

SUBMISSION 1

From: Gary Wright <Gary.Wright@swek.wa.gov.au>

Sent: Wednesday, 15 July 2026 4:15 PM

To: John Elliot <John.Elliot@swek.wa.gov.au>

Subject: Re: I-111548 - A5286P - F17/8079-1 - CASA Assessment Response - YWYM - Comms Tower - 34 Durack Road, Wyndham, Western Australia [SEC=OFFICIAL]

Thanks John,

Their response is what I would have expected.

Therefore, I shall provide the below statement.

As the responsible officer for Wyndham Airport, I can confirm that I am also not aware or have been made aware of any unregulated airstrips that fall within the obstacle limitation surface requirements of the Wyndham Airport which is a certified aerodrome. As such, I have no objection to the application.

If you require further clarification, please call me. 0439 930 373

Get [Outlook for Android](#)

Kind Regards,



Gary Wright
Executive Manager Airports

SHIRE of WYNDHAM | EAST KIMBERLEY

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SUBMISSION 2

From: Airspace Protection <Airspace.Protection@casa.gov.au>

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OFFICIAL

Good afternoon John

Thank you for advising CASA about the proposed installation of a 40.9m AGL (or approximately 43.9m AHD) monopole to be located approximately Lot 1252 (34) Durack Road, Wyndham, Western Australia.

CASA has reviewed the information provided and is not aware of any civil certified aerodrome for which an Obstacle Limitation Surface (OLS) would require protection. Therefore, this development falls outside CASA's formal regulatory framework for aerodromes.

CASA is also unaware of any unregulated aerodrome which may not be published in the Aeronautical Information Publications being within 2.5 km of the proposed monopole site. Enquiries regarding whether there are any unregulated aerodromes in closer proximity to the proposed site should be directed to the local council/shire.

Provided that there is no impact identified on any unregulated aerodromes and given the monopole is only approximately 40.9m AGL, CASA is not recommending any lighting or marking requirements for this proposed monopole.

Kind regards

Rebecca Day

Aerodrome Specialist – Geospatial Assessment

Air Navigation, Airspace & Aerodromes Branch

CASA \ Air Navigation, Transformation and Risk Division

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GPO Box 2005 CANBERRA ACT 2601

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SUBMISSION 3

Hi CEO and Councillors.

Re: Concerns Regarding Proposed NBN Satellite Dish Location in Wyndham's Residential and Industrial Area.

I am writing to express concerns on behalf of residents regarding the proposed installation of an NBN satellite dish in Wyndham, particularly in an area close to residential properties and the town's industrial zone.

A few residents are worried about the proximity of this infrastructure to their homes and workplaces. There are apprehensions about the potential impact on their health and wellbeing due to its location near residential. They understand the need for improved connectivity and infrastructure but believe that the placement of such equipment should carefully consider the safety and peace of mind of the community.

The residents of Wyndham respectfully request that the Shire investigate the possibility of relocating the proposed satellite dish to a site further away from residential areas. Ideally, a less populated or more remote location could help address community concerns while still meeting the technical requirements for NBN service provision. They would appreciate any information regarding alternative locations that have been considered and a chance for community input in the decision-making process. I have been contacted by a community member of Wyndham regarding this issue.

Kind Regards,

27 JUL 2026

SUBMISSION 4

Re: Objection to Proposed Telecommunications Infrastructure – 34 Durack Road, Wyndham

To Whom It May Concern,

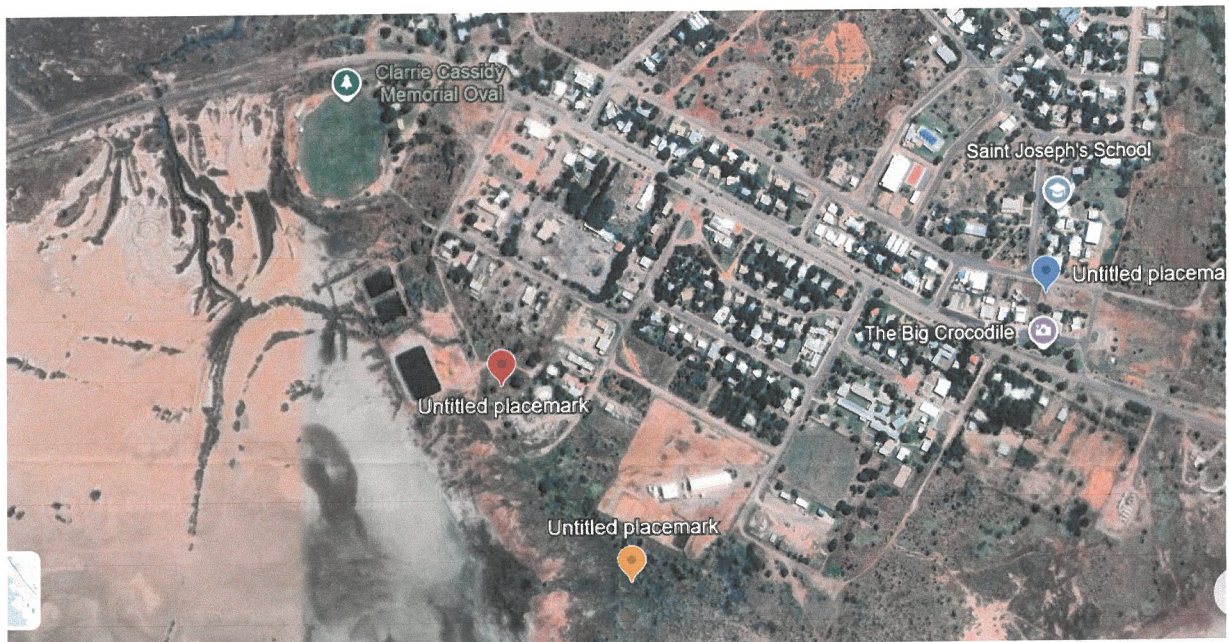
I support improving telecommunications in Wyndham. Reliable communications are important for residents, businesses, visitors and emergency services. My objection is **not** to better telecommunications, but to the location that has been chosen.

