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Carwoola NSW 2620

22 September 2021

2021 Regional Telecommunications Review Secretariat
Dept of Infrastructure, Transport, Regional Development and Communication
GPO Box 594
CANBERRA ACT 2601

Ref: **Regional Telecommunications Review 2021**

Dear Sir/Madam

Please accept this letter as our submission to the Regional Telecommunications Review 2021.

In July 2020 the Deputy Premier of NSW announced a State Government initiative for Rural Digital Connectivity. Our family have since had considerable exposure to the Telco industry as a direct result of this initiative, that we consider to be highly relevant to this Review.

It first came to our attention on 4th August 2021 when we enquired about the attendance of surveyors in the paddock on the hill adjacent to our property, that a fixed wireless tower was to be erected at that location. We expressed concern at the time about the matter and especially about the fact that we had not been given any notice of the intention to construct the tower within such close proximity to our property. We have since been advised by the relevant telco provider that it is indeed their intension to erect a 12m point to point microwave wireless internet tower on the site.

The location of the proposed tower is intended to be extremely close to our property (approximately 70m from our boundary) and to seating and areas where children play. The positioning of the tower in that location will significantly affect our amenity and enjoyment of our own property, as it will also be visible from every south facing room in our home.

Our home is ideally located on approximately 7 hectares, in a rural residential area in country New South Wales, within easy driving distance to the town of Queanbeyan and also Canberra. Our property is zoned E4 – it has environmental significance and has a terrestrial biodiversity rating, as well as a high bush fire rating. We chose this part of regional Australia because of its impressive views and environmental characteristics, which provide habitat for many plant and bird species, and wildlife including arboreals such as the not so common squirrel gliders. We appreciate the peace and tranquility, the aesthetics and the fact that we are not surrounded by the structures associated with city living.

We currently have a Telstra land line and a Telstra modem with Wi-Fi for the house. Our business which relies very heavily on broadband and is located in Canberra, requires us to conduct regular zoom/Team meetings from home to numerous overseas organisations during their working hours. We also use the Wi-Fi for watching movies and standard internet activities. We have had no problem at all with the service we currently have. We do however, have the benefit of being located on top of a hill and mobile phone connectivity has also never presented a problem.

Nevertheless, from discussions with our larger community, we recognise that not everyone enjoys the same service as we do, and whilst we would not benefit ourselves, we welcome the initiative by the Federal and State Governments of the Regional Connectivity Program.

Our exposure to the Telco industry, through the NSW Connecting Country Communities Fund (CCCF) program, has been in relation to the proposed tower, with both the relevant Telco company and the Telco Authority. The issues we have raised in relation to the proposed tower have included:

- The community consultation process
- The choice of location sites
- The impact on surrounding residents, including impact on amenity of their properties, property value, visual aspect, health concerns
- Environmental considerations, including biodiversity and bushfire risk
- The structure approval process, in particular the NSW State Environmental Planning Policy 2008, as it relates to biodiversity.

We were initially advised by the Telco company that a Development Application would not be not required as they were pursuing the CDC pathway and that the tower would be constructed within a few weeks (in September).

It appears that a loop-hole exists in the approval process for such structures, that may allow circumvention of the intention of relevant legislation to consider the issues raised above. It appears that a Telco company with an ACMA licence for a 10m point to point tower, can quite possibly erect a 12m tower on environmental sensitive land, by submitting a development plan via the CDC process, without the public scrutiny associated with a DA process.

We do not understand how this could be possible, given;

- the Commonwealth Telecommunications (Low-impact Facilities) Determination 2018 identifies a standalone tower (12m in height) as not low impact infrastructure.
- the NSW telecommunication Facility Guidelines – Principle 1 states" A telecommunication facility should be located so as to minimise or avoid the obstruction of a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land."
- the associated AMCA license clearly states that it is for a 10m tower, not a 12m tower.
- the relevant properties have an environmental zoning E4 (terrestrial biodiversity) for their significance.
- the criteria for an exemption for such a large metal structure to facilitate approval using the CDC process, do not appear to have been met, and
- the environment of Covid has not allowed the appropriate community consultation required in both the Commonwealth and State legislation.

We are strong advocates for community connectivity, but not at the expense of the environment or short circuiting the intent of the Commonwealth and State Planning regulations.

Environmental aspects and aesthetics are given due attention in the relevant legislation to provides protection to the characteristics that provide the appeal of rural living and which attracts us to these locations. It is difficult to comprehend why, when there are alternative sites available which have less of an impact on residents, a Telco company would be willing to destroy an environmentally significant and picturesque rural setting for the sake of convenience.

The question we wish to put to the committee is:

Who is responsible for the stewardship of maintaining our rural amenity and keeping Telco companies accountable to the legislation and the community?

Thank you

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Yours sincerely
Robert and Judy Coorey

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