

**COMMUNICATIONS  
ALLIANCE LTD**



INDUSTRY CODE

C564:2020

MOBILE PHONE BASE STATION DEPLOYMENT

## **C564:2020 Mobile Phone Base Station Deployment Industry Code**

First published as ACIF C564:2002  
Second edition as ACIF C564:2002  
Third edition as ACIF C564:2002  
Fourth edition as ACIF C564:2004  
Reprinted 30 March 2006  
Fifth edition as C564:2011  
Sixth edition as C564:2018

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## INTRODUCTORY STATEMENT

The *Mobile Phone Base Station Deployment Industry Code (C564:2020)* (the Code) replaces the registered *Mobile Phone Base Station Deployment Industry Code (C564:2018)*.

The *Mobile Phone Base Station Deployment Industry Code* is designed to:

- allow the community and councils to have greater participation in decisions made by Carriers when deploying mobile phone base stations; and
- provide greater transparency to local community and councils when a Carrier is planning, selecting sites for, installing and operating Mobile Phone Radiocommunications Infrastructure.

Although the Code cannot change the regulatory and legislative regime at local, State or Federal level, it can supplement the existing requirements already imposed on Carriers by requiring them to consult with the local community and to adopt a precautionary approach in planning, installing and operating Mobile Phone Radiocommunications Infrastructure.

The attached Appendices which accompany the Code are designed to:

- aid in interpreting the Code; and
- supplement the Code.

Supporting information on the existing regulatory regime under which the Code operates can be found on the Australian Communications and Media Authority (ACMA) website: <https://www.acma.gov.au>

### **2011 Revision**

The Code was first registered by the ACMA, in 2005. It was subsequently revised in 2011.

### **2018 Revision**

In 2017, a scheduled review of the Code was undertaken. Terms of Reference were developed based on stakeholder comments received and the 2018 revision has been undertaken to address these.

The 2018 revision of the Code includes:

- updates to notifications provided when more than one site address exists;
- updates to address changes made to Australia Post's standard delivery times, blackout periods for notifications and the inclusion of electronic communications;
- refinements to the handling of Complaints;
- changes to address the current way stakeholders are notified via newspaper, electronically and social media;
- amendments to address the introduction of new technologies;
- the review and revision of the appendices to ensure the information provided is relevant and up to date.

## **2020 Revision**

A minor revision was performed in 2020 to finalise the original working committee Terms of Reference. This relates to the issue of a temporary facility that is a low impact facility requiring amendments to the *Telecommunications (Low-impact Facilities) Determination 2018*. This legislative update was not finalised prior to the 2018 revisions being completed. In order to not delay the registration of the 2018 Code, it was agreed at the time to delay the inclusion of obligations regarding temporary facilities until the changes to the *Telecommunications (Low-impact Facilities) Determination 2018* were completed.

The changes made to the 2020 version of the Code, as mentioned, are specific to temporary facilities and will align the Code with the *Telecommunications (Low-impact Facilities) Determination 2018*.

The 2020 revision of the Code includes:

- clarification that the Code does not apply to the activities that need to be carried out without delay under subclause 17 (6) of Schedule 3 to the *Telecommunications Act 1997*;
- an updated definition for Temporary Mobile Phone Radiocommunications Infrastructure;
- inclusion of Section 8 which sets out the public notification obligations for Temporary Mobile Phone Radiocommunications Infrastructure (temporary facilities) in operation for more than one month;
- inclusion of Appendix D5 – showing the example template for a temporary facility notification sign on site; and
- minor editorial amendments.

**WC83 - Mobile Phone Base Station Deployment** Working Committee  
OCT 2020.

## TABLE OF CONTENTS

<b>1</b>	<b>GENERAL</b>	<b>3</b>
1.1	Introduction	3
1.2	Registration by the ACMA	4
1.3	Scope	4
1.4	Objectives	4
1.5	Relationship to Other Laws	5
1.6	Code review	5
<b>2</b>	<b>ACRONYMS, DEFINITIONS AND INTERPRETATIONS</b>	<b>6</b>
2.1	Acronyms	6
2.2	Definitions	6
2.3	Interpretations	10
<b>3</b>	<b>GENERAL OBLIGATIONS ON CARRIERS</b>	<b>11</b>
3.1	Provision of Information	11
3.2	Timeframes	11
3.3	General Information Provision	12
<b>4</b>	<b>MOBILE PHONE RADIOCOMMUNICATIONS INFRASTRUCTURE SITE SELECTION, DESIGN AND OPERATION</b>	<b>13</b>
4.1	New Site Selection	13
4.2	Mobile Phone Radiocommunications Infrastructure Design	14
4.3	Site Operation	15
<b>5</b>	<b>SMALL SCALE INFRASTRUCTURE</b>	<b>16</b>
5.1	Notification for Low RF Power Mobile Phone Radiocommunications Infrastructure and Fixed Radio Links	16
5.2	Notification for Small Mobile Phone Radiocommunications Infrastructure	16
<b>6</b>	<b>CONSULTATION REQUIREMENTS FOR INSTALLATION AT A NEW SITE WITHOUT DEVELOPMENT APPLICATION</b>	<b>19</b>
6.1	Development and Evolution of Consultation Plan	19
6.2	Consultation with Council on the Consultation Plan	20
6.3	Consultation with Interested and Affected Parties on the Proposal	21
6.4	Assessing and Reporting on Outcomes	26
<b>7</b>	<b>NOTIFICATION TO COUNCILS AND THE PUBLIC – INSTALLATION AT AN EXISTING SITE WITHOUT DEVELOPMENT APPLICATION</b>	<b>28</b>
7.1	Council notification	28
7.2	Public notification	28
7.3	Council and public comments	29
<b>8</b>	<b>NOTIFICATION FOR TEMPORARY MOBILE PHONE RADIOCOMMUNICATIONS INFRASTRUCTURE</b>	<b>30</b>
8.1	Notification for temporary facilities	30
<b>9</b>	<b>RADIO EMISSIONS AND HEALTH AND SAFETY INFORMATION</b>	<b>32</b>

9.1	RF EME Health and Safety Information	32
10	COMPLAINT HANDLING	33
10.1	Carrier to Develop Complaints Handling Procedure	33
10.2	Complaint Handling Procedure	33
11	REFERENCES	35
	APPENDIX	36
A	THE PRECAUTIONARY PRINCIPLE	36
B	ARPANSA EME REPORT FORMAT	37
C	CONSULTATION GUIDELINES	38
D	COMMUNICATION INFORMATION FORMATS	43
E	BEST PRACTICE GUIDELINES FOR PLACEMENT OF SIGNS	48
F	RF WARNING SIGNS	50
	PARTICIPANTS	52

# 1 GENERAL

## 1.1 Introduction

- 1.1.1 Section 112 of the *Telecommunications Act 1997* (the Act) sets out the intention of the Commonwealth Parliament that bodies and associations representing sections of the telecommunications industry develop industry codes relating to the telecommunications activities of participants in those sections of the industry.
- 1.1.2 The development of the Code has been facilitated by Communications Alliance through a working committee comprised of representatives from the telecommunications industry, Government regulatory agencies, local government and consumer groups.
- 1.1.3 The Code should be read in the context of other relevant codes, guidelines and documents.
- 1.1.4 The Code should be read in conjunction with related legislation, including:
- (a) the Act;
  - (b) the *Radiocommunications Act 1992*;
  - (c) the *Telecommunications Code of Practice 2018* issued by the Minister which is made under clause 15 of Schedule 3 to the Act;
  - (d) the *Telecommunications (Low-impact Facilities) Determination 2018*;
  - (e) the *Telecommunications (Consumer Protection and Service Standards) Act 1999 (Cth)*;
  - (f) the *Competition and Consumer Act 2010 (Cth)*;
  - (g) the *Privacy Act 1988 (Cth)*; and
  - (h) laws and regulations at state, territory and local government level.

