



Attachment 2 to Item 12 - Part B

Submissions received

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

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: ____/____/____

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:

- (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.

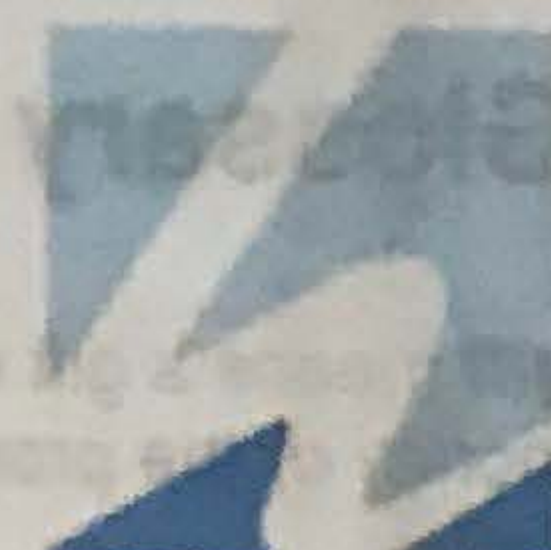
I, SARAH CASSIM declare that I have not made any political donation or gift as outlined in
(Name)

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. _____

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:

- (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, 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

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:

- (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 CARL 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

From: Emma Dietrich
Sent: Mon, 22 Nov 2021 16:52:10 +1100
To: Hawkesbury City Council
Subject: Objection to DA Lot 69/DP222231

To whom it may concern,

This is an official objection to above quoted development application.

I live in direct vicinity of this proposed tower & i object on the following point:

- the potential negative impact to property values needs to be explored & presented for affected residents

I look forward to your response.

Regards,

Emma Dietrich

From: Eddie Paul
Sent: Sun, 21 Nov 2021 22:09:57 +1100
To: Hawkesbury City Council
Subject: Objection - DA 0308/21
Attachments: CCF21112021.pdf

General Manager
Hawkesbury City Council

DA 0308/21

Objection of Proposed development of Optus Tower at 18 Lieutenant Bowen Road, Bowen Mountain.

Dear Sir/Madam

I would like to object to the above proposal on the following grounds:

1. There is not enough detailed information regarding the health risks associated with the equipment in close proximity to residents.

The proposed location is directly outside a school bus pickup zone and the tower would be located directly less than 10 metres from a residential house, and on some sides less than 5 metres.

The existing site has Radiation warning signs, moving the existing equipment off the Endeavor Energy tower to the new proposed tower at the front of the block would then move the radiation exposure closer, along with additional RF/EME levels from the Optus infrastructure.

As technology continues to advance, this provides an easier opportunity to add that technology to this infrastructure without knowing the long term effects. The telcos often share the same tower infrastructure, given that is the case the effects of RF/EME levels would be greater than what is reported in this DA.

2. Site E (Crago Observatory) is at the same elevation of Site A (Proposed Site). It is a level walk between the 2 sites and would be a better option. Only Optus Basic information per site was given and No Additional details were provided on all candidate sites.

3. Visual impact - existing neighbouring vegetation will not be sufficient to mask the much taller than the existing Endeavour Energy tower that can clearly be seen already, which is another advantage of using Site E over Site A. Photos shown in the DA clearly show the tower and will directly impact the Natural aspect of the residential area..The visual impact, health and safety issues of Site E will be much less than that will be caused by locating this tower at the proposed Site A.

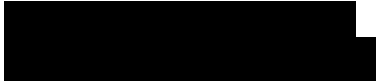
4. Quarterly maintenance of that block is not sufficient in this high risk bushfire area especially when it backs directly onto bushland (western side of the site). The winds predominantly come from the west, blowing the excess leaf matter directly into that block. The existing maintenance is just a mow, No leaf cleanup/ or branch removal.

6. Constant noise from Air Conditioning being run 24hr/day for neighbouring properties.

7. The DA states why a new tower is needed, being 5G is the latest Technology and increased demand of speed and bandwidth (Page 9), But in the Environmental EME Report (page 50) it states only 3G/4G. Nothing about 5G.

8. There will be a diminished land/property value on surrounding premises.

Edward Paul



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:

- (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, Edward PAVE 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.

[Redacted Signature] 21/11/21

Signature Date

General Manager
Hawkesbury City Council



RE: Development Application 18 Lieutenant Bowen
Road, Bowen Mountain, Lot 609 DP 222231.
DA 0308/21

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 points

- Much bigger vertical tower which will affect views.
- It will affect real estate values of my home and other homes around me.
- Lightning strikes and strong wind velocity in the area.
- Too close to alot of residents, could be put in a more suitable area away from residents considering the amount of bushland that Bowen Mountain has.

