



# Statement of Environmental Effects

## Development Consent for upgrades to a Telecommunications Facility

**Address:**

Lot 108 DP1142079  
14 - 16 Morris St  
GILGANDRA NSW 2827

**Project Reference: Site ID & Name**

**RFNSA Reference: 2827006**

**Prepared for Submission to:**

**Gilgandra Shire Council**

**November 2025**



TECHNOLOGY & INFRASTRUCTURE

## Document Controls

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Prepared on behalf of	Prepared By
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## Executive Summary

<b>Site Information</b>	<p><b>Lot description:</b> 108 / DP1142079</p> <p><b>Address:</b> 14-16 MORRIS STREET GILGANDRA NSW 2827</p> <p><b>Coordinates:</b> -31.71076   148.6681</p>
<b>Proposal</b>	<p>CPS Technology &amp; Infrastructure Pty Ltd are seeking development consent for an upgrade to a Telecommunications Facility at 14 - 16 Morris St Gilgandra NSW 2827</p> <p>The proposed upgrade will be owned by the Optus and host Optus telecommunications equipment. The facility will provide Optus 4G and 5G services to Gilgandra.</p> <p>The proposal involves:</p> <ul style="list-style-type: none"> <li>Replacing three (3) existing panel antennas with three (3) new panel antennas (each no longer than 2.8m in length)</li> <li>Installing five (5) radio remote units (RRUs)</li> <li>Removing redundant ancillary equipment and installing new ancillary equipment associated with operation and safety of the facility, including but not limited to remote radio units, cabling and GPS antenna</li> <li>The strengthening of the lattice tower structure to ensure structural adequacy for the new equipment</li> </ul> <p>The strengthening of the lattice tower structure will be accomplished through the strategic integration of cross-bracing, reinforced joint connections, and an expanded base foundation. These enhancements collectively improve the tower's resistance to lateral loads, increase overall structural stability, and ensure efficient load distribution along its vertical profile. The primary objective of the upgrade is to improve mobile network performance in the area by enabling access to enhanced 5G technology.</p> <p>The antennas will be finished in a non-reflective pale grey, and the cabinet will be finished in a non-reflective pale eucalypt. The proposal will not increase the overall height of the existing facility, and strengthening does not extent to the top of the existing tower.</p>
<b>Purpose</b>	<p>Optus Mobile Pty Ltd are proposing to upgrade its existing telecommunications facility at Gilgandra. The new facility will provide improved Optus 4G and 5G services to the community, businesses, emergency services, and visitors within Gilgandra and the surrounding areas, forming an integral part of Optus 4G and 5G mobile telecommunications network.</p>
<b>Planning Considerations</b>	<p><b>LGA:</b> Gilgandra Shire Council</p> <p><b>LEP:</b> Gilgandra Local Environmental Plan 2011</p> <p><b>Zoning:</b> E1 - Local Centre</p> <p><b>Overlays:</b> Gilgandra Conservation Area Significance: Local 5.10 Heritage conservation</p>

# **1 Introduction**

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## **1.1 Background Information**

This development application has been prepared and submitted by CPS Technology & Infrastructure on behalf of Optus. CPS has been engaged by the Carrier to provide property, planning, and project management services for acquiring tenure, designing, and constructing suitable sites for the installation of the mobile network base station. As Optus consultants, CPS is authorised to oversee the environmental assessment of identified sites and apply for necessary planning approvals for the upgrade of the existing telecommunications facility.

Optus operates as a licensed carrier in accordance with the Telecommunications Act 1997 ("Telecommunications Act"). Over time, Optus has evolved into one of Australia's leading telecommunications companies. With coverage extending to 98.5% of the Australian population, Optus holds the position of the second-largest mobile network provider in Australia. Beyond this, Optus has established a 5G network accessible in major cities and some regional area. As a significant player in the Australian telecommunications landscape, Optus remains steadfast in its commitment to offering exceptional services to its customers. Its dedication to innovation underscores its continuous quest for enhancing service quality, exploring new ways for improvement, and continuously expanding and enhancing its 5G coverage.

The existing facility consists of a 30.5 metre ambulance service lattice tower etc designed to accommodate Optus telecommunications antennas and equipment. The project aims to significantly enhance mobile telecommunications services, including coverage and network capacity, within the Gilgandra area. This is to be accomplished by placing additional equipment on the facility at the existing height of 14m and 16m, reconfiguring equipment on and within the existing outdoor units, and strengthening the existing lattice tower up to a height of approximately 25m. This Environmental Effects Statement evaluates the proposal's alignment with relevant planning regulations.

Notably, the proposed works are compliant with the requirements of the State Environmental Planning Policy (Transport and Infrastructure) 2021, with the exception of the strengthening of the existing tower.

## **1.2 Facility's Purpose**

This proposal is to upgrade the existing lattice tower with additional equipment to provide additional coverage and capacity to existing and incoming residents, businesses and visitors to Gilgandra and surrounding areas. Optus has identified issues with network performance and capacity in this area. There are currently no other mobile phone base stations within operation in the immediate area.

The existing telecommunications infrastructure in the surrounding suburbs is insufficient to adequately meet the demands being placed on the network. These issues are exacerbated by increased development, as well as general trends of increasing network usage. Optus have identified that an upgrade to this base station is required specifically to service this area while dealing with all the site constraints imposed by the development of the surrounding area.

## **1.3 Public Interest Consideration**

In today's ever-changing digital world, mobile telecommunications have become incredibly important in the lives of Australians. Some key facts and trends highlighted below aim to show just how essential mobile phones and data have become in our modern society.

A whopping 99% of Australians are actively using mobile phones, and an impressive 76% have completely ditched traditional landlines in Favor of mobiles. This widespread use of handheld devices really underscores how vital they are for staying connected.

What's more, the appetite for mobile data is growing at an astonishing rate. Between 2020 and 2021, data consumption shot up by more than 29%, and in the first quarter of 2022, there was a remarkable 40% increase globally. This surge is largely due to the popularity of streaming and video calls.

The COVID-19 pandemic has brought significant changes to the way Australians work and live. In 2021, 61% of employed Australians embraced remote work, which has not only transformed our lifestyles but has also made us even more reliant on mobile networks.

But it's not just about convenience. Mobile coverage is crucial for public safety, with nearly 78% of emergency calls coming from mobile phones in 2021. This highlights how important it is to have a strong mobile infrastructure in place.

Now, more than ever, mobile telecommunications are a lifeline, and that's why mobile base stations are so vital. It's imperative that we ensure this infrastructure keeps up with the growing demand.

