



AUSTRALIAN LOCAL  
GOVERNMENT ASSOCIATION

Mr John Stanton  
Chief Executive Officer  
Communications Alliance Ltd  
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NORTH SYDNEY NSW 2060

Via email to [info@commsalliance.com.au](mailto:info@commsalliance.com.au)

9 September 2011

Dear Mr Stanton,

The Australian Local Government Association (ALGA) appreciates the opportunity to make a submission to the draft *Mobile Phone Base Station Deployment Industry Code C564:2011* released for public comment by the Communications Alliance Ltd. The Code replaces the existing *Deployment of Mobile Phone Network Infrastructure Industry Code C564:2004*.

ALGA has consulted with its state and territory associations in preparing this submission. Comments in this paper should be read in conjunction with submissions made by state and territory associations and councils.

Should you require any further information in relation to the matters raised in this submission, please contact Ms Monica Telesny on telephone (02) 6122 9433 or email [monica.telesny@alga.asn.au](mailto:monica.telesny@alga.asn.au).

Yours sincerely

A handwritten signature in blue ink, reading "Adrian Beresford-Wylie".

Adrian Beresford-Wylie  
Chief Executive

## **ALGA SUBMISSION TO THE DRAFT INDUSTRY CODE C564:2011 MOBILE BASE STATION DEPLOYMENT, SEPTEMBER 2011**

This submission responds to the invitation of the Communications Alliance for public comment of the Draft industry Code for Mobile Phone Base Station Deployment (released on 1 August 2011).

This submission has been prepared by the Australian Local Government Association (ALGA). ALGA is the national voice of Australia's 560 local councils. Its membership is comprised of the state and territory local government associations across the country, with the Government of the ACT being a direct member of ALGA, reflecting its unique combination of municipal and territory functions. ALGA's submission should be read in conjunction with submissions from state and territory associations and from individual councils.

The new **Mobile Base Station Deployment** Industry Code C564:2011 replaces the existing **Deployment of Mobile Phone Network Infrastructure** Industry Code C564:2004 (published by the Communications Alliance in 2004.)

ALGA understands that the revised code aims to supplement the requirements already imposed on carriers under the existing legislative arrangements.

The new draft code is designed to allow greater consultation with, and participation by, councils and the community in the decisions made by carriers when deploying mobile base stations and to provide greater transparency in planning, siting, installing and operating the base stations. The Code is premised on the fact that public health and safety is of paramount importance in relation to both low impact and non-low impact facilities, and that a precautionary and more consultation approach should be adopted by carriers when deploying mobile base stations.

The location and number of mobile base stations as well as the risks of their proximity to schools and day care centres, have caused a great deal of community and local government concern in the past. The increased obligation by carriers to consult with local councils and the community, increased transparency in the processes and the obligation for carriers to adopt a precautionary approach are welcomed by local government. Some councils have indicated that while they have been "notified" of a carriers intention in the past, they have rarely been "consulted". Embedding the need for consultation in the Code is a welcome improvement.

ALGA supports an enhanced consultation and notification process in the installation of radiocommunications infrastructure. Whether the mobile base station is constructed on a Low-Impact Facility or whether it requires a Development Application, consultation and notification is good business practice. The requirement under the new Code that a consultation plan be developed for deployment of mobile base stations not subject to Development Approval, is a significant improvement and is welcomed by ALGA. This is accompanied by the requirement that council must comment on the consultation plan within 5 business days from the date of the request, which can be extended for a further 5 days if requested by council [Section 6.3.20 (a) and (b)].

ALGA has had feedback from local councils which suggests that the 5 business day comment period for councils is inadequate and should be extended to 10 business days. In order to respond to the draft proposals, councils need to inspect the site, possibly consult with neighbouring residents and prepare a written response. Depending on council workloads, staff are not always immediately available to carry out these duties. Although councils can ask for an extension of 5 days, ALGA would suggest that consideration be given to extending the initial comment period to 10 working days, with the possibility of a further 5 day extension if requested.

Further feedback from councils indicates that a more transparent and proactive approach to forward planning would enhance consultation and collaboration opportunities. Infrastructure providers making their forward planning and proposed siting more accessible, would in turn enable councils to incorporate mobile base station infrastructure into their forward planning. This would allow co-location of telecommunications where possible (siting the facilities of different carriers in one location) and limit the number of new towers. ALGA understands that co-location is not always the best option, but, in many cases it can be a good solution for both carriers and the community. ALGA is aware that in some cases councils are willing to partner with other councils and Regional Development Australia (RDA) committees to reach collaborative outcomes for the location and co-location of mobile base stations.

Co-location is encouraged by Federal legislation and ALGA encourages an open and proactive dialogue between carriers and councils.

Councils and communities acknowledge the benefits of reliable mobile phone reception and understand that this requires mobile phone tower infrastructure. In many cases it is the process rather than the infrastructure which causes the objections. Carriers which engage with the community and councils to explain the rationale behind the site they have chosen and can streamline the process and reduce objections. In locations which have particular sensitivities for the community, carriers need to be in a position to offer practical alternatives and proactive consultation to assist in minimizing or avoiding community backlash.

Australia's geographic and demographic challenges mean that rural and remote areas are often left behind in relation to their urban counterparts. ALGA has argued that that mobile phone coverage in regional and rural areas is often inadequate and falls significantly short of community expectations. These communities can also be disadvantaged by having fewer council staff, resources and expertise. Consultation and facilitation by carriers is particularly important for these communities to be able to access telecommunications opportunities.

ALGA

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