Regards

Gina Finnegan



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 the person making 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, Gina Finnan 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

21-11-21
Date

From: RJ H
Sent: Sun, 21 Nov 2021 16:28:24 +1100
To: Hawkesbury City Council
Subject: Development Application Enquiry: DA0308/21

Dear Council members,

I am writing as a concerned resident living near the proposed DA0308/21. As I see the benefits of having the tower built on the proposed location, I also see and am aware of some of the negatives this may pose on myself, my household and my neighbourhood.

The issues and concerns are:

- The devaluation of the homes adjoining and nearby
- The high-velocity wind that is prevalent in that area
- The fact that there will be air conditioners running to avoid overheating and causing the adjoining neighbours to be subject to this ongoing noise
- A large structure being erected that is unnatural, this community have chosen to move here to escape the large development structures which are planned to build
- The radiofrequency and radiation this may emit, would be detrimental to anyone with pacemakers and/or medical issues
- Not enough research has been put into this to see the negative effects of this build - this may affect our health and livelihood
- Lightning strikes on the tower would affect the properties nearby, which may cause damage and power outages

I know that there are 2 other locations available for this tower to be built, and would ask you to consider those other locations, which are not adversely affecting the quality of life, visual pollution and the devaluation of our homes which we worked so hard to maintain.

--

- Ralph Hearsey -

A resident of [REDACTED]

From: Ryan Herbert
Sent: Mon, 22 Nov 2021 16:36:39 +1100
To: Hawkesbury City Council
Subject: Development Application Enquiry: DA0308/21
Attachments: RYAN - COUNCIL SUBMISSION.docx, HCC Political Gifts and Donations Statement.pdf

Dear Hawkesbury City Council,

I am writing to express my objection over the proposed Telecommunications tower at 18 Lt. Bowen Road on the site of the current Endeavour Energy communications tower.

Please see required documents attached.

Thank you,

Ryan Herbert

General Manager

Hawkesbury City Council

DA 0308/21

Reference: Objection to Proposed Telecommunications Facility

at Lot 609 DP 222231, 18 Lieutenant Bowen Road, Bowen Mountain NSW. 2753

I am writing to express my objection over the proposed Telecommunications tower at 18 Lt. Bowen Road on the site of the current Endeavour Energy communications tower. The reasons for my objection are as follows:

1) Radiation from the Telecommunications Facility

Plans for the Telecommunications Facility depict that the tower will be approximately 15 m from residences, which is extremely close to existing residences. According to the proposal, HELP 1989 states that, if a facility does not emit less than 0.2 uw/cm² radiation, it must be at least 300 m from a residential dwelling.

2) Telecommunications Facility does not meet Zoning Regulations.

The Facility does not meet zoning regulations in the area as the proposed Facility is a vertical tower 33 metres high positioned metres from neighbouring dwellings. This Facility will be 10 times the height of a single storey dwelling. This proposal does not meet the requirements of the Hawkesbury Environmental Plan 2012 in regard to prohibiting a telecommunication facility or any tower to be constructed within a distance of three times its height to residential dwellings.

3) Harmful Impact on Health

The proposed Telecommunication Facilities present considerable health risks such as radiation, visual and noise pollution risks to neighbouring families and aged residents. For example one resident has a pacemaker and several residents suffer from breathing, heart and lung problems and severe asthma. Health risks from the Facility will greatly affect their conditions and significantly decrease their quality of life.

4) Damaging Environmental Impact

The Telecommunications Facility will be an easy target for lightening strikes, which are quite common in the area as are high winds. The NSW Astronomical Society operates Crago Observatory, on the northern end of Bowen Mountain. The proposed Telecommunications Facility would have a devastating noise, visual and auditory impact on this unique Observatory.

5) Lack of community consultation.

There has been no community consultation and the DA 0308/21 has been submitted. Community consultation is needed before any development proceeds to discuss the

effects of the Telecommunications Facility on family and community health, wellbeing and encroachment on residential property. Many neighbouring residents did not receive information from Hawkesbury City Council regarding the proposed Facility and are completely unaware of this proposal.

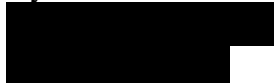
6) Devaluation of Homes

Placement of the Telecommunications facility in the proposed location would significantly reduce property values the homes in the nearby vicinity, with the largest impact to be felt by those in the immediate proximity of the tower. No cost benefit analysis has been undertaken for the properties in the area.

It is an undeniable fact that the Mountain needs better mobile communication infrastructure, however, for the above reasons I believe that this Facility should be placed where it will not negatively impact residents, Crago Observatory and the surrounding environment. Before this Facility proceeds any further it is crucial that adequate community consultation occurs. It is also imperative that all the options for erecting the Telecommunications Facility are fully investigated and communicated to residents.