As someone who lives in Wyndham, I know the area's terrain, flooding, existing reception black spots and environmental values. I believe there are better locations that should have been properly assessed before selecting this site.

Site Selection

The Planning Report says an in-depth site selection process was carried out, but it doesn't explain which sites were considered or why they were rejected.

I would like to see a clear comparison of the proposed site with other locations, including Radio Hill and Anthon's Hill, or behind the shire depot.



Proposed site and alternative locations

Red proposed site, **Blue** town tower, **Yellow** behind shire depot, **Green** radio Hill

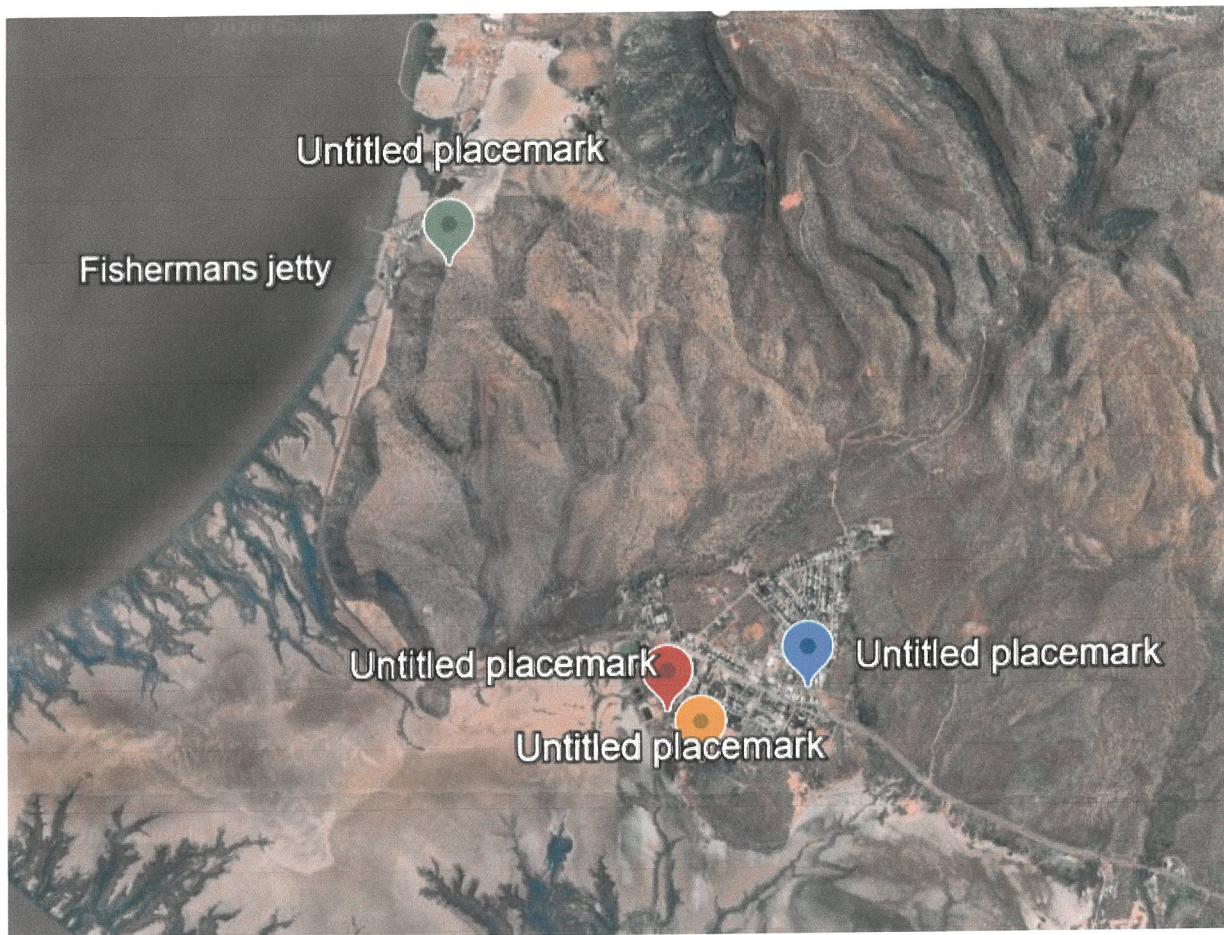
Existing Infrastructure

Radio Hill already contains telecommunications and broadcasting infrastructure.

