



*Living more safely with  
electromagnetic radiation*

## EMR Australia PL

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Committee Secretariat  
House Standing Committee on Infrastructure and Communications  
House of Representatives,  
PO Box 6021,  
Parliament House,  
Canberra ACT 2600.

### **Inquiry into the Telecommunications Amendment (Enhancing Community Consultation) Bill 2011**

Dear Secretary

Thank you for the opportunity to provide comment on the above Bill. I do so as the Deputy Chair of the Communications Alliance committee revising the 'Code for the Deployment of Mobile Phone Network Infrastructure', as community representative on the ARPANSA EME Reference Group, as author of two books on electromagnetic radiation and publisher for fifteen years of the quarterly report *EMR and Health*.

Firstly, I would like to congratulate Mr Wilkie for proposing amendments to existing telecommunications legislation, which is far from satisfactory.

I submit the following comments on the proposed amendments.

#### **1. Extension of obligations**

I support the extension of the obligations under schedule 3 of the Act to agents of carriers who install or maintain facilities.

I request a further extension of these obligations to other entities who install or maintain radiofrequency radiation-emitting infrastructure for communications, such as electricity companies who construct radio networks for the operation of smart meters.

#### **2. Exemption from Low Impact Facilities Determination**

I support the exemption for 'towers' from the Low Impact Facilities Determination.

#### **3. Definition of 'Maintenance'**

I support a definition of 'Maintenance' that excludes infrastructure that will increase the level of electromagnetic radiation emitted by a facility.

#### **4. Ministerial Code of Practice**

I support the concept of a Ministerial Code of Practice to apply to all telecommunications carriers, their agents and those bodies who construct radio communications networks such as electricity utilities.

I propose that the amended Communications Alliance 'Mobile Phone Base Station Deployment' (the revised version of the ACIF 'Code for the Deployment of Mobile Phone Network Infrastructure') be adopted for this purpose with amendments (below). The purpose for this is that the Code requires that carriers adopt a precautionary approach when designing, siting and operating infrastructure and it specifies a very high standard for notifying and engaging with communities for new sites. However, it does not apply to facilities that require council approval and requirements for establishing facilities at existing sites are less rigorous. Applying it to all facilities would ensure a high standard of notification and consistency for all infrastructure.

The proposed amendments are as follows.

- a) The Consultation requirements in section 6 of the Code apply to new and existing sites for low impact and non-low impact facilities.
- b) An independent body be created to make judgments about whether and how a facility proposal is to proceed based on the outcome of the community consultation process.

The purpose of this is that, for non-DA facilities, carriers are the arbiter on whether or not to take community feedback into account and commercial incentives generally outweigh community interests and health concerns.

#### **5. Community-sensitive sites**

The proposed bill requires that facilities cannot be located within 200 metres of community sensitive sites.

I submit that this amendment would not ensure a reduction in EMR exposure because a carrier, who locates a base station at 200 metres from a sensitive location, can simply turn up the power of the transmitter to ensure the same coverage at the sensitive location. In other words, the proposal does not ensure lower-EMR exposures at sensitive locations, which was the purpose of introducing sensitive locations in the original ACIF Code.

#### **6. Facilities maps**

I support the proposal for ACMA to provide maps of the locations of telecommunications facilities.

I propose this map is extended to include the locations of other radiofrequency radiation-emitting facilities, including smart meter tower networks, paging networks and so on.

#### **7. Role of the ACMA**

The bill proposes that the Ministerial Code of Practice allow complaints to the ACMA.

I believe it is important to establish an alternative body which will be empowered and willing to address complaints and to arbitrate in disputes,

**8. Compliance with the standard**

The bill should include a provision that the ACMA, as regulator, be able to demonstrate that the cumulative emissions of all RF-radiation emitting facilities (inside and outside the home) comply with the ARPANSA RF standard in any given location. The ACMA's ability to licence radiofrequency radiation-emitting infrastructure must be contingent upon its ability to demonstrate this compliance.

Further, I would make the comment that the ARPANSA standard protects the community against only the short-term, heating effects of radiofrequency radiation and does not, therefore, protect against long-term, non-heating levels of radiation such as is emitted by mobile phone base stations. The International Agency for Research on Cancer (IARC) has recently classified this radiation as a possible carcinogen. In the event that low-level exposures from base stations do produce carcinogenic outcomes in the long-term, I propose that the legislation requires carriers to guarantee compensation to those thus affected.

I thank you for your consideration of these comments.

Yours faithfully

Lyn McLean  
Managing Director