

1 July 2024

Communications Alliance Ltd
PO Box 444
Milsons Point NSW 2060
Via online lodgement portal

Indara Submission on Proposed C564:2024 Mobile Phone Base Station Deployment Industry Code

I write on behalf of Indara concerning the proposed 2024 revisions to the *C564:2020 Mobile Phone Base Station Deployment Industry Code* (the 'Deployment Code').

We thank the Communications Alliance for its opportunity to comment on the proposed 2024 amendments to the Code (the 'revised Code'). Indara supports the proposed amendments.

Indara Background

Indara is a Mobile Network Infrastructure Provider (MNIP). Indara own and manage over 4500 existing mobile telecommunications facilities across Australia; we work closely with Australia's Mobile Network Operators (MNOs) to deliver new infrastructure that services the Australian community.

Whilst Indara is an MNIP, rather than an MNO, the Deployment Code is vital to our work as an infrastructure developer acting for and on behalf of mobile carriers (in accordance with section 1.3.1, Note 1 of the Deployment Code).

Indara is in the process of deploying several hundred new greenfield facilities (in partnership with MNOs) across Australia. The site selection and design process for these new sites is strongly guided by Section 4 of the Deployment Code. Some of these sites will also require public consultation in accordance with the relevant section of the Code.

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Indara also has several active upgrade programs where (on behalf of an MNO) we manage the planning, site acquisition and design tasks to upgrade the MNO's existing mobile phone base stations. These projects require our town planners carry out public notification for the MNOs and manage regulatory compliance in accordance with the Code. Indara has completed several hundred Deployment Code activities in the last two years, for Optus and TPG Telecom (Vodafone), and it is expected that we will manage similar or greater numbers of activities in the next two years.

Our team is familiar with the requirements and obligations of the Code; we trust that our feedback on proposed updates will be of use to the Communications Alliance.

Feedback on Revised Deployment Code

Indara fully supports the revisions to the Code. We believe the changes will have meaningful time and cost benefits for proponents, and will provide greater clarity for community members, whilst still enabling community and Council participation and ensuring transparency in the deployment process. We have provided specific feedback and some additional recommendations below.

- **Removal of the Precautionary Approach.**
The revised Code removes references to the 'Precautionary Principle' and a 'Precautionary Approach', on the basis that Australian safety standards (specifically the ARPANSA *Standard for Limiting Exposure to Radiofrequency Fields – 100kHz to 300GHz*) provide sufficient protections for the community. Indara supports this change; tying the Code to federal government safety standards provides the community with greater clarity and certainty.
- **Definition of Community Sensitive Location.**
The existing Deployment Code encourages carriers to avoid Community Sensitive Locations (such as residential areas, childcare centres schools and so on). Unfortunately, objectors often misunderstand this to mean base stations are prohibited in such areas. The revised Code now confirms that deployment in Community Sensitive Locations is not prohibited. We support this change, as much of our deployment work occurs in urban areas, including residential areas, where demand is greatest. The proposed changes to the Code provide useful clarity, especially given its explicit references to federal safety standards.
- **Definition of Complaint.**
The revised Code clarifies what is and is not considered a formal complaint about Code compliance. Indara supports these changes, which will provide additional clarity and certainty to complainants.

- **Removal of Consultation Symbol.**

Previous iterations of the Deployment Code included a 'Consultation Symbol' that had to be shown on correspondence and notification materials. The revised Code removes this requirement.

Indara supports this change. It has been our experience that the consultation logo did not receive significant public recognition, but its inclusion resulted in a greater likelihood of technical issues (such as its not appearing correctly in emails) which in turn raised potential issues with Code compliance. In our view, including the carrier logo on documents is more meaningful and useful for community members.

- **Privacy and Use of Information.**

The revised Code provides an improved explanation of the privacy obligations on carriers under the *Privacy Act 1988*. Indara welcomes these changes.

- **Section 4.1 New Site Selection.**

Section 4.1 of the revised Code (relating to new site selection) has been simplified. Indara supports the changes, including the new statement that *"It is common for facilities to be installed in Residential Areas to satisfy coverage objectives."* This is a common matter of objection raised by community submitters, and this statement provides useful clarity.

- **Section 4.2 Site Design and Operational Requirements.**

Indara supports the simplification of section 4.2, including the consolidation of the existing Code's sections 4.2 and 4.3 into one section.