I don't understand why an existing communications site couldn't be upgraded or shared instead of building a completely new facility closer to homes.

If Radio Hill was assessed, the applicant should explain why it wasn't suitable.

Wyndham Township; showing the proposed site, Radio Hill, Anthon's Hill and other identified locations.
Red proposed site, **Blue** town tower, **Yellow** behind shire depot, **Green** radio Hill



If existing infrastructure such as Radio Hill could provide the required service through co-location or upgrading, why is constructing an entirely new telecommunications facility considered the most efficient and appropriate use of project funding?

Telecommunications Coverage

Anyone who lives in Wyndham knows there are existing black spots because of the hills around town.

From my own experience, I regularly lose reception in **Dulverton Street** and along **Port Road heading towards the Port and Gully area**.

Because the proposed tower appears to be on lower ground, I question whether it will improve coverage in these areas.

The Planning Report says the proposed site will provide the required coverage, but no coverage maps have been provided to support this.

Flood Risk

I am concerned the proposed site borders a flood-prone area.

Access for maintenance is via a small creek crossing that floods during the wet season. If technicians can't reach the site when repairs are needed, it could affect the reliability of an important piece of infrastructure.

Higher locations with better all-weather access should be considered.

Environmental Concerns

The wastewater ponds nearby are regularly used by many bird species, including migratory birds.

I also understand biodiversity studies are still being carried out on the birdlife around the wastewater ponds, including Gouldian Finches.

these studies aren't completed, I don't think it's possible to fully understand the environmental impacts of the proposal.

(Insert photos of wastewater ponds and birds if you have them.)

Community Consultation

I don't believe the community had a genuine opportunity to provide local knowledge before this site was selected.

Surveying and technical investigations are not the same as community consultation.

Residents only became aware of the proposal about a month ago, after much of the planning work appeared to have already been completed.

Local knowledge about flooding, black spots, bird habitat and alternative locations should have been considered much earlier.

Conclusion

I support better telecommunications for Wyndham, but I don't believe it has been shown that this is the best location.

- An explanation of why existing telecommunications infrastructure could not be upgraded or shared;
- radio coverage maps showing how the proposal improves existing black spots;
- the results of the biodiversity studies;
- an explanation of flood risk and wet-season access; and
- evidence that the community's local knowledge has been properly considered.

Thank you for considering my submission.

Yours faithfully,

29/07/2020

SUBMISSION 5

Re: Objection to Proposed Telecommunications Infrastructure – Wyndham

Chief Executive Officer Shire of East Kimberley,

I wish to formally object to the proposed telecommunications tower at the nominated site in Wyndham.

As a resident, small business owner and neighbour of the proposed site, I support improving telecommunications for our community. My objection is not to improved communications, but to the location chosen for this development.

Like many residents, I was required to transition from my ADSL landline to wireless internet when the copper network was withdrawn. I always found my landline to be a reliable means of communication, particularly during power outages and severe weather. Modern telecommunications rely heavily on electricity, and when power is lost, internet and wireless communications can also be disrupted. In a remote community like Wyndham, this can significantly reduce our ability to communicate with family, customers, suppliers, emergency services and the outside world.

As a small business owner, reliable communications are essential. Businesses depend on mobile phones, internet services, EFTPOS, online banking, ordering supplies and communicating with customers. Any new telecommunications infrastructure should improve not only internet speeds but also the reliability and resilience of communications during emergencies and extended power outages.

Wyndham has relied on NBN Sky Muster satellite services since approximately 2015 because the town was not included in the fixed-line NBN rollout. More recently, many residents, businesses and travellers have adopted Starlink to obtain more reliable internet services. This demonstrates the need for improved telecommunications, and I fully support that objective.

My concern is that the proposed site appears to have been selected because it offers convenient access and existing power services rather than because it represents the best long-term location for Wyndham. While I understand these practical considerations are important, I am concerned they may have been given greater weight than environmental values, flood risk, visual impact and the opportunity to make use of existing communications infrastructure.

Existing communications facilities already operate successfully at Radio Hill. Other elevated locations, including the area behind the Shire Depot, may also warrant consideration. In addition, the Bureau of Meteorology weather radar on Bastion Hill and the established communications infrastructure at Radio Hill demonstrate that elevated locations around Wyndham have long been recognised as suitable for communications infrastructure. Considering that the land site has been given by the government, has a major decision of the site.

