



Amplitel's Submission in response to the 2024 Regional Telecommunications Independent Review Issues Paper

31 July 2024

Public Submission

Executive summary

Amplitel has an asset portfolio of over 8,000 telecommunications towers, masts, large poles and antenna mount structures across Australia to support customers to deliver wireless communications. Over 75% of the structures operated by Amplitel are located across regional, rural and remote Australia.

Telecommunications are a critical driver of development and wellbeing across regional, rural and remote Australia. However, often the economic case for a telecommunications provider to invest in these areas to improve the quality or depth of coverage is challenging, with generally low direct commercial returns from sparsely populated areas.¹ Amplitel believes there are strong public benefits associated with continued government investment in regional telecommunications infrastructure and removal of investment barriers.

Amplitel is committed to maximising utilisation of its existing and future network infrastructure assets. There are clear efficiencies of such utilisation for Amplitel and its customers. Co-location (where multiple mobile carriers install their own equipment on a single tower) is often more economical than self-supplying new infrastructure and reduces duplication.

We also encourage enhanced engagement between telecommunications industry participants, developers, local councils and energy companies. Where a power upgrade is required to a site, we have recently observed examples of power connection times of beyond 20 months which have materially impacted and continue to impact the initial delivery and transmission of telecommunications services across regional, rural and remote Australia. In the event of a bushfire, flood or other natural disaster, usually the tower structure is not directly impacted, but telecommunications services are impacted by the loss of power to the site. For this reason, we recommend that a framework be adopted to streamline engagement with energy companies.

The actions of the government as landlord can cause the business case for tower locations to become marginal or negative. This is particularly relevant in States where Crown land owned and managed by the government is substantial, such as in Western Australia, where over 90% of all land in the State is Crown land and in NSW, where approximately half of all land is Crown land. All levels of government are in a unique position to reduce the cost of providing telecommunications infrastructure across regional Australia by minimising rents on Crown lands and not charging co-user fees.

There are also opportunities for planning law changes that will improve the viability of infrastructure investments across regional, rural and remote Australia for Amplitel and its customers. To this end, we welcome the Commonwealth's revised Telecommunications in New Developments Policy² and the National principles to support streamlined telecommunications planning arrangements recommended by the Planning Ministers' Mobile Telecommunications Working Group, released in July 2024³.

To ensure that the full benefits of mobile connectivity are realised across regional, rural and remote Australia, Amplitel makes the following recommendations:

- all levels of government should encourage and facilitate co-location on mobile telecommunications infrastructure;
- Commonwealth investment in co-funding programs should continue, to ensure the roll out of mobile infrastructure and services across regional Australia that would otherwise be uneconomical. These

¹ ACCC's Regional Mobile Infrastructure Inquiry Final Report dated July 2023 page 76

² [2024 Telecommunications in new developments policy | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)

³ [National principles to support streamlined telecommunications planning arrangements | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)

programs should incentivise co-location and should be co-ordinated, sequenced and timed to realise the best efficiencies from government funding;

- all levels of government should make Crown land available for the purposes of telecommunications facilities (at reasonable rates);
- Crown land rental regimes must be reasonable and support rents based on the unimproved value of the freehold land, with a reasonable rate of return applied (Amplitel recommends 6%) with no co-user fees;
- planning laws and approvals should be streamlined and fit for purpose to better facilitate the rollout of telecommunications infrastructure, including planning exemptions for co-funded towers, towers under specified heights (including replacements of light poles and extensions of existing infrastructure), towers in areas which are unlikely to have amenity impacts and those that are designed to support multiple carriers. The required lot size for telecommunications towers should also be reconsidered;
- a closer and more streamlined engagement between telecommunications providers and energy companies is required, including an engagement framework with mandated service levels for power connections to telecommunications sites; and
- mobile telecommunications infrastructure plays a critical role across all regional, rural and remote Australia, particularly in locations subject to natural disasters. Such telecommunications infrastructure should be given priority co-funding and planning exemptions to support disaster readiness and disaster recovery in vulnerable locations.

