



Attachment 2 to Item 12 - Part A

Submissions received

Date of meeting: 20 October 2022
Location: By audio-visual link
Time: 10:00 a.m.

From: Chris Ross
Sent: Mon, 22 Nov 2021 14:53:04 +1100
To: Hawkesbury City Council
Cc: Committee
Subject: Development Application Enquiry: DA0308/21

Hello,

I wish to lodge an objection to the proposed mobile phone tower at location A as listed in the development application documentation.

My name is Chris Ross and am writing as a representative of the Astronomical Society of NSW which owns Crago observatory located at site E as listed on the DA0308/21

We have three primary concerns:

1. The new tower is proposed to be double the height of the existing tower on site. We are concerned that any lighting on the tower may interfere with observatory operation. The site is a designated astronomical observatory number D03-41 as listed on the Astronomical Society of Australia website.
2. The Crago observatory has an arrangement with the NSW Rural Fire Service hosting an onsite water tank which is heavily used during bushfire operations for helicopter water bomber re-filling. Any tower built in the near vicinity may present a hazard to helicopter operations and the proposal should be reviewed with RFS helicopter operations for potential impact on helicopters operating in the area under bushfire conditions, with potential reduced visibility.
3. In addition to the notes for Site E in the DA, the above reasons also apply as reasons that Crago Observatory is unsuitable.

The list of designated observatories can be found here:

<https://asa.astronomy.org.au/membership/observatories/> Please click on the significant amateur society/private observatories tab to find Crago observatory listed as #D03-41. Prior to COVID, the observatory was regularly used and a major activity was outreach to the local community, showing residents the night sky through the large telescopes at the observatory.

My Contact details are :

Chris Ross

[REDACTED]

[REDACTED]

[REDACTED]

You can address correspondence to [REDACTED]

Thank you for your consideration of our submission.

yours faithfully,

Chris Ross

Astronomical Society of New South Wales, Inc.

[REDACTED]

[REDACTED]

[REDACTED]

29 November 2021



Elizabeth Richardson
General Manager,
Hawkesbury City Council
P.O. Box 146 Windsor NSW 2756

Dear Ms. Richardson,

Subject: Submission re 18 Lieutenant Bowen Road, BOWEN MOUNTAIN

Your ref: Lot 609 DP 222231 - DA0308/21

Thank you for the opportunity to comment on this proposed development. The Astronomical Society of New South Wales, Inc (ASNSW) owns and operates Crago Observatory located off Burralow Fire trail, Bowen Mountain, which is identified as "Candidate E" in the Statement of Environmental Effects (SEE).

Crago Observatory is a Designated Observatory, classified by the Astronomical Society of Australia in recognition of its ongoing contributions to research, education, and community use. This submission addresses matters of concern relating to our ability to continue to perform those roles.

The proposed location ("Candidate A") is approximately 275 m South-East of Crago Observatory. The tower's height of 33.5 m means that the top of the tower will be at an elevation of approximately 7 degrees or higher as seen from Crago.

We appreciate the need to improve mobile communication coverage in the local area, but we are concerned that the proposed site and design will interfere with the use of the Observatory site and degrade the Observatory's ability to operate.

Our specific concerns are:

1. Lighting

As you may appreciate, astronomical observatories depend crucially on dark skies in order to function. It is not only direct line-of-sight lighting that matters, but perhaps more important is the glare which lights up the night sky and reduces the visibility of astronomical objects. This problem is exacerbated by special astronomical cameras that are extremely sensitive to infra-red radiation.

The proposed lighting associated with this tower is not specified in the plans, nor in the Statement of Environmental Effects, but we are aware that such structures typically have bright safety lights on top to alert aircraft. There may also be additional security lights and

others. All those lights have the potential to cause significant unwanted light spill, which could substantially degrade the ability to conduct astronomical work at Crago Observatory.

Specifically, I would like to draw attention to Australian Standard AS4282 on "The Control of the Obtrusive Effects of Outdoor Lighting", revised in 2019. It provides guidelines for planning authorities to ameliorate the effects of light pollution in the vicinity of observatories. Councils have been instrumental in protecting the darkness of our night skies as a major tourism resource through development of their planning instruments. The Plans have led to councils improving lighting within their regions to avoid degrading the darkness of the night sky.

The Astronomical Society of Australia is designated by Standards Australia to classify Designated Observatories: the list with details of Crago Observatory's registration can be found as **D03-41** in the section for "significant amateur society/private observatories" at <https://asa.astronomy.org.au/membership/observatories/>.