*NOTE: For guidance, a Carrier may rely on a number of regulatory arrangements to install mobile phone radiocommunications infrastructure. E.g. the Carrier may consider the facility to be a Low Impact Facility under the Telecommunications (Low-impact Facilities) Determination 2018 (Commonwealth Legislation), or an exempt or complying development under state legislation.*

- 1.1.5 If there is a conflict between the requirements of the Code and any requirements imposed on a Carrier by statute, the Carrier will not be in breach of the Code by complying with the requirements of the statute.
- 1.1.6 Compliance with this Code does not guarantee compliance with any legislation. The Code is not a substitute for legal advice.

1.1.7 Statements in boxed text are a guide to interpretation only and not binding as Code rules.

## 1.2 Registration by the ACMA

The Code is submitted to the Australian Communications and Media Authority for registration under section 117 of the Act.

## 1.3 Scope

1.3.1 The Code applies to Carriers who are:

- (a) installing;
- (b) intending to install;
- (c) operating; or
- (d) contracting or arranging for the installation of

fixed radiocommunications infrastructure, referred to as Mobile Phone Radiocommunications Infrastructure in this Code, which is used, intended to be used, or capable of being used to supply Public Mobile Telecommunications Services.

This Code does not apply to Radiocommunications Infrastructure that is not Mobile Phone Radiocommunications Infrastructure.

### NOTES:

1. *This Code also covers the work of contractors or agents of Carriers, infrastructure lessors, infrastructure developers, telecommunications service providers and other entities engaged in activities covered by this Code on behalf of a Carrier.*
2. *A Public Mobile Telecommunications Service is a publicly accessible mobile phone network, as distinct from a non-public network (e.g. an immediate circle (as defined in the Act)). An immediate circle is a non-public network used within an organisation).*

1.3.2 This Code does not apply to Carriers in relation to the intended installation or operation of Exempt Mobile Phone Radiocommunications Infrastructure, or Emergency Service Organisations. See clause 2.2 for definitions.

## 1.4 Objectives

The objectives of the Code are:

- (a) to apply a Precautionary Principle to the deployment of Mobile Phone Radiocommunications Infrastructure;
- (b) to provide best practice processes for demonstrating compliance with relevant exposure limits and the protection of the public;
- (c) to ensure that the exposure of the community to EME is minimised;



- (d) to ensure relevant stakeholders are informed, notified or consulted and engaged with before Mobile Phone Radiocommunications Infrastructure is constructed;
- (e) to specify standards for consultation, information availability and presentation;
- (f) to consider the impact on the wellbeing of the community, physical or otherwise, of Mobile Phone Radiocommunications Infrastructure; and
- (g) to ensure Council and community views are incorporated into the Mobile Phone Radiocommunications Infrastructure site selection.

*NOTE: This Code may not always:*

1. *satisfy all participants; or*
2. *resolve all differences of opinion or values.*

## **1.5 Relationship to Other Laws**

- 1.5.1 Nothing in this Code affects any rights or obligations under any Commonwealth, state or territory law.
- 1.5.2 The consultation requirements of this Code do not apply to infrastructure that requires Development Approval. In such cases it is expected that public consultation will occur through the Development Application process.
- 1.5.3 Nothing in this Code applies to the installation of facilities described in by subclause 17(6) of Schedule 3 to the Act.

*NOTE: Subclause 17(6) of Schedule 3 to the Act relates to activities to be carried out without delay under certain circumstances.*

## **1.6 Code review**

- 1.6.1 The Code will be reviewed every 5 years, or earlier in the event of significant developments that affect the Code or a chapter within the Code.

## 2 ACRONYMS, DEFINITIONS AND INTERPRETATIONS

### 2.1 Acronyms

For the purposes of the Code:

#### **ACMA**

means the Australian Communications and Media Authority

#### **ARPANSA**

means the Australian Radiation Protection and Nuclear Safety Agency

#### **EME**

means Radiofrequency Electromagnetic Energy

#### **EME Standard**

means the *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields - 3 kHz to 300 GHz (2002)*

#### **LIFD**

means Low Impact Facilities Determination 2018

#### **NATA**

means National Association of Testing Authorities

#### **RF**

means radiofrequency

#### **RFNSA**

means the Radiofrequency National Site Archive website ([www.rfnsa.com.au](http://www.rfnsa.com.au)).

### 2.2 Definitions

For the purposes of the Code:

#### **Act**

means the *Telecommunications Act 1997 (Cth)*.

#### **Australia Post Delivery Timetable**

means the delivery timetables relating to items posted in Australia as published by Australia Post from time to time.

#### **Business Day**

means a day that is not a Saturday, Sunday or a public holiday in the place where the Carrier intends to deploy Mobile Phone Radiocommunications Infrastructure. A Business Day concludes at 5 p.m.

#### **Carrier**

has the same meaning given by section 7 of the Act.

### **Communications**

has the same meaning as in the Act.

### **Community Sensitive Location**

land uses such as residential areas, childcare centres, schools, aged care centres, hospitals and regional icons may be considered as sensitive uses in some communities. It is acknowledged that each location should be evaluated on a site by site basis to determine community sensitive locations.

### **Complaint**

means any expression of dissatisfaction or grievance made in writing to a Carrier in relation to its performance of any mandatory obligation in this Code.

*NOTE: A Complaint does not include:*

1. a request for information; or
2. any comments on Mobile Phone Radiocommunications Infrastructure received by a Carrier during the consultation process.

### **Consultation**

means a process whereby Carriers seek to inform other parties about a proposed project at a particular location with the intention of giving those parties an opportunity to respond to the proposal and to have their responses considered.

### **Consultation Symbol**

refers to the symbol used by Carriers for the purpose of consultation (see Appendix D).

### **Council**

for an activity in a state or territory, means an authority of the state or territory responsible for the local government of the area where the activity happens or is to happen and/or the authority in a local area responsible for land use planning decisions. This is usually the Local Government Authority although this may vary in places such as territories.

### **Development Application / Approval**

means approval in accordance with state or local planning laws.

### **Emergency Services Organisation**

includes, but is not limited to:

- (a) police forces or services;
- (b) fire services (urban and rural);
- (c) ambulance services; and
- (d) state emergency services.

**Exempt Mobile Phone Radiocommunications Infrastructure**

means:

- (a) Mobile Phone Radiocommunications Infrastructure installed at the request of the occupier to supply services exclusively to that property and not for re-transmission by radiocommunications to another property; or
- (b) Mobile Phone Radiocommunications Infrastructure used or intended to be used for the purpose of providing a facility for use by, or on behalf of, a defence organisation for defence purposes; or
- (c) Mobile Phone Radiocommunications Infrastructure used or intended to be used for the purpose of facilitating the provision of emergency services by Emergency Services Organisations; or
- (d) Temporary Mobile Phone Radiocommunications Infrastructure in operation for less than one month; or
- (e) fixed, mobile or portable radiocommunications equipment that is intended for operation by Carriers or non-Carriers, and which would otherwise meet the exemption from evaluation requirements set out in Schedule 5 to the EME Standard or any other equivalent ACMA requirements.

**Fixed Radio Links**

means Point-to-point and Point-to-multipoint Services, fixed at both ends that are used in the supply of Public Mobile Telecommunications Services and includes but is not limited to microwave and satellite radio communications links.

**Frequency Band**

means the radiofrequency bands used by the mobile phone networks.

**Installation**

in relation to Mobile Phone Radiocommunications Infrastructure, includes:

- (a) the construction of the Mobile Phone Radiocommunications Infrastructure, on, over or under any land;
- (b) the attachment of the Mobile Phone Radiocommunications Infrastructure to any building or other structure; and
- (c) any activity that is ancillary or incidental to the installation of the Mobile Phone Radiocommunications Infrastructure (for this purpose, installation includes an activity covered by paragraphs (a) or (b) above).