As RTIRC's Issues Paper importantly states, *'Regional, rural and remote Australians rightly expect to be able to access affordable, adequate, reliable and resilient telecommunications services that meet their needs'*⁴. Amplitel's recommendations in this submission will help regional, rural and remote communities share in the recognised benefits of mobile connectivity, promoting equity of telecommunications access for all Australians.

⁴ [Independent Regional Telecommunications Review 2024 \(infrastructure.gov.au\)](https://www.infrastructure.gov.au/rtirc) Page 6

Introduction

This submission is made by Amplitel Pty Ltd (**Amplitel**) in response to the 2024 Regional Telecommunications Independent Review (**RTIRC**) Issues Paper, dated April 2024 (**Issues Paper**).

Amplitel appreciates the opportunity to participate in RTIRC's 2024 review of telecommunications services in regional, rural and remote parts of Australia (**regional Australia**). This submission sets out key issues observed by Amplitel in the context of delivery of mobile telecommunications infrastructure across Australia, together with recommendations to address those issues. Amplitel particularly recognises RTIRC's observations and commentary in its Issues Paper on the topics of *telecommunications consumers* (with a focus on *being and staying connected, reliability, network capacity, digital inclusion* and *First Nations Communities*), *mobile, disaster resilience and emergency* and *the impact of government and private investment*.

This is the public version of Amplitel's submission and confidential information has been redacted.

1. About Amplitel

1.1 Amplitel was established on 1 September 2021 following the transfer of the towers business of Telstra Corporation Ltd to Amplitel and sale of a 49% interest in that business to a consortium of investors. This consortium includes the Future Fund, Australian Retirement Trust, Commonwealth Superannuation Company and Morrison & Co IP. The Telstra group continues to hold 51% of Amplitel.

1.2 Amplitel is a mobile network infrastructure provider (**MNIP**) and provides most of the passive infrastructure assets at a communications site required to establish and operate a telecommunications tower. These include land, security fencing, access tracks, the tower and connection to the power network (where available). The active assets (those that require power to operate or can transmit data) are provided and operated by Amplitel's customers. In addition, some passive assets (such as equipment huts) which are unique to a customer's equipment will be provided by the customer.

1.3 Amplitel's mission is to be Australia's leading provider of towers infrastructure to support customers to deliver wireless communications. Across Australia, Amplitel operates over 8,000 towers, masts, poles, and other structures. Amplitel also has access to Telstra's equipment building rooftops and approximately 160,000 of Telstra's street side poles. Over 75% of the structures operated by Amplitel are located regional Australia.⁵

1.4 Amplitel's strategic objectives are to:

- invest in new passive tower infrastructure to support its customers' mobile and non-mobile networks;
- increase utilisation of its infrastructure by providing better access;
- provide competitive market offerings;
- improve asset health;
- pursue growth and drive asset efficiency; and
- be the home of tower infrastructure expertise.

⁵ Amplitel's tower locations are available at <https://www.amplitel.com.au/tower-locations>

1.5 Amplitel serves a broad range of customers including mobile carriers, public emergency networks, private wireless providers, major corporations and not-for-profits. Amplitel is not a mobile network operator, not a carrier and does not supply carriage services.

2. **Amplitel's investment to support regional Australia**

2.1 Amplitel is focused on investing in customer service initiatives, new services and solutions to make access to our infrastructure more streamlined to help bring the benefits of mobile connectivity to more Australians. These initiatives include:

- improving our asset and customer management systems for asset inventory, workflows, and order tracking;
- creating digital twins of the network to enable available space to be visually shared for more cost-effective planning for customers;
- establishing an in-house engineering services team to provide customers more choice in engineering provider;
- creating innovative approaches to reducing the cost to upgrade infrastructure to accommodate more customer equipment and to reducing the overall life-cycle cost of building and maintaining infrastructure;
- introducing installation services allowing us to organise the installation of the customer's equipment; and
- improving site access processes – we are currently doing a proof of concept trial for electronic locks.

2.2 In the Issues Paper, it is stated that “*the level of impact private investment is having in providing new and improved connectivity for people in regional, rural and remote areas of Australia remains unclear*”.⁶ In response to this statement, we reiterate that our strategic objectives are underpinned by successful expansion of our infrastructure footprint across the country, including across regional Australia, and enabling sharing of that infrastructure, both of which help bring mobile connectivity to regional, rural and remote communities.