We respectfully request that a proper evaluation of the lighting impact should be made, with particular attention to the requirements for suitable lighting in the vicinity of a functioning astronomical observatory, and a Lighting and Sky Glow Assessment should be added to the SEE.

2. Rural Fire Service

Crago Observatory has a long-standing arrangement with the NSW Rural Fire Service (RFS), whereby we host an onsite water tank which is heavily used during bushfire operations to fill helicopter water bombers. That tank is underneath the clearing beside Crago Observatory, and the helicopter landing area occupies the rest of the clearing.

Care must be taken to ensure that any tower built in the near vicinity does not present a hazard to helicopter operations.

We strongly suggest that the proposal should be reviewed with RFS helicopter operations to evaluate any potential impact on helicopters operating in the area under bushfire conditions, with potential reduced visibility.

This becomes critical when considering Candidate E; in fact it is hard to see how such close co-location would be compatible with the RFS operations.

Conclusions

The proposal is deficient in not addressing the issues of lighting impact and safety of helicopter operations. Omitting the ASNSW and the RFS from the notifications may have perpetuated this.

We request that this be remedied by conducting a proper assessment of the lighting and sky glow, including the guidelines to ameliorate the effects of light pollution in the vicinity of observatories, and the results should be recorded in the SEE.

We also respectfully suggest that any proposal should be reviewed with RFS helicopter operations.

Finally, we would strongly object to a proposal to install a tower at "Candidate E", which would mean co-locating it with Crago Observatory. Such a proposal would be totally

incompatible with the operation of an observatory, and it would also interfere with, or even prevent, the RFS helicopter access when it is vitally needed.

Yours truly,

Greg Neilson

[REDACTED]
[REDACTED]

From: ASNSW Secretary [REDACTED]
Sent: Monday, 29 November 2021 4:10 PM
To: Hawkesbury City Council
Subject: Development Application Enquiry: DA0308/21
Attachments: ASNSW Submission re Optus Tower 2021_11_29.pdf

Please find attached a submission relating to DA0308/21, on behalf of the Astronomical Society of NSW.

Note that William Pillon (Senior Town Planner, Hawkesbury City Council) granted an extension to the normal submission deadline.

Yours faithfully,
Greg Neilson

[REDACTED]

From: ASNSW Secretary
Sent: Sun, 21 Nov 2021 22:33:13 +1100
To: Hawkesbury City Council
Subject: Development Application Enquiry: DA322559/21

The Astronomical Society of NSW owns and operates "Crago Observatory", an accredited observatory on Bowen Mountain, very close to this proposed development.

We are very concerned that we were not advised about this proposal, considering its potential to affect the observatory's ability to operate.

We only found out about it tonight (Sunday 21 November) from a local resident, who informs me that submissions are required tomorrow.

Obviously that does not allow us the opportunity to make a reasonable submission.

So we request your agreement to extend that deadline by one week, in order to make a proper submission.

This seems reasonable in light of the council's omitting us from the notifications.

Yours faithfully,
Greg Neilson

A solid black rectangular box used to redact the signature of Greg Neilson.

General Manager
Hawkesbury City Council
P.O. Box 146,
Windsor NSW 2756

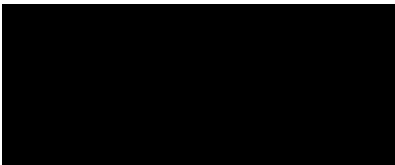
RE: Development Application 18 Lieutenant Bowen Road, BOWEN MOUNTAIN, Lot 609 DP 222231. DA0308/21

Dear Sir/Madam

Objection to Development of Optus Mobile Phone Tower at the above address.

I wish to object to this proposal on the following grounds:

1. The Statement of Environmental Impacts says that maintenance at the proposed site will be carried out quarterly. Given that Bowen Mountain is a high risk bush fire area this is not adequate, particularly during the fire season, monthly maintenance of the surrounding land should be required otherwise the build up of leaf litter poses a threat to adjacent houses.
2. The local community, particularly the occupants of dwellings in close proximity to the proposed tower should be given more detailed information on the health risks posed by the tower, there are a number of households close by that have young children and they should be consulted in more detail regarding any health risks from radiation, RF waves, etc. The current building and perimeter fence has signs warning of radiation - what is the health risk to nearby residents of the proposed tower and equipment? This has not been clearly explained in the development application documents.
3. The visual impact of the proposed tower will supposedly be limited by the surrounding vegetation, this is unlikely and the photos in the DA application show that the tower is clearly visible from a number of vantage points heading along Bowen Mountain Road.
4. A more suitable location for the tower, which would limit visual impact and proximity to dwellings should be considered, for example next to the Crago Observatory on the Burrellow Fire Trail.



