

Council Reference: 9170 - Information Systems Technology & Telecommunications
Your Reference: Telecommunications Amendment (Mobile Phone Towers) Bill 2011



TWEED
SHIRE COUNCIL

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Dear Sir/Madam

Submission on the Telecommunications Amendment (Mobile Phone Towers) Bill 2011

Thank you for the opportunity to make this late submission as Council feels strongly enough on this issue to present its position independently.

The geographical challenge of providing equitable access to telecommunications services in Australia has been extremely problematic ever since the introduction of the telegraph. The development of wireless data radio represents one of the key future backbone infrastructures for this nation. This is particularly true due to sparsely populated areas with remote and regional communities which are interspersed between urban areas.

In the coming decades wireless data radio will evolve into one of the most critical components of Australia's telecommunications infrastructure. However it is important to note that wireless data radio systems do not simply represent mobile phones. Wireless data includes emergency services (police, urban fire, ambulance, rural fire, SES etc), telemetry controls to essential infrastructure (ie. water supply, sewer service, electricity etc.) and other critical radio data connections utilised by commerce.

This Bill will impede the roll out and delivery of essential and emergency services.

Wireless data radio also covers the concept of Fixed Wireless Broadband and Satellite Broadband which is currently being rolled out by NBN Co. This component of the NBN roll out will cover a majority of the land mass of the Australian continent.

Removing the low impact facilities exemption as proposed by the Bill will have an adverse effect on Government agencies and local government providing external services via radio network.

This Bill will impede the roll out of the NBN in nearly every rural and regional electorate within Australia.

Tweed Shire Council has considered the potential impact that this Bill represents and resolved at its Council Meeting of 20 March 2012 to make a submission to the Committee on these three points;

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1. Removal of State Planning Controls

The Bill's position on State and local Government planning processes is not clearly identified. Council does not support the removal of the State Planning exemptions and recommends that further investigation and discussion with State governments in respect to this issue.

2. Precautionary Principle

The Bill proposes that each proposal must take into consideration the Precautionary Principle. It is considered unnecessary to articulate this position within the Telecommunications Act, (a Federal Act), as the Precautionary Principle, must be considered when Council considers any Development Applications as required by the Environmental Planning and Assessment Act (NSW).

3. Consultation

The Bill requires that consultation be carried out with residents within a 500 metre radius of the proposed development and then further negotiations with any submitters requiring a third party intermediary with unresolved issues raised by submitters. This process in densely urbanised areas would result in a costly drawn out exercise, which could also include the Telecommunications Industry Ombudsman to resolve issues raised by objectors.

If such a requirement is to be retained in the Bill the radius should be reduced to 200 metres in densely urbanised areas and 500 metres for rural areas, while noting a 200 metre exclusion is proposed for community sensitive sites such as schools.

Thank you for the opportunity to make this representation to the Committee and if required a representative of the Tweed Shire Council would be willing to personally present these issues.

Yours faithfully

Troy Green
DIRECTOR TECHNOLOGY AND CORPORATE SERVICES