 2022

[Northern\\_Beaches\\_Section\\_7.12\\_Contributions\\_Plan\\_2022.PDF \(nsw.gov.au\)](#)

Section 2.5 What development is exempted?

Fifth bullet point

*'Local infrastructure identified in this plan to be carried out by or on behalf of any public authority including the Council (e.g. if a community facility includes commercial/ retail floorspace then the commercial/retail floorspace of the development will, based on that component's cost of works, be subject to the levy).'*

We note that 'Appendix A Infrastructure Schedule' contains Item 3 – 'Sportsground – new and upgrade program'. The subject Sportsground lighting is part of this works program. The DA therefore should be exempted from the Contributions Plan.

It is also noted that this requirement was excluded from DA2020/1097 for sportsfield lighting at Passmore reserve in Manly Vale.

#### Condition 8

Draft condition 8 states:

#### **8. Construction, Excavation and Associated Works Security Bond (Crossing/Kerb)**

The applicant is to lodge a Bond of \$30,000 as security against any damage or failure to complete the construction of any vehicular crossings, kerb and gutter, any footpath works and removal of any redundant driveways required as part of this consent.

Details confirming payment of the bond are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: Protection of Council's infrastructure.

We respectfully request that this \$30,000 be altered to and a condition be imposed to require a dilapidation report of the Council Kerb & Gutter prior to commencing works and assessed at the completion of the project.

## Condition 25

Draft condition 25 states:

### 25. **Survey Certificate**

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

- (a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.
- (b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.
- (c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

In response, we respectfully suggest that this condition be rewritten to be specific to this project / sportfield lighting, rather than a building with floors, roof. etc.

We suggest deletion of (a), (b) and (c) and replacement with the following:

(D) at the set-out of the pole locations prior to excavation.

(E) at completion certifying the pole heights are in accordance with the approved plans.

## Condition 33

Draft condition 33 states:

### 33. **Control of Light Spill**

The Certifying Authority must be satisfied that all outdoor lighting is designed and positioned to minimise any detrimental impact upon the amenity of other premises and adjacent dwellings and that the outdoor lighting complies with the relevant provisions of Australian Standard 1558.3:2005 Pedestrian area (Category P) lighting – Performance and design requirements and Australian Standard 4282:1997 Control of the obtrusive effects of outdoor lighting.

Reason: To protect public health and amenity.

In response, we respectfully note that Condition 33: Light Spill Control: Australian Standard 1558.3:2005 is not relevant to this project.

We respectfully suggest that references be made to the following current Australian Standards relating to light spill and sportsground lighting:

- Australian Standard 4282:2019 for control of obtrusive lighting.
- Australian Standard 2560.1 2018 Sports Lighting general principles.

The following wording be incorporated:

The lighting is designed in accordance with these standards, as noted on the lighting plans.

A post construction testing and commissioning report will measure the lighting levels and confirm compliance with the approved design.

Thank you for your consideration of these requests. Please don't hesitate to contact me should you wish to discuss or require any clarification / assistance in considering this matters.

Kind Regards

Michael Haynes

**Director**



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