Robert Blumenthal



15 November 2021

From: Robert Blumenthal [REDACTED]
Sent: Tuesday, 16 November 2021 11:53 AM
To: Hawkesbury City Council
Subject: Submission re: Development Application Lot 609 DP 222231. DA0308/21
Attachments: objection_Lot 609 DP 222231. DA030821 .pdf; ATT00001.htm

Please see attached objection to Development Application Lot 609 DP 222231. DA0308/21.

Rob Blumenthal
[REDACTED]

From: [REDACTED]
Sent: Mon, 22 Nov 2021 16:40:39 +1100
To: Hawkesbury City Council
Subject: ATTENTION: Planning Department Re: Submission re: Development Application Lot 609 DP 222231. DA0308/21
Attachments: Bowen Mountain Association Objection to DA0308_21.pdf, Bowen Mountain Association Political Gifts and Donations Statement.pdf
Importance: High

Dear Sir or Madam

On 19 November, 2021, the Executive Committee of the Bowen Mountain Association Inc. voted unanimously to oppose the Development Application Lot 609 DP 222231. DA0308/21 proposed by Optus for 18 Lt. Bowen Road, Bowen Mountain. Please see the attached objection statement. Also please find attached our Political Donations and Gifts and Disclosure Statement as required.

Regards,

Bill Kerr
President
The Bowen Mountain Association Inc.

[REDACTED]

**General Manager,
Hawkesbury City Council,
P.O. Box 146,
Windsor, NSW, 2756**

**RE: Development Application 18 Lieutenant Bowen Road, BOWEN
MOUNTAIN, Lot 609 DP 222231. DA0308/21**

Dear Sir/Madam

Objection to Development of Optus Mobile Phone Tower at the above address.

This is to inform you that on 19th November 2021, the Bowen Mountain Association Executive Committee voted unanimously to express its deep concern to Council over the Optus Telecommunications Facility (DA0308/21) proposal to erect a 33.5m telecommunications tower at 18 Lieutenant Bowen Road on the site of the current Endeavour Energy communications tower. We are writing to express our objection over the proposed Telecommunications tower. The reasons for our objection are as follows:

1) Absence of community consultation.

There has been no consultation with the community and yet the DA 0308/21 has been submitted. We are concerned that the proposed Telecommunications Facility poses significant risks to neighbouring homes and families through its effects on family and community health and wellbeing and infringement on residential property. There has been no detailed information given to the local community nor signage on the site to enable community awareness of the proposal. It has been drawn to our attention that many neighbouring residents did not receive information from Hawkesbury City Council regarding the proposed Facility and were completely unaware of this proposal.

2) Telecommunications Facility contravenes Zoning Regulations.

The requirements of the 2012 Hawkesbury Environmental Plan prohibit a telecommunication facility or any tower to be constructed within a distance of three times its height to residential dwellings or 100m, whichever is greater. The proposed Facility is a vertical tower 33 metres high positioned metres from neighbouring dwellings. It will be 10 times the height of a single storey dwelling and be significantly visible from Lieutenant Bowen Road and surrounding areas. The placement of the tower is shown to be approximately 15 m from the adjacent residences.

3) Destructive Environmental Impact

As Bowen Mountain appreciates a rare, carefully balanced ecosystem and provides a safe habitat for a number of endangered species it is critical that an Environmental impact statement be urgently conducted and disseminated to the local community. Lightning strikes are quite common in the area and have ignited the nearby bush resulting in damaging bushfires. Therefore, the Telecommunications Facility will be

an easy target for lightning strikes and high winds, which are a feature of this exposed area of Bowen Mountain.

4) Impact on Crago Observatory

Crago Observatory, which is situated on the northern end of Bowen Mountain, is operated by the NSW Astronomical Society with over 450 Members. They are a group of knowledgeable volunteers who are passionate to educate the general community about astronomy and are dedicated to public outreach and education in astronomy. Volunteers regularly undertake observing facilities at Crago Observatory. The history of this Observatory begins in 1973 with the granting of an extended long term lease over “The Devil’s Hole” area at the northern end of Bowen Mountain. Bowen Mountain residents and Crago Observatory volunteers are proud that they possess a listed Designated Observatory status with Astronomical Society of Australia and enjoy offering “Naked Eye” sky tours, telescope tours of the solar system and deep sky objects.

