
From: David Simmonds
Sent: 25/10/2023 5:04:46 PM
To: Council Northernbeaches Mailbox
Subject: TRIMMED Fwd Submission opposing DA2023/0720
Attachments: Submission opposing DA2023-0720.pdf;

Dear Ms Ranage,

In case this extended application process requires previous submissions to be re-registered, I would like to resubmit and reconfirm my previous objection to lighting any tennis court lights.

There are already more than sufficient courts available already for night time tennis that are mere minutes away by car from Bareena Park Tennis Club. All of the existing facilities are better provisioned to deal with noise, lighting and parking issues arising from night-time tennis.

It is clear that any introduction of night time tennis at Bareena Park Tennis Club will change the evening peace of this neighbourhood forever and would be just the start of applications from the tennis club for more and more expansion until every court is alight. This fact was recognised by two separate groups of councillors in Manly Council on both of the previous occasions when the tennis club applied for lights. Those councillors understood that approving any lights was not a compromise, it was a beachhead, from which further erosion would occur. They resisted the urge to appease the tennis club because they realised approval for any lights would expand tennis club entitlements at the expense of existing night-time amenity for the immediate residential neighbours and their families, with further erosion to come.

I urge you to recognise that night time tennis is an industrial expansion in a very quiet residential area that treasures its night time solitude and respite. Balgowlah Heights is not an industrial region. It is a quiet and dark haven in which bandicoots have found refuge, as we have shown with photographs of bandicoots in our front yard. Tennis club patrons are not quiet, either while playing tennis, which is innately noisy, or when communicating with each other. It is difficult to believe an expansion in night-time noise and light activity would be any more welcome by the bandicoots than it is by our human neighbours.

Bareena Park Tennis Club does not have adequate parking. Tennis club patrons would be competing for limited car spaces with residents returning from work, and vice versa.

For all these reasons I implore you to recognise the unnecessary harm caused by approval for any part of this application. I urge you to agree with your previous councillor colleagues and to completely reject this application.

Regards,

David Simmonds

Begin forwarded message:

From: David Simmonds [REDACTED]
Subject: Submission opposing DA2023/0720
Date: 19 July 2023 at 10 22 43 am AEST
To: council@northernbeaches.nsw.gov.au

Dear Ms Ramage,

Attached is my submission opposing DA2023/0720 from Bareena Park Tennis Club

Please let me know if you have any trouble accessing it Thanks

Regards,
David Simmonds
33 Vista Ave,
Balgowlah Heights

18 July 2023

Re: DA2023/0720 Bareena Park Tennis Club Application to light 3 courts and extend operations at night

Attn: Olivia Ramage, Planning Officer

Dear Councillors,

I oppose this application and urge the Northern Beaches Council to completely reject it because of the significant loss of amenity and harm it would cause to the quality of family life in our area.

On at least two previous occasions Bareena Park Tennis Club (BPTC) has applied to light its courts and extend its intrusive activities beyond the daylight hours and into our nights. In 1998 the entire Manly Council considered their application to light three courts, which BPTC claimed were essential for its ongoing survival and success. After an extensive period of review and consultation a majority of that Council totally rejected the application. Those Councillors understood that any compromise permitting lights would change the night-time environment of our community, and invite later applications from the tennis club to expand with additional lights. That same Council subsequently voted unanimously to amend the lease and ban tennis play after sunset.

In 2008 Bareena Park Tennis Club applied to light just the rear two tennis courts. During the application review period they amended their application to reduce the number of illuminated nights and the closing time. To quote their then Club President, Mr Ross McClean (see submission by Ross McClean, dated 12/05/2012, DA 60/2008) who said at that time "The Club believes that it needs the lights for Courts 4 and 5 to attract new members so as to ensure that in the long term the site can continue to be used for the recreational activity of tennis." Again the full Council met and devoted considerable time and energy to consider the application and again it was completely rejected. Manly Council considered the application was inappropriate for this location given its close proximity to neighbouring homes and the negative impact it would have to their amenity.