The installation of new mobile phone base stations has both social and economic impacts. On the social side, it boosts connectivity, benefiting residents, businesses, and visitors by improving communication and access to emergency services. This is especially crucial for online education and telehealth services. On the economic front, businesses benefit from increased productivity thanks to reliable connectivity, which enables smooth communication, online transactions, and remote work. The installation process also creates short-term economic opportunities, generating jobs for contractors, suppliers, and laborers. Plus, having a mobile station can attract investment, particularly from businesses that depend on good connectivity. All in all, a new base station has the potential to enhance the quality of life and economic prospects of a community.

Ensuring that the Gilgandra community enjoys dependable telecommunications services remains a top priority, especially as the use of mobile devices continues to surge.



## **2 Site Selection Process**

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Optus has conducted a thorough site selection process for the proposed upgrade, including the evaluation of alternative candidates.

Before suggesting the establishment of a new mobile phone base station, mobile carriers will strive to address service-related issues by reconfiguration or upgrade of their existing base stations. If these upgrades fail to satisfactorily address the concerns, the carrier will investigate the possibility of co-locating on existing mobile facilities, buildings, or other structures.

In this circumstance Optus confirms that the site location represents the optimal strategic opportunity for network enhancement through an upgrade to the existing structure and equipment.

Consistent with Optus's commitment to sustainable infrastructure development and minimising community impact Optus has prioritised a solution that avoids the disruptive deployment of a new Greenfield facility.

Instead, Optus's strategy focuses on strengthening the existing lattice tower at this site. This solution provides the requisite structural capacity to accommodate the necessary next generation equipment enabling Optus to significantly boost both coverage and capacity in the area. This approach leverages existing infrastructure ensuring enhanced mobile services without adding new vertical assets to the landscape.

### **2.1 Co-location Opportunities**

All carriers are required by the Telecommunications Act 1997 and the State Environmental Planning Policy (Transport and Infrastructure) 2021 to prioritise consideration for co-location and the upgrade of existing facilities.

The figure below displays the positions of existing facilities in the vicinity of this proposed site, based on data sourced from the Radio Frequency National Site Archive database ([www.rfnsa.com.au](http://www.rfnsa.com.au)). None of the existing sites in the vicinity are appropriate for co-location.



Figure 1: Existing telecommunications sites in the area (Source: Google Earth, 2025)

Existing Telecommunications Facilities		
RFNSA Details	Site Address	Comments
2827011 Telstra	76 Wamboin Street GILGANDRA NSW 2827  1/-/DP866465	The location is transitioning from an existing rooftop 4G installation to a proposed 4G/5G monopole, which is yet to be constructed. At present, no supporting structure exists on the site, and the site is not as well located as the existing one to provide for the needs of the Optus network, nor does it include all elements required to allow for co-location by Optus such as Optus fibre, existing outdoor units, etc.

## 2.2 Evaluation of Alternative Sites

A thorough investigation of potential candidates has been conducted, adopting a precautionary approach to site selection as outlined in sections 4.1 of the C564:2025 Mobile Base Station Deployment Code.

The assessment of each site's suitability involves several factors, such as compliance with environmental regulations, potential for co-location, engineering and construction feasibility, minimal environmental impact, visual aesthetics preservation, topographical constraints, occupational health and safety, meeting radio frequency coverage goals, and securing property tenure.

Following this comprehensive assessment, the existing site was identified as the best option for providing enhanced services to the area.



Upgrading the existing structure is the most optimal and least visually intrusive solution for delivering essential telecommunication connectivity in the area. Critically, as this proposal is for the upgrade to an existing facility, the mandatory requirement for seeking and evaluating alternative sites is not applicable and therefore unnecessary.

The decision to not pursue co-location on alternative opportunities stems from two key factors: the unsuitability of neighbouring sites concerning high requirements for necessary line-of-sight coverage, and the imperative to minimise new infrastructure construction in line with responsible principles.

The selected existing structure is demonstrably the highest existing built element within the immediate vicinity and surrounding area, offering a superior radiofrequency environment.

By utilising this strategic pre-existing asset, we ensured maximal network performance and robust connectivity for the community while simultaneously adhering to the council's mandate for infrastructure efficiency and visual amenity preservation.

### **2.3 Selected Preferred Candidate**

Following Optus's site selection process, the candidate involving structural reinforcement of the existing lattice tower at 14 – 16 Morris St Gilgandra 2827 was chosen as the most suitable site for the following reasons:

- The location will allow for the existing Optus network coverage within the area of Gilgandra to be enhanced.
- The site meets design and construction criteria.
- The proposal adheres to the regulatory framework set forth by Commonwealth, State, and Local Government authorities, being entirely TISEPP compliant with the exception of the proposed strengthening
- The proposed upgrade will not have a detrimental impact to the objectives of the zone.
- The upgrade of the existing lattice tower will have a minimal additional impact on the character and setting of the residential area.
- Secure land tenure for this location is attainable.

### 3 Site Description and Environmental Context

#### 3.1 Detailed Site Context

The proposal involves an upgrade of the existing telecommunications facility at 14-16 Morris Street, Gilgandra 2827.

The site is located within the Gilgandra Local Government area situated in the Orana region of the central West region of NSW. The site is geographically positioned at the vital junction of three major inland transport routes the Newell Oxley and Castlereagh Highways establishing Gilgandra as a critical regional logistics and service centre. The area is characterised by a broad, flat topography and wide-open country, situated within an encompassing agricultural community.