**Interested and Affected Parties**

means people, organisations, companies and businesses who, in the Carrier's reasonable opinion, may have an interest in, and may be affected by the design and/or location of proposed Mobile Phone Radiocommunications Infrastructure, including:

- (a) the owner(s) and occupier(s) of the proposed site;
- (b) persons who reside within the immediate vicinity of the proposed site;
- (c) occupiers of community sensitive locations in the vicinity of the proposed site; and

(d) other community stakeholders identified by the Carrier.

*NOTE: Interested and Affected Parties includes, but is not limited to local Progress Associations, Parents and Citizens groups, pre-schools and schools, local MPs, resident groups, childcare centres, chambers of commerce, sporting groups, tenants, Occupational Health and Safety Committees, Aboriginal Land Councils and residents in adjacent council areas but living in proximity to a proposal. A local council is a good source of information about potentially affected parties in a locality.*

**Low Impact Facility**

means a facility as determined in the *Telecommunications (Low-impact Facilities) Determination 2018*.

**Low RF Power Mobile Phone Radiocommunications Infrastructure**

means one or more transmitters operating at a total maximum power into the antenna of no greater than 2 Watts.

*NOTE: Examples may include micro-cells, pico-cells, distributed antenna systems and in building systems.*

**Mobile Phone Base Station**

means a mobile phone radiocommunications transmitter and its associated infrastructure including any antennas, housings and other equipment.

**Mobile Phone Radiocommunications Infrastructure**

means fixed radiocommunications infrastructure used, intended to be used, or capable of being used to supply Public Mobile Telecommunications Services and includes a Mobile Phone Base Station. (Also referred to in the Code as facility or infrastructure).

*NOTE: Mobile Phone Radiocommunications Infrastructure includes both low impact facilities and facilities that are not low impact.*

**Point-to-multipoint Service**

has the same meaning as in the Act. Specific information about particular services is available from the [ACMA website](#).

**Point-to-point Service**

means a carriage service which allows a person to transmit a communication to an end-user(s).

**Precautionary Principle**

As discussed in Appendix A.

**Public Mobile Telecommunications Service**

has the same meaning given in section 32 of the Act.

**RF Hazard Area**

means an area where the emission level exceeds the ACMA mandatory limits for general public exposure to RF EME.

**Site Position**

means information that specifically identifies the physical placement of the facility.

**Small Mobile Phone Radiocommunications Infrastructure**

means Mobile Phone Radiocommunications Infrastructure that meets the requirements of Part 1, Item 8 or 9 of the *Telecommunications (Low-impact Facilities) Determination 2018* including additions to the facility. (Also referred to in this Code as facility or infrastructure).

*NOTE: Small Mobile Phone Radiocommunications Infrastructure includes (but is not limited to) microcells and small cells.*

**Temporary Mobile Phone Radiocommunications Infrastructure**

means Mobile Phone Radiocommunications Infrastructure as permitted by Part 6A and Part 7 of the Schedule to the *Telecommunications (Low-impact Facilities) Determination 2018*.

**2.3 Interpretations**

In the Code, unless the contrary appears:

- (a) headings are for convenience only and do not affect interpretation;
- (b) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- (c) words in the singular includes the plural and vice versa;
- (d) words importing persons include a body whether corporate, politic or otherwise;
- (e) where a word or phrase is defined, its other grammatical forms have a corresponding meaning;
- (f) mentioning anything after include, includes or including does not limit what else might be included;
- (g) words and expressions which are not defined have the meanings given to them in the Act; and
- (h) a reference to a person includes a reference to the person's executors, administrators, successors, agents, assignees and novatees.

### 3 GENERAL OBLIGATIONS ON CARRIERS

#### 3.1 Provision of Information

- 3.1.1 A Carrier must respond to reasonable requests by a Council for information and assistance for the purpose of Council's forward planning.

*NOTE: Examples of the kind of assistance that Carriers should give to Councils include:*

1. *providing the Council with the Carrier's forward project plans concerning the deployment of Mobile Phone Radiocommunications Infrastructure;*
2. *providing the Council with the Carrier's plans concerning service level targets for planned Mobile Phone Radiocommunications Infrastructure;*
3. *engaging with other Carriers to explore opportunities for co-location and to investigate opportunities for the coordinated, strategic and efficient deployment of Mobile Phone Radiocommunications Infrastructure;*
4. *providing the Council with an assessment of the opportunities for co-location of Mobile Phone Radiocommunications Infrastructure with the facilities of other Carriers; and*
5. *providing the Council with as much forward planning notice as possible.*

#### 3.2 Timeframes

- 3.2.1 A notice, document or record posted or sent to an address in Australia, as part of the process of notification or consultation, is taken to have been given as follows:

- (a) in accordance with Australia Post Delivery Timetable for the specific Australia Post services utilised.
- (b) the next Business Day after it was left at the premises, in the case of a notice or document (whether residential or otherwise).
- (c) the next Business Day for electronic communication.
- (d) a delivery time which can be substantiated e.g. Courier receipt.

- 3.2.2 A notice mentioned in this Code may reference multiple sites.

- 3.2.3 Where a Carrier has identified a school as an Interested or Affected Party in its consultation plan, it must have regard to that school's formal holiday periods.

*NOTE: Carriers will use their best endeavours to allow for differences in delivery times of the specific Australia Post service used or in holiday periods.*

### 3.3 General Information Provision

- 3.3.1 A Carrier must respond to reasonable requests for information related to its obligations under the Code.
- 3.3.2 Where the Carrier considers a request for information does not relate to its obligations under the Code, the Carrier must inform the requestor the reason(s) why this information will not be provided.

*NOTE: The Carriers refusal to provide information, that does not relate to its obligations under the Code, is not a breach of the Code.*

- 3.3.3 A Carrier must keep documentary evidence of its compliance with the Code for a period of three years.



## 4 MOBILE PHONE RADIOCOMMUNICATIONS INFRASTRUCTURE SITE SELECTION, DESIGN AND OPERATION

This section applies to Mobile Phone Radiocommunications Infrastructure site selection, design and operation and the application of the Precautionary Principle.

### 4.1 New Site Selection

Clause 4.1 applies if a Carrier proposes to select a new site for the deployment of Mobile Phone Radiocommunications Infrastructure.

4.1.1 The Carrier must have written procedures for site selection for Mobile Phone Radiocommunications Infrastructure in relation to factors contained in clause 4.1.4 and make them available to the public on request.

4.1.2 Once the preferred option has been selected, the Carrier must make available to the public on request, the summary of the sites considered and the reasons for the selection of the preferred option.

4.1.3 The Carrier must comply with its procedures as per clause 4.1.1 above.

4.1.4 The Carrier must ensure that its written procedures for new site selection require it to have regard to:

- (a) the reasonable service objectives of the Carrier including:
  - (i) the area the planned service must cover;
  - (ii) power levels needed to provide quality of service;
  - (iii) the amount of usage the planned service must handle;
- (b) minimisation of EME exposure to the public;
- (c) the likelihood of an area being a community sensitive location;

*NOTE: Examples of sites which may be considered to be sensitive include, residential areas, childcare centres, schools, aged care centres, hospitals and regional icons.*

- (d) the objective of avoiding community sensitive locations;
- (e) relevant state and local government telecommunications planning policies;
- (f) the outcomes of consultation processes with Councils and Interested and Affected Parties as set out in clause 6.4;
- (g) the heritage significance (built, cultural and natural);
- (h) the physical characteristics of the locality including elevation and terrain;
- (i) the availability of land and public utilities;

- (j) the availability of transmission to connect the Mobile Phone Radiocommunications Infrastructure with the rest of the network;
- (k) the radiofrequency interference the planned service may cause to other services;
- (l) the radiofrequency interference the planned service could experience at that location from other services or sources of radio emissions;
- (m) any obligations and opportunities to co-locate facilities; and
- (n) cost factors.