2.3 Since Amplitel was established in 2021, we have made significant investments in mobile infrastructure across regional Australia. Over that time, approximately 72% of our capital expenditure has been in regional Australia. This equates to over \$115 million in capital expenditure. Our investment has helped deliver 274 mobile infrastructure sites across regional Australia, bringing and continuing to bring the benefits of connectivity to these communities. 68 of those sites are in Remote or Very Remote⁷ locations.

2.4 Rolling out infrastructure to regional Australia can often mean increased costs of delivery and other challenges. **Table 1** sets out examples of increased delivery costs and other challenges faced at regional, rural and remote Amplitel sites across Australia.

2.5 **Table 1 [REDACTED]**

2.6 We are continuing to plan for investment across regional Australia into the future. **[REDACTED]**

⁶ [Independent Regional Telecommunications Review 2024 \(infrastructure.gov.au\)](#) page 19

⁷ We categorise the location of our sites based on ABS classifications, with some regrouping to reflect our business.

3. **Telecommunications Infrastructure**

- 3.1 Passive tower infrastructure owned or operated by an MNIP such as Amplitel is one part of the total upfront and ongoing investment required to deliver a telecommunications service. The provision of mobile and non-mobile telecommunications services requires the installation and use of both passive assets and active assets. These assets will include, at a minimum, spectrum (for mobile services), radio/mobile antennas, radio units, network access equipment, power, shelter and the passive infrastructure required to install antennas at height (e.g. a tower). Depending on where a tower is located, connection to the mobile network (backhaul) will be via the fibre network or via microwave dish connections between towers.
- 3.2 At a site, Amplitel provides the land, security fencing, access tracks, the tower and connection to the power network (where available). The active assets (those that require power to operate or can transmit data) are provided and operated by Amplitel's customers. In addition, some passive assets (such as equipment huts) which are unique to a customer's equipment will be provided by the customer. The location of every tower is unique and is designed to meet customers' radio frequency requirements which have a substantial impact on site choice and tower design (height and capacity) and to withstand the local environmental conditions. Customers' radio frequency requirements to support mobile coverage and capacity outcomes for communities determine the quantity of equipment and the height at which that equipment is installed. This impacts choice of structure, structural capacity and location of the tower.
- 3.3 Amplitel builds its towers with disaster preparedness and longevity in mind. Local environmental (wind and corrosion) and geotechnical conditions influence tower design and construction.
- 3.4 For example, Amplitel designs its towers to meet the requirements of the Australian wind code. This code sets the wind loading that a structure must withstand in every location in Australia. A tower in a non-cyclonic wind zone can be structurally lighter (both footings and the tower) than towers that are in extreme cyclonic zones when built to accommodate the same equipment. The Australian wind codes are relatively conservative and ensure that infrastructure developed now is likely to be able to withstand future high-wind events.
- 3.5 Amplitel regularly undertakes general site maintenance to ensure safe access and reduce risks (such as snakes and fire) to customers and the public and in order to meet landowner and community expectations of upkeep.
- 3.6 In the event of a bushfire, flood or other natural disaster, usually the tower structure is not directly impacted, but rather, telecommunications services are impacted by the loss of power to the site. For this reason and as set out in section 9 of this submission, we recommend that a framework be adopted to streamline engagement between the telecommunications industry and energy companies.

4. **The benefits of investment in mobile communications facilities across regional Australia**

- 4.1 One of the main objects of the Telecommunications Act 1997 (Cth) is to promote "*the availability of accessible and affordable carriage services that enhance the welfare of Australians*".⁸ As stated in the Issues Paper Introduction:

"People in regional, rural and remote Australia rely on telecommunications services more than ever before. Digital connectivity is an essential requirement for regional people to participate economically, access services and stay connected with the rest of the country and the world. Reliable and high-speed connectivity is vital in regional areas to support public safety, day-to-day business, social inclusion, and access to essential health and education services."