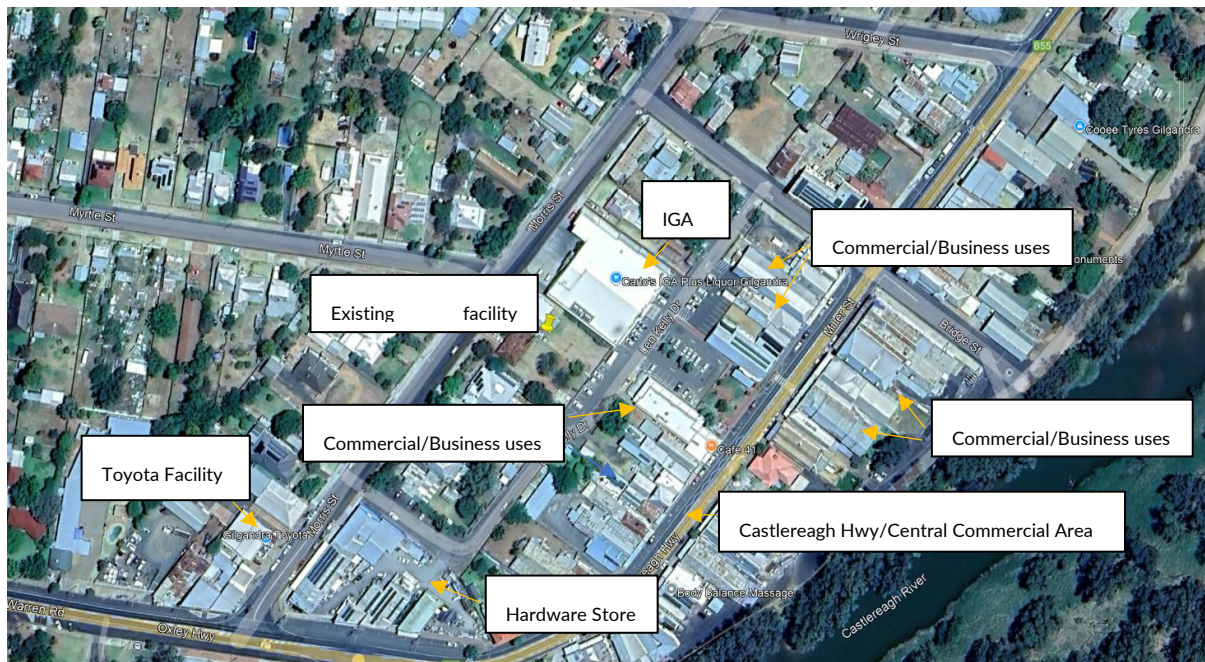
The existing structure is located within the main township, a locality that transitions between town services and residential area. The site fronts Moore Street a local street within the main urban grid which is well connected to the main arterial roads. The lot being in an E1 - Local Centre hosts an ambulance station, the immediate surrounds are typically made up of mixed uses and commercial facilities. Beyond the residential area there is an immediate transition into rural zones and primary production. The land beyond the towns built up area is characterised by vast agricultural landscape primarily used for cropping and livestock grazing which stretches across the flat plains of the Gilgandra shire.

The nearest waterway is the Castlereagh River located approximately 215m to the south-east of the proposed upgrade.



Figure 2: Aerial view of the surrounding locality (Source: Google Earth, 2025)





**Figure 3:** Aerial imagery showing the existing facility location as well as key features and site locations within the vicinity (Source: Google Earth, 2025)



**Figure 4:** View from facility facing East



**Figure 5:** View from facility facing West

The subject sites is an established NSW ambulance facility that also accommodates an existing lattice tower within a secure compound. The lot is approximately 2171 square metres generally flat rectangular in shape and free of significant vegetation with direct frontage to Morris St and adequate separation from adjoining residential drawings. According to the Gilgandra Local Environmental Plan 2011, the site is classified as E1- Local Centre and an area of local heritage significance with surrounding land use is predominantly comprising of low density residential and commercial development and local road networks rather than major arterial roads. The existing tower has been in place for years and is visually familiar within the streetscape. The structural strengthening works will be entirely within the existing tower envelope. The works are to improve safety structural integrity and service continuity for both emergency communications and carrier infrastructure while ensuring the required additional strengthening does not excessively impact the heritage significance beyond the existing build form. The compound location setbacks and established operational use remain unchanged and the proposal avoids the need for full tower replacement.

### 3.2 Visual context

The proposed works are the upgrading of an established telecommunications facility making it the most appropriate and least visually disruptive location to achieve necessary network capacity for the Gilgandra community. The sites primary visual impact (the height and bulk of the tower) has already been absorbed into the local streetscape. The site is consistent with a utility function, and the proposed works are wholly contained within the established context. This ensures the additions visually recede maintaining the pre-existing structures approved visual envelope without altering the skyline or creating new visual bulk perceptible from key St or distant perspectives.

Social impacts are assessed as being predominantly confined to the construction stage of the proposal. The nature of the construction works would be for a strengthening of the existing which means the construction period will be significantly shorter and less impactful in comparison to an entirely new development. The structural work will be contained entirely within the existing lease area.

As the site is established the proposed upgrade complies with all required setbacks from neighbouring dwellings. This upgrade will not reduce these existing separation distances or encroach on any residential boundaries; the overall footprint remains the same. The minor and temporary construction paves the way for positive social outcome,

The closest residential dwelling is approximately 50m to the west of the existing facility. Construction works will be undertaken entirely within the property boundary at the existing facility location, and it is unlikely that construction works will negatively impact the nearest dwellings.



**Figure 6:** View from 23 Morris Street toward the site, showing the existing lattice tower at the rear and proposed strengthening. (Source: Google Earth, 2025)





**Figure 7:** View from Myrtle Street toward the site, showing the existing lattice tower at the rear and indicative strengthening. (Source: Google Earth, 2025)



**Figure 8 :** View from Len Kelly Drive toward the rear of the site, showing the existing lattice tower and indicative strengthening. (Source: Google Earth, 2025)





**Figure 9:** View from Bridge Street toward the rear of the site, showing the existing lattice tower and proposed strengthening (grey). (Source: Google Earth, 2025)



**Figure 10:** View from the rear of the Mitre 10 store toward the site, showing the existing lattice tower and proposed strengthening (grey). (Source: Google Earth, 2025)

Indicative imagery has been created to show the indicative extent of the facility when viewed from the relatively key vantage points in the surrounding area.

Indicative imagery taken from Morris Street and Myrtle St (figure 7) provides a clear view from residences without any items obstructing any views. This location is anticipated to be most visually impacted by the proposed structural works. From this vantage point, looking

towards the proposal, the middle to top section of the proposal is visible. The majority of the strengthening infrastructure and all ground-based elements, including the equipment shelter and compound, are obscured by existing commercial infrastructure. The factory grey finish of the facility helps it blend into its surrounds and the sky. The visual impact shown in the indicate images is likely to extend to only each end of Morris St and Myrtle St near the intersections. Houses further along each street will have a more limited view due to the topography and the presence of obstructing street vegetation and properties, which greatly increases the amount of the facility that is hidden from view. Considering the context of other infrastructure in the landscape, such as lights, power poles, at this location, the photomontage demonstrates that the strengthening of the facility would not appear out of place. Over time, it would likely be perceived as just another feature in the landscape. The existing facility is considered to have an acceptable level of visual impact on the area and has been appropriately located at the rear of an ambulance facility on existing ambulance infrastructure within a commercial area that affords a significant setback distance. This has the benefit of allowing for a facility that is closer to its main coverage areas, and therefore, provides a strong level of coverage, while being largely unobtrusive from the areas it provides service to.