## **4.2 Mobile Phone Radiocommunications Infrastructure Design**

Clause 4.2 applies if a Carrier proposes to design Mobile Phone Radiocommunications Infrastructure.

- 4.2.1 The Carrier must have written procedures for designing Mobile Phone Radiocommunications Infrastructure.
- 4.2.2 The Carrier must comply with its procedures as per clause 4.2.1 above.
- 4.2.3 With the objective of minimising unnecessary or incidental RF emissions and exposure, the Carrier must ensure that its written procedures for designing Mobile Phone Radiocommunications Infrastructure, require it to have regard to:
  - (a) the reason for the installation of the infrastructure, considering coverage, capacity and quality;
  - (b) the positioning of antennas to minimise obstruction of radio signals;
  - (c) the objective of restricting access to areas where RF exposure may exceed limits of the EME standard;
  - (d) the type and features of the infrastructure that are required to meet service needs including:
    - (i) the need for macro, or small scale infrastructure;
    - (ii) the need for directional or non-directional antennas;
  - (e) the objective of minimising power whilst meeting service objectives; and
  - (f) whether the costs of achieving this objective are reasonable.

- 4.2.4 The Carrier must make site EME assessments for Mobile Phone Radiocommunication Infrastructure in accordance with the ARPANSA prediction methodology and report format (as referenced in Appendix B).

*NOTE: The ARPANSA prediction methodology requires cumulative predictions from all Mobile Phone Base Station equipment installed at the site.*

- 4.2.5 The ACMA may request a copy of the site EME estimate, and the Carrier must provide the estimate to the ACMA within two weeks of the request being made.

### **4.3 Site Operation**

- 4.3.1 The Carrier must operate their Mobile Phone Radiocommunications Infrastructure in a manner consistent with the objectives in clause 4.2.3.
- 4.3.2 The Carrier must be able to demonstrate compliance with the ACMA regulations regarding maximum human exposure limits for radiofrequency fields.

- 4.3.3 The Carrier must take appropriate measures to restrict general public access to RF hazard areas.

*NOTE: General public may include window cleaners, building maintenance staff, etc.*

- 4.3.4 For each RF hazard area, the Carrier must ensure warning signs are in place in an appropriate location and manner so that they are clearly visible.

*NOTE: Refer to examples of standard signage in Appendix F.*

- 4.3.5 In assessing whether measures are appropriate, the Carrier must have regard to:

- (a) the kinds of people who may have access to the area;
- (b) the need for physical barriers;
- (c) relevant occupational health and safety requirements;
- (d) the views of the property owner;
- (e) any site changes that have been made; and
- (f) any other matter which may be relevant to ensure site safety with regards to EME.

- 4.3.6 The Carrier must ensure that technical staff of the Carrier who may be involved in activities on or adjacent to Mobile Phone Radiocommunications Infrastructure are trained in radio frequency exposure safety.

- 4.3.7 The Carrier must ensure that RF transmission equipment no longer in service does not transmit, or is removed.

## 5 SMALL SCALE INFRASTRUCTURE

Small scale infrastructure telecommunications facilities have minimal visual impact and are designed to provide local coverage to a small area. This also covers fixed radio links.

### 5.1 Notification for Low RF Power Mobile Phone Radiocommunications Infrastructure and Fixed Radio Links

- 5.1.1 The Carrier must notify Council of all proposed Low RF Power Mobile Phone Radiocommunications Infrastructure and Fixed Radio Links under the Carrier's control.
- 5.1.2 The Carrier must notify the manager, owner and occupier of the property in/on which the proposed equipment is to be located.
- 5.1.3 The Carrier must notify the owners and occupiers of a residence in the immediate vicinity of the proposed site.
- 5.1.4 The Carrier must include the following information in a notification about the proposal:
  - (a) the address of the proposed location and Site Position;
  - (b) a written description of the proposed facility;
  - (c) a statement setting out the applicable regulatory arrangements that the Carrier intends to rely on to install the infrastructure and the reasons that those arrangements apply;
  - (d) a reference to the relevant section of this Code applicable to the proposal;
  - (e) a statement that the proposed infrastructure will be in compliance with the ACMA EME regulatory arrangements; and
  - (f) the contact details of the Carrier's representative.

### 5.2 Notification for Small Mobile Phone Radiocommunications Infrastructure

This clause applies to infrastructure that meets the requirements of Part 1, Item 8 or 9 of the *Telecommunications (Low-impact Facilities) Determination 2018* including additions to the facility. For example, this clause includes (but is not limited to) microcells and small cells.

- 5.2.1 The Carrier must notify Council of the proposed installation.
- 5.2.2 The Carrier must notify the manager, owner and occupier of the property in/on which the proposed facility is to be located.
- 5.2.3 The Carrier must notify the owners and occupiers of premises in the immediate vicinity of the proposed site.
- 5.2.4 The Carrier must notify community sensitive locations in close proximity of the proposed site.

- 5.2.5 The Carrier must include the following information in a notification about the proposal:
- (a) the address of the proposed location and Site Position;
  - (b) a written description of the proposed facility;
  - (c) a statement setting out the applicable regulatory arrangements that the Carrier intends to rely on to install the infrastructure and the reasons that those arrangements apply;
  - (d) a reference to the relevant section of this Code applicable to the proposal;
  - (e) a statement that the proposed infrastructure will be in compliance with the ACMA EME regulatory arrangements;
  - (f) an ARPANSA EME report for the proposal (see Appendix B);
  - (g) the contact details of the Carrier's representative;
  - (h) an invitation to make comments; and
  - (i) the timeframe to make comments, which must be at least 10 Business Days after the date on which the notice is given (as per clause 3.2).
- 5.2.6 The Carrier must place a sign about the proposed Mobile Phone Radiocommunications Infrastructure at the site proposed in a manner that ensures that it is clearly visible and legible from a public road or footpath, unless local government approval is required for the sign or the Council instructs otherwise, or it is not practical to do so.
- 5.2.7 The Carrier must ensure the sign:
- (a) complies with the format in Appendix D4;
  - (b) is weatherproof if installed externally;
  - (c) is durable; and
  - (d) is not removed by the Carrier until construction is complete.

#### **Council and public submissions**

- 5.2.8 The Carrier must:
- (a) have regard to any submissions received during the comment period from the Council and public;
  - (b) provide a response to submitters on submissions that were received during the comment period;
  - (c) provide a statement about the Carrier's intended actions regarding the intended work, to the submitters; and
  - (d) provide a likely timeframe for when construction is intended to commence, unless the Carrier decides not to proceed with the construction.

*NOTE: Carrier's likely date range will be to the nearest month.*

- 5.2.9 The Carrier must not proceed with construction:
- (a) prior to the completion of the timeframe specified in clause 5.2.5 (i); and
  - (b) until it has met its obligations under clause 5.2.8.

## 6 CONSULTATION REQUIREMENTS FOR INSTALLATION AT A NEW SITE WITHOUT DEVELOPMENT APPLICATION

Section 6 applies if a Carrier proposes to install Mobile Phone Radiocommunications Infrastructure at a new site.

Section 6 does not apply if Development Approval is required for all or part of the facility. Section 6 does not apply to the installation of small scale infrastructure as described under section 5.

### NOTES:

1. *For the purposes of section 6, a new site is a site where there is no existing Mobile Phone Radiocommunications Infrastructure.*
2. *The consultation requirements of this Code do not apply to Mobile Phone Radiocommunications Infrastructure that require Development Approval. In such cases it is expected that public consultation will occur through the Development Application process.*

### 6.1 Development and Evolution of Consultation Plan

- 6.1.1 The Carrier must prepare a consultation plan prior to commencement of consultation.
- 6.1.2 In developing a consultation plan for a site, the Carrier must endeavour to meet the objectives of:
  - (a) identifying and informing Interested and Affected Parties of the proposed project;
  - (b) providing clear and accurate information about the project to Interested and Affected Parties in an accessible form;
  - (c) using its reasonable endeavours to identify community sensitive locations; and

*NOTE: Examples of sites which have sometimes been considered to be sensitive include residential areas, childcare centres, schools, aged care centres, hospitals and regional icons.*

- (d) meeting the reasonable needs and expectations of the community.
- 6.1.3 The Carrier's consultation for each proposal must be open, transparent and fit for purpose.

