



### 3. DECLARATIONS OF CONFLICTS OF INTEREST

### 4. PETITIONS AND JOINT LETTERS

#### **Item 4.1 Response to Petition - Opposition to proposed mobile base station for Optus and Vodafone**

A Joint Letter of 3 signatures, and a petition containing 120 signatures, was received from members of the community and was presented to a Council Meeting on 21 November 2018.

The Joint Letter states the following: -

*This letter sets out the formal opposition of a large number of concerned local residents to the proposed Mobile Base Station for Optus and Vodafone, to be located on the southwest corner of Ormond Esplanade and St Kilda Street, Elwood 3184. A copy of our detailed reasons for opposing the mobile station - as attached - has also been provided to Metasite Pty Ltd, a company acting on behalf of Optus as part of the consultation process as well as relevant Port Phillip and Bayside Council representatives and local State and Federal MPs.*

*Our reasons for opposing this installation are compelling and factual:*

- 1. The proposed station is NOT a Low Impact Facility, but has been positioned as such by Optus to avoid broader Council and Community scrutiny*
- 2. The consultation process adopted by Optus has only made superficial attempts to contact and inform local residents*
- 3. The EME report is fundamentally deficient by not taking into account other, known mobile stations in the area, and hence understating the potential impacts of the new station*
- 4. There is growing evidence of the adverse health impacts of such technology, especially for children and people with electrosensitivity (EHS), with many countries moving to restrict exposure of these groups to such technology*

*Given these facts:*

- What is Council going to do to ensure proper process and community consultation is applied to this matter?*
- How can it be considered Low Impact when Optus replaced an old inoperative light pole with a large monopole which is to be nearly 14m high, in a park and opposite high density apartment complexes?*
- How can residents be assured that there is no risk from cumulative EME emissions as stated in the Optus reports when 2 existing towers at the same location were not included in any measurement?*
- How can the community be confident that any new towers are being placed in locations that are safe to residents based on EM E emissions reports for 5G, which is untested?*



- *And what processes are in place to ensure that the assertions of Optus are properly tested and monitored post implementation?*

*We request that Council convene an open forum to enable the local community to air its considered concerns with Optus representatives, with the Forum attended by nominated officers of Council and relevant Councillors.*

*We trust that the Council will ensure that the proper assessment process is followed for this complex matter, as well as ensuring that the health and welfare of its constituents, especially young children, are properly taken into account, in any final decision.*

## **OFFICER COMMENT**

### **Background**

Council was notified of a proposed Optus facility at Head Reserve, Elwood, at the intersection of Ormond Esplanade and St Kilda Street in September 2018. **Attachments 1 and 2** contain the latest plans and information about the proposed facility.

Technological advances, such as the roll out of the National Broadband and 5G networks, mean that existing telecommunications facilities need to be upgraded and in some cases, new facilities installed. This can cause some concern amongst the community around the location, appearance and health impacts of such infrastructure.

Telecommunications facilities can take the form of dishes, antennae, underground cabling and cable pits, above ground cabling, public payphones and freestanding mobile phone towers. These facilities are regulated by the Commonwealth through the Australian Communications and Media Authority (ACMA).

Most small-scale telecommunications facilities, such as equipment mounted on existing structures, do not require a planning permit, where they comply with the Commonwealth *Telecommunications (Low-impact Facilities) Determination 2018* ('the Determination'). However, telecommunication infrastructure providers are still required to inform Council about the proposed facilities and notify affected community members and residents as part of the required public consultation. They are also required to notify Council where Council is the public land manager.

Commonwealth telecommunications legislation and regulations give wide powers to telecommunications carriers. This includes powers to access and undertake works on public land, without explicit permission from the public land manager. Council's rights and obligations in telecommunications infrastructure matters are therefore very limited.

Optus is currently rolling out microcell infrastructure across parts of the municipality. These have generally been designed to be low impact facilities under the Determination, and therefore do not require planning permit approval. However, Council's Planners monitor these on a case-by-case basis, to ensure there are no site-specific circumstances that would prevent a low impact classification.

### **Proposed facility at Head Reserve, Elwood**

Council Planning Officers are satisfied that the proposed Optus facility at Head Reserve, Elwood, at the intersection of Ormond Esplanade and St Kilda Street is low impact in accordance with the 2018 Determination. Accordingly, it does not require a planning permit.