### **3.3 Environmental Considerations**

Optus's commitment to utilising existing infrastructure reduces environmental impact. A key advantage of this co-location proposal is the significantly lower earthwork requirement compared to constructing a new facility. The existing compound is already cleared of mature vegetation and is not subject to a native vegetation overlay, meaning no tree removal or significant clearing is required.

Any earthworks will be minimal, limited to positioning a small equipment shelter within the established compound footprint. This ensures no adverse impact on site topography, drainage patterns, or surrounding habitat. All minor disturbed areas will be fully reinstated immediately after installation, maintaining environmental integrity.

### **3.4 Heritage Evaluation**

The site is not identified as an area protected under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC), or within a State or local planning instrument as containing a heritage item.

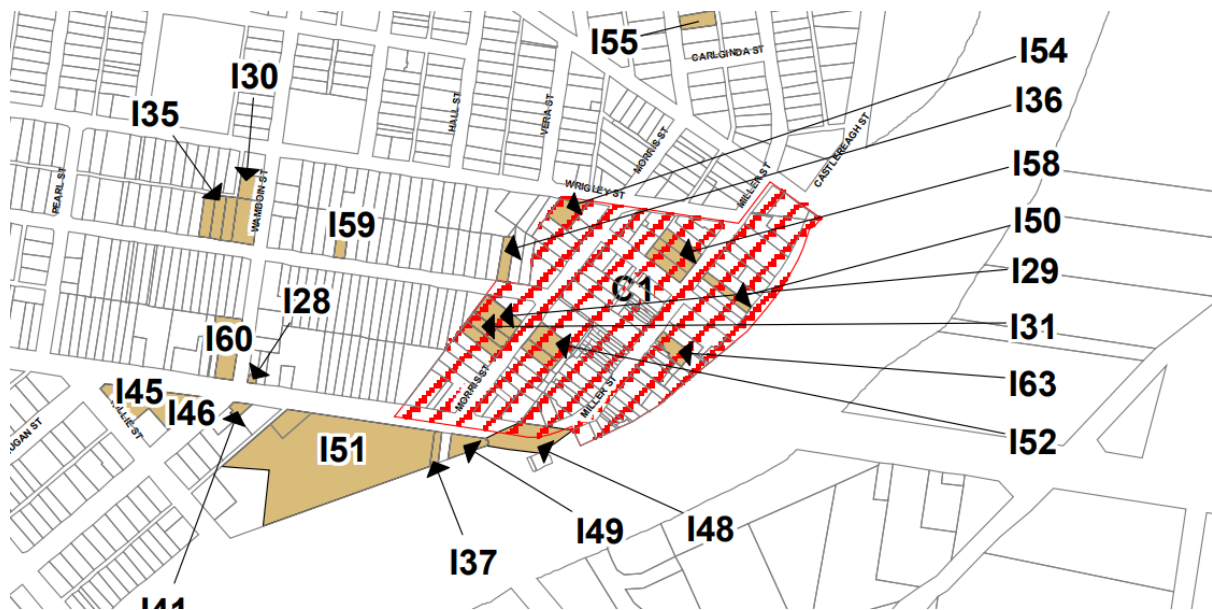
While the site is located within the Gilgandra local heritage conservation area the existing lattice tower is not listed as a heritage item on the NSW State Heritage Register or the schedule of heritage items on the clause 5.10 LEP. The proposed strengthening and upgrade will be situated on a lattice tower already located on land owned by The Gilgandra Health Services.

A search of the Protected Matters Search Tool (PMST) indicates that the location is not within proximity to a World Heritage Property or a National Heritage Place. Accordingly, the proposal does not result in a significant impact to Matters of National Environmental Significance (MNES).

The subject site is located within the Gilgandra Local Heritage Conservation Area (GLHCA) under Heritage Map - Sheet HER\_002D. The GLHCA seeks to protect:

- Historic commercial buildings and façades
- Architectural features like parapet walls, verandahs, and awnings
- Streetscapes that reflect the town's early 20th-century development

The existing tower is external to any specifically mapped heritage curtilage or individual item listing, and the proposed works include no works that encroach upon, or adversely affect, any adjacent heritage-listed properties or the valued elements of the Gilgandra conservation area.



This proposal does not introduce a new element that would conflict with the established character of the conservation area. This approach is consistent with the principles of the responsible asset management and the town planning goal of minimising visual clutter within heritage – sensitive areas.

### 3.5 Aviation

The proposed strengthening works are fully compliant with aviation safety standards. Acknowledging the proximity of the Gilgandra Airstrip located approximately 3km to the west of our site. Optus conducted a formal consultation with the Civil Aviation Safety Authority (CASA). Crucially CASA reviewed the proposed works and officially raised no concerns. The clearance confirms that despite the proximity the structures height and location do not penetrate any obstacle limitation surface (OLS) or infringe upon any procedures for air navigation services associated with the Gilgandra Airstrip.

While the existing towers historical white, orange/red colouring suggests past aviation marking requirements, this requirement is considered superseded by the official CASA clearance **Appendix A**.

Consequently, no further aviation impact assessment is necessary.

## 4 Proposed Facility Details

#### 4.1 Proposed Equipment

The proposal seeks consent for:

- Replacing three (3) existing panel antennas with three (3) new panel antennas (each no longer than 2.8m in length)
- Installing five (5) radio remote units (RRUs)
- Removing redundant ancillary equipment and installing new ancillary equipment associated with operation and safety of the facility, including but not limited to remote radio units, cabling and GPS antenna
- The strengthening of the lattice tower structure.

The strengthening of the lattice tower structure will be accomplished through the strategic integration of cross-bracing, reinforced joint connections, and an expanded base foundation. These enhancements collectively improve the tower's resistance to lateral loads, increase overall structural stability, and ensure efficient load distribution along its vertical profile. The primary objective of the upgrade is to improve mobile network performance in the area by enabling access to enhanced 5G technology.



The antennas will be finished in a non-reflective pale grey, and the cabinet will be finished in a non-reflective pale eucalypt. The overall height of the strengthening, including antennas and equipment, will not exceed 30.5m above ground level.

Please refer to the design drawings attached as **Appendix B**.

## **4.2 Access Details**

Access will be via an existing low-volume local road and the established car park with crossover and gate at the rear of the IGA premises off Len Kelly Drive. Using this existing access point and commercial service area minimises streetscape disturbance and effectively separates the site from community-sensitive areas, maintaining amenity, visual presentation, and pedestrian safety.

The road network is designed to accommodate the weight and size of heavy construction and maintenance vehicles required for the telecommunication facility. After construction, the upgraded facility will operate as it currently does, without the need for on-site personnel, except for routine maintenance visits, which are typically scheduled 2-4 times a year. As a result, the upgrade of the existing will, post construction, generate no additional traffic to the site.

