

**SUMMARY OF SUBMISSIONS**  
**Karbro Drive, Cardup 26 (L87) 143801 – Section 31 Reconsideration – SJ4210**

Submitter	Submitter Comments	Officer Comments
1	<p><b>Condition B</b></p> <p>We do not agree that the lights have changed since last year as can be clearly seen by the photographs. I have written dates and times when photos taken and if shire need to confirm they are on my phone and happy to show. They didn't print up. Photo 1 dated 18/5/22 and photo 6 dated 28/6/23 show no change in light spill over a year. (see attachment 2). Even though it has been stated the arena lights have been angled down to 14degrees.</p> <p>See photographs Attachment 2 photos 1 to 8</p> <p>It states in the Deemed provisions -CI 67 page 5 10.1.1 (Attachment 3) That the applicant has confirmed that the lights have been angled down to 14 degrees which they have not. And that officers note however that based on the drone image the spill appears to be greater. Taking into account that the big treeline is approx 5 metres from the boundary fence (south) which is also the south edge of arena and the "Lightspill" goes well beyond the trees southwards and you can also see our water tanks lit up on the west boundary which would have to be at least 50metres from arena. Now the drone is well above the trees and the treeline is hiding a lot of the light that shines through under canopy. So as far as we are concerned this lighting specialists report isn't worth the paper it's written on as it could have been prefabricated to show what they want the shire to believe. Look at the photos from ground level to see the true picture. And has anyone from the shire actually been out at night time to see them on. How can you possibly base a decision on a report that the applicants have paid to have done. Look at the real thing at night and I can't change the photos. They are what they are.</p> <p>As pointed out and shown to Ryan Fleming and Ashwin on Thursday the 20<sup>th</sup> July on site by using a roofing pitch device that measure degrees. Of which they took photos. Arena lights are approx. 28 to 30 degrees. So why are applicants saying in attachment 3 that they are down to 14 degrees. They clearly are not as also noted by the shire that they are not 14 degrees.</p> <p>See attachment 1</p> <p>So as we have been saying since we put the complaint in on 21<sup>st</sup> April 2022 the light spill has not changed and is still well beyond 3 meters and this must be corrected as it is Light Pollution/Light Spill. We feel lights should not be used at all till it can be proven the light spill is at the 3 meter allowance. As its clearly shows this is dragging out now well over a year and NOTHING has changed. Why fix the problem when you can get away with it.</p> <p><b>Condition C</b></p> <p>We have no complaints about lights being used between 6 and 8pm and also no complaints if needing to use earlier in winter as long as the 2 hour usage rule for arena lights is adhered to. But we don't think it will be adhered to as the applicants where told usage 6 to 8 and we have photos of usage earlier than 6 even though they where told not to. So would the shire believe they will do what is required of them at all.</p>	<p>Thank you for the submission. The concerns raised against the conditions sought for modification have been taken into account in the relevant sections of the report.</p>

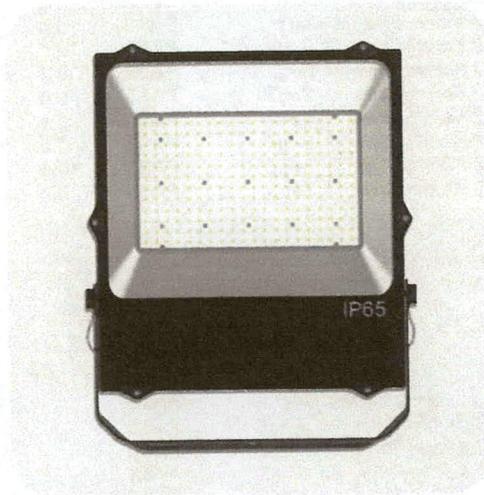
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	<p>See Attachment 4 photos 1 to 3</p> <p>So bottom line for us is they are intruding with light spill or light pollution into the south boundary property but also ours on the west which you can see by photo in attachment 1 you can clearly see our rain water tanks and that's with trees in between blocking some light. It also lights up our garage wall {photo 4 attachment 4) and all the area between wall and fence. Also a photo taken at the back of our shed in my chicken yard (Photo 5 in attachment 4) I need no torch to lock my chickens up when arena lights are on as actually lighting up the back wall of our shed and if it wasn't for the water tank and our shed the lights would shine straight down our back verandah.</p> <p>This light spill needs to be corrected to a 3 meter spill and not lied about which means there would only be minimal light shining through those big trees in photo's not lit up like the WACA.</p>	