Despite these pessimistic forecasts for the club's future, and the current claim by Mr Ross McClean, Club President, that this proposal is for "this Club's long-term viability" (Management Plan), this application by E Du Plessis describes Bareena Park Tennis Club as "a successful vibrant tennis facility used by the local community". The tennis club clearly has a wide membership because submissions supporting it have come from as far afield as Artarmon, Chatswood and Ryde which are all well outside the Northern Beaches Council.

Following due and proper processes, and making their own expert assessments of the issues and impacts, Council officers reviewing each previous application, concluded they were both unreasonable activities for this location, and recommended their rejection. Despite that considerable effort by Council staff, and previous Councils, we are now confronted by another application from Bareena Park Tennis Club. Consistent with the previous

conclusions, the latest application to light the front three courts, is also unsupported by the council officer assessing the application. Ms Olivia Ramage describes it accurately as an “‘industrial” development within a “residential” area’ (Environmental Health Referral Response). That is what these applications have always been and what continues with this application.

I have read the application from E Du Plessis and note it has no objective information on the noise impact of night time tennis, from courts that are just 8 metres from our living room. It claims there is already ambient noise in the area and that expanded tennis club activities will not add to it unduly. This unsubstantiated claim is not correct. The reality is the noisiest activities in the area come from the tennis club. I urge you to stand unnoticed sometime outside a tennis court and listen to what happens. Players strike the ball with a thud from their rackets, the ball crashes into things, like fences, and players cannot contain themselves without grunting as they strike the ball or shouting out encouragement or other sounds to each other. All of this reverberates well beyond the boundary of the tennis courts, in every direction. And this excludes the noise made when these extra people come to and leave the courts. They intrude on our peace during the day and they are unconcerned about taking away our peace at night. The claim that tennis play would not be noticed at night is clearly incorrect. With daytime activities across the suburb diminishing at night, the ambient background noise is less than during the day. This is a very quiet residential area with very little night-time traffic, especially after 6pm when people have arrived home from work, and virtually no noise. The random blasts coming from a tennis court would have less competing noises to mask their effects and so be much more noticeable, not “a minor additional disturbance at night time when it’s dark”, as claimed in the application. I am very concerned this proposal would rob our neighbourhood of its remaining time of solace. We have not complained about their daytime noise, but I object to any reduction in our existing amenity from tennis club activities extending into our peaceful nights.

In its Consideration of the National Light Pollution Guidelines for Wildlife this application claims the tennis club is “situated in a residential suburb that is not ‘naturally dark’ because of surrounding artificial night light from the adjoining neighbouring houses and street lights”. I dispute their claim that this area is not dark. Our street lights are not bright and very little light escapes from our homes. Here are some photos taken last week of our existing night time conditions. Our region is not as dark as outback Australia, but it is dark. My camera is not extremely light sensitive so it struggled to focus on anything in the dark.

Looking north past the tennis club entrance from Vista Avenue, 9:35pm 13/07/2023



Looking towards the tennis club house from Vista Avenue, 9:35pm 13/07/2023



View from our balcony towards court 1, 9:35pm 13/07/2023



View from our balcony over court 3, 9:35pm 13/07/2023



View north down Vista Avenue from the intersection of Dobroyd Road, 9:35pm 13/07/2023



View south up Vista Avenue from the intersection of Dobroyd Road, 9:35pm 13/07/2023



Installing eight 8 metre high poles, with 12 banks of lights, illuminated until late at night, would clearly change our nights forever.

The application does provide advice about the lumens that would reach our dwelling but without any accompanying commentary or guidance, I found it difficult to interpret. I believe it says the direct light spillage of 9 lux on our dwelling is just under the tested threshold of 10. It is not clear that the analysis has included reflected light because the application itself only mentions the court surface as being “medium reflexivity”, which “will remain un-changed” (Biodiversity Statement, 3.1.5). The application mentions compliance with the Tennis Australia standard for court lighting to play tennis but does not mention if those standards are designed for use in a location like Bareena Park Tennis Club, with its close proximity to residential homes. Intrusive light until late in the night would be a very unwelcome change for us from the current darkness. To help you appreciate how close the courts are to our house, here are some photos from our front balcony, during the day.

