
Sent: 22/10/2023 4:42:12 AM

Subject: DA2023/0720 - Proposed lighting at Bareena Park Tennis Club, Vista Avenue, Balgowlah Heights

DA2023/0720

Tennis Club at Vista Avenue

Attention: Olivia Ramage Planning Officer

We make this submission in relation to the Development Application entitled "*Alterations and additions to Recreation Facility Outdoors*" which is for installation of lighting to Courts 1, 2, and 3 at Bareena Park Tennis Club. We note that this has been re-notified by Council via letters dated 20 September 2023.

Council's records show that previous applications for lighting at the tennis courts were made in 1999 and 2008. There were numerous submissions made in 2008 objecting to the proposed lighting, and the majority of reasons for objecting are still relevant to the present 2023 application. Council's decision in 2008 included the following reasons for refusal:

"That Development Application No. 60/08 for installation of tennis court lights on courts 4 8 5 and use of courts until 10:30pm everyday at Bareena Park Tennis Club bordered by Curban Street, Vista Avenue and Bareena Drive, Balgowlah Heights be REFUSED for the following reasons.

1. The proposal is inconsistent with the Objectives 4(d)(i) of the Manly Local Environmental Plan 1988.
2. The proposal is inconsistent with the Open Space Zone Objectives 1(a) in Clause10 of the Manly Local Environmental Plan 1988.
3. The proposal will have a detrimental impact on the amenity of the area in relation to: ~ Additional noise resulting from the night use of the courts and clubhouse, ~ Noise from people /cars leaving the club, ~ Detrimental impact on privacy of surrounding residential properties, ~ Possible increase in anti social behaviour, ~ Reduced security in surrounding residential properties, ~ Possible reflected light spillage onto adjoining residential properties, ~ Additional demand for street parking in the evenings.
4. The site is considered to be unsuitable for the proposed use.
5. The proposal is contrary to the public interest."

Our particular issues of concern:

Noise

Many of the residences close to the tennis club contain either families with young children or older inhabitants, who typically retire earlier and would be significantly affected if noise from tennis activities was permitted into the evenings. Whilst there is presently some noise created by the tennis activities during the day, it merges with the noise from vehicles and pedestrians. That would not be the case in the evenings, when noise from tennis activities would be the only noise in an otherwise quiet street.

Parking

Whilst the majority of the tennis players park considerately, there are several who illegally park within 10 metres of the Dobroyd Road/Vista Avenue junction. This is already a major safety issue during the day, and will only become exacerbated if allowed to continue into the hours of darkness.

The Applicant's October 2023 "Amended Statement of Environmental Effects" includes a comment that "*Ample street parking exists on Vista Avenue directly adjoining the BPTC court No.3*". It can easily be established by inspection that this comment is incorrect.

Deficiencies within the Applicant's submissions

1. The lighting details are inadequate as they do not provide sufficient information regarding lighting gradient to adjacent properties. The Applicant should provide full details (to a similar standard to those required for shading diagrams on other DA's);

2. The Applicant is relying on drawings indicating 4 trees with significant canopy cover on the sloping ground between Court 3 and Vista Avenue. These trees do not presently exist, and the location is outside of the tennis club's boundary. There is potential for the ground conditions to constitute rock, which would prevent trees being planted. In any event, the growth rate of the trees would be such that there would be no protection from the court lighting for many years.
3. The Applicant has provided insufficient detail regarding the type of screening proposed to the fence adjacent Court 3.

Alternative locations

We note that the Balgowlah/Manly area presently has several tennis courts which have lighting. These locations do not have residential property as close as that proposed in the present Application.

Not supported by Council departments

It is noted from the documents on Council's website that the Application is not supported by the Council's Traffic Engineer. The status of support from the Environmental Health and the Engineering Departments of Northern Beaches Council is unclear.

Other submissions in support of the Application

It is noted that there are a significant number of submissions supporting the Application. However, many of the submissions come from people who do not reside in the immediate vicinity, and would not have to suffer the detrimental effects to nearby residents identified above.

For the reasons above, we submit that the proposal should be rejected.

Regards

Graham and Noreen Rattue