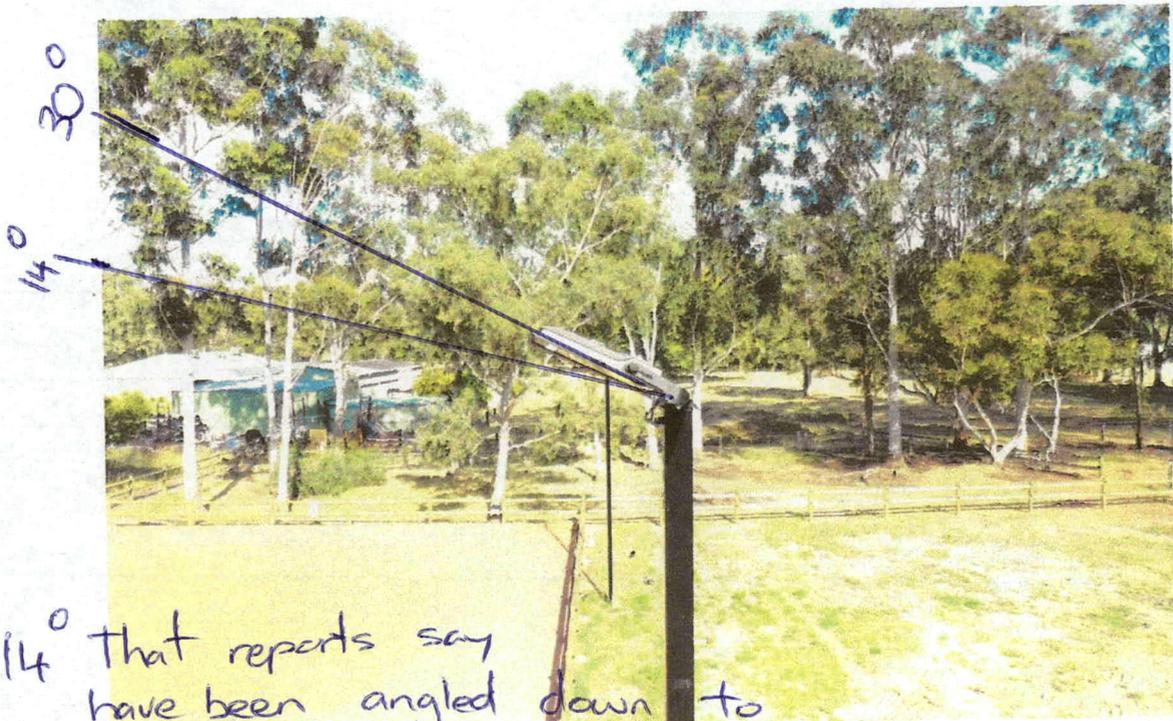
# Attachment 1

## Luminaire Product details:

A total of 6 x Luminaires are installed at 7m height with a max allowable tilt angle of 35 deg to achieve compliance



ETG-ESFL200  
200W



14° that reports say  
have been angled down to  
28-30° Actual angle.

## Attachment 2.

photographs 1-8

- 1) 18/5/22 — 9.02 PM
- 2) 28/7/22 — 6.32 AM
- 3) 16/9/22 — 6.34 AM From our front paddock
- 4) 3/1/23 — 8.10 AM
- 5) 8/6/23 — 6.59 AM
- 6) 28/6/23 — 6.06 PM
- 7) 6/7/23 — 5.49 AM on prior To 6 AM
- 8) 6/7/23 — 6.48 PM.