The proposed Telecommunications Facility would have a devastating noise, visual and auditory impact on a unique and historical feature of Bowen Mountain.

5) Prevent the efficient operation of bushfire equipment

In several recent bushfires the flat area surrounding Crago Observatory has been used as a bushfire helicopter water refuelling depot with reservoir water constantly filled by water trucks. This has proven to be an efficient area from which to refuel helicopters and it is critical that this area is not compromised. Placing such a high Telecommunications Facility near the proposed location and/ or near the Crago Observatory is not a viable option as it could impede the efficiency of this operation and could be dangerous to critical helicopter traffic.

6) Damaging Impact on Health

We are deeply concerned that the proposed Telecommunications Facilities could pose radiation energy issues, which could disturb medical equipment used by several residents. Noise pollution from large air conditioning units will be in operation 24 hours, 7 days a week. Residents could suffer considerable harm to their health. For example one nearby resident has a pacemaker and several young and aged residents suffer from breathing, heart and lung problems and severe asthma. As suggested by their health practitioners, these residents have moved to the mountain to enjoy fresh mountain air and an environment, which will greatly aid their conditions providing them with an improved quality of life. Telecommunication Facilities such as the proposed one present considerable health risks such as radiation, visual and noise pollution risks to neighbouring families.

7) Devaluation of Homes

It has been well researched in Australia that mobile phone towers negatively affects house values, Reference Rajapajsa, D., Athukorala, W., Managi, S and Neelawala, P., The impact of cell phone towers on house prices: evidence from Brisbane, Australia. *Environmental Economics and Policy Studies*, June 2017. No cost benefit analysis has been undertaken for the properties in the area. We are deeply concerned that properties

will suffer a valuation decrease. Residents bought properties in this area in good faith assured that property values would increase and not decrease as a result of a Telecommunications Facility being built long after they had purchased their house.

The Bowen Mountain Association Executive Committee agrees that the Mountain needs better mobile communication infrastructure. However, we believe that this Facility for the above reasons should be placed where it will not negatively impact residents. Before this Facility proceeds any further adequate community consultation needs to occur and the community is informed of all impacts of this facility.

It is also imperative that all the options for erecting the Telecommunications Facility are explored to ensure that it does not adversely affect residents and the community, does not pose a threat to wildlife and Crago Observatory and has a minimal effect on the environment.

Regards,

William Kerr
President
The Bowen Mountain Association Inc.
Bowen Mountain

Hawkesbury City Council

366 George Street (PO Box 146) Windsor NSW 2756 DX 8601 WINDSOR

Phone: (02) 4560 4444 Facsimile: (02) 4587 7740 Email: council@hawkesbury.nsw.gov.au



political donations and gifts disclosure statement

Office use only:

Date received: ____/____/____

Development Application no. _____

This form may be used to make a political donations and gifts disclosure under section 147(4) and (5) of the *Environmental Planning Assessment Act 1979* for applications or public submissions to a council.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

Explanatory information

Making a planning application to a council

Under section 147(4) of the Environmental Planning and Assessment Act 1979 ('the Act') a person who makes a *relevant planning application* to a council is required to disclose the following *reportable political donations and gifts* (if any) made by any *person with a financial interest* in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

Making a public submission to a council

Under section 147(5) of the Act a person who makes a *relevant public submission* to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any *associate of that person* within the period commencing 2 years before the submission is made and ending when the application is determined:

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A reference in sections 147(4) and 147(5) of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under section 147(9) for political donations and section 147(10) for gifts. A Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council is available from Council.

If you do not have a disclosure

Should you have no reportable political donations and gifts to disclose simply complete and sign the declaration below.

Warning: A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147. The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

A. WE, THE BOWEN MOUNTAIN ASSOCIATION INC. declare that I have not made any political donation or gift as outlined in
Name

the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

W. YAKER, PRESIDENT
Signature

22/11/2021
Date

From: Sarah Cassim
Sent: Sun, 21 Nov 2021 09:15:02 +1100
To: Hawkesbury City Council
Subject: OBJECTION TO DA0308/21 - TELECOMMUNICATIONS TOWER AT 18 LT. BOWEN ROAD, BOWEN MOUNTAIN
Attachments: 257931419_4404760199572785_217092909195478087_n.jpg, OBJECTION FOR DA0308-21 TELECOMMUNICATIONS TOWER AT 18 LT. BOWEN ROAD, BOWEN MOUNTAIN 2756.pdf

Hi,

Please see the attached objection letter and donations statement for submission.

