

17.1.6 'No Street Lights' Policy For Clayton And Turning Off 5 Of The Existing 8 Lights

File Ref:	9.24.1
Officer (full name):	Dennis Zanker
Officers Consulted (full name):	Cr Rod Potter
Risk Assessment:	Council must accept the risk of turning off lights.
ESD Impact/Benefit:-	
* Environmental:	Benefits from savings in Greenhouse emissions from reduced electricity consumption. Reductions in light pollution of the night sky.
* Social:	The Clayton Community are strongly supporting a "no lights" policy and their request is being supported. The impact of this is that having no street lights makes the movement of pedestrians and vehicles less safe and a risk that the Community (and ultimately Council) has to accept.
* Economic:	Benefits in the saving of electricity costs.

REPORT

Council has effectively adopted a "no street lights" policy for Clayton by not activating new lights in the "Pelican Waters" development on the north side of Alexandrina Drive Clayton (at the east end of the town). At the closed workshop held with Council on 18th June 2007 the legal aspects of not having street lights were discussed with Council and at the Council meeting following the workshop a request from the Clayton Community to switch off 5 lights that had previously been activated along Alexandrina Drive was considered in report 12.2. The recommendation at that time was that Council not switch these lights off (based on the legal implications) but this did not become the resolution. Rather it was resolved to have a meeting with the Clayton Community.

A meeting was convened by the new President Mr Peter Bullock on Friday 23rd November 2007 where 8 Clayton community representatives met with Cr Rod Potter and Dennis Zanker from Council. The situation in Clayton is the following:

- Prior to the "Pelican Waters" development in 2006 and 2007 there were only 3 street lights activated in Clayton, being one in Alexandrina Drive by the CFS station, one by the shop and one at the wharf. Lights installed in the older "Alexandrina Estate" development (the development north of Alexandrina Drive but at the west side of Clayton) are not activated.

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- The new Pelican Waters development on the north side of Alexandrina Drive has had lighting installed to the "Lighting for roads and public spaces" Standard AS / NZS 1158.3. Five (5) lights in the eastern end of Alexandrina Drive were activated prior to Christmas 2006. Following Council's consideration of the request from the Clayton Community it was agreed to not activate any further lights in the new development until there was a call from the community to do so.

At the meeting held on the 23rd November it was put to Council that the Clayton Community still vigorously wanted to pursue the "no street lights" policy and that they were determined to have the 5 lights in Alexandrina Drive turned off. From the community's perspective they considered their town unique in not wanting street lights that would pollute the night sky and want to keep it that way. They considered the risk and liability of not having street lights to be very minor and inconsequential given the status of the town as a low population and low activity small town for the majority of the year. From a natural environment point of view they consider their situation of being located adjacent to a Ramsar site also supports their case for no street lights.

The response given at the meeting was that street lighting has to be considered as a safety benefit for both pedestrian and vehicle movements, and while the usual population and thus pedestrian and vehicle movements in Clayton are low, the summer holidays brings a population increase and the likelihood of increased night time activities in the streets. Also the new development will increase the population and possibly see changed expectations from new residents. A shop and tavern is proposed to be incorporated into the new development. It was indicated that Council has supported the "no street lights" policy, and that it will now be asked to support the switching off of the 5 lights in contention in Alexandrina Drive. The rider to be put to Council will be that as development proceeds in Clayton this policy should be reviewed.

In addressing this request it must be appreciated that if Council supports this request it has to accept the risk (however small or inconceivable it may be seen as), and has to keep future options open for having street lights activated in Clayton. The current direction for Local Government with regard to street lighting is generally for "energy efficient public lighting on Minor Roads" as presented in the guide "Lighting the Way" (published by the Australian Greenhouse Office in the Department of the Environment and Water Resources, February 2007). This guide does refer to the legal liabilities and to the implications that "local governments might be considered liable for damages if inadequate lighting results in accidents or crime".

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But the final decision rests with the local authority, as stated in AS 1158.3 section 1.2, Application: "Subject to the requirements of applicable laws, the choice of whether to install a scheme of road or public lighting in compliance with this Standard and, if so, to which subcategory of lighting is appropriate, rests with the client (usually the applicable local government authority). This decision is typically based on factors such as night-time pedestrian traffic flows and other patterns of use".

In the case of Clayton as it currently exists there is a reasonable case to be put given the low night time traffic and pedestrian flows that Council support limiting street lighting to the 3 lights that were in existence before the new Pelican Waters development.

ACF07617 Moved Cr Potter seconded Cr Featherston that Council:

1. Generally support a 'no street lights' policy in Clayton for the time being
2. Confirm that the three (3) existing street lights in the area of the township south of and on Alexandrina Drive shall remain activated.
3. Confirm that new lights within the new 'Pelican Waters' development remain un activated while no or few dwellings exist here.
4. Request ETSA to switch off five (5) lights in Alexandrina Drive that were activated as part of the new 'Pelican Waters' development.
5. Review street lighting in Clayton in twelve (12) months time (or earlier if called on by the Community or members of the Community) to assess the level of new building activity and the demand or requirement for street lighting.

CARRIED

17.2 INFRASTRUCTURE MANAGER

NIL

17.3 OPERATIONS MANAGER

NIL