

City of Whittlesea

Consultation Feedback:

Possible amendments to the Telecommunications in New Developments Policy – Mobile Connectivity and Other Measures

Executive summary

The City of Whittlesea is pleased to provide feedback to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts on the 'Possible amendments to the Telecommunications in New Developments Policy – Mobile Connectivity and Other Measures'.

We welcome these changes that aim to provide improved and adequate mobile connectivity to residents, businesses, and visitors in new and emerging communities in the City of Whittlesea, and more broadly across the nation.

Introduction and context

Located over 490km² in Melbourne's northern suburbs and about 20 kilometres from the CBD, the City of Whittlesea is one of Melbourne's largest local government areas.¹ It spans the Federal electorates of Scullin and McEwen, and the State electorates of Bundoora, Mill Park, Thomastown and Yan Yean.

The City of Whittlesea is one of the fastest growing municipalities in Victoria. Projections show the population will grow by 47.8% by 2041.² This exceptional growth poses challenges and opportunities.

Advocacy rationale

The City of Whittlesea has been advocating for investment from both State and Federal Governments to improve mobile and broadband connectivity across both new and established areas across the municipality.

Mobile and broadband are essential infrastructure, they are critical for relaying information and staying connected in emergencies. Blackspots have a direct impact on the social determinants of health, including access to health care and education, employment, and business opportunities.

Residents and businesses report that poor connectivity at home and work is having the following serious impacts:

- disrupting the delivery of emergency services and community safety information;
- disrupting employment seeking activities;
- disrupting business operations;
- increasing business costs as businesses seek alternative coverage;
- affecting business and employment income;
- reducing family and community connection;
- disrupting education, including home schooling, homework, and other study; and,
- disrupting library services.

References:

1 - City of Whittlesea, 2021, Annual Report 2021-2022, p6.

2- Informed Decisions (ID), 2023 City of Whittlesea profiles

Upgraded and improved mobile and broadband connectivity will reduce and remove these impacts.

Providing services for planned developments will allow residents, businesses, and services immediate access to mobile and broadband, and all the benefits of connectivity. This will help circumvent social problems that arise through isolation and reduced opportunities to connect and participate. The benefits from these proposed changes will:

- Enhance community safety, including all residents and businesses remaining connected during emergency events;
- Improve access to, and participation in, employment and education;
- Improve social connection;
- Eliminate disruption to local business; and
- Prepare for future demand.

In the City of Whittlesea, we continue to advocate for improved coverage across the below established and emerging communities:

For black spots - Fix eight mobile and broadband blackspots, including:

- Cooper Street business precinct;
- University Hill;
- Olivine Estate and Kinbrook Estate;
- Thomastown;
- Aurora Estate;
- Whittlesea Township;
- Beveridge, Merriang and Glenvale; and
- 100c Gorge Road, South Morang.

For new connection-. Provide connectivity for six future growth areas, including:

- Cooper Street West, Epping;
- Donnybrook/Woodstock Precinct;
- Wollert Precinct;
- Mernda Town Centre;
- The future site of the Beveridge Intermodal Freight Terminal (BIFT); and
- Northern Quarries/Craigieburn South.

As already outlined in the Consultation Paper, where mobile coverage is not included in the design of new developments or expanding suburbs, there will be diminished digital connectivity and inclusion outcomes for residents in those areas. Importantly, there could be a risk during emergencies or natural disasters as limited or no mobile coverage prevents people's ability to call emergency services outside of their premises.

We welcome this initiative to further strengthen connectivity in new communities in our growing municipality and look forward to continuing to be updated on the development of these changes.

Consultation prompt response

This section includes the City of Whittlesea's response and recommendations to the consultation paper prompts.

Overview of proposed amendments related to mobile connectivity

Recommendations

The City of Whittlesea is supportive of the following amendments to ensure adequate mobile connectivity in new developments. Poor mobile connectivity undermines community safety, social connections, and participation in employment, education and business in our municipality. These changes will help prepare for future population growth.

It is imperative for telecommunications companies to consider neighbourhood outcomes in locating infrastructure (e.g. towers), including impact on amenity, neighbourhood character and biodiversity corridors in proximity.

Regarding early engagement with carriers on mobile connectivity, the rollout of infrastructure may be impacted by relevant approvals outside the planning process. In some cases, telecommunications companies may be exempt from these approvals.