⁸ Section 3(1)(c)

- 4.2 Amplitel pursues mobile infrastructure operations across Australia that support these social objectives. The services provided by Amplitel are critical to communities across regional Australia.
- 4.3 Communications and connectivity are key drivers of growth, development and wellbeing for all Australians, particularly those living and working in regional Australia, where face-to-face engagement can sometimes be challenging. They play an essential role in times of disaster and disaster recovery. It is important that government policy and legislation encourage expansion of connectivity and do not disincentivise investment in multi-tenanted telecommunications solutions.
- 4.4 Amplitel has observed that regional, rural and remote areas have special factors when considering telecommunications infrastructure investment. The commercial incentives for investing in regional Australia are often challenging, with generally low direct commercial returns from sparsely populated areas.⁹ This is recognised in the Issues Paper.¹⁰ There is, and will continue to be, an important role for government to incentivise investment in these areas. Amplitel believes there are strong public benefits associated with government co-funding programs, streamlined planning laws and simple and fair Crown rental regimes which will support and encourage continued investment in mobile telecommunications solutions across regional Australia.

5. Co-location on mobile infrastructure

- 5.1 Amplitel is committed to maximising utilisation of its existing and future network infrastructure assets, in line with its mission to be Australia's leading provider of towers infrastructure, to support customers to deliver wireless communications. This means that Amplitel, where possible, builds new towers to support more than one customer and explores co-location options with its customers.
- 5.2 Co-location through passive mobile infrastructure sharing can offer a number of benefits to MNIPs, mobile carriers and the public and as a result, we recommend that government policy should encourage co-location. The benefits of mobile infrastructure co-location include:
- more efficient use of land and increased access to favourable locations - in our experience, the location of a site and the benefit that the site will deliver to the overall networks of our customers is often the most important factor in determining the best location for the installation of a new telecommunications site. Amplitel's customers will specify a search ring within which to secure a new site, and that location and the size of the ring will depend upon expected network demand, spectrum to be used, distance to the core network (backhaul distance), distance to power and topology of the surrounding region. Often the best location for a tower is an elevated position. Site location must maximise benefit to a carrier's network, which limits the availability of suitable sites. In geographic locations where there is a lack of availability for suitable sites, passive mobile infrastructure which supports co-location can allow multiple carriers to gain access to these sites;
 - economic efficiencies – in general terms, it can be less costly to build a single tower that will accommodate multiple mobile carriers, than it is to build multiple structures that only support a single mobile carrier;
 - minimisation of visual impact – a single structure, instead of multiple structures can minimise the local visual impact of these solutions; and
 - increased choice for end users – if multiple carriers co-locate on a tower, this can improve the choice of service providers available in that location, with the corresponding benefits that increased competition brings.

⁹ ACCC's [Regional Mobile Infrastructure Inquiry final report.pdf \(accc.gov.au\)](#) page 76

¹⁰ [Independent Regional Telecommunications Review 2024 \(infrastructure.gov.au\)](#) page 15

5.3 Sharing of communications infrastructure and the need for multi-carrier coverage outcomes is also supported and encouraged by various level of government. This includes by the Commonwealth Government, for example:

- under the Telecommunications Act 1997 (Cth);
- as announced in conjunction with its State and Territory Governments partnership to boost multi-carrier coverage on roads¹¹; and
- under Commonwealth Government mobile co-funding programs which score multi carrier outcomes favourably.¹²

5.4 Over recent years, the Australian telecommunications industry has undergone structural changes under which carriers have divested mobile infrastructure businesses. This includes the creation of Amplitel, as described in section 1 of this submission and other MNIPs such as Indara¹³ and Waveconn.¹⁴ MNIPs are run as separate businesses to the carriers, with core businesses of tower builds and co-locations. The pursuit by MNIPs of profitable tenancy growth and co-location as a way of increasing asset utilisation and generating returns for investors has resulted in a competitive mobile infrastructure access market. We have observed effective competitive forces for both new infrastructure builds and co-locations.

6. Government plays a key role in funding infrastructure

6.1 The decision to develop a new tower site ultimately comes down to an assessment of the relevant business case. For example, where there is a new tower request by a customer, Amplitel considers whether the customer is willing to pay a charge that will recover Amplitel's costs plus a reasonable return having regard to the risks. Amplitel's costs will include the cost of ground lease, the build costs and the forecast operational expenditure.