# ORDINARY MEETING OF COUNCIL 2 OCTOBER 2019



In response to the receipt of the joint letter and petition from residents concerned about this facility, Council Officers met with Optus' representatives in December last year. Council Officers subsequently convened a meeting in February 2019 with the affected residents and Optus' representatives. At the meeting, Optus agreed to provide additional information and to undertake additional EME (Electromagnetic Energy) testing at resident's properties located near the proposed facility. This testing occurred in May and June 2019 and was provided to the residents and Council as part of ongoing discussions between all parties.

As a result of these discussions, Optus amended the proposal to relocate the antennae so that it is orientated away from the dwellings on the opposite side of Ormond Esplanade. Optus have commenced further community consultation based on this amended design and updated EME testing. Council was notified of this on 22 August 2019. Optus' representatives have also offered to hold a further meeting, which the petitioning residents have advised they do not require at this time.

Pending the consultation not resulting in any new matters being raised, Optus have advised that they anticipate the installation works (and decommissioning of the existing, redundant facilities) commencing in October or November this year. Furthermore, during the works period some road closures may be required (subject to approvals from Council under Council's local laws) but that no power outages are anticipated.

## **Response to matters raised in the joint letter and petition**

In response to the matters raised in the letter and petition:

- The proposed station is a low impact facility and does not require a planning permit. It is deemed to be a low impact facility despite it being installed on a recently constructed electricity pole that is much larger than the pole that was previously there, as the replacement of the pole is allowed under separate Utility related legislation, which also did not require a planning permit.
- Optus' representatives have engaged in consultation required under the relevant regulations. Further, in direct response to the concerns raised by residents Optus has undertaken additional voluntary consultation with Council and the most affected residents.
- Additional EME testing has now been undertaken and distributed to residents. The results indicate that the relevant Australian standards have been met. Optus' representatives have also committed to having independent EME testing done within two months of the installation occurring, and to distributing the results to residents and Council. This is above the requirement of the Determination. Optus will be responsible for compliance with the relevant Australian standards.
- EME exposure limits associated with low impact telecommunications facilities are regulated by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) under Australian wide standards. These standards would be met in this instance, as demonstrated in the EME test results. These tests include an assessment of cumulative impacts from any other by EME producing infrastructure. Therefore, there is no reason to believe that this facility would pose any unreasonable health risks.
- In regard to EME exposure from 5G technology, ARPANSA's position is that there are no established health effects, based on current research.

# ORDINARY MEETING OF COUNCIL 2 OCTOBER 2019



## OFFICER RECOMMENDATION

That Council:

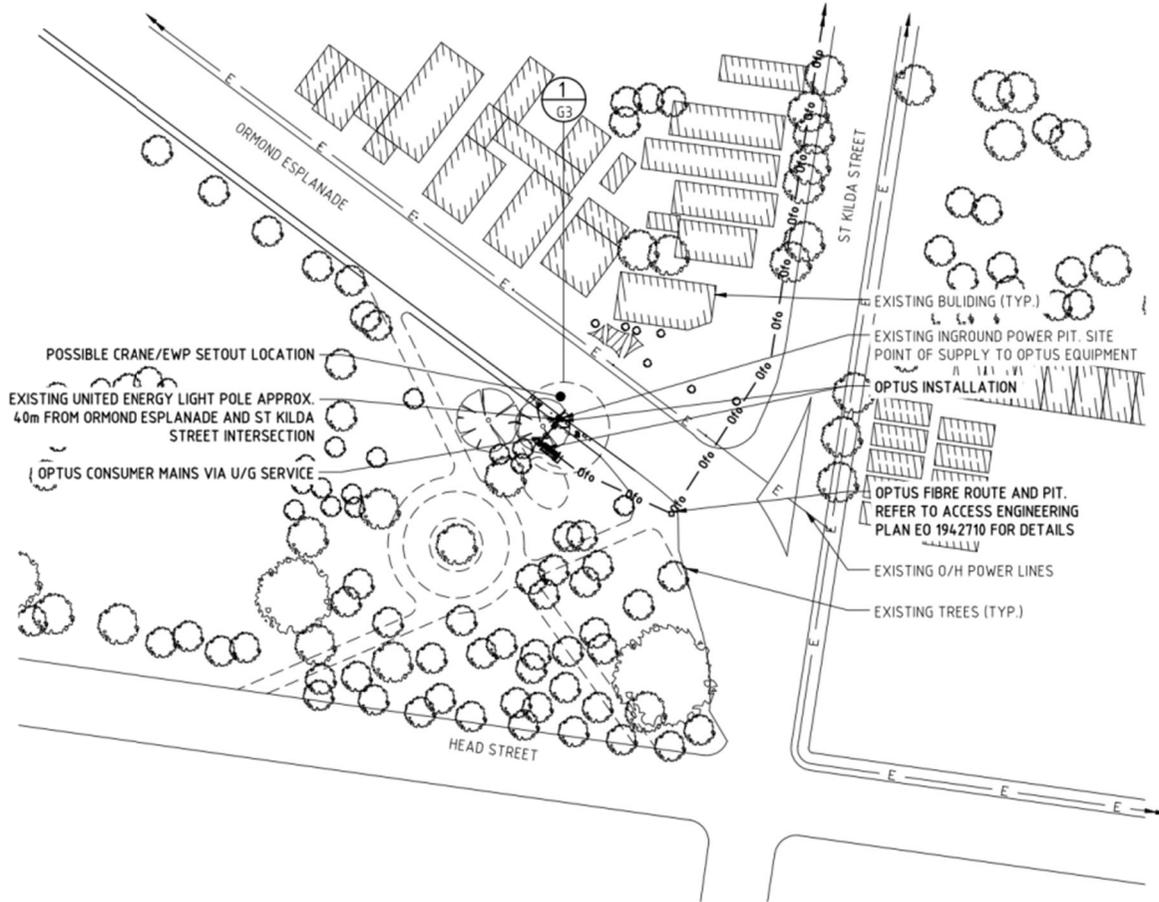
1. Advises the three signatories of the joint letter and the petition organiser that Council Planning Officers will continue to liaise with them and Optus' representatives until the installation is complete and the independent EME testing has been undertaken and distributed.

**TRIM FILE NO:**

**PF16/1323**

**ATTACHMENTS**

1. Attachment 1 - Plans
2. Attachment 2 - EME Report



**NOTE:**  
 SERVICES INFORMATION CONTAINED ON THIS DRAWING IS INDICATIVE ONLY AND REFERENCE SHOULD BE MADE TO THE AUTHORITIES DRAWINGS TO CONFIRM ACCURACY AND COMPLETENESS. WHERE INFORMATION IS AVAILABLE, THE SUB-SURFACE SERVICES INSTALLED BY AGENTS OTHER THAN THE AUTHORITIES HAVE BEEN SHOWN, BUT ADDITIONAL UNDOCUMENTED SERVICES MAY BE PRESENT. SHOULD THE CONTRACTOR BELIEVE THAT SUB-SURFACE SERVICES ARE AT RISK OF DAMAGE DURING CONSTRUCTION, THE CONTRACTOR SHOULD NOTIFY THE RELEVANT AUTHORITIES AND ESTABLISH THE EXACT LOCATION OF THE SERVICES.

- LEGEND**
- PROPERTY BOUNDARY
  - 0 e — 0 e — OPTUS U/G POWER
  - 0 fo — 0 fo — OPTUS U/G FIBRE OPTIC
  - E — O/H POWER SUPPLY
  - FP# — OPTUS FIBRE PIT
- (PITS SHOWN AT NOMINAL LOCATIONS. ALL PITS WITHIN DRIVEWAY AND PARKING AREAS TO HAVE TRAFFICABLE LIDS)

**OVERALL SITE PLAN**  
 SCALE 1:1000

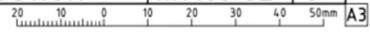
Attachment 1: Plans

Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver
C	06.08.19	REVISION	METASITE	JW	JB	GC	PJ
B	29.11.18	REVISION	METASITE	JW	JB	GC	PJ
A	12.09.17	FOR CONSTRUCTION (STAY ALIVE REPLACEMENT)	METASITE	JM	FA	MB	PJ