Warm regards,
Sarah Cassim

Sent from [Mail](#) for Windows

political donations and gifts disclosure statement



Office use only:

Date received: ____/____/____

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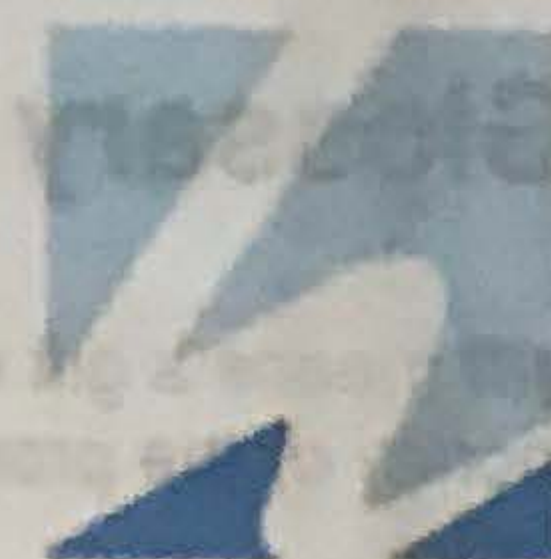
I, SARAH CASSIM declare that I have not made any political donation or gift as outlined in
(Name)

the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

21-11-2021

Date

political donations and gifts disclosure statement



Office use only:

Date received: ____/____/____

Development Application no. _____

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I, SARAH CHASSIM declare that I have not made any political donation or gift as outlined in
[Name]

the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

21-11-2021

Date

General Manager
Hawkesbury City Council
PO BOX 146
WINDSOR 2756

**RE: OBJECTION FOR DA0308/21 – TELECOMMUNICATIONS TOWER AT 18 LT. BOWEN ROAD,
BOWEN MOUNTAIN 2756**

This DA address of a 33.5m tower is going to negatively impact the residents of Bowen Mountain on several contributing factors. Please see the below.

1. Does not meet any zoning requirements for a tower for the RU5 zoning which it will be proposed site.

This site does not meet any of the required planning compliance requirements for this zone. Please see the following:

NSW Telecommunication facilities guideline including broadband
Complying development in relation to RU5 zoning.

Section 5 (a-c):

If the tower is located on land in Zone IN1, IN2, IN3 or an equivalent land use zone, the tower **must not**:

(a) be located within 100 metres of a Zone R1, R2, R3, R4, R5 or **RU5** or an equivalent land use zone boundary. **Attached photographs state that this is not the proposal offered.**

(b) exceed 25 metres in height (including telecommunications facilities) where located between 100 and 150 metres from a Zone R1, R2, R3, R4, R5 or RU5 or equivalent land use zone boundary
Proposed tower of 33.5m is much higher than 25 metres and much closer to boundary line (see attached photographs.)

5.2 (a) be located within 100 metres of a Zone R1, R2, R3, R4, R5, RU5 or an equivalent land use zone boundary

This guideline is not met – tower will stand metres from multiple residence.

(b) exceed 25 metres in height (including telecommunications facilities) where located between 100 and 150 metres from a Zone R1, R2, R3, R4, R5 or RU5 or equivalent land use zone boundary
As above, this guideline has not been met.

2. This is not an ‘emergency’ location.

This location’s “intensive” investigation into location has disregarded the perfect location near the Crago Observatory. As stated, it is “too high” is false as topographically it is at the same elevation as proposed site, but further from residence boundaries.

3. Lightning conduction and NBN failures on Bowen Mountain due to electric storms

Since the roll out of NBN on Bowen Mountain, there has been an ongoing issue with lightning strikes grounding locally and NBN boxes “blowing up” and no longer operational all over the mountain during storms. One resident on this street is up to their 6th box this year. With the height of this tower being an excess of 13.5 meters above tree canopy’s at 20m, it is going to be a common occurrence of lightning grounding at this proposed site. Not only is this detrimental to the noted NBN infrastructural flaws, but it will become a hazard for the surrounding homes with lightning conducting 2 meters away from living spaces.

4. Noise pollution to surrounding residents

The cooling devices and air con will be of constant nuisance as they run consistently. The detriment that this will pose on the health and wellbeing both physically and mentally to surrounding homes will be astounding.

5. Property pricing

With advice from 3 local agents, this street with offending tower will drop their property value by 20-30% as salability decreases and it becomes impossible to re-sell our homes. Residence may seek compensation from Optus in this instance due to the gross negligence of this proposal’s fundamental disregard to human wellbeing due to the proximity of the offending tower.

