

8 November 2023

Hon Michelle Rowland MP
Minister for Communications
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
GPO Box 594, Canberra ACT 2601

To Minister Rowland,

Re: Telecommunications in New Developments Policy – Mobile Connectivity and Other Measures

On behalf of the Greater Whitsunday region, we are pleased to provide comment on the Telecommunications in New Developments Policy – Mobile Connectivity and Other Measures.

Greater Whitsunday Alliance (GW3) is the peak independent, economic development organisation for the Mackay, Isaac, Whitsunday region, creating opportunities for the Greater Whitsunday region to realise its full potential. GW3 delivers a range of economic development focused projects to help support and promote prosperity across the region, in partnership with regional agencies, industry and the Mackay, Isaac and Whitsunday Regional Councils.

The Greater Whitsunday region is home to 186,512 people, a land area of 9.01 million hectares and a diversified regional economy with total annual outputs of just over \$58 billion. Located in the strategic heart of Northern Australia, Greater Whitsunday is one of Australia's economic powerhouses, with substantial contribution to Queensland's employment, output and exports underpinned by the strength and depth of its knowledge-intensive mining, advanced manufacturing, agriculture, transport, tourism, and construction industries.

GW3 led the establishment of the *Greater Whitsunday Regional Digital Connectivity Forum (RDCF)* in partnership with Mackay, Isaac and Whitsunday Regional Councils and Regional Development Australia – Greater Whitsundays. In early 2023, GW3 released the [Greater Whitsunday Digital Roadmap](#) which aims to set a pathway to improve digital connectivity, accelerate technology adoption and enhance digital workforce skills in the region.

Key Digital Roadmap strategies are linked to enhancing digital infrastructure planning and investment, particularly within local government development approval processes. These strategies and actions will deliver 'digital-ready' development by considering practical planning of tower locations, demands on the existing network and digital requirements for future developments.

GW3 welcomes the opportunity to share with the Minister, Department and Mobile Telecommunications Working Group feedback from Planning and Economic Development representatives from the Mackay, Isaac and Whitsunday Regional Councils, and RDA - Greater Whitsunday on the proposed amendments to the Telecommunications in New Developments Policy. GW3 hopes the feedback provided adequately informs the work plan of the Working Group and the variety of stakeholders involved in the implementation of telecommunications in New Developments, particularly regarding adequate mobile connectivity and coverage.

For ease of review, all consultation questions have been answered in the table across the following pages. Should the department require any further information please don't hesitate to contact me.

Yours faithfully,
GREATER WHITSUNDAY ALLIANCE



Kylie M. Porter
Chief Executive Officer

Consultation Responses

Question	Greater Whitsunday region response – collectively from Mackay, Isaac and Whitsunday Regional Council Planners and Economic Development representatives
<p>Should the possible changes be adopted in full, in part, or not at all? Please provide any reasons for your recommendation if you choose in part or not at all.</p>	<p>Overall, the Greater Whitsunday region supports the intent of the proposed amendments to be adopted in part, with consideration given to the below points:</p> <ul style="list-style-type: none"> • The scope of the policy is broad but in general it does shift the intent to being proactive rather than reactive in telecommunications provision. • The Policy (and proposed amendments) need to be supported by regulation and other mechanisms to facilitate the policy purpose beyond general/broad intent. • Request for more clarification on the intent of the Policy’s application (particularly by local government) and supported by some practice guides or guidance material. • Current Policy appears to be directed at larger subdivision sites and/or unit developments and this needs quantification for clarity around the expectations or aligned with use types and/or scale of development. For example, the Policy is intended to apply to developments for multiple dwelling units with 10 or more units and/or subdivisions creating five or more lots. • Risk that the Policy amendments could stifle residential development at a time of severe housing supply issues if developers decide not to invest due the new expectations. • Query over the level of influence a developer has with telco companies. For example, if a development area is expected to have poor connectivity due to the carrier’s existing network, would they be expected to wait/not proceed with the development until the carrier was able to expand their network and install more towers? • Policy amendments reference the ‘provision of telecommunications infrastructure’ to be considered by developers as similar to trunk infrastructure supplied by a Council (i.e. roads, sewer, water, parks) however, these facilities are planned for and included in a Planning Scheme, hence allowing the sequencing of development to be understood and controlled where telecommunications infrastructure is not. • The telecommunications sector is largely privatised which restricts the ability for the kind of coordination proposed in the Policy amendments. It also restricts Council’s ability to align Planning Schemes with the supply of telecommunications infrastructure.
<p>Are there other criteria that could be considered as well?</p>	<p>Overall, the Policy needs be supported by regulation to ensure developers take reasonable steps to implement the policy intent.</p> <p>With regard to: <i>Consider mobile connectivity as part of the overall development application process, with a similar level of importance as other utilities such as water, electricity and sewage;</i></p> <ul style="list-style-type: none"> • The term <i>consider</i> is ambiguous and recommend guiding principles or similar to better determine how this can be ‘considered’ by developers. For example: <ul style="list-style-type: none"> ○ Are there desired standards of service?

