

Environmental Health Referral Response - industrial use

Application Number:	DA2023/0720
Proposed Development:	Alterations and additions to Recreation Facility Outdoors
Date:	03/01/2024
To:	Olivia Ramage
Land to be developed (Address):	Lot 1432 DP 752038 Lot 1431 DP 752038 Part Lot 7147 DP 1023285 , 0 Vista Avenue BALGOWLAH HEIGHTS NSW 2093 Lot 1432 DP 752038 Lot 1431 DP 752038 Part Lot 7147 DP 1023285 , 0 Vista Avenue BALGOWLAH HEIGHTS NSW 2093

Reasons for referral

This application seeks consent for large/and or industrial development.

And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

Officer comments

General Comments

The DA as per the Architectural Drawings & other Reports is for the following works at Bareena Park Tennis Club:

1. COURT LIGHTS UPGRADE:

Installation of eight poles (each minimum 7 metres in height) to accommodate 12 LED back shield lights to three of the five courts at BPTC.

2. EXTENDED OPERATION HOURS:

Night lights will increase the proposed BPTC operating hours on the existing courts Nr. 1-3 by approximately 5 hours in mid-winter and approximately 2 hours in mid-summer as per a schedule supplied.

Also the applicant advises:

The tennis facility is under lease from Manly Council to Bareena Park Tennis Club.

Past applications include DA 68/1999 & DA 60/2008 for old technology floodlights that was refused by the Council

back then but with this proposal the courts will have LED lights to better control & target artificial light using adaptive

controls to maximise the use of latest lighting technology to prevent light spill and unnecessary light output that could

be detrimental to adjoining neighbouring properties.

BPTC is a successful vibrant tennis facility used by the local community. Tennis court lighting is essential at all tennis

clubs due to the changing patterns of play and participation. Night tennis, especially on weeknights, is often the only

time that working people can participate in tennis and if courts are not lit the participation opportunities are significantly

reduced. The upgraded facility with the addition of lights to some of the club courts will be an

improvement that would enable BPTC to offer a wide range of tennis services to the local Balgowlah community. Club members and local residents fully support the Bareena Tennis Club's application to install lights on three of its five courts so that BPTC could offer night tennis to the local community – refer to the petition signed by hundreds of locals.

BPTC have consulted the owners of the neighbouring houses adjoining the tennis club and have made known its intention to lodge this DA in writing by way of letterbox drop at the end of last year.

Environmental Health is concerned with:

- 1, Light spill and glare
2. Noise from players and tennis balls.

It appears no acoustic impact assessment has been carried out, while noise was addressed within the SEE, Environmental Health would like to review a report by an appropriate qualified and experienced person showing the noise impacts and mitigation measures proposed from this intensification of the use outside day time hours.

We consider the proposals impact as "industrial" development within a "Residential" area. As such we consider any additional noise from 9pm to potentially adversely impact on residential amenity; and similarly with the impact of proposed elevated lighting.

UPDATED REFERRAL

Environmental Health has reviewed the amended Plan of Management, Noise Impact Report dated 11 December 2023 and the amended master plans. The extension of hours is unlikely to negatively impact the neighboring residents to an unacceptable level with the Industrial Noise Policy setting the evening period from 6:00pm - 10:00pm therefore Environmental recommends approval subject to conditions. The lights will be automatically set to turn off at 9:00pm which Council thinks is reasonable.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Environmental Investigations Conditions:

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Lighting compliance

Prior to the issue of Occupation Certificate, 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 1158.3:2020 Pedestrian area (Category P) lighting – Performance and design requirements and Australian Standard 4282:2019 Control of the obtrusive effects of outdoor lighting.

In addition, the lights are to be automatically set to turn off at 9:00pm each day.

Reason: To protect public health and amenity

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Plan of Management - On-going

Compliance with the recommendations within the amended Plan of Management prepared by Ross Mclean, Bereena Park Tennis Club

Reason: To ensure noise and light impacts are managed