good comparison of no change  
in light spill from  
18/5/22 — 28/6/23

photo 1) 18/5/22 9.02 PM  
photo 6) 28/6/23 6.06 PM

9:03 PM  
18/5/22

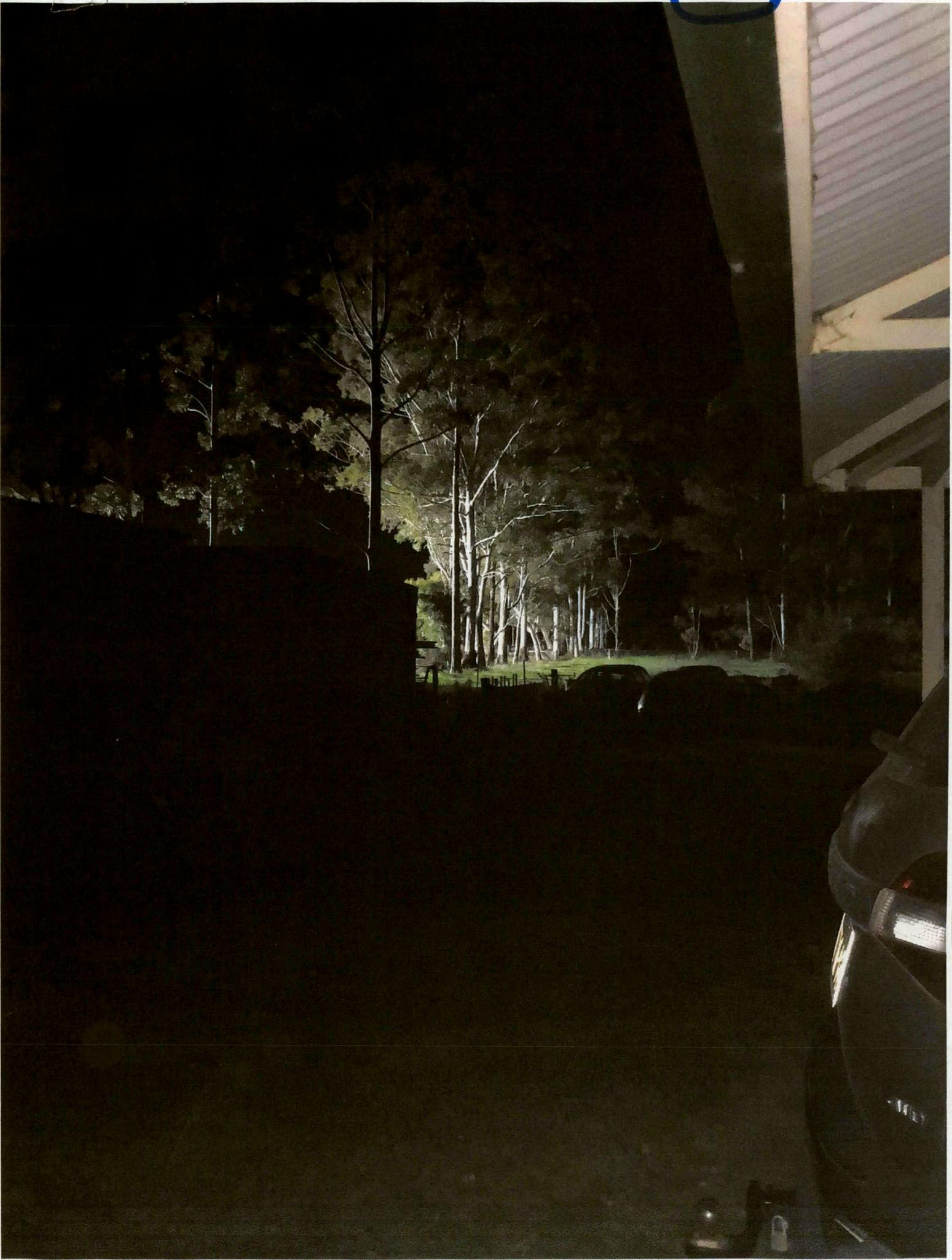
①

28/7/22

6.32 AM

(2)