6. Safety and negligence of site at current

Please see the attached photo (b) as it shows the current safety hazard for the surrounding children who play in this street. This street is home to several young children (over 20 children under 11). The current site is rarely locked and not very secure. This is going to become further a safety hazard for inquisitive children when there is a tower which is emitting consistent frequency which is still unknown of health risks at this stage of the development of these towers. If there is a failure of its cooling infrastructure, this also poses risk for surrounding residents.

7. High winds / general safety concerns

If in the case of failure of structural integrity due to environmental elements or other contributing factors, and this tower falls to any degree, the residence and structures surrounding them will be at extreme risk and may even cause fatality due to the proximity. We are in a ‘cyclonic wind’ area as per our home insurance. This will be a elemental risk and concern for residence each time we reach these extremely high winds.

Photographs on pages 3 and 4 of document.

The problematic nature of this tower could easily be solved by relocating this tower to another option which was grossly dismissed.

Regards,

Sarah Cassim



(a) Proposed tower location site. We have had this emergency 15m



(B) – Not secure.

From: Elka
Sent: Mon, 22 Nov 2021 12:18:33 +1100
To: Hawkesbury City Council
Subject: Submission for LOT 609/DP222231 - DA0308/21
Attachments: DA030821.docx, ATT00001.txt, Resized_20211122_121245.jpeg

Good afternoon,

Please see the attached submission letter for DA0308/21.

Regards,

Elka Cruz

political donations and gifts disclosure statement



Office use only:

Date received: ____/____/____

Development Application no. _____

This form may be used to make a political donations and gifts disclosure under section 147(4) and (5) of the *Environmental Planning Assessment Act 1979* for applications or public submissions to a council.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

Explanatory information

Making a planning application to a council

Under section 147(4) of the Environmental Planning and Assessment Act 1979 ('the Act') a person who makes a *relevant planning application* to a council is required to disclose the following *reportable political donations and gifts* (if any) made by the person with a *financial interest* in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

Making a public submission to a council

Under section 147(5) of the Act a person who makes a *relevant public submission* to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any *associate of that person* within the period commencing 2 years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

A reference in sections 147(4) and 147(5) of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under section 147(9) for political donations and section 147(10) for gifts.

A Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council is available from Council.

If you do not have a disclosure

Should you have no reportable political donations and gifts to disclose simply complete and sign the declaration below.

Warning: A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147. The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

I, ELKA CAR declare that I have not made any political donation or gift as outlined in

[Name]

the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

Signature

22.11.2021

Date

General Manager
Hawkesbury City Council
PO Box 146
Windsor 2756

RE: Development Application - Telecommunications Tower at 18 Lieutenant. Bowen Road, Bowen Mountain 2753, LOT 609/DP 222231. DA0308/21

Objection to the development of a new telecommunications facility on the following grounds.

Site Selection

Investigation into the use of other appropriate sites like the Crago Observatory where the elevation is too high is inaccurate. It is at the same elevation as the proposed site. All suitable alternatives have not been fully explored to ensure there are no to minimal health impacts that will directly affect neighbouring residents. The “intensive” level of investigation that was conducted is a poor oversight to other locations that may be more suitable for a new tower. Placing the new tower at the already existing base station in the short term may reduce costs, but the long-term health, social and economic impact would be greater.

Noise Pollution

The air conditioning units required to maintain normal operating temperatures for the tower will be running consistently. There are no readings from adjacent properties to indicate that the significantly close proximity of the units will not affect neighbouring residents’ health and wellbeing.

THE EME Report is a prediction of the maximum signal strength for the proposed facility. Onsite testing has not been performed. If the tower is constructed at this site, how often will these levels be checked onsite to ensure continued safety for residents and wildlife in the area.

“No impact on threatened species or communities”. Residents who will potentially be impacted by the construction of the new tower have not been consulted during the planning of this. Upon consultation with residents in the community, the developer will see that there is more of a detrimental impact to the community with the construction of this new tower at the current proposed site.

Property pricing

The construction of a bigger tower will significantly reduce the property value for those wishing to sell their houses in the future. Will Optus compensate residents for this oversight.

Further details for the residents in the community regarding this development is required prior to any further progress. Consulting residents in the planning process is essential to

allow for the increase in services to the community whilst reducing the significant impact this development will have if it proceeds at 18 Lieutenant Bowen Road.

Regards,

Elka Cruz

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the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

Signature

22.11.2021

Date