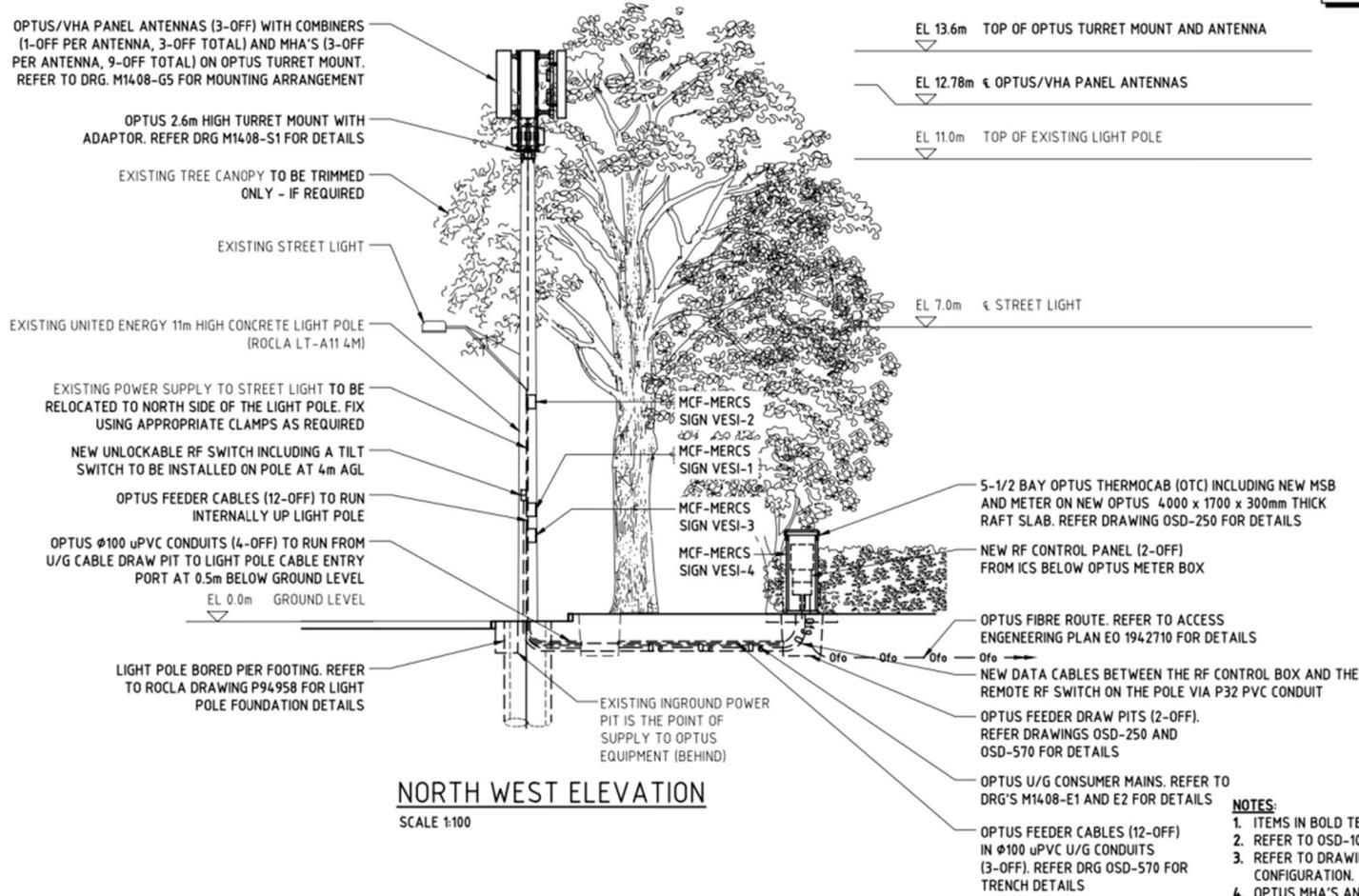
Client: **MOBILE NETWORK AUSTRALIA**  
 Project: **SITE No:- M1408 ELWOOD BEACH**  
 135A ORMOND ESP

Drawing Title: **OVERALL SITE PLAN**  
 Drawing Status: **FOR CONSTRUCTION**  
 Drawing No: **M1408-G2**  
 Revision: **C**