## **4.3 Utility Service Details**

The proposed upgrade will reuse existing power service to the subject site.

The proposed development does not include nor require any works associated with stormwater drainage, or connections to reticulated water and sewerage.

## **4.4 Noise**

The upgraded facility will generate no additional noise. Noise from the existing facility originates from the cooling fans as part of the existing equipment cabinet, which will operate only as needed and will not operate continuously.

By reusing the existing equipment shelter, the physical noise source is wholly contained within an already established zone, avoiding the introduction of new noise footprints into undisturbed areas.

## **4.5 Construction Details of the Proposed Facility**

The upgrading of a telecommunications facility with additional structural support and equipment fundamentally consists of three stages, including:

- Site preparation; and
- Installation of a tower and associated equipment; and
- Installation of communications and antennas, involving technicians working within the outdoor equipment unit and riggers fixing the antennas to the pole.

The site preparation stage includes activities such as field testing, excavation, and foundation construction. Subsequently, prefabricated equipment housing and tower sections are delivered by low-loader trucks, which are then placed into position by a crane and secured to the footings. Lastly, riggers install the antennas on the pole and connect them to the outdoor equipment unit and other equipment, all overseen by qualified technicians.

Appropriate construction management measures, including soil erosion and sediment controls in accordance with the relevant regulations found in the “Blue Book” – ‘Managing Urban Stormwater: Soils and Construction’ (Landcom 2004), will be implemented.

Any traffic impacts associated with construction will be of short-term duration and are not expected to adversely affect the surrounding road network. In the unlikely event that a road closure is required, a permission will be sought from the relevant authorities.

Noise and vibration emissions associated with the proposed facility will be limited to the construction phase outlined above. Construction activities will only occur between the hours of 7:00 a.m. and 6:00 p.m. or as specified in the conditions of any development consent.

## **5 Regulatory Framework**

### **5.1 Commonwealth Legislation**

#### **5.1.1 Telecommunications Act 1997**

The Telecommunications Act 1997 (Cth) serves as a federal regulation governing telecommunications facilities and the operations of carriers and service providers. Under Schedule 3 of this Act, carriers are endowed with specific powers, including the ability to:

- Conduct assessments of land to ascertain its suitability for their intended purposes.
- Install low-impact facilities on the land.
- Undertake maintenance activities on facilities situated on the land.

Furthermore, Schedule 3 of the Telecommunications Act provides exemptions for carriers from adhering to State and Territory environmental and planning regulations in certain situations. This exemption is particularly applicable when telecommunications facilities align with the criteria set forth in the Telecommunications (Low-Impact Facilities) Determination 2018 ("the Determination").

However, in this case, Optus propose to upgrade facility in a heritage area, meaning it does not meet the specific definition of a "low-impact facility" as outlined in the Determination. Accordingly, this proposal requires approval from the Council.

#### **5.1.2 Telecommunications Code of Practice 2021**

In exercising the powers granted by the *Telecommunications Act*, carriers are obliged to act in accordance with the principles of best engineering practice, comply with recognised industry standards, and mitigate adverse impacts as much as practicable. The guidelines governing carrier conduct are outlined in the Telecommunications Code of Practice 2021 ('the Code').

The Code mandates carriers to ensure that design, planning and installation of facilities adhere to best practices. Under the Code, 'best practice' is defined as 'using the best available design, planning and location practices to minimise the potential degradation of the environment and the visual amenity associated with the facilities.'

The proposed upgrade is designed to adhere to the requirements of the Code.

#### **5.1.3 Industry Code C564:2025 Mobile Phone Base Station Deployment**

In response to requests for increased council and community involvement concerning the installation of the telecommunications facilities, the Communications Alliance Limited (formerly known as the Australian Communications Industry Forum Limited) was established by the Australian Communications Industry. Its purpose was to ensure a coordinated approach to the rollout of telecommunications networks.

The Communications Alliance developed an industry code of practice, which is subject to regular review, aimed at upholding the highest standards in industry practices related to the deployment of mobile radio communications equipment. This industry code, currently titled Industry Code C564:2025 Mobile Phone Base Station Deployment ('the Deployment Code'), has replaced the previous code from 2020.

It is important to note that the Deployment Code does not have the authority to alter the regulatory and legislative framework at local, state, or federal levels. However, it can complement the existing requirements imposed on carriers by necessitating community consultation and embracing a precautionary stance in the planning, installation, and operation of mobile communications infrastructure.

The proposed upgrade does not fall under the category of a low-impact facility as defined by the Determination, thus making it subject to local and/or state planning processes that require consent.

In the design and siting of the proposed infrastructure, careful consideration and adherence to the principles of the 'precautionary approach' have been applied, aligning with Sections 4.1 of the Deployment Code. This encompasses factors such as the surrounding context, proximity to sensitive

community areas, coverage objectives, and electromagnetic energy (EME) exposure. The EME levels remain comfortably within the parameters specified by the Australian Standard.

## 5.2 State Legislation

### 5.2.1 NSW Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) governs development across New South Wales. The application has been prepared with Section 4.15 of the EP&A Act in mind, which outlines the considerations necessary for assessing the proposal.

### 5.2.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* ("TISEPP") was introduced to facilitate the delivery of infrastructure across New South Wales under the EP&A Act 1979. The TISEPP replaced the previous planning policy known as the *State Environmental Planning Policy (Infrastructure) 2007*. Its aims are:

- (a) *improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and*
- (b) *providing greater flexibility in the location of infrastructure and service facilities, and*
- (c) *allowing for the efficient development, redevelopment or disposal of surplus government owned land, and*
- (d) *identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and*
- (e) *identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and*
- (f) *providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and*
- (g) *providing opportunities for infrastructure to demonstrate good design outcomes.*

The proposal complies with all elements of the TISEPP. Clauses 2.140 and 2.143 in conjunction with the local planning provisions are being relied upon for permissibility of the proposed development at the subject location and are the basis for lodging and seeking Council consent for this development.

Clause 2.140 of the SEPP (Infrastructure) defines a "Telecommunications Facility" as:

- (a) *any part of the infrastructure of a telecommunications network, or*
- (b) *any line, cable, optical fibre, fibre access node, interconnect point, equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or*
- (c) *any other thing used in or in connection with a telecommunications network.*

Clause 2.143(1) provides that:

*Development for the purposes of telecommunications facilities, other than development in section 2.141 or development that is exempt development under section 2.20 or 2.144, may be carried out by any person with consent on any land.*

Telecommunications facilities are therefore permissible in all zones within the Gilgandra local government area with the consent of the Council.