I believe the community deserves a clear explanation of the site selection process.

- Whether Radio Hill and other elevated sites were assessed.
- Why those locations were rejected, if they were considered.
- Whether existing infrastructure could be upgraded or shared.
- Why the proposed site was selected despite its proximity to homes and its location within a flood-prone area.

Without this information, it is difficult for the community to be confident that the most appropriate site has been chosen.

I am also concerned about constructing a new telecommunications facility when suitable infrastructure may already exist. Upgrading or sharing existing facilities could reduce construction impacts, avoid unnecessary duplication, minimise costs and better preserve the visual character of Wyndham.

The proposed site is also located close to the Wyndham wastewater ponds, which provide important habitat for native and migratory bird species. Bird surveys in this area are still underway, and many residents regularly observe abundant birdlife, particularly during the wet season when migratory species visit the wetlands. I believe these environmental values should be fully considered before a final decision is made.

Finally, I feel the community has not been genuinely involved in the planning of this project. Many residents only became aware of the proposal approximately one month ago, despite surveying and other preliminary work already having taken place. This has created the impression that the preferred site had largely been selected before the community had the opportunity to provide meaningful input.

I am not a planner, engineer or environmental specialist. I can only provide my observations as a resident and small business owner who lives in Wyndham, understands the local environment and wants to see this important investment deliver the best long-term outcome for our community.

Thank you for taking the time to consider my submission.

Yours faithfully,

From

SUBMISSION 6

To
The Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA
6743
mail@swek.wa.gov.au

Formal objection to Development Application

Application Number# DP 209771
Location: 34 Durack Road Wyndham WA 6740. Lot 1252
Proposed Development: Telecommunications Infrastructure (NBN , 4G/5G)

Dear Chief Executive Officer

We are writing to formally lodge an objection regarding the proposed installation of a 40m telecommunications tower and associated infrastructure at 34 Durack Road Wyndham. As a ratepayer in the Shire of Wyndham East Kimberley and an adjoining landowner to this proposal at 7 Kimberley Street Wyndham, we are requesting that the Planning Services Team and the Council, take the following valid planning objections into consideration when evaluating the appropriateness of this site. We strongly oppose this proposal based on the following material planning and community impacts.

Site Candidates

The criteria used by the Council Planning Officer to readily discount candidate sites A,B,C & D was unfairly applied to candidate site F.

These sites were rejected by the Planning Officer due to their proximity to residential uses. In doing so the Planning Officer has implied that there are no residential uses close to Candidate F.

Whereas in fact Site F is surrounded by residential uses, with my property being within 50m of the proposed development.

NBN Co also used misleading information in their Development Application (section 8 Conclusion) that the proposed candidate site F is well separated from dwellings and community uses within the township.

This statement is clearly untrue when in fact my property at Lot 1247 Durack Road Wyndham is adjoining to the proposed development.

NBN Co also states in section 3.3.3 that their preferred site Candidate F is surrounded by industrial land uses and therefore away from residential and community uses.

My Lot in particular is zoned Industrial/residential use.

These statements made in their Development Application are clearly untrue and designed to be deliberately misleading.

NBN Co selected a total of 8 potential Candidate Sites

Sites A,B,C,D,E,F,G & K

As previously discussed candidate sites A, B,C & D were discounted because they were not supported by the Council Planning Officer.

Site E was discounted as the owner did not respond to their correspondence.

Site K 10 Coverley Street Wyndham was discounted by NBN Co themselves, as it adjoins the Wyndham District High School and was discounted due to the potential community opposition.

Why was this site even explored if ultimately this was going to be their reasoning for rejection.

Why wasn't the same consideration given to Site F as it also has community objections by adjoining land holders (which are much closer to the proposed development) with the distance being far greater from Site K to the High School. It is also interesting to note that NBN Co did not even consider selecting sites immediately adjoining Site K that would of been even further away from the High School.

Site G was always going to be discounted as the existing Telco tower is only 22.9m high. So this only leaves Site F as the only suitable site left according to NBN Co's Development Application.

Site F has received considerable bias in its selection as the preferred site.

This bias was made perfectly obvious this morning 30/07/25 on ABC Kimberley radio program on the Vanessa's Mills program.

A spokesman for NBN Co stated that a major reason Site F was chosen, was because of its collaboration with SWEK.

It appears obvious now why the previous Planning Officer did not apply the same consideration to Candidate Site F as NBN had already received informal support for development on site from the Shire as stated in the Development Application .

It appears that SWEK has chosen to work with and for NBN and not on behalf of of the ratepayers of Wyndham.

It clearly states in the Development Application (Site Selection Parameters) that generally speaking , new sites must be located within or immediately adjacent to the identified search area. These parameters still leaves a broad area by NBN Co for consideration, but because the previous Shire Planner has failed to identify,recognise that Site F was in fact boarded by residential uses it paved the way for this particular site to become NBN Co preferred site. The ordinary June 2025 council supports this statement when council voted 9/0 in agreeing to excise Shire Land for the express purpose of a Telecommunications Tower being constructed on this site.