10.1.4 - Attachment 3



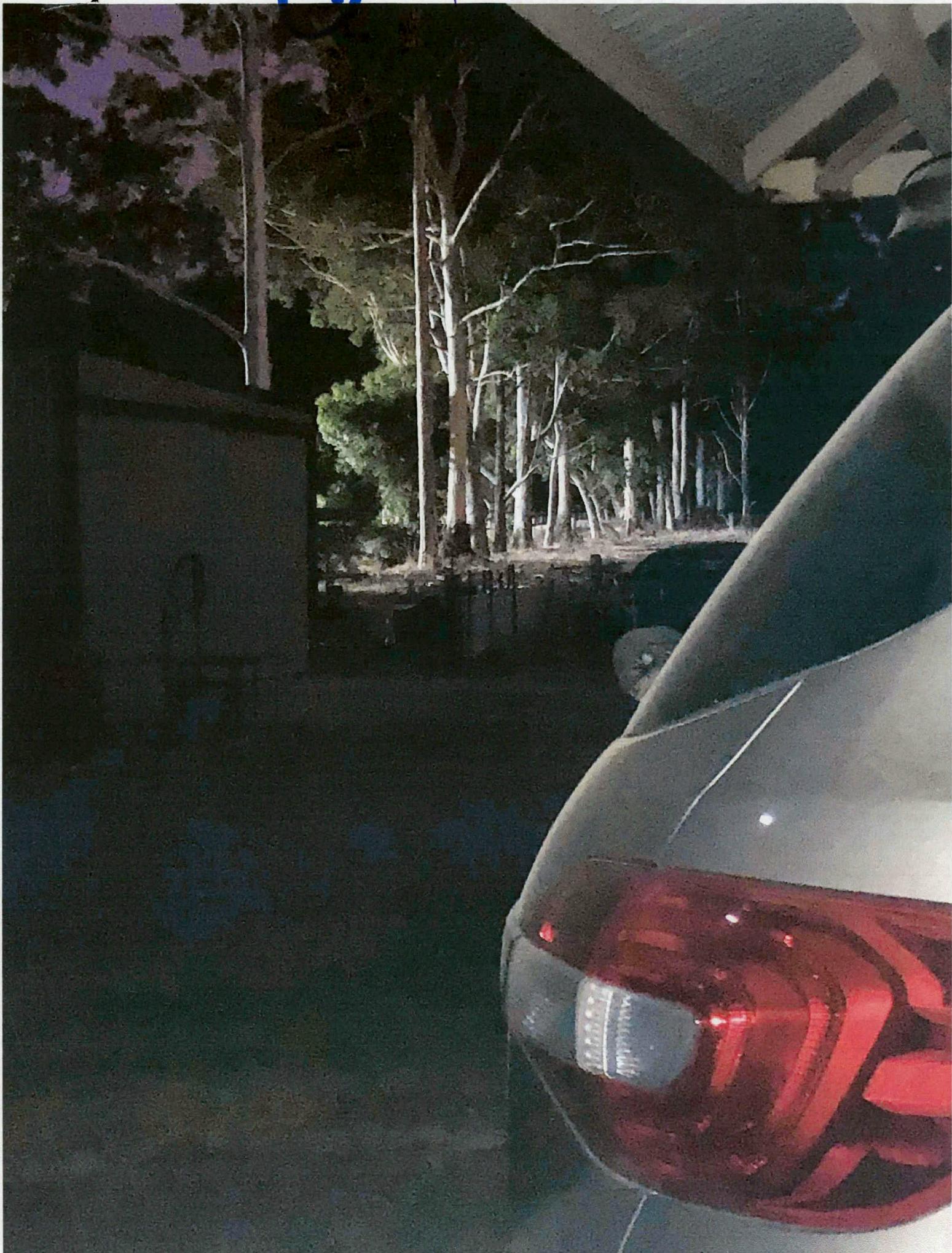
16/9/22 6:34  
③ PM





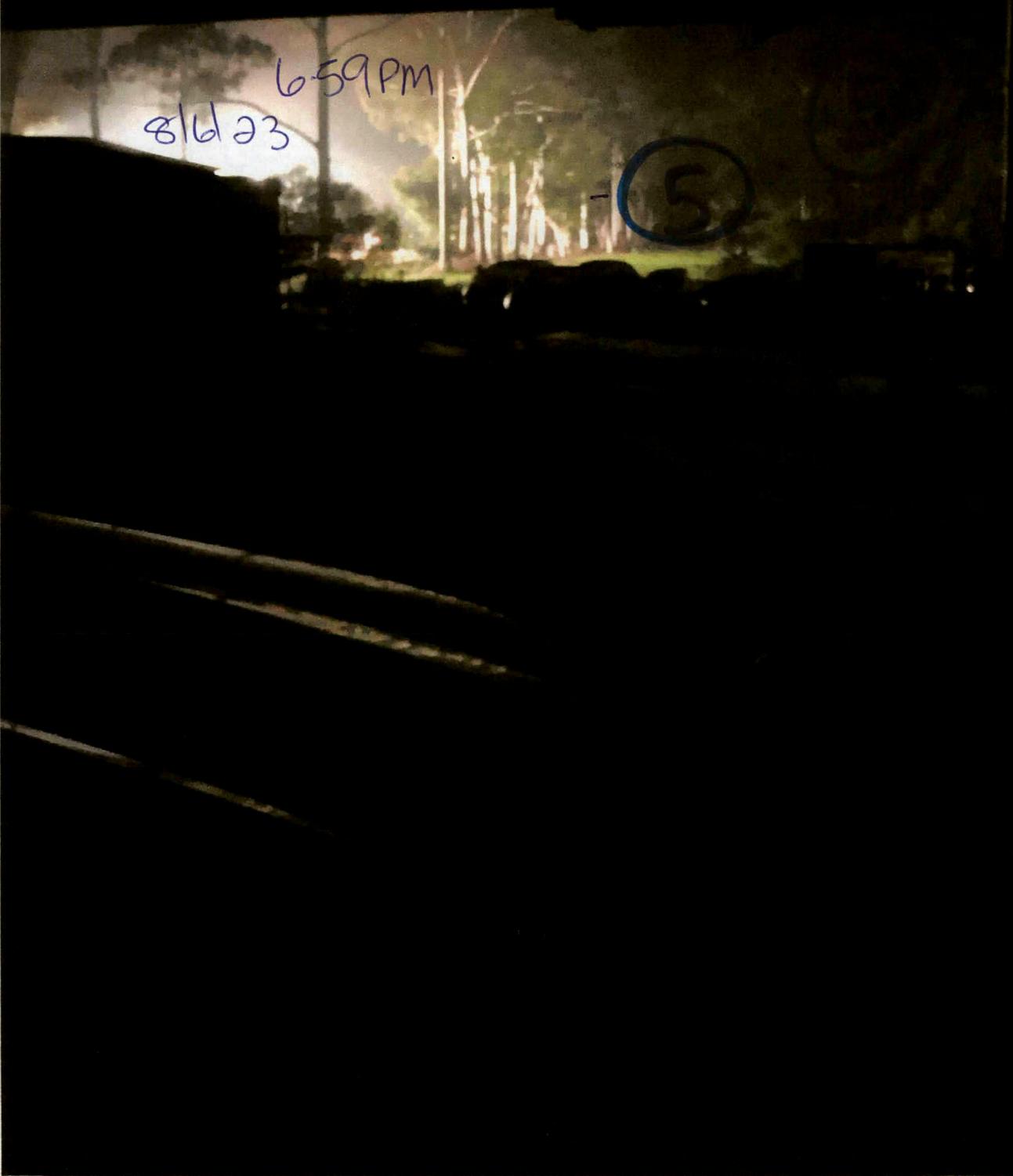