Clause 2.144(2) of SEPP Infrastructure provides that:

*Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.*



In this respect, the *NSW Telecommunications Facilities Guideline, Including Broadband (October 2022)* ("the Guideline") has been issued by the Director-General. The principles that must be taken into consideration are outlined in Section 3.1 of the Guideline.

### 5.2.3 New South Wales Telecommunications Facilities Guideline, Including Broadband

The New South Wales government issued the *New South Wales Telecommunications Facilities Guideline, Including Broadband (October 2022)* ("the Guideline"). The purpose of the Guideline is to:

*"Explain the state-wide planning provisions and development controls for telecommunication facilities in NSW, as outlined in State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)".*

The Guideline outlines principles for consideration by consent authorities (where relevant) and carriers in the determination of the design and siting of telecommunications facilities. These considerations have been factored into the site selection and design for the proposal, which will be discussed in greater detail below.

**Table 1:** Table of compliance with the NSW Telecommunications Facilities Guideline including Broadband.

NSW Telecommunications Facilities Guideline, Including Broadband	
Principle 1: Design and site telecommunications facilities to minimise visual impact	
Principle	Consideration
a. As far as practical, integrate a telecommunications facility that is mounted on an existing building or structure with the design and appearance of the building or structure.	Not applicable, this facility is a free-standing existing facility. The additional structural support will create a new structure around the existing one, largely replicating the existing bulk of the facility and providing no increase in its overall height.
b. Minimise the visual impact of telecommunications facilities, reduce visual clutter (particularly on tops of buildings) and ensure physical dimensions (including support mounts) are sympathetic to the scale and height of the building to which it is to be attached and to adjacent buildings.	Not applicable, these works are the upgrade of an existing free-standing facility.
c. If a telecommunications facility protrudes from a building or structure and is predominantly seen against the sky, either match the prevailing colour of the host building or structure or use a neutral colour such as pale grey.	The proposed facility will utilise a factory-standard grey finish, ensuring compliance with the guideline for neutral colouring when seen against the sky.
d. Where possible and practical, screen or house ancillary facilities using the same colour as the prevailing background and consider using existing vegetation or new landscaping	The proposed works include no additional screening or ancillary facilities, instead reusing those already existing on the site.

e. Locate and design a telecommunications facility in a way that responds to its setting (rural, residential, industrial or commercial).	The strengthening and ancillary equipment (antennas etc.) will be finished in a factory standard grey.
f. Site and design a telecommunications facility located on or adjacent to a listed heritage item or within a heritage conservation area with external colours, finishes and scale sympathetic to the heritage item or conservation area.	The site is located within the Gilgandra Heritage Conservation Area and will use factory-standard colours to ensure the facility's external finishes and scale remain sympathetic to the heritage character of the area.
g. Locate telecommunications facilities to minimise or avoid obstructing significant views of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.	The location is an existing site and does not obstruct or impact any individual listed heritage item, landmark, streetscape, vista, or panorama when viewed from either public or private land.
h. Consult with relevant council when proposing pruning, lopping or removing any tree or vegetation. Obtain a tree preservation order, permit or development consent if required.	No vegetation or trees are planned to be lopped or removed for this proposal.
i. Remove redundant telecommunications facilities and restore the site to the condition it was in prior to the facility's construction	Not applicable, In the event of the facility being made redundant, it will be removed and the site 'made good'
j. Remove redundant components of existing facilities after upgrades.	The facility will remove any inferior or redundant equipment as part of the upgrade process. In the event the entire facility becomes redundant, it will be fully removed and the site reinstated ("made good").
k. Where possible, consolidate telecommunications facilities to reduce visual clutter and work with other users on co-location sites to minimise cumulative visual impact.	The proposed strengthening and upgrade is a co-location opportunity, ensuring cumulative visual impacts are minimized.
l. Accord with all relevant industry design guides when siting and designing telecommunications facilities.	The proposal strengthening and upgrade has been designed in accordance with industry standards whilst the co-location chosen looks to find the best possible balance between amenity and visual impacts and the provision of coverage and providing extra capacity to the network.
m. Assess potential visual impact in alternative site assessments	<p>The visual impact was considered when assessing both the proposed structural strengthening of the existing facility and potential alternative sites. Alternative locations were discounted as they would constitute new proposals.</p> <p>Indicative montages demonstrate that the proposed upgrade will be partially visible from select viewpoints, noting it does not reach the top of the existing lattice tower. However, in most cases, the majority of the facility—including all ground-level components—remains fully screened from residential areas.</p> <p>The upper sections of the strengthening of the lattice tower feature a factory-finish grey coating,</p>

	enabling the structure to blend with surrounding infrastructure and varying skylscapes.
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## NSW Telecommunications Facilities Guideline, Including Broadband

### Principle 2: Co-locate telecommunications facilities wherever practical

Principle	Consideration
a. As far as practical, locate telecommunications lines underground or within an existing underground conduit or duct.	The proposed works will continue the facilities currently network connection via an existing underground fibre connection.
b. Where practical, co-locate or attach overhead lines, antennas and ancillary telecommunications facilities to existing buildings, public utility structures, poles, towers or other radiocommunications equipment to minimise clutter.	The proposed works involve the co-location on an existing lattice tower, ensuring compliance with the requirement to minimise visual clutter by utilising existing structures.
c. Consider extending an existing tower as a practical co-location solution to new towers.	The proposed strengthening and upgrade is associated with an existing telecommunications towers/ facility within the vicinity of the required coverage area.
d. Demonstrate that co-location is not practicable if choosing not to co-locate a facility.	Not applicable as the proposed works are for a co-location on an existing facility
e. If choosing to co-locate, design, install and operate a telecommunications facility so that resultant cumulative levels of radio frequency emissions are within the maximum human exposure levels set out in RPS S-1.	The EME levels from the proposed facility have been modelled and as provided within the environmental EME report for the site, are within the safe levels set by ARPANSA.

## NSW Telecommunications Facilities Guideline, Including Broadband

### Principle 3: Meet health standards for exposure to radio emissions

Principle	Consideration
a. Design, install and operate a telecommunications facility so that maximum human exposure levels to radiofrequency emissions comply with RPS S-1 (see Appendix C).	It is part of Optus's carrier license conditions to ensure that all their mobile phone base stations comply with regulations set by the Federal Government in relation to exposure to EME from mobile phone base stations, known as the ARPANSA Standard ('The Standard for Limiting Exposure to Radiofrequency Fields-100kHz to 300 GHz (2021), RPS S-1 Rev.1).
b. Using the format required by ARPANSA, report on predicted levels of EME surrounding any	Please refer to Appendix C of this report for the updated Environmental EME report.

development covered by the Industry Code C564:2020 Mobile Phone Base Station Deployment, and how the development will comply with ACMA safety limits and RPS S-1.