Regards,

Ryan Herbert



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:

- (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, Ryan Herbert 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

From: Todd Kuhn
Sent: Mon, 22 Nov 2021 15:52:10 +1100
To: Hawkesbury City Council
Subject: Development Application Enquiry: DA0308/21
Attachments: General Manager (Kyes).doc, img20211122_15490628.pdf

Dear Sir/Madam

Please find attached a letter of objection to the proposed Optus Tower, DA0308/21 & the completed Political Donations & Gifts Disclosure Statement.

Thankyou.

Kye Anthony Kuhn


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

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

Dear Sir/Madam

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

I wish to submit a written objection on the following grounds:

1: I believe that the proposed tower is going to be erected in breach of the NSW Telecommunications Facilities Guideline, Section 5.1, Table 1, Number 8 : Replacement Of A Tower ; If the original tower is located on land in zone RU5 or an equivalent land use zone than the height of the replacement tower (Including Telecommunications Facilities) must not be greater than the height of the original tower (Including Telecommunications Facilities).

The original tower is around 19 metres high yet the new proposed Monopole is 25 metres high with a further 8.5 metre Dipole for a total height of 33.5 metres which is close to double the size of the original tower. This is a clear breach of the afore mentioned legislation.

2: NSW Telecommunications Facilities Guideline, Schedule, Facilities & Areas, Part 1, (Section 3.1), Part 7, Item No 2(f), states that the likely level of noise from the operation of the co-located facility are less than or equal to the noise that resulted from the original facility, but I believe the noise levels will be far greater than the existing facility due to the fact that three new air conditioning units will be installed & will be running constantly to regulate the temperature of the new infrastructure. This is a clear breach of the NSW Telecommunications Facilities Guidelines.

3: The visual impact of the proposed tower will not be limited by the surrounding vegetation & will be clearly visible from a number of vantage points as clearly shown in the images provided in the DA Application. Residents do not agree with the statement that the detailed siting is considered to be sympathetic to the character of Bowen Mountain as the tower will be close to twice the height of the existing tower & the trees will not hide its form.

4: It is suggested that the land elevation at Candidate E is too high yet the land at Candidate A & Candidate E vary by less than 1-2 metres if at all as it is a level walk from site to site. Topographical maps show the same elevation at both sites. I believe the documented statement is misleading. Please clarify this. A more suitable location for the tower that would limit the visual impact & proximity to residential properties should be reconsidered. For example candidate E, near the Crago Observatory on the Burralow Fire Trail.

5: I do not feel that the affected residents health & well being has been seriously taken into account as the most recent RF EME surveys by ARPANSA were taken in 2007-08 & are inconclusive at best. The affected residents need more information regarding the potential health risks associated with the proposed tower.

Thankyou

Kye Anthony Kuhn



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:

- (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, Kyle Kuhn 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]
Signature

22/11/2021
Date

From: [REDACTED]
Sent: Sun, 21 Nov 2021 20:08:50 +1100
To: Hawkesbury City Council
Subject: ATTENTION: Planning Department Re: Submission re: Development Application Lot 609 DP 222231. DA0308/21
Attachments: William and Alison Kerr Objection to DA0308_21.pdf, W and A Kerr Political Donations and Gifts Disclosure Statement 2021.11.21.pdf
Importance: High

Dear Sir or Madam

Please see the attached objection to Development Application Lot 609 DP 222231. DA0308/21. Also please find attached our Political Donations and Gifts and Disclosure Statement.

Regards,

William and Alison Kerr

Per

Bill Kerr
[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.

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

1. **Radiation:** The proposed site is far too close to existing residences. The plans indicate that the tower will be approximately 15 m from residences. According to the proposal, HELP 1989 states that, if a facility does not emit less than 0.2 uw/cm² radiation, it must be at least 300 m from a residential dwelling. The documentation does not identify whether or not this minimum 0.2 uw/cm² is met. It only states that there is no site where the 300 m requirement can be met on Bowen Mountain (p.31). That is no reason to break zoning requirements.


Within the areas of Lt. Bowen Road, Maple Street, Redgum Crescent and Crag Crescent, are almost 70 residential properties within 500 m of the proposed site. Several of these are known to have residents with significant chronic medical conditions, including at least one pacemaker. The potential effects of the proposed tower on these residents has not been considered.

2. **Visual impact:** The proposal notes that, to minimise visual impact, no tower may be constructed closer than 100 metres or three times the height of the tower, whichever is the greater, to any residential dwelling. Being approximately 15 m from the nearest residences, the subject site is certainly located within 100m from the nearest dwelling. It should be noted that, in the early 1990's a similar proposal was put by Prospect Electricity. At that time, a helium balloon on a 33 metre line was used to demonstrate the height of the proposed tower. The impact of this demonstration was such that the proposal was vetoed by Council. There are even more houses today that would be affected than there were at that time.
3. **Noise pollution:** Bowen Mountain is a special bushland setting with an abundance of biodiverse flora and fauna. Traffic is minimal, and many varieties of birdsong around the properties surrounding the proposed facility are always in the air. There is concern that the constant humming of air conditioning units would drown out these sounds for adjacent residents.
4. **Property value:** It has been documented in Australia that proximity to cell phone towers negatively affects house values (Rajapaksa, 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). As stated in (1), above, placement of the facility in the proposed location would likely significantly reduce property values for many of the approximately 70 homes in the nearby vicinity, with the largest impact to be felt by those in the immediate proximity of the tower.