3/1/23

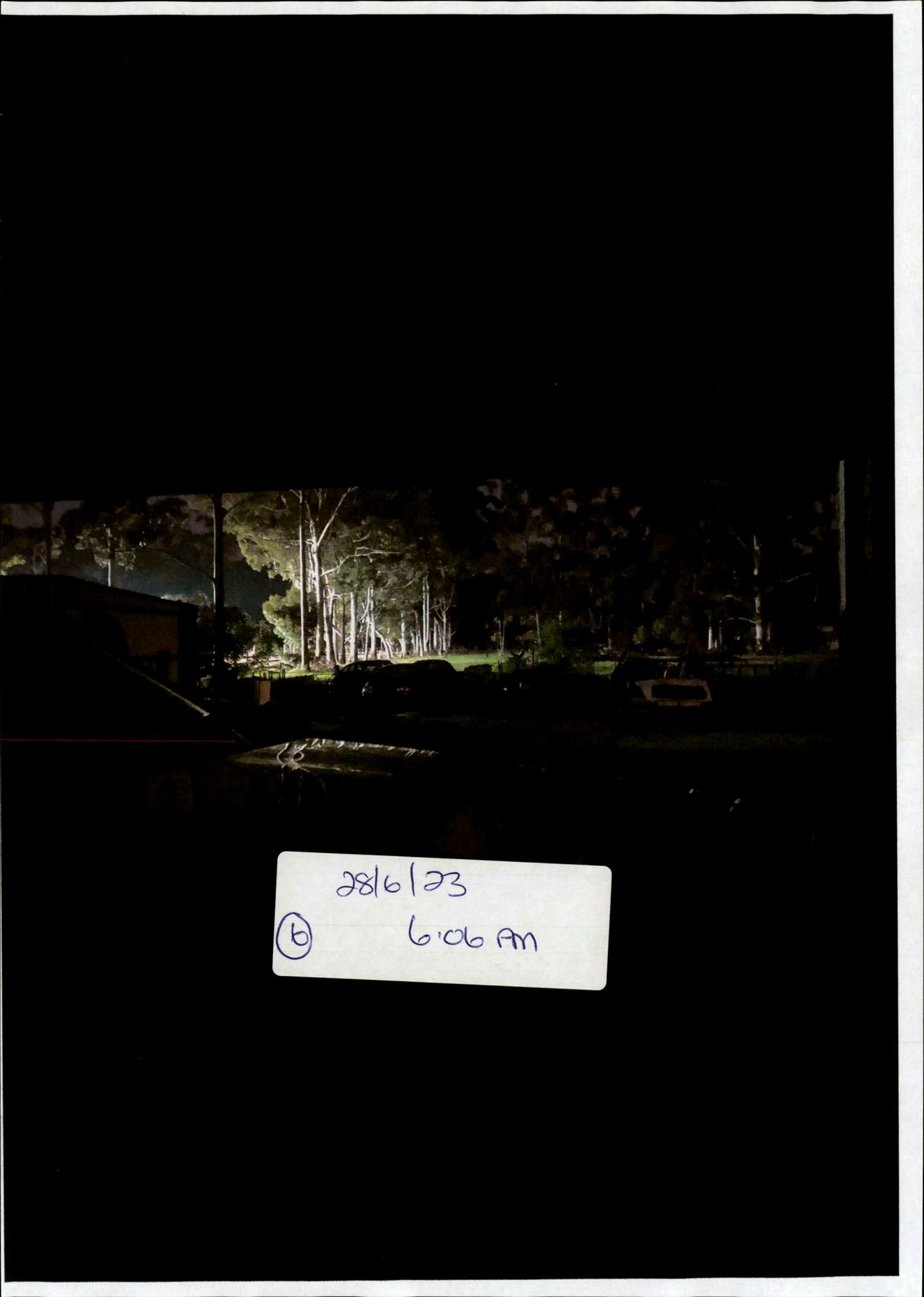
8 10PM 10.1.4 Attachment 3



8/6/23  
6:59 PM

5





28/6/23

(6)