Councillor Scott Timms when asked as a resident of Wyndham, why he voted and supported this motion, the reply is very alarming.

He stated to myself that he thought,understood that it was the Water Corporation land, that is located away from residential uses.

This begs the question of whether or not the Councillors, when voting on that night,were given appropriate information.

Section 4 Subject Site & Surrounds

It clearly states that part of NBN Co reasoning for choosing Site F was that power was available. Power was not available on this site until NBN Co commissioned Horizon Power to install power to this site (with the help of Shire resources and personnel).

By doing this they have breached the Department of Planning,Lands and Heritage endorsement of the Development Application on Reserve 33852 Wyndham.

It clearly states that in there conditions, that no development is to be undertaken on the subject land by NBN Co or any associated parties until appropriate tenure has been granted and the Development application has been formally approved.

By breaching this condition NBN Co and The Wyndham Shire of East Kimberley (by there involvement in connecting power) have invalidated the statutory public consultation framework and strips local residents of there legal right to an open, fair and unbiased planning decisions.

Visual Impacts

In the development application in section 6.3.2 states that this proposal will have minimal visual impact, because the Monopole (the equivalent height of a 12 story building) will be located on land well separte to dwellings and community uses.

This statement is untrue as there are residential uses adjacent to this proposal and it has been demonstrated previously that some are as close as 50m from the development.

The properties that adjoin the proposed monopole are uniquely situated to enjoy uninterrupted views of the spectacular Cockburn Ranges, which are currently under consideration for World Heritage listing.

Not withstanding this the Telecommunications Tower would be clearly visible from Wyndham's Five Rivers Lookout, which is a world recognised viewing location.

Likely Impacts

Bush fire Risk Section 7.4

NBN Co clearly states that the proposed site is not in a Bush fire area. This statement is also untrue given as recently as three weeks ago a bush fire started on the adjoining land to 34 Durack Road Wyndham and destroyed the premises on Lot 1260 Kimberley Street Wyndham. Given the potential and proven fire risks of telecommunication towers as they pose recognised fire hazards due to their combination of high powered electrical equipment, lithium-ion backup batteries and densely packed electronics. Electrical mal functions are among the most frequently documented causes of tower related fires worldwide.

Public Interest Section 7.3

NBN Co state that the proposed NBN facility is expected to have significant benefits for residents and businesses in Wyndham.

This statement is not factually correct as the township of Wyndham is mostly made up of Low Social economic families who wouldn't be using this service and the rise in popularity of Star Link by those users that can afford it, the facility will have minimal benefits for residents.

Flooding Section 7.5

The proposed site is to be located in an area that may be subject to flooding. For this reason NBN Co has proposed equipment to be placed on a raised platform. This is concerning as the proposed height of the tower will end up being higher (from ground level) and thus further impacting on the tower's visual impact.

Public Safety Section 7.12

NBN Co state that the NBN Network operates within the operational standards set by ACMA and ARPANSA.

This statement fails to acknowledge the numerous scientific studies disputing this. Radio Frequency (RF) sickness is real, it has been proven to have three harmful effects on Humans. RF Sickness, cancer and changes to a person's bio chemical parameters. As adjoining residents we have serious concerns of the continuous 24/7 effects that this Electromagnetic Emissions will have on our health

We are also concerned of the direct correlation between EME and asbestos disease.

There are many comparisons with the way in which both industry and governments dealt with documented evidence of clinical harm from asbestos that existed for over 30 years before the Health and Safety Standards were adjusted accordingly.

In addition as new technologies carriers and antenna sectors are added , which's common, the total RF radiation output increases significantly.

It is noted in the Development application that the technology on site would be NBN and 4G/5G

Alternative Sites Consultation

There has been insufficient or I should say no consultation with impacted nearby residents, either by NBN or SWEK .

We believe alternative less intrusive locations further away from residential dwellings, have not been thoroughly or transparently explored. (in particular Candidate Site K)

Setback Distances

The proposed setback distances from the Towers boundary to adjacent properties are inadequate within 40m in some instances. The current footprint will dominate the immediate surroundings.

Property Values

The building of this NBN telecommunications tower will significantly decrease the property value of my home according to both real estate professionals and published analysis. The stigma associated with telecommunication towers directly translates into lower demand and diminished marketability.

Conclusion
Section 8

NBN states that the proposed facility site that they have chosen is clustered with similar uses. This statement is untrue and misleading as there is only one small Water Treatment Facility located in this area, where in fact the facility is located on a separate site altogether on Lot 1251.

For the planning reasons outlined above and given these serious concerns, we request that the planning authority (SWEK) to refuse the Development Application for this specific site location and request that the applicant NBN Co re-site the infrastructure to a less sensitive low impact area, well away from residential dwellings.