	<ul style="list-style-type: none"> ○ How would standards differ in regional/rural localities? ○ Impact of technology/infrastructure plans (ie, 3G switch off, 5G rollout) ○ Guidance material on process and recommended implications of standard not being met? <p>With regard to: <i>Engage with a carrier as early as possible to ensure mobile coverage is in place prior to the selling or leasing of a building unit. Whilst the terminology and/or process for the design of developments varies across jurisdictional planning frameworks, ideally engagement would occur at the 'urban design' or 'master plan' phase. A recommended timeframe would be at least twelve months prior to the estimated date when the first units in the development will be occupied, but the earliest possible engagement is preferred;</i></p> <ul style="list-style-type: none"> ● Do telcos and carriers have resources / capacity to respond in a timely manner to engagement and requests for information? ● The 'Urban design' or 'Master plan' terminology don't hold much relevance. Would suggest these terms be reconsidered.
<p>Do you believe these proposed amendments will achieve the aim of encouraging mobile telecommunication infrastructure being available in new developments when residents initially move in? If not, what suggestions or alternative approaches do you think would achieve the outcome more effectively?</p>	<p>While the Policy and the proposed amendments set out the Government's expectations, participation is completely voluntary and unlikely to achieve the policy purpose or impact without being supported by regulation, statutory requirements, incentive or other mechanisms.</p> <p>Further, local governments do not have the ability to enforce conditions unless they are prescribed in the Planning Scheme or required by legislation.</p> <p>As the Policy and amendments currently stand, most Councils would only respond to any recommendations through the inclusion of an Advice Statement as part of a Development Permit. While an Advice Statement would assist, these statements have no statutory effect, and the development is not required to comply.</p> <p>Finally, consideration should also be given to the impact of amended expectations on the current housing crisis for example, would government prefer the delivery of 10 houses which have mediocre connectivity or no houses?</p>
<p>Do you have any concerns regarding compliance with the proposed changes to the TIND Policy that you would like to raise?</p>	<p>As noted in the consultation material, the policy is not intended to be supported by regulation at this stage. The policy only sets out the government's expectations regarding the provision of mobile connectivity in new developments but is not clear how these expectations can be regulated and how reports on progress or meeting expectations in each development will be reported.</p> <p>The policy in its current form does not provide the heads of power to state or local governments to implement the intent or seek information from developments on how it is working towards achieving the Government's intent.</p> <p>Additionally, there are concerns that if there was proposal to introduce legislation to enforce such requirements, more detail needs to be established and made available for consultation.</p>

Is the proposed **timeframe for engagement with a possible carrier**, that is, at least twelve months before the first units or homes in the development are due to be occupied, **reasonable in your view**? If not, please suggest an alternative timeframe and please provide any reasons for your recommendation.

To better achieve the consultation timeframe, sharing of telecommunications plans (ie connection zones) with Council and interested developers in advance would ensure alignment with council and developer identified growth areas, eliminating piecemeal attempts further down the development application process.

In some cases, the recommended timeframes seems too late as realistically a developer should be considering all infrastructure (including telecommunications) at the development application or site acquisition stage. It could be considered that once they have bought a site and have an approved DA (which has a six year currency period) it is possibly too late.