*NOTE: The size and scope of the consultation plan should be weighed against the likely impact the proposal will have on directly affected parties, relevant stakeholders and community sensitive locations.*

- 6.1.4 The Carrier must undertake a stakeholder analysis and use all reasonable endeavours to identify any Interested and Affected Parties.
- 6.1.5 The Carrier must ensure that its consultation plan requires it to consult with and seek comments from:

- (a) Council(s); and
- (b) Interested and Affected Parties within a distance specified and justified by the Carrier.

*NOTE: By way of clarification, the Carrier should consult with the occupants of all residences where the subject site contains multiple residences.*

## **6.2 Consultation with Council on the Consultation Plan**

The consultation process will involve the development and implementation of the consultation plan and allow for the plan to be modified, if necessary.

*NOTE: The Carrier's consultation plan may evolve in response to feedback from stakeholders.*

- 6.2.1 The Carrier must develop a written, draft consultation plan outlining the consultation that the Carrier proposes to carry out in relation to the site.

*NOTE: The Consultation Guidelines in Appendix C should be used for guidance.*

- 6.2.2 The Carrier must allow Council 10 Business Days, to provide written comment on the draft consultation plan (provided under clause 6.1).

- 6.2.3 The Carrier must invite Council to comment on:

- (a) the suitability of the draft consultation plan for this community;
- (b) whether there are any additional key stakeholders who should be included as Interested and Affected Parties; and
- (c) whether there are any significant events within the community that the Carrier should be aware of in developing the draft consultation plan.

- 6.2.4 Where it can reasonably be expected that an adjacent local government area will be impacted by a proposal, the Carrier must also seek comment from the Council administering that adjacent local government area on matters set out in clause 6.2.3.

*NOTE: Carriers are able to commence consultation upon receipt of Council comments or after 10 Business Days have elapsed.*



Business Days	Day	Action
		The Carrier sends consultation plans to Council
		Plan is taken to have arrived at Council
1	Thur	Time for Council to comment on consultation plan starts
2	Fri	
	Sat	
	Sun	
3	Mon	
4	Tues	
5	Wed	
6	Thur	
7	Fri	
	Sat	
	Sun	
8	Mon	
9	Tues	
10	Wed	Close of period for Council to comment on consultation plan.

**FIGURE 1(a)**

**Example timeline for Council to comment on the draft consultation plan**

<p>NOTES to Figure 1(a):</p> <ol style="list-style-type: none"> <li>Figure 1(a) shows the number of days allowed for the Carrier to receive Council's comments on its draft consultation plan.</li> <li>Public holidays and weekends are not counted as Business Days.</li> <li>Delivery times for letters sent are based on the timeframes in clause 3.2.</li> </ol>
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6.2.5 The Carrier must review the draft consultation plan having regard to any comments received from the Council(s) under clauses 6.2.3 and 6.2.4.

6.2.6 The Carrier must comply with its consultation plan and any amendments made to the plan.

**6.3 Consultation with Interested and Affected Parties on the Proposal**

**Information about a proposal to be communicated**

6.3.1 The Carrier must provide information to Council and Interested and Affected Parties which is clear, legible, in plain English and must include:

- (a) the address of the proposed location and Site Position;
- (b) a written description of the proposed facility;
- (c) a statement setting out the applicable regulatory arrangements that the Carrier intends to rely on to install the infrastructure and the reasons that those arrangements apply;

- (d) a reference to the relevant section of this Code applicable to the proposal;
- (e) a statement that the proposed infrastructure will be in compliance with the ACMA EME regulatory arrangements;
- (f) an ARPANSA EME report for the proposal (see Appendix B);
- (g) the contact details of the Carrier's representative;
- (h) an invitation to make comments; and
- (i) the timeframe to make comments.

6.3.2 In addition to information to be provided under clause 6.3.1, the Carrier must provide plans/site drawings to Council.

#### **Letter**

6.3.3 The Carrier must send a letter containing the information in clause 6.3.1 and 6.3.2 to Council.

6.3.4 The Carrier must send a letter containing the information in clause 6.3.1 to Interested and Affected Parties.

6.3.5 If the letter is in hardcopy format the Carrier must send it in an envelope, as per Appendix D2.1.

*NOTE: See [www.commsalliance.com.au](http://www.commsalliance.com.au) for example letters.*

6.3.6 If the letter is sent via email, the Carrier must include:

- (a) the subject line "Information about a (insert Carrier name) Mobile Phone Base Station in your area";
- (b) the address of the proposed location and a link to the applicable RFNSA site page;
- (c) the contact details of the Carrier's representative;
- (d) the Consultation Symbol (display may be dependent on the recipient's email software); and
- (e) an attached copy of the Interested and Affected Parties letter.

*NOTE: See Appendix D3 for an example email template.*

#### **Website information**

6.3.7 The Carrier must have a website that includes:

- (a) the address of the proposed site and Site Position;
- (b) a written description of the proposed facility;
- (c) the rationale for the proposal;
- (d) a statement setting out the applicable regulatory arrangements that the Carrier intends to rely on to install the infrastructure and the reasons that those arrangements apply;

- (e) a reference to the relevant section of this Code applicable to the proposal;
- (f) alternate options and opportunities for co-location considered;
- (g) any key dates (e.g. comment dates, construction dates);
- (h) the Consultation Symbol;
- (i) an ARPANSA EME report for the proposal (see Appendix B);
- (j) a link to the Communications Alliance information portal; and
- (k) phone and email address for more information or making a comment.

6.3.8 The Carrier must update the information on this website to reflect any amendments to the consultation plan, and the dates of those amendments, as soon as practical.

6.3.9 The Carrier must ensure that the website remains publicly accessible until the construction is complete.

6.3.10 The Carrier must make information on this website available on request by email or post.

#### **On-site signage**

6.3.11 The Carrier must place a sign about the proposed Mobile Phone Radiocommunications Infrastructure at the site proposed in a manner that ensures that it is clearly visible and legible from a public road or footpath, unless local government approval is required for the sign or the Council instructs otherwise, or it is not practical to do so.

6.3.12 The Carrier must ensure the sign:

- (a) complies with the format in Appendix D4;
- (b) is weatherproof if installed externally; and
- (c) is durable and is not removed by the Carrier until construction is complete.

*NOTE: Where practical, signage should be updated to reflect any amendments to the consultation plan.*

**Additional consultation tools**

- 6.3.13 The Carrier must consider the consultation tools in Appendix C in order to ensure its consultation plan is fit for purpose.
- 6.3.14 Where community sensitive locations are identified in the consultation plan, the Carrier must consider whether:
  - (a) an Interested and Affected Parties letter is to be sent to the owner/manager.
  - (b) an Interested and Affected Parties letter is to be sent to parents and friend's committee/residents group/staff associations.
  - (c) to include point of interest EME predictions for the sensitive use in the EME Report.

**Timeframe for Consultation**

- 6.3.15 The Carrier must give Councils 20 Business Days to provide comments.
- 6.3.16 The Carrier must give Interested and Affected Parties 15 Business Days to provide comments.
- 6.3.17 The Carrier must grant Interested and Affected Parties an extension period of an additional 5 Business Days to provide comment if requested in writing.
- 6.3.18 The Carrier's consultation plan must contain the time within which Councils and communities may comment on the proposed work.