5. **Other options:** Other options to the proposed Option A appear to have been too easily discounted by the consultant, who appeared from the documentation to simply chose the cheapest option for Optus by piggy-backing on to the current Endeavour Energy site. Bowen Mountain has significant non-residential areas that have elevation and are not close to homes which should be more carefully considered. Kurrajong Heights also has existing towers that could possibly be used instead. It is our opinion that these options have not been sufficiently investigated.
6. **Lack of community consultation:** There has been not community consultation by Optus or its delegates. The DA was launched 'between COVID and Christmas' so that there has been minimal opportunity for discussion and consultation with residents who stand to lose significantly by this proposal.

Regards,

William and Alison Kerr



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:

- (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.

WE, WILLIAM & ALISON KEAR declare that I have not made any political donation or gift as outlined in
Name WE

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

William
Signature

21/01/2021
Date

From: Todd Kuhn
Sent: Fri, 19 Nov 2021 19:37:28 +1100
To: Hawkesbury City Council
Subject: Objection to proposed Optus Tower at 18 Lieutenant Bowen Road,
BOWEN MOUNTAIN , Lot 609 DP 222231, DA0308/21
Attachments: DA030821 Objection.doc, Political Donation Document.pdf

Dear Sir/Madam.

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

Todd Kuhn
[REDACTED]

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

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

Dear Sir/Madam

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

I wish to submit a written objection on the following grounds:

1. I believe that the value of my property will be significantly decreased due to the close proximity of the tower to my property. I have recently contacted several Real Estate agents in the Hawkesbury area seeking advice on the impact the proposed tower would have on my properties value & I have been informed by all that it will have a negative affect on the current value. The proposed site of the base of the tower is within 5 metres of the closest adjoining wall of my property & 10 metres from the other property that adjoins.
2. At section **1.3 Preferred Site Candidate of the Statement of Environmental Effects**, the document states that the Visual Impact from the tower being moved forward would remove it from the line of sight but I believe it will be more visibly obtrusive & obstruct the view from my rear deck. I believe that the statement in the SEE document is grossly inaccurate.
3. **Table 2: Compliance with NSW Telecommunications Facility Guideline , Principle 1, Section G**, indicates that the proposal will not obstruct any views or generate any adverse visual impacts for the surrounding land users, yet the view from my rear deck of the viewing corridor of the Hawkesbury area will be significantly impacted due to the construction of the tower & could result in that view being completely removed.
4. **4.3.2 Zoning, RU5 Village Zone**, once again indicates that the relocation of the tower on the same land will improve the outlook from the adjoining residents open space & that the proposed

location is an improvement for the adjoining residents lot. I completely disagree with this as it will be clearly visible from my open space, even more so than the existing tower due to the increased infrastructure at ground level & the overall height of the structure.

5. **The Statement Of Environment Impacts** states that maintenance at the proposed site will be carried out quarterly but I believe this will be insufficient due to the high bush fire risk of the Bowen Mountain area & the potential for high volumes of leaf litter to accumulate & become a potential fire hazard to adjoining houses.
6. The visual impact of the proposed tower will not be limited by the surrounding vegetation & will be clearly visible from a number of vantage points as clearly shown in the images provided in the DA Application. Residents do not agree with the statement that the detailed siting is considered to be sympathetic to the character of Bowen Mountain as the tower will be close to twice the height of the existing tower & the trees will not hide its form.
7. A more suitable location for the tower that would limit the visual impact & proximity to residential properties should be reconsidered. For example candidate E, near the Crago Observatory on the Burrallow Fire Trail. It is suggested that the land elevation at Candidate E is too high yet the land at Candidate A & Candidate E vary by less than 1-2 metres if at all as it is a level walk from site to site. I believe the documented statement is misleading. Please clarify this.
8. **5.4 Noise & Vibration** explains that there will be minimal noise emitted from the air conditioning units. What will the decibel level be & will the units run constantly?

To summarise, I believe that the tower & amenities building being within 5 metres of my nearest adjoining wall will have a significant impact on my properties value & future resale value leaving me in a significantly decreased financial situation to where I currently am prior to the erection of the proposed tower.

Todd Kuhn

[REDACTED]

18 November 2021

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 and 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:

- (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, TODD KUHN 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

18/11/2021
Date