View from our balcony towards courts 1&2



View from our balcony towards court 3



You can see the tennis courts are very close to us. Our balcony sits just above the top of the tennis court fence. At a minimum height of 7 metres, and a maximum of 8 metres, the proposed lights would be positioned above our lounge room window and shining down into it. The proposed lights may be lower than our roof line but they would not be lower than our windows.

Finally, here are two more photos from the street. They are taken a little further back than a photo in the report from E Du Plessis, so the telegraph pole does not obscure our house, and more clearly displays the proximity of these courts to our house. As you can see, our house is closer to the tennis courts than it would be if the courts were private backyard courts. Would private backyard courts be given lighting approval in this same situation?

View west from Dobroyd Rd



Looking north east from our driveway

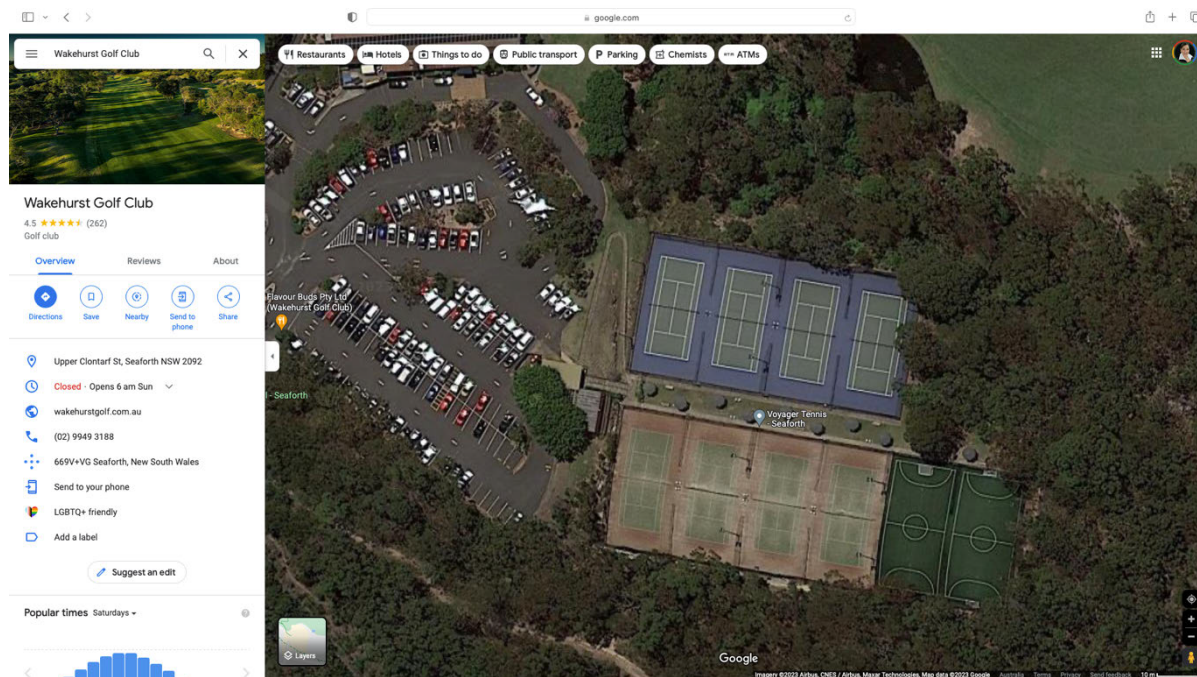


The proposed expansion in noise and light intrusion would severely reduce the amenity for our house.

I am also concerned about increased risks for our property. If the application were to succeed it would lead to more people wandering about at night near our property, including the rear of our property. Playing at the tennis courts would be the excuse for people to be present but we would not know why people were really there, or be able to easily challenge them near our property at night. Our property backs onto and is beneath the Bareena Park Bowling Club site, which is easily accessed from the tennis courts and provides a convenient vantage point to survey our back yard and the rear of our house.

