

Submission from the Shire of Toodyay in Regards to

Possible Amendments to Telecommunications Carrier Powers and Immunities Consultation Paper

21 July 2017

By Graeme Bissett Manager of Planning and Development

On Behalf of the Shire of Toodyay

0447993708

PO Box 96 Toodyay WA 6566

records@toodyay.wa.gov.au

It is conformed that this submission made public.

Submission Details

This matter has been considered by Council and this submission reflects this.

It is acknowledged that the current publication is due for review. It is also acknowledged that some of the terminology needs to be updated to capture newer technology such as the NBN which was not envisaged when the current guidelines were produced. Such provisions are not objected to.

By way of background the Toodyay is a historic town in a Shire with a deep heritage and many historic buildings and precincts. The Shire has also approved a number of significant telecommunication towers and has had firsthand knowledge in relation to the concern installations have caused residents.

The way forward is not seen as opening up the process to less scrutiny but rather less.

What is strongly objected to are the following:

- Proposal 5. Increasing the height of an antenna without a referral to 5m from 3m – this should be left at 3m.
- Proposal 2. No requirements where a structure is located near an Municipal Inventory (MI) listed building or one caught by Shire heritage requirements if the building is not state or national listed is also of a concern– if it is proposed in the main street or on/near a category 1 or 2 MI list building it still should be subject to consideration. We also have a local policy which identifies an area where planning applications are required for consideration, the proposals over ride this.
- 3m cabinet heights (increased from 2m) – this should be left at 2m. An additional 1m could block traffic sightlines, and add bulk to the streetscape with no trigger to consider.
- Proposal 13. The length of an open trench being extended from 100m to 200m. This should not be increased to this extent. Perhaps only in extraordinary situations.
- Proposal 6. The allowance of omnidirectional antenna or array in Residential/Commercial areas previously exempt only in rural/industrial areas - This should remain unchanged. These should not be free to be put in without consideration , especially in our mains street,
- Proposal 15. Changes in volume in co-located facilities from 25% to 50% from the original facility or public utility structure, on a road sign for example. While this is seen as opening the market up it should not be done without consultation. This is a significant rise in volume which needs to be taken into consideration by regulators.
- Proposal 3. Being able to construct a shroud without input into the design is a concern. Simply being a matching colour and similar design is not enough. The provisions round what is appropriate design is very important. The example picture shown does not sell this concept.
- The Establishment of the TIO to handle objections over the use of the powers is not seen as independent as a Local Government
- Proposal 10 Radio communication Lenses antennas no allowed in Residential/Commercial area. These are too large to be allowing in our shire with no consultation.
- Proposal 18. LAAN objection periods a reduction to 5 Business days is unreasonable it should remain unchanged this could only bring frustration and is not procedurally fair.

The following provisions are not objected to:

- Proposal 1. definition of co-located facilities
- Proposal 4. Size of dishes in Rural and Industrial Areas, providing there is no potential amenity impact on residences
- Proposal 7. Terminology change
- Proposal 8. Equipment installed inside a non-residential facility.
- Proposal 12. Size of Solar Panels in Rural areas
- Proposal 14. Cables and conduit installation under bridges.
- Proposal 20. Updates.

In summary, this type of development is problematic and raises lots of community angst. Increasing the levels where no referral is necessary is seen overall as reducing natural justice and could only anger more people.