- **Section 5.1 Small Scale Infrastructure – Low RF Power Radiocommunications Infrastructure and Fixed Radio Links.**

Indara supports the minor changes proposed in the revised Code, noting that section 5.1 works generally have very little community impact and are unlikely to generate community interest.

- **Section 5.2 Small Scale Infrastructure – Small Mobile Phone Radiocommunications Infrastructure.**

Section 5.2 deals with installation of small cell facilities. Because small cell infrastructure often generates community interest, we support the additional consultation requirements in the revised Code (including the requirement for an RFNSA Consultation Page in section 5.2.6, and additional notification requirements under section 5.2.9).

However, we note that the information required to be provided in consultation materials (section 5.2.5) has not changed in the revised Code. By comparison, because of an increased reliance on the RFNSA Consultation Page under the revised Code, the information requirements for section 6 and section 7 consultation materials have been simplified.

We suggest that it might be appropriate to harmonise section 5.2.5 against section 6.1.8 and 7.1.1, which require less information to be provided in letters and signs, providing that there is a QR Code linking to the RFNSA and an increased reliance on the RFNSA Consultation Page.

We also note that it may be helpful to include definitions of “close proximity” and “immediate vicinity” in the Code.

- **Section 6 New Site Without Development Approval.**

Indara supports the proposed changes in the revised Code.

We specifically support the simplification of consultation documents as noted in 6.1.8, addition of QR Codes on consultation materials, and increased reliance on the RFNSA consultation page. A common criticism of existing Deployment Code processes is that the notification letter (a formal letter in an envelope) may appear as junk mail so is discarded unopened. The new, simplified requirements will enable use of brochures or cards instead of a formal letter; the purpose of the notification will be clearer and the information more easily accessible.

Indara also specifically supports the consolidation of Council notification requirements. The existing Deployment Code has distinct, separate stages for notification to Council – an invitation to comment on the consultation plan (10 business days) and an invitation to comment on the proposal (20 business days). In practice, it is rare for a Council to provide a comment at both these stages; more commonly Councils will provide a single reply at the consultation plan stage, commenting on the consultation plan *and* providing their feedback on the project generally. We have observed that the current two-stage approach can cause confusion, especially if a Council has already provided a response to the consultation plan; it can also cause unnecessary administrative delay.

The revised Code consolidates these stages and reduces the overall Council notification timeframe from a total of 30 business days to a total of 20 business days. It also allows the notification period for IAPs to be run concurrently. Indara supports these changes, noting they will considerably shorten the overall time taken to complete a DC6 process, without compromising Council’s ability to be meaningfully involved.

- **Section 7 Existing Site Without Development Approval.**

Indara supports the proposed changes in the revised Code.

We specifically support the simplified notification requirements, addition of QR Codes on consultation materials, and increased reliance on the RFNSA consultation page. We also note that the revised Code appears to allow increased flexibility in notification methods, though it is our understanding that site signage and direct letters to Interested and Affected Parties will remain the predominant forms of notification under section 7.

- **Section 8 Temporary Facilities.**

Indara supports the proposed changes in the revised Code. However, as with section 5.2, we suggest that it might be helpful to harmonise section 8 consultation requirements against those in sections 6.1.8(f) and 7.1.1(f) of the revised Code (ie use of simplified consultation documents with QR Code, and increased reliance on the RFNSA Consultation Page).

- **Section 10 Complaint Handling.**

Indara supports the proposed changes in the revised Code, particularly the simplification and clarification over what constitutes a complaint, and the additional comment that “*A Carrier’s response does not imply that all Complainants will be satisfied.*” It is helpful for the Code to acknowledge that despite best efforts, it may not be possible to achieve a mutually acceptable outcome with an objector.

- **Appendix C Consultation Guidelines.**

Indara supports the changes to Appendix C in terms of consultation tools, especially the removal of newspaper notifications in local newspapers as a ‘best practice’ method – though newspaper advertising should not be totally removed, as it remains useful in some limited circumstances (such as in rural and regional areas, or in cases where other consultation methods are not practical or suitable).

It has been our observation that – in inner city areas especially – many newspapers have ceased publication since covid. More generally, newspapers have declining readership, so even if there is a suitable paper available, a public notice may have less reach than other methods like signage or direct letter notification. Newspaper advertising also comes at a substantial cost to MNOs and MNIPs, so removing this as a ‘regular’ requirement will result in considerable cost savings to the industry. Newspaper advertising *can* be an especially useful tool in rural and regional areas, and in other specific cases where other methods are unsuitable, so it should not be removed completely.