I look forward to receiving written confirmation of receipt of this objection and being notified of any upcoming public meetings, council Meetings, agendas or determinations regarding this application.

Yours Sincerely

SUBMISSION 7

Date: 30 July 2026

To:

The Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Sent via email: mail@swek.wa.gov.au

Subject: Formal Submission – Objection to Proposed Telecommunications Infrastructure (NBN Tower) at Lot 1252 (34) Durack Road Reserve 33852, Wyndham

Dear Chief Executive Officer,

I am writing to lodge my formal objection to the development application for the proposed 40-meter telecommunications monopole at Lot 1252 (34) Durack Road, Wyndham.

As the resident/owner of **9 Kimberley Street, Wyndham**, my property directly connects to this land. The proposed 40-meter heavy infrastructure tower is slated to sit a mere **60 metres from dwellings**, which represents an entirely inappropriate planning outcome for my immediate living environment. While I support the provision of reliable digital connectivity for the region, I request that the Shire refuse this application in its current form based on the selection of this specific site, the environmental degradation already caused, and the highly compromised nature of this public consultation process. I strongly object to the proposed telecommunications infrastructure being permanently located on this land based on the following valid planning grounds:

1. Apparent Pre-Determination Bias and Procedural Unfairness

This public consultation process has been severely compromised. While the community is being invited to comment on whether this development should proceed, physical works have already actively commenced on-site.

The Shire has actively cooperated with Horizon Power to clear native trees, execute earthworks, install a heavy vehicle access track, and establish a live electrical connection pillar explicitly for this facility. Conducting site-preparation works for a specific commercial carrier while a public comment window is open demonstrates clear administrative pre-determination bias. The statutory right of community members to a fair, neutral consultation under the *Planning and Development Act 2005* has been undermined.

2. Environmental and Landscape Degradation

The preliminary works on Reserve 33852 have already caused localized environmental damage. The removal of established trees and the clearing of a dirt access track have degraded the local natural landscape and disrupted local flora. Erecting a massive, freestanding industrial monopole on top of this cleared footprint will create an ongoing, permanent visual blight that is incompatible with the surrounding landscape.

3. Land-Use Conflict (Incompatible Infrastructure)

Reserve 33852 is a Crown reserve explicitly gazetted and vested for the purpose of a **"Water Supply"**, directly adjacent to the Wyndham wastewater treatment facility. Introducing a major commercial telecommunications asset onto a restricted utilities reserve introduces unnecessary land-use conflicts. The Shire and the Department of Planning, Lands and Heritage should prioritize alternative, cleared industrial or commercial parcels that do not require stripping a water-management reserve or clearing native vegetation.

4. Severe Visual Dominance and Impact on My Residential Amenity

A 40-meter monopole situated only 60 metres from homes will exert an overwhelming and oppressive visual presence over my property at 9 Kimberley Street. The extreme height differential between a 40-meter industrial structure and standard single-storey residential dwellings fails to provide any reasonable scale transition. Because my property connects directly to this land, this tower will completely dominate my immediate skyline, severely damaging the visual amenity, open outlook, and quiet enjoyment I experience from my primary living spaces and outdoor areas.

I strongly challenge the applicant's assertion in their planning documentation that this project yields "no significant impact" on the surrounding area. A 40-metre structure is equivalent in height to a **12-to-13-story** building. Placing an industrial asset of this scale in immediate proximity to occupied, low-rise residential homes represent an unacceptable planning outcome.

The applicant's claim of "no significant impact" is fundamentally misleading regarding visual bulk.

- At less than 100 metres from our primary living areas and bedrooms, a 40-metre tower will visually dominate our immediate skyline.
- The sheer vertical scale of the structure is completely out of character with the existing low-rise residential environment and treetops.
- The proposal directly breaches Council's planning scheme objectives relating to the preservation of local amenity, neighbourhood character, and the requirement for infrastructure to integrate sensitively into its built environment.

5. Misleading Characterisation of Community Impact

- The public consultation and notification materials provided by the proponent downplayed the true visual and structural reality of this project. Characterising a major 12-story equivalent industrial asset as having a "negligible" or "non-significant" footprint on immediate neighbours is deceptive. This approach has prejudiced the local community's ability to engage in fair, fully informed consultation.

6. Technical Contradiction in Site Selection

While we acknowledge the applicant's submission of Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) compliance data, their reliance on this data introduces a mathematical contradiction. If the facility operates within highly flexible, long-range signal propagation thresholds as claimed, the tower can safely be relocated several hundred metres further away into a non-residential zone without compromising the integrity of the broader network rollout.

The current proposal prioritizes commercial convenience over the basic planning protections afforded to local residents. The assertion of "no significant impact" is a clear misrepresentation of how a 40-metre industrial tower affects human-scale residential living.