The tennis club claims it needs lights to offer night tennis to its members. This is not correct. The Northern Beaches are already well served by numerous courts with lights, just a short drive from Bareena Park Tennis Club. There are 8 courts at Wakehurst Golf Club, 2 courts at Balgowlah, 2 courts at Seaforth, 6 courts at North Manly, 6 courts at Keirle Park, 6 courts at Manly. Three of these have dedicated off-street parking (Wakehurst, Keirle Park and North Manly). Almost all of these courts are well away from neighbouring houses and available to hire. The Wakehurst Golf Club courts, for example, are completely surrounded by bushland in their own recessed gully and have no impact on homes because there are no neighbouring residences.

Google satellite view of 8 Tennis courts and 2 Futsal courts (darker green) at Wakehurst Golf Club, together with adjoining off-street parking



In total there are 30 local courts available with lights, which Bareena Park Tennis Club could approach for the benefit of its members. All of these alternative courts are within a short drive from Bareena Park Tennis Club. When my own former tennis club needed additional capacity, it hired a court off-site for the benefit of its members. There was never any trouble for competition players from other clubs. They could always find the outside court hired by my club. There were no problems. It can be done. Many of the people supporting this application would drive past these alternative venues to reach Bareena Park Tennis Club. Those venues would welcome their patronage because they are switching away from tennis. The Wakehurst Golf Club site originally had 10 lit tennis courts. Two of those have been converted to futsal use (see Google maps image above). Eight courts were originally lit at North Manly, and now two of those are also used by futsal players, not tennis players. Those court operators have moved away from tennis court hirings.

When I viewed the tennis courts at Wakehurst, Manly, Balgowlah, Keirle Park and North Manly on the dry night of 15th July 2023, after dark between 6:05pm and 6:50pm, 7 of the available 28 courts were in use. 21 of these 28 courts were vacant. There is no shortage of night-time tennis court capacity in this region. There is no need for it to be increased. There is no community benefit to be created by increasing the supply of tennis courts.

It is difficult to believe that many of the people supporting this application would come to the tennis club at night, in winter, in the dark, expecting to leave in the dark, on foot or bicycle. Very few arrive that way now in the daylight. Most would come by car and park in Vista Avenue. The application says there would be no more than 12 people on the courts with lights. It says nothing about the turnover of people, or those in the clubhouse. I do not believe the same 12 people would play all five hours under lights. There will be people

coming and going as bookings start and end. Those who are already on the courts, with parking spaces, will not vacate the courts before the next groups arrive so we can expect at least twice that number of cars to be trying to park in Vista Avenue, for every change-over. There could be more cars if the club decided to hold night-time functions at the club. Residents are already parking in Vista Avenue at night. This proposal will not minimise “carparking in the street frontage” under Manly Development Control Plan 2013 Part 3.1 Streetscape Objective 1., it will increase that usage.

When you examine the submissions supporting this application, as at 18 July 2023, you will find that those from dwellings in Balgowlah Heights are on average more than 500 metres from the tennis courts. Clontarf is around 1000 metres away and behind a hill. Balgowlah is around 1600 metres north of the tennis courts. Fairlight is 2700 metres and Seaforth is 3400 metres (all distances are provided by Google maps, with those to the Balgowlah Heights dwellings to the actual address and the others to a central point for that region). Others are as much as 21 Km away. Very few of the people making these supportive submissions would know if the lights are on or off, until they reached the courts. This development will have no adverse, nor lasting impact on them. In contrast, it will severely reduce the day-to-day lived experience and amenity of people with homes in the vicinity of the tennis courts. It would deprive adjoining neighbours of their night-time, their peace, privacy and security.

I hope you find this submission has accurately conveyed a real sense of the lived impact if this application were to proceed, from which we would have no relief. I urge you to reach the same conclusion as two previous Councils, to accept that this is an industrial development in a residential area, to not be swayed by the tennis club’s dire predictions, which have been proven to be too pessimistic again, or claims of insufficient night-time tennis options, and to reject the application completely. Any approval will only invite further harmful encroachments on the adjacent neighbourhood that would never be reversed, and could not be remedied.

Regards,
David Simmonds
33 Vista Ave,
Balgowlah Heights