- **Appendix D Communication Information Formats.**

Indara broadly supports the changes to Appendix D, notably removal of the ‘consultation envelope’ and ‘consultation symbol’.

In terms of site signage, the measurement requirements for signs have been removed from the revised Code. We recommend retaining a minimum size guideline (eg A3) to avoid confusion.

Section D3 of the revised Code includes a template sign for ‘temporary facilities’. We note that no QR Code is included on the sign; while this is not currently a requirement under section 8 of the revised Code, we suggest it would be helpful to add this requirement for consistency with other Deployment Code notification processes. It would also ensure that all Deployment Code signs would have a consistent appearance regardless of what sort of process is being run.

The sign template provided in the revised Code also appears somewhat dated. We have provided a revised template below for the consideration of the Communications Alliance.

Implementation

In implementing the revised Code, Indara makes several recommendations.

- **Update of Specific Templates**

We anticipate new templates will be made available in due course. Indara is supportive of the simplified consultation requirements under the revised Code, and we anticipate that the new documents will be simpler and more easily understandable for Councils and members of the community. We would be happy to comment on templates once they are released.

Indara does, however, specifically wish to comment on the site signage template. An example of signage (for a 'Temporary Facility') is included in Section D3 of the revised Code. Under the revised Code, temporary facilities do not currently require a QR Code. We believe there is value in adding a QR Code to this template – this would benefit the Section 8 process, and it would also ensure that the same sign template could be used for any Deployment Code notification. We also note that the current sign format is somewhat dated and could be presented more professionally.

Rohan Montgomery, one of Indara's town planners, has prepared a mock-up sign template as shown below. The sign format has been modernised and includes a QR Code, but still provides the information that is required under the Code for notification purposes. We request that these changes be considered, and the sign template updated as required.

NOTICE OF 5G UPGRADE TO EXISTING SITE



Carrier

Vodafone

Location

20 Hambleton Hill Road, MCDOUGALLS HILL NSW 2330

Proposal

The purpose of this upgrade is to provide additional network capacity and 5G technology in the local area.

The proposed installation is classified as Low Impact under the *Telecommunications (Low-Impact Facilities) Determination 2018* and does not require Council development consent.

The proposal is being notified under Section 7 of the *C564:2020 Mobile Phone Base Station Deployment Code*.

Submissions Close

Please provide any submissions to the below contact by COB **Friday 2nd July 2024**

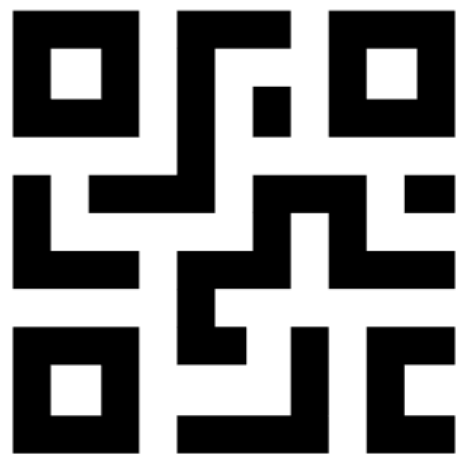
Contact

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Project Reference

RFNSA Ref: 2330001
Vodafone Ref: 2431 Singleton

More Information



Scan the QR code above for more information about this proposal, or visit www.rfnsa.com.au/2330001

- **QR Code Requirement**

We note further guidance will be needed on how to generate the QR Codes required for the new documents. It is assumed that QR codes will be site specific, in line with the new requirements in the revised Code.

- **Update and Harmonisation of RFNSA Document Control System**

The RFNSA website includes a repository of template documents to be used for Deployment Code processes. The document repository will need to be updated with the new templates prior to the revised Code taking effect.

Conclusion

Indara fully supports the proposed amendments to the Deployment Code. We have provided specific feedback and recommendations on some aspects of the revised Code.

We trust that our feedback will be of assistance. We would be happy to work with you on any subsequent amendments to the revised Code, or if you require assistance with preparation of templates. Please don't hesitate to contact us if you have any questions or require any clarification.

Yours sincerely,

A handwritten signature in black ink, appearing to be "AM", written in a cursive style.

Andrew McLane
Regulatory & Engagement Manager
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