

Confidentiality Requested: no

Submitted by a Planner: no

Disclosable Political Donation:

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Content:

To whom it may concern,

I am writing in relation to proposed amendments to the NSW State Environmental Planning Policy (Infrastructure) 2007 (SEPP). My comments reflect my experiences of dealing with NBN Co in connection with a proposed 45m nbn tower in my community.

My very strong general point would be that greater control, transparency and accountability should be required. While I appreciate the need for efficiency and understand NBN is an important national project, that should not be achieved by evading due process "checks and balances are important in an open democratic society. In my experience, the planning law is too generous, contributing to a situation where no one will intervene:

• The Federal Government claims NBN Co is deliberately arm's length, particularly operational decisions;

• State government claim NBN Co is a federal initiative;

• Councils seems to have been deliberately excluded from the process and may not know if or when they are entitled to act;

• Allowing NBN Co to takes decisions with inadequate explanation and justification, and then arbitrate opposition to its own decision.

A worse process for potential abuse and mismanagement is difficult to imagine.

This current amendment project needs to assign rights and responsibilities, and make sure NBN Co is properly transparent and accountable to local communities.

Specific amendment:

Schedule 19, item 8, page 48

Schedule 3A Exempt and complying development in relation to telecommunications facilities

Insert after paragraph (a) wherever occurring in Column 2 of the matter relating to item 5 in the table to Part 2:

(a1) be located within 100 metres of a dwelling, or

Although I am pleased with this proposed amendment, I do not think that the minimum distance away from dwellings is adequate. The towers under consideration are up to 50m tall, are not in keeping with the rural and agricultural nature of the zones that you permit them to be in, are not low impact, are visually intrusive (almost double the height of a large, mature, eucalyptus trees!), five times the height of maximum allowable buildings, ignore nearby considerations - heritage and history of the area, environmental conservation, bush fire and can be placed in inappropriate locations for line of sight - in a low-lying water course rather than nearby on the hill! Some of these considerations are in the 2010 broadband guidelines, which are not being effectively applied.

My bank manager is selling her property. On four separate occasion prospective buyers have pulled out of the sale because they have discovered that a 50m NBN tower will be built with 100m of their home. I can supply her details if so requested.

Accordingly, the minimum distance from a tower to a dwelling should be no less than the existing requirement of a minimum distance of 150m to a residential zone for a 50m tower. Taking into account potential distance between boundaries, this infers that in reality there will be at least 200m between a tower and a dwelling and should be no less than this.

My preference would be a minimum distance of 500m based on a number of factors - visual impairment as described above and taking into account that nbn prefers not to site towers where there is no requirement for vegetation clearing - as this requires council approval. In our case and probably many more, this then leads to siting of towers on cleared vegetation and farmland - which has no established or mature trees to screen from the intrusive visual impairment. Any trees planted after the fact will take many years, if ever, to effectively screen and this is not effective protection of community interests, particularly neighbours who do not have input into the design process and are not remunerated like the hosting landowner. Most importantly - I understand that the Department of Education has issued guidance that the minimum distance preferred is 500m from schools, as many residences contain families with children - this seems like the most prudent decision.

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Submission: Online Submission from Geoff Hermon (comments)

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