Business Days	Day	Action
		Close of period for Council to comment on consultation plan.
		The Carrier sends notification letter to Council and Interested and Affected Parties
		The Carrier's notification letter to Council and Interested and Affected Parties is taken to have arrived.
1	Fri	Consultation period commences
	Sat	
	Sun	
2	Mon	
3	Tues	
4	Wed	
5	Thur	
6	Fri	
	Sat	
	Sun	
7	Mon	
8	Tues	
9	Wed	
10	Thur	
11	Fri	
	Sat	
	Sun	
12	Mon	
13	Tues	
14	Wed	
15	Thur	Close of period for Interested and Affected Parties to comment on the proposal.
16	Fri	
	Sat	
	Sun	
17	Mon	
18	Tues	
19	Wed	
20	Thur	Close of period for Council to comment on the proposal.

**FIGURE 1(b)**

**Example Timeline for Council and Interested and Affected Parties to make comments on proposed Mobile Phone Radiocommunications Infrastructure.**

NOTES to Figure 1(b):

1. Figure 1(b) provides an indication of number of days allowed for consultation.
2. Public holidays and weekends are not counted as Business Days.
3. Delivery times for letters sent are based on the timeframes in clause 3.2.

**Engagement and Responsiveness**

- 6.3.19 The Carrier must engage with and respond to Interested and Affected Parties during the consultation process and modify the consultation plan accordingly where appropriate.
- 6.3.20 The Carrier must have written procedures for responding to the comments of Interested and Affected Parties, including likely timeframes for response.

- 6.3.21 If the factors initially identified in the stakeholder analysis change, then the Carrier must review its consultation plan to ensure it remains fit for purpose and amend it as required.
- 6.3.22 The Carrier must develop and update its consultation plan to show that it has engaged with and responded to Council and Interested and Affected Parties, with the objectives of:
- (a) providing adequate time for Interested and Affected Parties to consider, engage and to complete comments on the proposal;
  - (b) responding to and addressing Council's views on consultation;
  - (c) identifying and attempting to resolve potential issues early in the site planning process;
  - (d) adding additional consultation tools to the plan, where the Carrier considers it appropriate, to ensure that it remains fit for purpose; and
  - (e) obtaining mutually acceptable outcomes on individual projects.

*NOTE: The consultation may not always:*

1. *satisfy all participants; or*
2. *resolve all differences of opinion or values.*

## **6.4 Assessing and Reporting on Outcomes**

- 6.4.1 At the end of the consultation process the Carrier must assess all comments and decide how to proceed.
- 6.4.2 The Carrier must respond to Interested and Affected Parties who provided it with individual comments in the consultation process.

*NOTE: Response times may vary depending on the volume and complexity of the comments received.*

- 6.4.3 The Carrier must prepare a report which includes:
- (a) summary of comments received during the consultation process;
  - (b) the Carrier's consideration and assessment of these comments;
  - (c) a statement about the Carrier's intended actions regarding the proposed work; and
  - (d) where construction is intended to proceed a range of likely dates for commencement of construction.

*NOTE: The Carrier's likely date range will be to the nearest month.*

- 6.4.4 The Carrier must ensure the report prepared under clause 6.4.3 is:
- (a) sent to Council and concurrently published on the Carrier's website; and
  - (b) made available to a member of the public on request.

- 6.4.5 The Carrier must:
- (a) not commence the work until after the report prepared under clause 6.4.3 has been given to Council; and
  - (b) update its website where construction is intended to proceed, to reflect any changes in the likely date range for the commencement of construction.

- 6.4.6 The Carrier must make additional information about a site (as per clause 6.3.1) available on a website and by other means when requested.

*NOTE: See Appendix D1 for more information.*

- 6.4.7 The Carrier must keep website information up-to-date with significant developments, such as delays or deferrals, and provide that information to members of the public who have previously requested it by other means.

## **7 NOTIFICATION TO COUNCILS AND THE PUBLIC – INSTALLATION AT AN EXISTING SITE WITHOUT DEVELOPMENT APPLICATION**

Section 7 applies if a Carrier proposes to install Mobile Phone Radiocommunications Infrastructure at an existing site. For the purposes of section 7, an existing site is a site where there is existing Mobile Phone Radiocommunications Infrastructure, except small scale infrastructure as described under section 5.

Section 7 does not apply if Development Approval is required for all or part of the facility. Section 7 does not apply to the installation of small scale infrastructure as described under section 5.

### **NOTES:**

1. *The consultation requirements of this Code do not apply to Mobile Phone Radiocommunications Infrastructure that require Development Approval. In such cases it is expected that public consultation will occur through the Development Application process.*
2. *Where there is a large physical separation between facilities on a premises, they should be dealt with as separate sites for the purposes of consultation.*

### **7.1 Council notification**

- 7.1.1 The Carrier must give the Council notice of the proposed work which must include:
- (a) the address of the proposed location and Site Position;
  - (b) a written description of the proposed facility;
  - (c) a statement setting out the applicable regulatory arrangements that the Carrier intends to rely on to install the infrastructure and the reasons that those provisions apply;
  - (d) a reference to the relevant section of this Code applicable to the proposal;
  - (e) a statement that the proposed infrastructure will be in compliance with the ACMA EME regulatory arrangements;
  - (f) an ARPANSA EME report for the proposal (see Appendix B); and
  - (g) a statement that Council may obtain further information on the proposed work and contact details for the Carrier's representative from whom the information may be obtained.

### **7.2 Public notification**

- 7.2.1 The Carrier must also undertake notification to the area surrounding the location of the proposed work which must include:
- (a) the address of the proposed location and Site Position;



- (b) a written description of the proposed facility;
- (c) a statement setting out the applicable regulatory arrangements that the Carrier intends to rely on to install the infrastructure and the reasons that those provisions apply;
- (d) a reference to the relevant section of this Code applicable to the proposal;
- (e) a statement that members of the public may obtain further information on the proposed work, and set out contact details for the Carrier's representative from whom the information may be obtained;
- (f) an invitation for written comments on the proposed work;
- (g) the closing date for comments, which must be at least 10 Business Days after the date on which the notice is published; and
- (h) the contact details to which comments should be sent.

7.2.2 The Carrier must ensure the notification is legible and delivered in a method that would reasonably assume any Interested and Affected Parties would be notified.

**NOTES:**

1. *Notification may include newspaper advertising, locally circulating public notices, a notice placed on site, or social media with significant local penetration.*
2. *Where an Interested and Affected Party has subscribed their ongoing interest in the existing facility via the RFNSA website, this party will be emailed notification.*

### **7.3 Council and public comments**

7.3.1 Before commencing the work, the Carrier must have regard to any comments received from the public and Council.

## 8 NOTIFICATION FOR TEMPORARY MOBILE PHONE RADIOCOMMUNICATIONS INFRASTRUCTURE

Temporary Mobile Phone Radiocommunications Infrastructure used or intended to be used for the purpose of facilitating provision of emergency services by an Emergency Service Organisation (ESOs) in accordance with Part 7 of the Schedule to the LIFD is exempt from this part.

Section 8 applies to Temporary Mobile Phone Radiocommunications Infrastructure (temporary facilities) deployed in accordance with Part 6A of the Schedule to the LIFD that is in operation for more than one month.

### 8.1 Notification for temporary facilities

- 8.1.1 The Carrier must notify Council of temporary facilities.
- 8.1.2 The Carrier must notify the manager, owner and occupier of the property in/on which the temporary facility is to be located.
- 8.1.3 The Carrier must notify the owners and occupiers of residences in the immediate vicinity of the temporary facility site.
- 8.1.4 The Carrier must include the following information in the notification:
  - (a) the address of the temporary facility location and Site Position;
  - (b) a written description of the temporary facility;
  - (c) the anticipated timeframe for the temporary facility;

*NOTE: The anticipated timeframe for commencement and removal of the temporary facility should be the nearest month.*

- (d) a statement setting out the applicable regulatory arrangements that the Carrier intends to rely on to install the infrastructure and the reasons that those arrangements apply;
- (e) a statement that the proposed infrastructure will be in compliance with the ACMA EME regulatory arrangements;
- (f) a reference to the relevant section of this Code applicable to the proposal; and
- (g) the contact details of the Carrier's representative.

