

Dissenting Report

Senator Bob Brown, Australian Greens

The intention of the Telecommunications (Mobile Phone Towers) Bill 2011 is to recognise that citizens have a right to be more engaged in the installation and expansion of telecommunication facilities in their communities.

The evidence from concerned citizens who have been taking local action around the location of telecommunication facilities in their communities has demonstrated the current regulations and processes are inadequate. While we recognise the importance of providing appropriate coverage, security and stability of our telecommunications network, so too is the community's ability to voice concerns about infrastructure which may impact on their lives.

The deficiencies the Bill seeks to remedy include:

- strengthening the requirements for community consultation in relation to the installation of telecommunications facilities, in particular by requiring at least 30 days notice and for such notice to be given to people within 500m of the proposed facility;
- ensuring all electromagnetic emitting facilities including low impact facilities are subject to local government processes as well as community consultations;
- require the precautionary principle to be considered in decisions about the location of such facilities;
- ensuring there is better recourse for citizens where telecommunication companies have not met their obligations to the community; and
- providing a mechanism for better monitoring of Australia electromagnetic radiation standards.

Telecommunication carriers are given widespread powers to locate their facilities. The Australian Greens share the concerns of many in the community that the current consultation provisions are inadequate and that communities should have a right to be more involved in the location of mobile phone towers and engaged in the decision-making process, and that the legislation should provide for this.

A key issue the bill is seeking to address is that once a telecommunications tower is established there is little stopping carriers expanding and adding more antennae without any notice or consultation with affected residents.

The fact that ARPANSA has checked only 21 out of 18 000 telecommunications facilities and ACMA has audited the records of only 474 out of 18 000 for compliance with the EMR standards demonstrates the relevant authorities are not listening to the concerns of the community.

The precautionary principle is relevant when there is a suspicion that an action may cause harm to the health of humans or the environment. There is no scientific consensus on the effects of long-term accumulated exposure to electromagnetic radiation, especially for children and adolescents, in the case of mobile phone facilities. Therefore, carriers should take a cautious approach to the siting of facilities because there is an absence of evidence that they do not cause harm.

We acknowledge there are some technical issues with the Bill and we will consider amendments to ensure the Bill meets the stated objectives. In particular, ensuring the provisions of the Bill do not apply to low-impact facilities that do not emit electromagnetic radiation, such as cables. With such amendments the Bill should be considered favourably by the Senate.

Senator Bob Brown