6.2 Importantly, construction of telecommunications towers in regional Australia is often not commercially viable. The costs of building networks are high and direct returns are generally low in such areas. This can make the commercial case for extending terrestrial networks in sparsely populated very difficult make absent some form of government funding support.

6.3 The sequencing and timing of government co-funding programs can help to support efficient investment outcomes through multi-carrier coverage from a tower. The recent Commonwealth Peri-Urban Mobile Program¹⁵ is a good example of a staged process which allowed carriers to express interest in co-location on sites to be developed by another party early in the development process.

6.4 We recommend the design of any co-funding programs should include staged processes to allow carriers to express early interest in co-location on sites to be developed by another party. This means that there are resources available to best participate in programs. We also recommend ongoing:

- co-ordination between various governments (Commonwealth, State, and potentially local) to ensure that programs are timed in a way that avoids unnecessary overlap in terms of bid deadlines and conflicting requirements; and

¹¹ [Regional Communications Ministers delivers partnerships to boost multi-carrier coverage on roads | Ministers for the Department of Infrastructure](#)

¹² [Peri-Urban Mobile Program | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)

¹³ [About Indara | Australian Tower Network | Axicom | Our Digital Future](#)

¹⁴ [Waveconn – an independent Australian digital infrastructure leader](#)

¹⁵ [Peri-Urban Mobile Program | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)

- Government should provide industry with early warning of anticipated future programs and reasonable windows for responding to tenders. This will assist with providing internal resourcing to respond to tenders, particularly where multi-carrier outcomes are preferred which can require extended negotiations. This also fosters a greater capacity to leverage co-contributions from a range of relevant stakeholders (both public and private). A long-term planning framework would assist with this recommendation.

6.5 With the emergence of the MNIPs, we have seen examples of some parties choosing to overbuild existing tower infrastructure as that party has been awarded funds to spend on capital infrastructure. This is not an economically efficient outcome for government and may result in government investing twice in infrastructure in the same location as carriers choose to use the funded capital expenditure instead of spending operational expenditure. To realise efficiencies, both operational expenditure and capital expenditure should be covered under programs.

7. The role of the government as landlord

Impact of Crown Land rentals on incentives to invest in regional telecommunications infrastructure

7.1 As noted in this submission, the commercial incentives for investing in many regional, rural and remote parts of Australia remain challenging.

7.2 In addition, investment in mobile infrastructure in new developments and expanding areas is generally required prior to these locations becoming economic for carriers. This is due to the ramp-up in consumer demand being dependent on the time taken to bring the new development to full occupancy, which can be in the order of 10 years. As such, it is important that landowners realise that how they price rentals for telecommunication facilities will impact when and whether a carrier chooses to co-locate on a site. This in turn impacts the timing of availability of mobile coverage for end users across regional Australia.

7.3 Government landowners are in a unique position to reduce the cost of providing new telecommunications infrastructure by reducing and maintaining reasonable rents with reasonable escalation rates on Crown lands. This is because the level of rents on Crown lands in sparsely populated areas can make the commercial case for extending networks into these areas even more difficult. The actions of landlords, including the Crown, can cause the business case for tower locations to become marginal or negative in some areas.

7.4 Crown land owned and managed by some Crown land agencies is substantial. For example, in Western Australia, Crown land accounts for over 90% of all land in that State.¹⁶ Crown land owned and managed by the NSW Government accounts for approximately half of all land in New South Wales.¹⁷ Some of this land is subject to bush fire and other natural disaster risk. This makes the presence of communications facilities in these locations a valuable asset to communities and emergency service organisations in the context of disaster preparedness and recovery as well as to enable communities across regional Australia to share in the recognised benefits that mobile connectivity brings, including closing the digital divide.

7.5 In considering the appropriate rents on Crown land, government land agencies should explicitly consider:

- the maximisation of social welfare outcomes;
- the positive externalities generated by mobile towers; and

¹⁶ [Land Administration » Town of Port Hedland](#)

¹⁷ [Crown Land - NSW Land Registry Services \(nswlrs.com.au\)](#)

- where mobile infrastructure is government funded, the self-defeating effect of unreasonable rents while at the same time providing co-funding from public funds which in part goes back to the Crown in the form of rents at these sites.