1. Developers consider mobile connectivity as part of the overall development application process

This expectation sets out that mobile connectivity should be considered as part of the overall development application process. In this sense, developers should consider mobile connectivity as a similar level of importance as other utilities, such as water, electricity and sewage. The Department understands that jurisdictional planning agencies often refer to the TIND Policy so including these expectations clearly states the Federal Government's expectation and intention that telecommunications are considered in the similar way as making provisions for other utilities/services.

2. Early engagement with carriers on mobile connectivity

The Federal Government expects developers to engage with a carrier early to ensure mobile connectivity is in place prior to the selling or leasing of a building or unit. The deployment of larger telecommunications infrastructure can be a complex process and typically takes at least 12 months, however, in some cases it can take longer. The rollout of this infrastructure can be impacted by a number of factors, including obtaining planning approvals and having available land close to other infrastructure such as power and backhaul. While the terminology and/or process for the design of developments varies across jurisdictional planning frameworks, ideally engagement would occur at the 'masterplan' phase. A recommended timeframe would be at least 12 months prior to the estimated date when the first units in the development will be occupied, but the earliest possible engagement is preferred.

3. Consider land that is appropriate for mobile telecommunications infrastructure

For this expectation, the Federal Government expects developers to identify or set aside one or more sites or spaces that are appropriate for mobile telecommunications infrastructure, such as a tower, to be deployed. Carriers may also consider installing telecommunications facilities on existing or proposed infrastructure, such as light poles, or on rooftop buildings. This expectation is expected to encourage developers to consider appropriate siting of mobile infrastructure at the planning stage, rather than retrofitting telecommunications facilities. Not only are there likely to be higher costs for carriers in retrofitting sites, it may lead to community concerns if infrastructure is installed after a house or apartment is sold or leased. While carriers are best placed to provide such technical advice, generally sites or spaces that are elevated and are closely located to the area intended to be served are preferred. Carriers are best placed to provide such positional and technical advice, which is why early as possible engagement is encouraged.

4. Reasonable efforts to reach agreements with carriers

The expectation is that developers will make all reasonable efforts to reach 'fair terms' in agreements with carriers for access to land for the deployment of telecommunications facilities.

Overview of proposed amendments to fixed line infrastructure sections

Recommendations

The City of Whittlesea is supportive of the following amendments to ensure appropriate infrastructure will be underpinning mobile connectivity in new developments. These changes will enable strong and reliable mobile connectivity for our community.

An overview of proposed amendments to the fixed line infrastructure sections of the TIND Policy are set out below:

- Amend the policy to state that developers of multi-unit buildings should arrange for in-building pathways and risers where fixed-line networks are required;
- Amend the policy to allow NBN Co to amortise the costs of backhaul over several developments in an area. Currently, if NBN Co is servicing a growth area where multiple developments are planned, it is required by the policy to place the costs of new backhaul on the first developer. This may lead NBN Co lose business to competitors who are not required by the TIND policy to adopt this charging practice and may also place an unfair cost burden on the first developer.
- Update the policy to reflect that legislation passed in 2021, extended pit and pipe requirements to all developers and that the statutory infrastructure provider laws have taken effect.
- A minor change to remove references to specific carriers and simply direct readers to the ACMA's SIP Register, to find out which carriers service new developments.

Overview of fixed line policy – exemptions from pit and pipe requirements:

Recommendations

The City of Whittlesea reiterates the need for equitable and accessible mobile connectivity in both urban and rural areas of our municipality, including potential new developments in rural areas.

We seek further clarification as to what constitutes rural and remote areas. As a growth area Council, we currently have land designated for future urban development that is currently in a rural setting. In addition, we have Townships (e.g. Whittlesea Township) that are detached from our future growth area boundaries and are surrounded by rural areas. These Townships are subject of residential growth and redevelopment, which should incorporate the best possible mobile connectivity outcomes.

- In rural and remote areas developers may claim an exemption from the pit and pipe infrastructure requirements under Part 20A of the Telecommunications Act. This exemption is targeted at developments where telecommunications would generally be offered by a wireless or satellite service, and pit and pipe infrastructure is therefore generally unnecessary.
- Commonwealth's preference is for state, territory and local government requirements to be consistent with, and to complement, the Commonwealth's TIND laws and policies.

Further information

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