## NSW Telecommunications Facilities Guideline, Including Broadband

### Principle 4: Minimise disturbance and risk, and maximise compliance

Principle	Consideration
a. Ensure the siting and height of a telecommunications facility complies with the of the Commonwealth Civil Aviation Regulations 1998 and Airports (Protection of Airspace) Regulations 1996. Avoid penetrating any obstacle limitation surface (OLS) shown on a relevant OLS plan for an aerodrome or airport (as reported to the Civil Aviation Safety Authority) within 30 km of the proposed development.	The proposed upgrade complies with the Commonwealth Civil Aviation Regulations 1998 and Airports (Protection of Airspace) Regulations 1996. There is no increase in height, no aircraft warning lights or colour treatment required, and only a minimal increase in bulk. Additionally, the site is not within 30 km of any CASA-regulated aerodrome, ensuring no impact on obstacle limitation surfaces (OLS). Advice sought from CASA showed no issues with the proposed development, noting that while the existing structure has some painting/banding consistent with the CASA MOS, it is unclear what occurred to require this colour treatment.
b. Ensure no adverse radio frequency interference with any airport, port or Commonwealth defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.	The proposed facility will ensure no adverse radio frequency interference with any airport, port, or Commonwealth defence navigational or communications equipment, including the Morundah Communication Facility in the Riverina. The site is not within 30 km of any CASA-regulated aerodrome, and no aviation safety measures such as lighting or obstacle paintwork are required, confirming compliance.
c. Carry out the telecommunications facility and ancillary facilities in accordance with any manufacturer's installation specifications.	As per requirements
d. Protect the structural integrity of any building or structure on which a telecommunications facility is erected	Strengthening of tower complies with requirement.
e. Erect the telecommunications facility wholly within the boundaries of a property as approved by the relevant landowner.	The proposal will be built within the boundaries of Lot 1 08/-/DP1142079 at 14-16 Morris St Gilgandra
f. Ensure all construction of a telecommunications facility accords with Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom 2004), or its replacement.	All construction of the telecommunications facility will comply with <i>Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom 2004)</i> or its current replacement, ensuring best practice in erosion and sediment control.



g. Mitigate obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction.	The proposed upgrade is located well within a private lot and in a car park used exclusively for existing commercial use. Construction activities will be confined to the lot and car park area, minimising any potential interface with pedestrians or vehicles and mitigating associated risks.
h. Where practical, carry out work at times that minimise disruption to adjoining properties and public access and restrict hours of work to 7.00am and 5.00pm, Mondays to Saturdays, with no work on Sundays and public holidays.	Works will be carried out during business hours in order to minimise disruption to the community.
i. Employ traffic control measures during construction in accordance with Australian Standard AS1742.3-2002 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.	The proposed upgrade is located well within a private lot, using an existing car park and crossover for construction, which minimises any interface with public traffic. Based on these considerations, a traffic management plan is unlikely to be required. However, if deemed necessary, traffic management will be undertaken by a qualified company and confirmed with relevant stakeholders prior to construction.
j. Guard open trenching in accordance with Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.	Not Applicable
k. Minimise disturbance to flora and fauna and restore land to a condition similar to its condition before the work was carried out.	The current condition of the land is a flat, grassed area to the rear of an existing use. Given the proposed site location is already developed, the proposal will not impact on any significant flora or fauna.
l. Identify any potential impacts on threatened species and communities in consultation with relevant authorities and avoid disturbance to identified species and communities where possible.	Given the proposed site location is already developed, the proposal will not impact on any threatened species and or communities.
m. Identify the likelihood of harming an Aboriginal place and/or Aboriginal object and obtain approval from the Department of Premier and Cabinet if the impact is likely, or Aboriginal objects are found.	The site is unlikely to contain any Aboriginal artefacts. An AHIMS Basic Search has been conducted and returned no known items of Aboriginal significance.
n. Reinstate, at your expense, street furniture, paving or other facilities removed or damaged during construction to at least the same condition as that prior to installation.	No street furniture nor public assets should be impacted by this proposal.

## NSW Telecommunications Facilities Guideline, Including Broadband

### Principle 5: Undertake an alternative site assessment for new mobile phone base stations

Principle	Consideration
a. Include adequate numbers of alternative sites in the alternative site assessment as a demonstration of good faith.	Not applicable as the site is already existing, with the proposal being its upgrade only.
b. In addition to the new site selection matters in Section 4 of the Industry Code C564:2020 Mobile Phone Base Station Deployment: <ul style="list-style-type: none"> <li>only include sites that meet coverage objectives, and that have been confirmed as available, with an owner agreeable to having the facility on their land</li> <li>if the preferred site is a site owned by the Carrier, undertake a full assessment of the site</li> <li>indicate the weight placed on selection criteria</li> <li>undertake an assessment of each site before any site is dismissed.</li> </ul>	The owner of the land has provided their consent and agreement to have the upgrade located on their land.

### 5.3 Gilgandra Local Environmental Plan 2011

The consent authority for development on the subject site is Gilgandra Shire Council. The Gilgandra Local Environmental Plan 2011 is the current planning instrument for development in the location of the proposed facility.

#### 5.3.1 Zone Provisions

The subject site is zoned E1 - Local Centre under the Gilgandra Shire LEP. The development of a telecommunications facility is permissible with the consent of Gilgandra Shire Council in accordance with Clause 2.144(1) of the SEPP (Transport and Infrastructure) 2021, whereby telecommunications facilities are permissible in any zone.

Listed below are the objectives of the zone. The project is consistent with these objectives.