*NOTE: Notification under this section should be given at least one week prior to installation, where possible.*

- 8.1.5 The Carrier must place a sign about the temporary facility (including the purpose and anticipated timeframe) at the site in a manner that ensures that it is clearly visible and legible, unless local government approval is required for the sign, the Council instructs otherwise, or it is not practical to do so.

- 8.1.6 The Carrier must ensure the sign:
- (a) complies with the format in Appendix D5;
  - (b) is weatherproof if installed externally; and
  - (c) is durable and is not removed by the Carrier until the temporary facility is removed.
- 8.1.7 If the temporary facility will be in-place for a period longer than originally described under clause 8.1.4(c), the Carrier must:
- (a) undertake another notification under clause 8.1 and provide updated information;
  - (b) provide reasons in the notification why the temporary facility needs to be in-place for a period longer than originally described; and
  - (c) replace the onsite signage with updated information.

*NOTE: Notification under clause 8.1.7 should be given at least one week prior to the expiration of the current notification, where possible.*

## 9 RADIO EMISSIONS AND HEALTH AND SAFETY INFORMATION

### 9.1 RF EME Health and Safety Information

- 9.1.1 If requested, the Carrier must make available to the public, at no charge:
- (a) information regarding how they address RF EME health and safety issues in relation to their networks; and
  - (b) information about where research reports on the health and safety impacts of radiofrequency infrastructure may be obtained. The Carrier may meet this requirement by referring members of the public to the relevant industry body or Government agency.

*NOTE: The Carrier should keep informed via relevant scientific bodies of the significance of the results of scientific investigations or studies on EME.*

- 9.1.2 For a specific site, the Carrier must provide, as soon as practicable and at no charge, the following information to Councils and members of the public on request:
- (a) a description of their radiofrequency infrastructure on the site;
  - (b) the radio frequency bands as per the ARPANSA EME Report format;
  - (c) an EME site compliance report or an EME site safety guide prepared by an independent NATA assessor;
  - (d) details of any RF hazard areas associated with their infrastructure and management practices to restrict access to RF hazard areas;
  - (e) the levels of exposure to EME emissions in accordance with the ARPANSA report (see Appendix B); and
  - (f) coverage information of the area.
- 9.1.3 Clause 9.1.1 does not apply where in the reasonable opinion of the Carrier the information is being sought for commercial purposes.
- 9.1.4 Where the Carrier provides or quotes summaries of scientific information, the Carrier must reference the source of information.
- 9.1.5 The Carrier must not assert anything to the effect that the absence of scientific proof means that there is no possibility of risk arising from the operation of Mobile Phone Radiocommunications Infrastructure.

## 10 COMPLAINT HANDLING

For the purposes of this Code, a Complaint means any expression of dissatisfaction or grievance made in writing to a Carrier in relation to its performance of any mandatory obligation in this Code.

*NOTE: A Complaint does not include:*

1. *a request for information; or*
2. *any comments on Mobile Phone Radiocommunications Infrastructure received by a Carrier during the consultation process.*

### 10.1 Carrier to Develop Complaints Handling Procedure

- 10.1.1 The Carrier must have a written procedure for dealing with Complaints.
- 10.1.2 The Carrier must make the procedure available to the public including information about how the Carrier can be contacted by a person in order to make a Complaint.
- 10.1.3 The Carrier must ensure that staff using this Code have received training in the procedure.
- 10.1.4 If it appears to the Carrier that a person making a Complaint requires assistance to express the Complaint in writing, the Carrier must take reasonable steps to provide appropriate assistance to the person.

### 10.2 Complaint Handling Procedure

- 10.2.1 The Carrier must acknowledge Complaints, in writing, within ten Business Days of the receipt of the Complaint and provide an expected timeframe for resolution of the Complaint which is commensurate with the complexity of the matters raised in the Complaint.
- 10.2.2 The Carrier must advise the complainant of the outcome of the investigation of their Complaint in writing, and any action taken.
- 10.2.3 If a complainant is dissatisfied with the Carrier's response, the Carrier must inform the complainant of the availability of external options for Complaint handling. E.g. the ACMA.
- 10.2.4 The Carrier must keep a written record of Complaints and the way in which the Carrier responded to the Complaint.
- 10.2.5 Where an individual makes numerous Complaints regarding the same facility, these can be managed by the Carrier as a single Complaint.
- 10.2.6 Where the Carrier assesses a Complaint to be frivolous or vexatious the Carrier must:
  - (a) record its decision not to proceed with further correspondence and may cease correspondence; and
  - (b) inform the complainant of the availability of external options for Complaint handling, e.g. the ACMA.

### **Submitting a Complaint to the ACMA**

The ACMA can accept a Complaint from an Interested and Affected Party who believes that a Carrier has contravened any of the mandatory obligations in this Code. The complaint process is set out in the steps below.

Step 1: The Interested and Affected Party lodges a formal Complaint to the Carrier.

Step 2: The Carrier investigates and responds to the formal Complaint made by the Interested and Affected Party.

Step 3: The Carrier completes consultation and makes a decision about the proposed Mobile Phone Radiocommunications Infrastructure.

Step 4: The Interested and Affected Party lodges a Complaint to the ACMA, using the Complaint form found on the ACMA's website.

If the ACMA decides not to investigate, the reasons for that decision will be given.

If the ACMA decides to commence a formal investigation under Part 26 of the Act, and a breach is found, the ACMA will determine what, if any, compliance or enforcement action should be taken against the Carrier.

### **Australian Communications and Media Authority**

PO Box 13112 Law Courts, Melbourne Victoria 8010

Telephone: 1300 850 115

Email: [info@acma.gov.au](mailto:info@acma.gov.au)

Internet: <https://www.acma.gov.au>

## 11 REFERENCES

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**Publication**

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**Industry Standards**

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Australian Standard – AS/NZS 5070.2:2008 Siting and operation of radiocommunications facilities Guidelines for siting of radiocommunications facilities: VHF, UHF and SHF

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ARPANSA – Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz (2002)

<https://www.arpansa.gov.au/regulation-and-licensing/regulatory-publications/radiation-protection-series>

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**ACMA**

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ACMA's web content on mobile phone towers and base stations

<https://www.acma.gov.au/phone-towers-and-base-stations>

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**Legislation**

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*Telecommunications Act 1997*

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*Radiocommunications Act 1992*

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*Telecommunications (Low-impact Facilities) Determination 2018*

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*Telecommunications Code of Practice 2018*

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## APPENDIX

### A THE PRECAUTIONARY PRINCIPLE

The precautionary principle offers administrators advice about how to act responsibly in the face of uncertainty and lack of full scientific knowledge.

The application of the Precautionary Principle to the siting of radiocommunications infrastructure should be considered within a structured approach to the analysis of risk which comprises three elements: risk assessment, risk management, risk communication.

The issue of risk assessment can be summarised as the weighing up of likely harm based on all available scientific evidence, with the cost of commercial adjustment by the Carrier.

Where action is deemed necessary, measures based on the precautionary principle should be:

- proportional to the chosen level of protection;
- non-discriminatory in their application;
- consistent with similar measures already taken;
- based on an examination of the potential benefits and costs of action or lack of action;
- subject to review, in the light of new scientific data; and
- capable of assigning responsibility for producing the scientific evidence necessary for a more comprehensive risk assessment.

There is a need to balance the requirement for the telecommunications industry to provide adequate service with the need of the community to be ensured of living in an environment that will not be a potential threat to health.