7. Inappropriate Industrial Incursion onto Bordering Residential Land

Placing a commercial utility tower of this magnitude 60 metres from residential doorsteps effectively introduces a heavy industrial footprint right against my boundary. This directly conflicts with the broader objectives of the Shire's Local Planning Scheme No. 9, which seeks to protect the character, lifestyle, and amenity of residential areas from incompatible, visually intrusive, and overbearing utilities. The current proposal prioritizes network convenience over the basic amenity rights of the surrounding residents who live on and connect to this land. A 60-metre setback from homes for a structure of this height is entirely insufficient

8. Non-Compliance with Siting Principles of State Planning Policy 5.2 (SPP 5.2)

Section 5.1 of Western Australia's State Planning Policy 5.2 explicitly requires that telecommunications infrastructure be designed and sited to minimize its visual impact on adjacent land and the local environment. Proposing a massive infrastructure footprint just 60 metres from existing homes demonstrates a clear failure to adhere to this principle.

9. Incompatibility with Surrounding Land Use and Economic Value

The East Kimberley region relies heavily on its unique, uninterrupted natural vistas for rural lifestyle appeal and local tourism economies. Introducing a massive, highly visible industrial monopole directly adjacent to a residential property compromises the established, orderly use of the land. Clearly incompatible with surrounding land use and economical value.

In regional and rural zones, a 60-metre setback from an established residential dwelling is entirely inadequate for infrastructure of this scale. Such a tight proximity forces a heavy industrial utility directly into the immediate living zone of a sensitive receptor. The proposal fails to maintain a reasonable buffer to protect the existing rural lifestyle and amenity that residents in this zone reasonably expect

10. Failure to Demonstrate Exhaustive Co-Location and Alternative Site Analysis

Under federal and state telecommunications planning frameworks, the construction of a brand-new free-standing tower must be treated as a last resort.

- The applicant has failed to provide transparent, verifiable technical evidence proving that co-location on existing infrastructure within the region is impossible.

Furthermore, the applicant has not demonstrated why this infrastructure cannot be situated in more appropriate, less sensitive zones (such as commercial transport corridors, or larger reserves) situated well beyond 100 metres from occupied family homes

. NBN Co has not demonstrated that alternative, less intrusive sites further away from residential boundaries were exhaustively pursued.

. Given the vast, open nature of the regional topography in the Wyndham area, there is no critical technical justification forcing this infrastructure to sit within 60 metres of a residential home. The applicant should be directed to investigate alternative placements such as shifting the tower further along pastoral boundaries, utilizing local hill crests, or co-locating on existing infrastructure where identical network coverage can be achieved without destroying residential amenity.

The existing Telstra site rejected for height reasons. The remaining sites were found to be not suitable exactly for the reasons I have communicated in this document and were rejected.

Had the proposed site been subject to the same suitability criteria as the others then it would be rejected. In fact, of all the locations, the proposed site by far is the closest to occupied dwellings, yet the proponent refuses to acknowledge this in its document. It states that the land is surrounded by industrial land uses and is therefore away from residential & community uses. It goes on to state that the lot is within the infrastructure reserve site and well separated to dwellings and community uses.

The proponents' statements are false and misleading, so much so they can only be intentional.

Professional consultants compiling a biased unbalanced untruthful report to council for judgement is

disgraceful and should be called out. The Shire should be concerned about the misleading behaviour and demand a new balanced, accurate and truthful report. The tabled report has omitted any even slightly negative issues, has in places misled and demonstrated belligerence in not recognising the fact that there are families living close by, factually incorrect. Indeed, the shire would know this had **due diligence** taken place.

The applicant has demonstrated inadequate investigation of alternate sites, and that alternate sites were not necessary as it had informal support from the **Shires council property team** for this site.

Clearly there are several alternate sites, for reasons unknown the Shire has early on (more than a year ago) sided with the NBN and informally approved their preferred site, the other sites were a formality that they readily dismissed. The proponent admits this by acknowledging most were not physically inspected, they were chosen from desktop.

There are several at least seven different operators with various types of towers in the Wyndham area. To my knowledge they are not posing any negative issue or problem to community or near any rate payer's land. How is it that these operators can operate and maintain their facilities for many years free from complaint and out of mind, where the proponent with its substantial resources cannot find a location outside of residential. Indeed, rather than relocate they have made an informed decision to manipulate their report in order get what they want. Arguably the Shire some time ago has sided with the company and agreed. Completely disregarding the community and connected landowner's, which according to the company are of little significance.

Is it plausible that a company the size of NBN cannot find suitable land in this vast expanse of Wyndham yet the other tower operators can, I think not.

For whom is the Shire representing I think is a fair question in this case. Have they forgotten their mandate and duty to serve and represent the community. Are they not there to make well informed decisions on behalf of the community and most of all do no harm.

NBN has agreed that there are several sites suitable to locate the tower with no adverse effect on the operation. It was the shires planning officer that rejected several sites. Therefore, it doesn't seem to be such a big problem if the shire were to reject this site as well. The NBN will just have to find a suitable site which it has done before. Why is it that a water reserve lot is chosen to locate a telecommunications tower which is totally incompatible infrastructure.