7.6 To achieve these outcomes, the unimproved value of the freehold land must be used as the basis for assessment of rent for communications sites on Crown land. This approach aligns with Australian Property Institute and International Valuation Standards. Valuation principles dictate that valuation of land should ignore the value of the tenant’s business and improvements when assessing a fair market rent. That is, the value of the land should demonstrate the value of vacant land ignoring the tenant’s business, prior to the investment being made, and where both parties can act without compulsion.¹⁸ The determinative factor is the nature and level of demand for the site, having regard to the characteristics of the land and the range of uses to which it might be put by actual or prospective tenants or licensees.

7.7 If the rent is based on the unimproved value of the freehold land, this method allows for a reasonable escalation rate based on the increase in the value of the unimproved value of the land.

7.8 In determining rent that would deliver fair, market-based returns to the Crown, the most appropriate methodology is a “rate of return” methodology under which the unimproved value of the land is multiplied by a percentage factor rate of return. Amplitel recommends a rate of return of 6%.

Co-User Fees

7.9 Some landowners, including government, have a rent-seeking approach to telecommunications sites and levy additional fees (**co-user fees**) on carriers co-locating on a tower site (without using any additional land). These charges have the impact of increasing the total cost of the infrastructure and have the risk of disincentivising investment at impacted locations.

7.10 Co-user fees are inconsistent with legislation and policy that encourages co-location. As outlined in section 5 of this submission, there are clear efficiencies with sharing infrastructure and maximising utilisation of existing assets for Amplitel, its customers and communities across regional Australia.

7.11 The impact of co-user fees is particularly acute in regional, rural and remote areas where commercial incentives to invest can be challenging. In some States and Territories, this may be compounded due to the percentage of land held by the Crown and that the government is therefore often a monopoly supplier of the only suitable communication tower sites.

7.12 In the Report of its Inquiry into co-investment in multi-carrier regional mobile infrastructure, tabled in Federal Parliament on 15 November 2023 (**HOR Report**)¹⁹, the Commonwealth House of Representatives Standing Committee on Communications and the Arts recognised the importance of this issue. It recommended that the Australian Government prohibit its agencies from charging additional co-user rent fees above the rent a principal tenant pays to lease Commonwealth crown land for the purpose of providing telecommunications services.²⁰ Amplitel notes that the Commonwealth is yet to respond to this recommendation. The charging of co-user fees is also not a recognised practice in the private market.

7.13 Amplitel recommends that co-user fees should not be charged (where no additional land is used by the co-user) under any Crown leases (across all levels of government), for the reasons above and on the basis that:

- the primary user is already paying rent for using the land within the compound;

¹⁸ Spencer v Commonwealth of Australia (1907) 5 CLR 418

¹⁹ [Connecting the country: Mission critical – Parliament of Australia \(aph.gov.au\)](https://aph.gov.au)

²⁰ HOR Report Recommendation 13

- the primary user is the key contracting party responsible for the site and already provides the government with the relevant protections, obligations and indemnities;
- the government is receiving the benefit of investment made by the primary user as tenant, contrary to the recognised valuation principles, as described in section 7.6 of this submission;
- a fee from a co-user located in the compound is “double dipping”, contrary to public policy;
- it creates an additional administrative step for all parties where an additional licence must be agreed and executed, slowing down deployment contrary to both the community and government expectations of efficient and cost effective rollouts; and
- there is no identifiable economic justification for the fee.

7.14 All and any Crown rental regime (across all levels of government) and supporting policies must not disincentivise the most efficient use of communications assets across regional Australia.

8. Efficiencies in planning laws are critical

8.1 The challenges that Amplitel faces in rolling out mobile infrastructure greatly impact the costs and feasibility of the deployment of this infrastructure across regional Australia. One area where such challenges can be readily addressed by reform is the cost and time of obtaining approvals to install telecommunications infrastructure. We welcome the National principles to support streamlined telecommunications planning arrangements recommended by the Planning Ministers’ Mobile Telecommunications Working Group, released in July 2024²¹ (which focuses on new developments) and look forward to the next steps by all levels of government to make policy and legislative changes to reflect the national principles.