LEP 2011 Zone Objectives	
Objective	Comments
a. To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.	The upgrading of the existing Telecommunications Facility would provide for and complement a range of commercial and community uses within this area. An improvement in coverage would benefit the overall connectivity of businesses and community in this area ensuring improvement mobile and internet reception.
b. To encourage investment in local commercial development that generates employment opportunities and economic growth.	The proposed upgrade provides essential modern digital infrastructure, which is essential for enabling digital commerce, business efficiency, and attracting commercial investment, thereby directly supporting local economic growth.

c. To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.	Reliable mobile and internet connectivity is now considered critical social infrastructure. The upgrade ensures that existing and future residential development is supported by high-quality digital services, which is necessary for a functional and vibrant mixed-use centre
d. To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	Enhanced connectivity directly supports the functionality of ground-floor businesses and retail uses (e.g. POS systems, digital payments) encouraging their establishment and improving their operational viability.
e. To permit non-commercial development in the zone if it is compatible with the commercial character of the area.	The upgrade of the existing essential public utility infrastructure which is a non-commercial development is highly compatible with the commercial character of the area, increasing the visual impact of the existing site only minimally and representing no increase in height. It provides a service that enables and supports the core commercial and retail functions of the area.
f. To maintain the status and encourage the future growth of the Gilgandra established business centre as a retail, service, commercial and administrative centre while maintaining the centre's compact form.	By using the existing infrastructure, the proposal avoids sprawling development and maintains the centres compact form. The provision of advanced digital services is essential to ensuring the centre can grow and maintain its status and regional retail, services and administrative hub in the modern digital economy

### 5.3.2 Miscellaneous provisions

5.10 Heritage Conservation	
Principle	Consideration
a. to conserve the environmental heritage of Gilgandra,	The proposed works conserves environmental heritage by reusing the existing tower and shelter, thus avoiding the need for new physical encroachment, disturbance, or land acquisition within the conservation area. The upgrade and strengthening ensures continues public utility provision with minimal impacts to the heritage fabric of the area.
b. to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,	The proposed works conserve heritage significance as the tower itself is not of heritage significance and the overall scale and height of the structure remain unchanged. External finished will be selected to be sympathetic and recessive, minimising visual impact on the setting and vies within the Local Heritage Conservation Area. The retention of the existing fabric prevents the introduction of a new, competing element.

c. to conserve archaeological sites,	The works are limited to the existing, previously disturbed site footprint of the tower and equipment shelter. No ground disturbing evacuation is proposed outside of this established zone, ensuring there will be no impact on potential archaeological sites or deposits
d. to conserve Aboriginal objects and Aboriginal places of heritage significance.	Given the confinement of the works to the already developed tower, the potential for encountering or impacting Aboriginal objects or places is negligible.

### 5.3.3 Additional local provisions

#### Clause 7.8 Earthworks

The objectives of this clause are as follows:

- To ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,
- To allow earthworks of a minor nature without requiring separate development consent.

The proposed development involves minor earthworks. It is believed that these works will not adversely affect the nearby area.

## 6 Electromagnetic Emissions and Compliance

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is our national authority responsible for safeguarding radiation protection and nuclear safety in Australia. ARPANSA plays a vital role in creating and enforcing standards that govern the use of various radiation types, including radiofrequency (RF) radiation.

When it comes to our mobile phone base station, it will strictly adhere to the regulations established by the Federal Government concerning exposure to Electromagnetic Energy (EME). These regulations, known as the ARPANSA Standard (RPS S-1), are based on the guidelines provided by the International Commission on Non-Ionising Radiation Protection (ICNIRP). These ICNIRP guidelines have been developed by a panel of international experts who thoroughly review all relevant scientific literature. They are rooted in comprehensive scientific research regarding RF signals and exposure.

ARPANSA reviews scientific studies and undertook a review of relevant science in their review of the current ARPANSA Standard.

*"The ARPANSA RF Standard is based on scientific research that shows the levels at which harmful effects occur and it sets limits, based on international guidelines, well below these harmful levels. This applies to both public and occupational exposure limits. A technical explanation of how the exposure limits are derived is available in the guidelines by the International Commission on Non-Ionizing Radiation Protection."*

[www.arpansa.gov.au/regulation-and-licensing/regulatory-publications/radiation-protection-series/codes-and-standards/rpss-1-qa](http://www.arpansa.gov.au/regulation-and-licensing/regulatory-publications/radiation-protection-series/codes-and-standards/rpss-1-qa)

Our community's protection against EME is ensured through the standards set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), with oversight provided by the Australian Communications and Media Authority (ACMA).

The ACMA advises:

*"The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) sets the safe EME levels in the Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz."*

*The standard:*

- *protects against all known health impacts*
- *includes a large safety factor*

*It is in line with international recommendations by the World Health Organization and the International Commission on Non-Ionizing Radiation Protection.”*

<https://www.acma.gov.au/our-eme-compliance-strategy>

Australia's Chief Medical Officer, Professor Brendan Murphy, reassures the community about the safety of the new generation 5G mobile phone network:

*“I'd like to reassure the community that 5G technology is safe.*

*There is no evidence telecommunication technologies, such as 5G, cause adverse health impacts.*

*This position is supported by health authorities in Australia – such as the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) – and around the world, such as the World Health Organization (WHO).*

*Mobile phone networks and other wireless telecommunications emit low-powered radio waves also known as radiofrequency (RF) electromagnetic energy (EME). This is different to ionising radiation associated with nuclear energy or use in medicine.*

*The radio waves to which the general public is exposed from telecommunications are not hazardous to human health.”*

<https://www.health.gov.au/news/safety-of-5g-technology>

The Environmental EME Report provides calculations to determine the highest levels of radiofrequency (RF) electromagnetic energy (EME) in the vicinity of a mobile phone base station, whether it is existing or proposed, with the assumption that it operates at full capacity. This EME report adheres to a methodology established by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and offers objective estimations of the maximum EME levels for both current and proposed upgrades to telecommunications system at the site.

The Environmental EME report has been specifically prepared for this proposal to demonstrate compliance with the ARPANSA Standard. This facility is expected to operate at maximum EME levels, which represent 3.92% of the Australian standard. For further details, please refer to Appendix C.



## 7 Conclusion

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The proposal is for the upgrade of an existing Telecommunications Facility on land at Lot 1 08/-/DP1142079 at 14-16 Morris St Gilgandra NSW 2827. The proposed upgrade would form an integral part of the wider network. The proposed upgrade would provide an important community benefit to the Gilgandra Shire LGA by providing improved and reliable communications services to the local community.

It is considered that the proposal is in accordance with the objectives of the Gilgandra LEP 2011 and other state and federal legislations, in particular *State Environmental Planning Policy (Transport and Infrastructure) 2021*, which allows development for the purposes of telecommunications facilities on any land. It is noted that the proposed upgrade would be considered exempt or complying development under the *State Environmental Planning Policy (Transport and Infrastructure) 2021*, with the exception of the strengthening works.

The environmental impact assessment, conducted in accordance with Section 4.15 of the EP&A Act 1979, has determined that the proposal would not result in significant environmental impacts and would have minimal effects on the area's amenity. The re-use of an existing facility with an upgrade ensures that the development minimises the amenity impact on surrounding land uses to the greatest extent possible, while also aligning with planning requirements for the site.

Considering the substantial public benefits associated with the proposal, these factors collectively support its suitability. Therefore, we respectfully request that Council grant development consent for the proposed works.