6:06 AM

6/7/23

5:49 PM

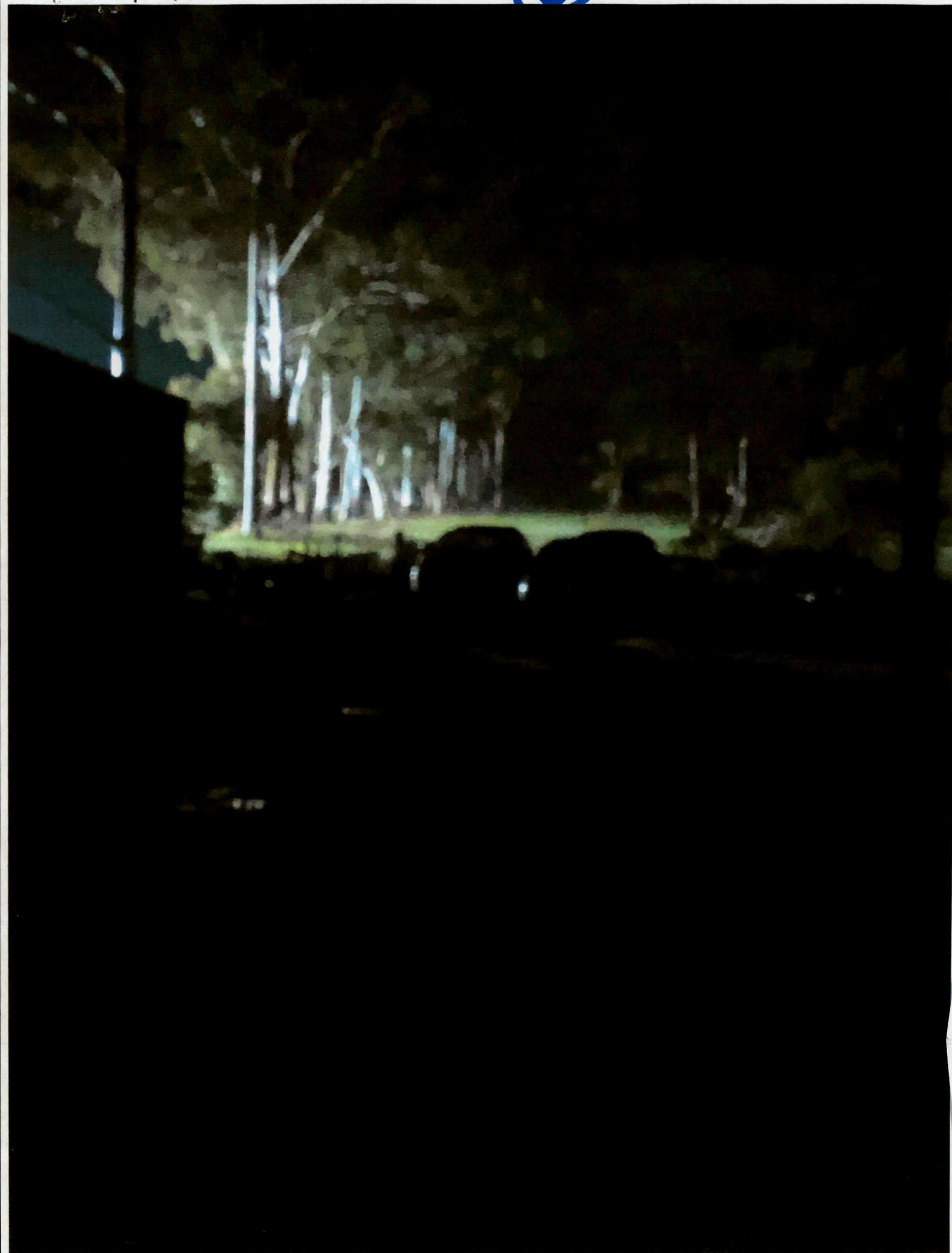


6/7/23

5:49 PM

6/7/23

6:48 PM



Deemed provisions

attachment 3

- C167 Matters to be considered by local Govt

For the 'A2' environmental area, the maximum lumen intensity that should not be exceeded is 7,500 candela (cd) during non-curfew hours and 1,000cd during curfew times. The Australian Standard states that curfew hours are typically 11pm to 6am at night-time. The report details light measurements taken from several locations, including along property boundaries and at the neighbouring residences. It demonstrates that the lighting meets the 1,000cd curfew period limits at all locations. The neighbouring dwelling to the south-west would receive a maximum of 455cd. The highest readings of 927cd are recorded at the house of the neighbour to the south. Officers are satisfied that the report demonstrates that as the lights as a result of meeting the 'Luminosity Intensity Limits' of the Australian Standards, the visibility of the lights will not result in amenity impacts to the adjoining properties.