The town **deep sewage** runs through this block. The towns **storm water** drain borders the block. The block adjoins to landowners, same boundaries. How is this block remotely suitable for such a large construction? It Beggars belief given so may other sites do not have these problems. The NBN will work with no diminished capacity in other areas with no adverse effect to the community. Why is necessary to locate the tower on land that does have an adverse effect on the community and landowners. The community and certainly the landowners did not ask and indeed do not want the tower on this block of land.

Procedure Unfairness

- . The unprofessional conduct of the shire in this matter is at odds with community expectations.
- . The council voted on information provided by the proponent that is incorrect & misleading
- . The land in question in the report is classified as infrastructure services purposes, incorrect
- . The land is classified **water reserve** and is in special control area-infrastructure- SCA3
- . Page 22 of report blue pointer indicator to proposed site is pointing to the **wrong land**
- . The report does not acknowledge occupied **dwellings** nearby
- . The reports failings & omissions noted in this document can hardly fully inform
- . The technical nature of the report could not be understood by unskilled or unfamiliar personnel
- . The initial vote was 9-0 in favour, who explained & fully informed the voters
- . A current councillor was asked about this vote, admitting that they voted on a block behind the water authority, when informed that was not the case & informed of the actual block, they admitted not knowing the location & were under the impression they were voting on a block some 700 meters away.
- . The **integrity** of the vote must be in question
- . Clearly ill-informed voting on such a substantial construction, what went on at that meeting, how many others were confused about location, why were there no questions asked on rate payers' behalf.
- . Is this representative of being fully informed, voting on large projects, no understanding of documents, no experience or attention to detail, how does this serve the community.
- . The council, more so the executive has shown by there actions to have been pre-determined and biased in favour of the proponent from the beginning
- . Eager to accept a big corporation's proposal on their terms without question or due diligence
- . The proponent received **informal support** from the Shire council property team page 7 1.1
- . NBN have stated that site selection was primarily driven by the Shire with some collaboration
- . Unprofessional & intentionally biased, no representation or concern of the community
- . Having one year to devise a plan & giving the community two weeks to respond to such a massive and intrusive project, reprehensible unaccountable conduct
- . The question needs to be asked were the voters on the project **misinformed** or **disinformed**, or did everyone just vote yes following the leadership.
- . Aware that my points will be challenged & denied, what is clear is that not all will be, even if a percentage of my points prove to be accurate is enough to place doubt as to the procedural fairness of this decision, the question is that of intent.
- . Undisputable the Shire deployed its machinery & workers to assist Horizon Power in their installation contract for the NBN effectively admitting by actions, **Pre Determination**, corrupting the whole process. Unashamedly brazen and demonstrates confidence of the outcome.
- . The community & ratepayers deserve better, I'm sure on that we all agree

Conclusion

Unfortunate that such a positive outcome for the community has been unnecessarily manipulated into a divisive damaging issue. What could have been a win win for all has degenerated to a them and us. For this the shire must take some responsibility for the unprofessional & clearly belligerent way some of its leadership have conducted themselves & communicated with members of the community.

I put it to you that not all is lost, there is a way out.

Time for the shire to show some leadership & support for the community & rate payers. It is not beyond the Shire to deliver with actions an outcome that supports the community. The community do not want & did not ask for this tower to be constructed on this land, it is the shire that is pushing the site selection on behalf of the NBN.

Only the Shire are in favour of using this land no one in the community is in favour.

There is no shame in admitting the wrong decision was made at the time, now after consulting with the community we have listened and understand concerns. We understand that this tower when built is permanent, large and therefore requires a suitable location. The proposed location is not suitable, and we will endeavour to relocate to an appropriate location. The structure being too large to be collocated with houses.

You can show with actions that SWEK is a truly well-informed professional outfit that puts community first. Robust **Due Diligence** and **Integrity** at the centre of its decision making.

The current proposal prioritizes network convenience over the basic amenity rights of the surrounding residents who live on and connect to this land. A 60-metre setback from homes for a structure of this height is entirely insufficient.

I strongly urge the Shire of Wyndham East Kimberley to **refuse the application** in its current configuration and direct the applicant to relocate the tower to a site that maintains a respectful, appropriate distance from residential dwellings.

Thank you for considering this submission. I request to be kept informed of any council meetings, officer reports, or determinations made regarding this development application

For your consideration

Sincerely

As a sideline to this submission, I am requesting that the shire clean up and restore the block to a suitable condition so that the residents connected can maintain fire breaks and attend to fire hazard reduction readily. The condition the site was left in after the horizon power works makes it near impossible to manage, the block is prone to fire and burns every year. The dumped rubbish also needs to be removed as it too is in the way. Currently a breeding ground that houses many cats. Some assistance in this matter before the rain comes would be helpful. Cannot access after rain to boggy. Over the years and including most recently it has been the shire earthworks and the way they left it that is causing the problem.