8.2 Building on these national principles, we reiterate that there are several potential changes to increase efficiency in the development of infrastructure to enable the fast and cost-effective rollout of new infrastructure across regional Australia. This would in turn lead to achieving better mobile connectivity across these areas.

8.3 Over recent years, we have seen a number of proposed tower builds not proceed as a result of local councils not making land available for a telecommunications site or, alternatively, extended site acquisition delays with local councils. This has impacted the delivery and timing of mobile services being provided to local communities. **Table 2** sets out examples of these scenarios encountered as part of our site acquisition processes.

8.4 **Table 2 [REDACTED]**

8.5 The role of local councils and State Government authorities is critical as areas are developed (either as greenfield or in-fill areas) as these entities have ultimate planning approval authority for the development. Some approval authorities have existing telecommunications facilities planning rules that are not consistent with the design of an expanding regional area. For example, where a local council planning scheme requires a minimum setback for a telecommunications facility from residential land use, this can sometimes be difficult to achieve in some areas while still meeting the radio frequency and other technical requirements of the site. In addition, the planning and development approval processes for telecommunications facilities varies across local councils. This adds uncertainty in planning new infrastructure and can increase the costs of the site selection, acquisition and planning approvals during

²¹ [National principles to support streamlined telecommunications planning arrangements | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)

the development phase. The following changes can lead to more efficiency in rolling out infrastructure and encourage co-location on mobile infrastructure:

- local councils and other government authorising bodies should be included in early consultations and these entities should be encouraged to design planning requirements and schemes that support and facilitate telecommunications facilities across all areas of regional Australia; and
- State and local council planning processes should be fit for purpose (for example, by way of special zoning for telecommunications facilities and relaxation of design and notice requirements), reflecting the special needs of regional Australia.

8.6 One way to address the challenges we face is by the harmonisation of State and Territory planning and development approval processes. By way of model frameworks, key legislative changes have been made in NSW and Victoria which have resulted in tangible commercial benefits as these States have streamlined planning requirements for telecommunications facilities. At a minimum, we recommend that the following telecommunications facilities be afforded exemptions:

- towers built under a government co-funding program;
- towers under specified heights, including replacements of light poles and extensions of existing infrastructure;
- towers in areas which are unlikely to have amenity impacts (for example, rural or industrial zones);
- towers in areas vulnerable to natural disasters; and
- towers that are designed to support multiple mobile carriers.

8.7 In addition:

- the required lot size for telecommunications towers should be reconsidered in planning and development requirements. Currently, planning rules may mean MNIPs purchase more land than is required for a tower site. For example, Amplitel typically seeks to secure a site that can accommodate at least two tenants. For a standard pole location, this can be achieved in an 80-100 sqm plot, increasing to 10,000 sqm for a large guyed-mast. Minimum lot sizes may mean that Amplitel must purchase or lease more land than is required. These requirements are inefficient and unnecessarily increase costs in developing and maintaining mobile infrastructure; and
- all levels of government must make Crown land available for the purposes of telecommunications facilities. This includes local council managed land. This is particularly relevant where no private land is available, or private landowners are not willing to sell or lease such land. There must be a positive requirement on all levels of government, including local councils, to make land available for lease for the purposes of telecommunications facilities at reasonable rates (including application fees).

8.8 The HOR Report recognised the importance of planning issues by making recommendations that the Australian Government (i) facilitate the harmonisation of planning and environmental regulations for new mobile infrastructure across regional, rural and remote Australia,²² (ii) reform the powers and immunities in Commonwealth legislation, such as the Telecommunications Act 1997 (Cth) to enable mobile infrastructure to be deployed in regional, rural and peri-urban areas more swiftly²³ and (iii) work with State