Furthermore, the use of the arena lights is proposed to occur for a maximum period of two hours, per day during the twilight to evening hours. This would occur between 6:00pm and 8:00pm, less during the summer months when the sun sets later in the evening. A condition to limit the use of the lights during the period between 6:00pm to 8:00pm for a duration of no more than two hours per day is recommended to be imposed to ensure the use of lights generally occur when there is generally background ambient lighting present, reducing the time the lights operate past sunset where the characteristic of the locality does not typically comprise of lights being visible beyond a property boundary.

In terms light spill, the application confirms that the lights have been angled to a 14-degree angle which results in light spill occurring to a depth of 3m to the property to the south. Officers note however, that based on the aerial drone image below the spill appears to be greater. To address this, Officers consider light shields can be installed which angles light in a controlled manner inside the property, avoiding light spilling outside of the boundary. A condition requiring further angling of the lights, or light shields being installed, is also recommended in order to reduce spill to no more than 3m to the property to the south.

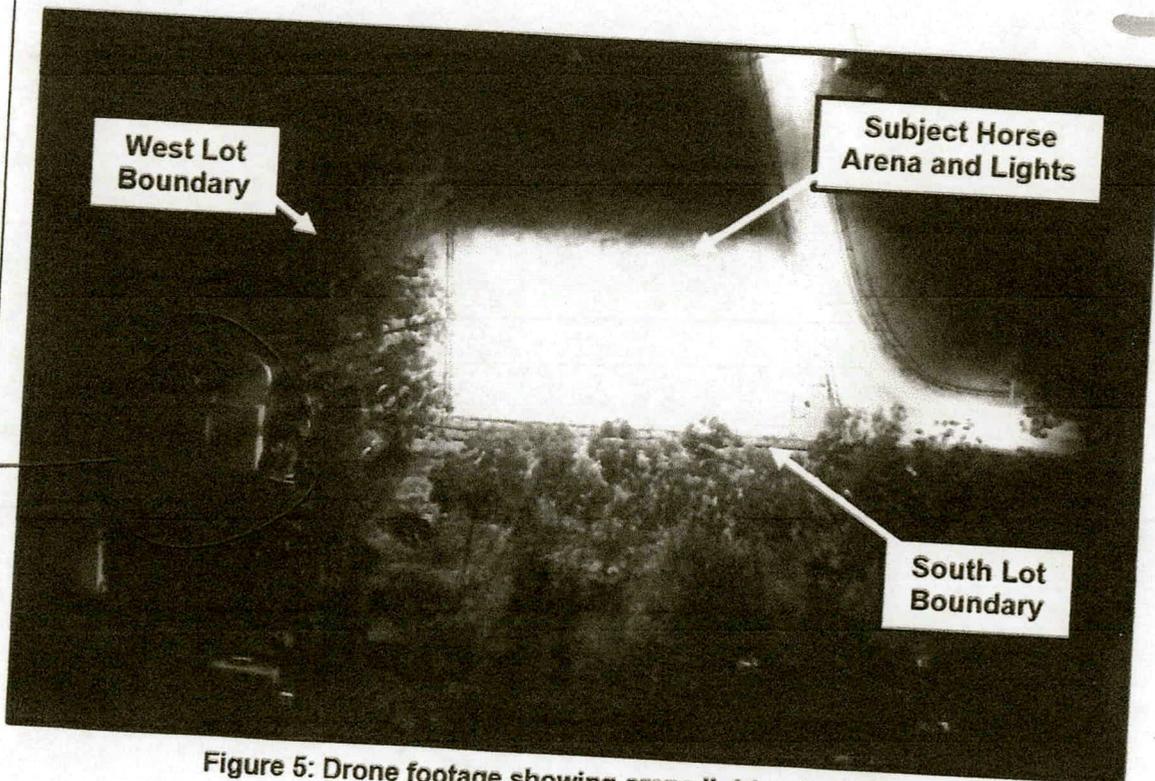


Figure 5: Drone footage showing arena light spill at night

Our tanks

BS.

