

The Committee Secretary
House of Representatives Standing Committee on
Infrastructure and Communications
PO Box 6021
Parliament House
CANBERRA ACT 2600
AUSTRALIA

RE: The Telecommunications Amendment (Enhancing Community Consultation) Bill
2011

I am grateful to have the opportunity to submit to the Standing Committee on Infrastructure and Communications. In general I support the amendments in the Bill, however, I think it does not go far enough.

My Recommendation is for an honest and effective precautionary approach to be taken in regards to the levels of EMR that communities (particularly children) are being exposed to without awareness or consent.

The following five actions should be seriously considered to achieve this:

- 1. Cumulative EMR levels at all community sensitive sites should be less than 0.1microwatts per square centimetre.**
- 2. Community sensitive sites be defined and listed in the ACIF code.**
- 3. Community sensitive sites have regular and frequent monitoring of EMR levels.**
- 4. The ACIF code should be enshrined in legislation.**
- 5. An effective Government regulator be put in place to ensure legislation is upheld.**

Background

I was President of the Rainworth State School P&C Association in 2009, 2010 and until March 2011.

Rainworth State School P&C is a not-for-profit association representing the parents and caregivers of RSS pupils, as well as local community members. The P&C works in partnership with the school administration and staff to fulfil its mission of providing support and services to enhance the care and education of our community's children. Our school is the hub of our community at Rainworth and as such the P&C provides an important community voice for the residents of our local neighbourhood. In 2009 the

school had 415 students. The school operates with a local catchment restriction on enrolments, therefore the children attending the school live in the streets surrounding the school. This year the school has approx. 460 students and is projected to further increase enrolments in the coming years due to the baby boom that has been occurring in our locality.

As soon as our community became aware of the planned Telstra facility at 27 Gerler St in September 2009, I was inundated with enquiries from concerned parents about what this would mean for our children. I then embarked on a very steep learning curve in the quickest time possible in an attempt to accurately become informed as to exactly what this proposal did mean for our children and community members.

We had to act fast as the community consultation period was so small (10 days). In reflection I am amazed at what a small band of average Australians did during those initial days in order to become knowledgeable about the implications of this facility for our community. Needless to say, there were many sleepless nights spent on the computer and endless phone conversations with organizations we had never heard of until this time.

We quickly realized that the community needed to be informed and fast so the P&C held an information session at the school. A working group of volunteers (including myself in my role as P&C President) was formed out of that meeting. This group became known as No Towers Near Schools.

MAJOR COMMUNITY CONCERNS

1. **Future Health and Well-being of our children** – given the total absence of research on the effects of EMR on children. The majority of research to date has been done on adults (over 25 years), with regards to the thermal effects of EMR, rather than non-thermal effects (biological effects at cellular level e.g. changes to DNA).
2. The ACIF code states that a precautionary approach should be taken in regards to the community sensitive sites and the siting of the facilities. However the code is a set of guidelines only and left up to the interpretation of what a precautionary approach in fact means.
3. The community consultation period was conducted during school holidays for a period of ten days only.
4. The community consultation proved to be community notification as Telstra informed us from the word go that they had a valid lease on the property of 27 Gerler Street.
5. The initial letter had incorrect information as to the EMR levels and it was the community that alerted Telstra to this fact. Due to this a new letter was sent out and the consultation period extended slightly.
6. The P&C of Rainworth State School was never sent a letter informing of the proposal, even though P&C Associations are listed as stakeholder in the ACIF code.
7. It was the P&C and community who informed the wider community of what was happening, as the minimal number of letters that were distributed to the occupier and came from AURECON (not Telstra) consequently many were binned as junk

mail before being read. The community has to alert the owner of the property next door to the proposal as it was a rented property.

8. Existing tower facilities can be upgraded to emit stronger EMR levels without any community notification or consultation. (We discovered that this had occurred in the existing Main Avenue facility first erected in 1995).
9. A new facility is tested for EMR levels and is then not regularly tested again unless randomly tested by ARPANSA (a minimal amount of facilities are tested each year, approximately 20. There are over 20 000 facilities throughout Australia).
10. Australia's ARPANSA standard allows for a maximum EMR of 450 microwatts per square centimetre. This level can not be considered international best practice when countries such as France are successfully trialling EMR levels of 0.1 microwatts per square centimetre in seventeen cities at the current time. Salzburg Austria and Legares in Spain are operating at this same level.
11. As P&C President I met with Anton Jones (the then Brisbane Manager of Telstra) prior to a public information evening held by Telstra on October 13th 2009. He assured me that Telstra was flying up experts from Melbourne to attend the meeting to answer all questions from the community. At the meeting over 400 people attended, Telstra representatives refused to address the crowd as a whole and refused to answer many questions. For example:
 - Did they have insurance to cover the cost of future health issues for our community; particularly our children, which may arise from the effect of EMR from this facility?
 - What are red zones and yellow zones around a tower and what effect will this have on the neighbouring property as the yellow zone from the facility will cross onto that property?
12. All of our government representatives requested that Telstra sought a different location for this facility. At the time they were; Cr. Peter Matic, Andrew Fraser (MP State), Michael Johnson (MP Federal Ryan), Arch Bevis (Federal Brisbane). Telstra refused and refused the communities request stating that there was no other alternative. Councillor Matic informed us that a Telstra representative had told him that 27 Gerler Street was the cheapest option.
13. The Brisbane City Council funded independent testing of the EMR levels at the school and the levels predicted according to the proposal. The results were dramatically higher levels of EMR would result in comparison to what Telstra was claiming.
14. The community felt let down by Government organisations such as the ACMA, ACCAM and ARPANSA. To begin with, it was incredibly difficult to even find these organisations and access information from them. The process of lodging a formal complaint to ACMA was confusing and arduous. When finally they accepted a formal complaint, they refused to fully investigate the matter.
15. Our community had to raise over \$20 000 to support a legal battle by a unit holder at 27 Gerler Street which resulted in the Body Corporate Commissioner handing down a ruling that Telstra **did not** have a valid lease at the site in question.

Conclusion:

After over six months of battling, Telstra finally proposed a new three tower plan ensuring much lower levels of EMR at the school (than originally proposed). Telstra on their website states that they listened to the community of Rainworth throughout the community consultation period and responded with this new plan. The community of Rainworth is furious to be used as part of their marketing campaign to be seen as a good corporate citizen. The community consultation was finished by November 2009; it saw over 200 submissions, a petition of over 1000 signatures and support from all levels of Government. Telstra throughout November and December of 2009 were still informing the community and our Government representatives that the facility would continue to go ahead at 27 Gerler Street. It was not until the Body Corporate Commissioners ruling that the lease was not valid at the end of December 2009 and after Telstra's continued pressure on Unit holders at 27 Gerler Street to sign a new lease had failed, that Telstra put forward a new proposal.

We do not want to ever have this experience again in our community. We want to ensure that no community in Australia is faced with it either.

We expect the Government to amend the telecommunications legislation so that the balance of power is back in the hands of the Government of the people, instead of being in the laps of private telecommunication giants whose main interest is company profits and not the health of current and future generations of Australians.

Yours Faithfully

Sandra Boland