**NOTE:**  
THIS DRAWING IS DIAGRAMMATIC ONLY  
AND SHOULD NOT BE SCALED.



**NORTH WEST ELEVATION**  
SCALE 1:100

- NOTES:**
1. ITEMS IN BOLD TEXT INDICATES EXTENT OF NEW WORKS.
  2. REFER TO OSD-100 FOR STANDARD CONSTRUCTION NOTES.
  3. REFER TO DRAWING M1408-A1 FOR ANTENNA SYSTEM CONFIGURATION.
  4. OPTUS MHA'S AND COMBINERS TO BE MOUNTED BEHIND AND CLOSE TO THE PANEL ANTENNAS AS PER MANUFACTURERS SPECIFICATIONS.
  5. REFER TO G1 FOR ALL SIGNS DETAILS REQUIRED ON THE SITE.

Attachment 1: Plans

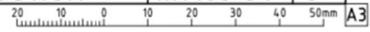
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Client: **MOBILE NETWORK AUSTRALIA**  
Project: **SITE No:- M1408 ELWOOD BEACH**  
135A ORMOND ESP

Drawing Title: **SITE ELEVATION**

Drawing Status: **FOR CONSTRUCTION** Drawing No: **M1408-G4** Revision: **C**



# Environmental EME Report

<b>Location</b>	Road reserve adjacent Head Street Reserve, 135A Ormond Esplanade, ELWOOD VIC 3184		
<b>Date</b>	21/08/2019	<b>RFNSA No.</b>	3184003

## How does this report work?

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at Road reserve adjacent Head Street Reserve, 135A Ormond Esplanade, ELWOOD VIC 3184. These levels have been calculated by Huawei using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

A document describing how to interpret this report is available at ARPANSA's website:

[A Guide to the Environmental Report.](#)

## A snapshot of calculated EME levels at this site

There are currently no existing radio systems for this site.

The maximum EME level calculated for the **proposed** changes at this site is

# 4.23%

out of 100% of the public exposure limit, 60 m from the location.

EME levels with the proposed changes	
Distance from the site	Percentage of the public exposure limit
0-50 m	3.98%
50-100 m	4.23%
100-200 m	2.53%
200-300 m	0.63%
300-400 m	0.28%
400-500 m	0.16%

For additional information please refer to the EME ARPANSA Report annexure for this site which can be found at <http://www.rfnsa.com.au/3184003>.

## Radio systems at the site

This base station currently has equipment for transmitting the services listed under the existing configuration.

The proposal would modify the base station to include all the services listed under the proposed configuration.

Carrier	Existing		Proposed	
	Systems	Configuration	Systems	Configuration
<b>Optus</b>			3G, 4G	LTE700 (proposed), WCDMA900 (proposed), LTE1800 (proposed), LTE2300 (proposed), LTE2100 (proposed)
<b>Vodafone</b>			3G, 4G	LTE850 (proposed), NB-IOT900

				(proposed), WCDMA900 (proposed), LTE1800 (proposed), LTE2100 (proposed)
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## An in-depth look at calculated EME levels at this site

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined. All EME levels are relative to 1.5 m above ground and all distances from the site are in 360° circular bands.

Distance from the site	Existing configuration			Proposed configuration		
	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit
0-50m				8.44	188.97	3.98%
50-100m				9.69	249.068	4.23%
100-200m				8.083	173.31	2.53%
200-300m				4.038	43.24	0.63%
300-400m				2.71	19.44	0.28%
400-500m				2.027	10.9	0.16%

## Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest, identified through consultation requirements of the [Communications Alliance Ltd Deployment Code C564:2018](#) or other means. Calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

### Maximum cumulative EME level for the proposed configuration

Location	Height range	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit
Community Park	0-2 m	6.85	124.35	2.69%
Three Storey Apartments_1	0-11 m	12.14	390.85	5.82%
Three Storey Apartments_2	0-11 m	9.91	260.29	3.87%
Two Storey Dwellings	0-9 m	10.84	311.73	4.5%
Three Storey Apartments_3	0-11 m	8.31	183.17	2.71%
Three Storey Apartments_4	0-11 m	1.73	7.98	0.12%
Elsternwick Park	0-2 m	3.12	25.9	0.38%
Two Storey Building	0-9 m	5.097	68.9	1.019%
Sports Ground	0-2 m	3.97	41.71	0.6%