Attachment 4

Arena Lights on prior to 6 PM

- 1) 6/7/23 5.49 PM
- 2) 28/6/23 5.46 PM
- 3) 22/6/23 5.37 PM

Lights on our property

- ④ 8/6/23 6.50 ~~PM~~ PM
- ⑤ 11/6/23 6.06 PM



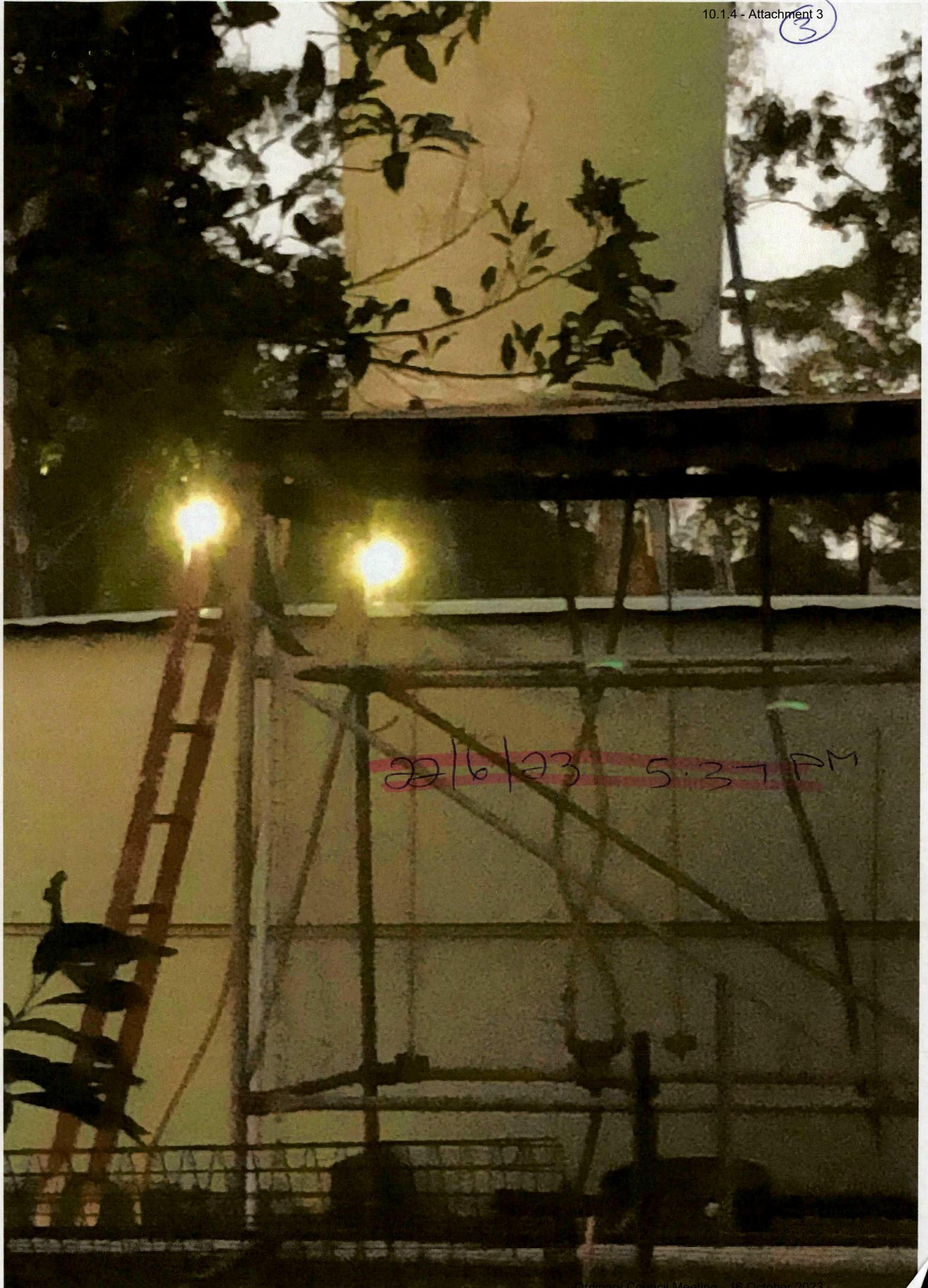
① 6/7/23 5:49

②

28/6/23 5.46 pm



3





(4)

816103

6:50 AM



(5)

116123

6.06 PM