²² HOR Report Recommendation 15

²³ HOR Report Recommendation 12

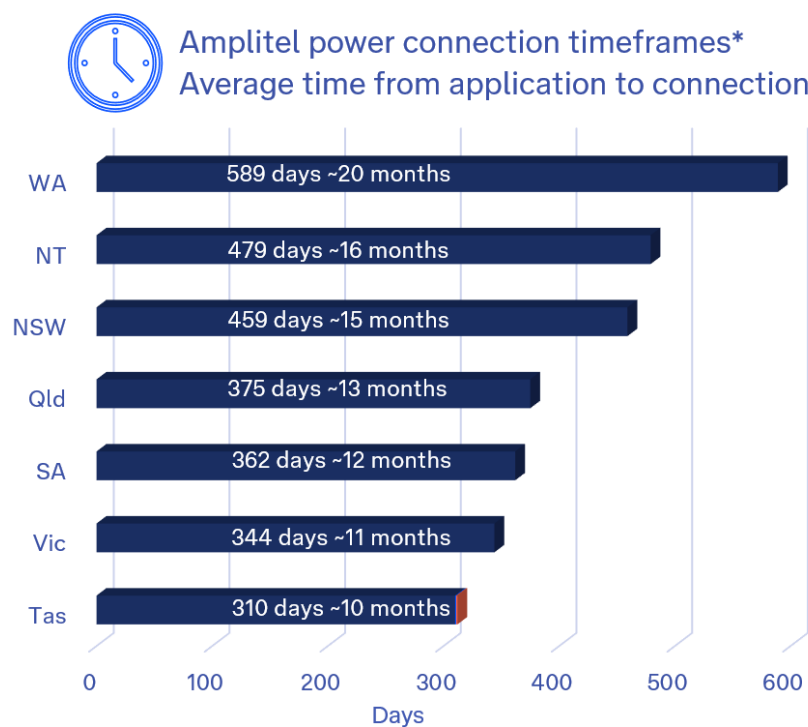
and Territory Governments and industry to negotiate smaller minimum lot sizes that can safely host new mobile infrastructure.²⁴.

9. **Streamlined engagement with energy companies**

9.1 Energy companies and electricity distributors (**energy companies**) are responsible for the connection of power to telecommunications sites. MNIPS and carriers submit applications for power connections to energy companies and they are assessed, and connections are completed in accordance with the energy companies’ processes. Without the power connection, the equipment located on or at the telecommunications infrastructure will not commence transmission and as a result, it forms a critical part of the delivery of telecommunications services.

9.2 We have recently observed examples of power connection delays which have materially impacted and continue to impact the initial delivery and transmission of telecommunications services. We have seen connection times of beyond 20 months from the date of our application. Figure 1 sets out a summary of average power connection times by State or Territory for Amplitel sites where a network upgrade is required to support mains connection to the site. We have various projects across Australia where the expected power connection date has been advised by the energy company as being after the expected date of completion of the telecommunications works. Some sites are bush fire prone or at risk from other natural disasters. We are happy to provide further information to RTIRC on the specifics of these projects.

9.3 **Figure 1** Current Amplitel average power connection timeframes (at sites where a power upgrade is required) by State or Territory²⁵



²⁴ HOR Report Recommendation 14

²⁵ *These averages are as at July 2024 and reflect (i) Amplitel sites where an energy company network upgrade is required in addition to a mains power connection; and (ii) Sites delivered in FY23, FY24 and forecast for FY25. Connection refers to completion of both the network upgrade and the mains power connection.

9.4 As a result, we welcome and recommend:

- closer and more streamlined engagement with energy companies; and
- an engagement framework including mandated service levels to help complete power connections to telecommunications sites in a safe and timely manner, to best meet public and risk mitigation expectations of regional Australians and all levels of government.

Such engagement is also critical during times of natural disasters that result in power outages to tower sites.

10. **Early consultation between key stakeholders is critical**

10.1 To help ensure that mobile end users across regional Australia, including in new developments and expanding areas receive all the benefits of digital connectivity, inclusion and disaster preparedness, we recommend that government require developers to consider mobile connectivity and network capacity as part of the overall development process with a similar level of importance to other fixed line infrastructure and utilities such as fixed broadband, water and power.

10.2 MNIPs, carriers, developers and all levels of government should be included:

- as early as possible in the development process and preferably prior to or at the ‘design’ or ‘master plan’ phase and as government is developing planning schemes;
- in relation to the mobile telecommunications requirements of the development, including the most appropriate sites for future telecommunications infrastructure to address both mobile coverage and mobile capacity.

10.3 Such engagement with developers is supported by the Commonwealth’s revised Telecommunications in New Developments Policy.²⁶

²⁶ [2024 Telecommunications in new developments policy | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)