1. The World Health Organization's advice on:

Electromagnetic fields and public health: Base stations and wireless technologies can be found at:

<http://www.who.int/peh-emf/publications/facts/fs304/en>.

2. Australian Radiation Protection and Nuclear Safety Agency's (ARPANSA) advice:

<https://www.arpansa.gov.au/understanding-radiation/radiation-sources/more-radiation-sources/mobile-phone-base-stations>.



## **B ARPANSA EME REPORT FORMAT**

Before mobile phone base stations are built or upgraded, the network operator (Carrier) is required to produce a report that shows the maximum predicted levels of EME around the new or upgraded facility.

As this format may be subject to change, it is suggested that the ARPANSA website at <https://www.arpansa.gov.au/research/surveys/environmental-electromagnetic-energy-reports> be checked for updates.

The Code requires the Carrier to respond to all reasonable requests for predicted EME levels at specific locations.

## C CONSULTATION GUIDELINES

This guideline is provided to assist Carriers in developing and implementing appropriate consultation plans for individual infrastructure.

### C1 Desired Outcomes

The objectives of the Carrier's consultation with the Council and Interested and Affected Parties are to:

- (a) inform Interested and Affected Parties of the proposal and receive input from them;
- (b) provide adequate time for Interested and Affected Parties to consider and engage in meaningful dialogue on the proposal;
- (c) provide clear and accurate information about the proposal available to Interested and Affected Parties;
- (d) identify and attempt to resolve potential issues early in the planning process; and
- (e) obtain mutually acceptable outcomes on individual proposals.

When considering the desired outcomes it is to be recognised that a consultation program will not always:

- satisfy all participants; or
- resolve all differences of opinion or values.

### C2 Determining Size and Scope of Consultation Plan

The Carrier's consultation plan for each site should be open and transparent and fit for purpose. The size and scope of the consultation plan should be weighed against the likely impact the proposal will have on Interested and Affected Parties, relevant stakeholders and community sensitive locations.

Examples of previous consultation plans are provided at [Mobile-phone-tower-information](#).

#### C.2.1 Stakeholder Analysis

At an early stage in the planning process, the Carrier is required to undertake a stakeholder analysis to identify who the Interested and Affected Parties may be and the potential for concerns to be raised about a particular proposed facility. The greater the likelihood for concern, the greater the extent and nature of the consultation with stakeholders that is required.

Factors that should be considered in the stakeholder analysis include the following:

- (a) Clear identification of the context of the proposal including consideration of the nature and siting of the facility within the community.

*Some examples of facilities which previously have been shown to cause concern are large visually prominent facilities located very close to where people live.*

- (b) Adjacent land uses and any sensitive land uses nearby.

*Some examples of sites which previously have been shown to be sensitive are residential areas, child care centres, schools, aged care centres and hospitals.*

- (c) Identification of potentially Interested and Affected Parties at or near the proposed facility.

*It is critical that the Carrier conducts a thorough search to identify, organisations and stakeholder groups in a locality who are potentially affected. Progress Associations, parent groups, sporting groups, tenants, Occupational Health & Safety committees, Aboriginal Land Councils and residents in adjacent council areas but living in proximity to a proposal have previously identified themselves as Interested and Affected Parties. Local councils are a good source of information about potentially Interested and Affected Parties in a locality.*

- (d) Possible concerns of those individuals or groups.

*Some examples of concerns that have been previously raised include health, visual amenity, potential noise and property values.*

- (e) The community history of the locality.

*Examples of communities that may require special considerations include those who have higher expectations of consultation, as a result of previous proposals and developments, those who may have dealt with previous trauma and loss such as bushfires or have been involved in a controversial development such as a road proposal.*

- (f) Any regulatory controls at the locality.

*Examples of sites with relevant regulatory controls include heritage areas, scenic protection areas and national parks. The Carrier should make every effort to integrate the consultation strategy with the requirements of local planning controls and State Planning and Environmental legislation. Seeking views of Local Council and engaging in meaningful dialogue will facilitate the development of an appropriately scoped consultation strategy.*

### **C.2.2 Consultation Plan**

Following the stakeholder analysis, the Carrier is required to develop the consultation plan. The content of the consultation plan will vary depending on the likely impact the proposal will have on the Interested and Affected Parties. Factors that should be considered when preparing consultation plans in community-sensitive locations include the following:

- (a) Site selection criteria

*The plan should document the evaluation criteria the Carrier used in selecting the preferred location (e.g. technical merits, construction feasibility, town planning and visual amenity issues, community sensitive locations, design criteria and minimisation of EME). Industry best practice would also include evidence of the weighting given to each of the site selection criteria used.*

(b) Community-sensitive locations

*The plan should provide evidence of what the Carrier has done in relation to considering community sensitive locations for this specific proposal.*

(c) Desired outcomes and stakeholder analysis

*This should be a summary of Sections C1 and C2 of this Appendix for this proposal.*

(d) Issues/risk register

*This would include a site specific issues register and risk register.*

(e) Timeline for consultation activities

*The Carrier should be proactive in keeping Interested and Affected Parties informed of the progress associated with the proposal. The Consultation plan should contain a schedule detailing the key activities and milestones such as:*

- 1. site selection.*
- 2. design changes.*
- 3. stakeholder analysis (to identify stakeholders & potential concerns).*
- 4. consultation with Council.*
- 5. consultation with Interested and Affected Parties.*
- 6. community feedback analysis.*
- 7. submission of final consultation report to Council.*
- 8. commencement of construction works.*

*The timeline should take into account blackout periods relevant to the community concerned during which time messaging is unlikely to be seen or responded to. Periods such as the Christmas – New Year interval, or festivals of significance to the Aboriginal and Torres Strait Islander communities should ensure longer consultation windows.*

(f) Consultation Tools

*This would include details of specific consultation tools proposed under the consultation plan, such as those outlined in Appendix C2.3.*

(g) Evaluation of alternative sites

*This would include description of the current preferred proposal and the history and evaluation of alternative sites. This will include consideration of other Carriers' existing and planned mobile phone radiocommunications infrastructure within the service area.*

(h) Previous consultation

*Details of any previous consultation undertaken with regards to previous facilities in the location or the proposed facility, including engagement with the community in the development of the consultation plan, or agree what signage would be appropriate with the local council.*

(i) Carriers response to feedback from Interested and Affected Parties

*The consultation plan should document the service level agreement, for example how community feedback will be addressed, including target response times to community queries, for example requests for general information, specific information, response times to telephone or written requests for information etc.*

(j) Quality assurance and version control

*The consultation plan may be amended from time to time during the consultation process. Therefore, it should have appropriate version control (issue 1, 2 etc) and should document who in the Carrier's or consultant's organisation approved the consultation plan, and date of approval.*

**C.2.3 Consultation Tools**

The following table summarises a number of consultation tools that can be selected to appropriately communicate with identified individuals and stakeholder(s). The number and type of tools to be used for any one proposal is dependent on the nature of the proposal and the potential level of concern and the stakeholders identified.

In all instances it is important that both verbal and written communications are clear, easy to understand and that opportunities for input and feedback are clearly stated. Further, these communications should include ways the community can obtain additional information from a variety of sources.

The Carrier should make information about the proposal available in other languages for any reasonable request.

<b>Consultation Tools</b>	
notify immediate residential neighbours	conduct open house/community information sessions
advertise in local paper	consult with Members of Parliament
advertise in community newsletters	form community representative committees
conduct door knock	facilitate public meeting
post letters to individual residents/landowners	conduct one-on-one meetings
consult ward councillors	set up public displays
consult with other relevant councillors	establish site specific web site
consult tenant stakeholders	locate signage
notify community representatives	send email notification

consult with community representatives	provide newsletters and fact sheets
notify representatives of sensitive activities	appoint a community relations manager
present to council	provide translation services
consult precinct committees	

## D COMMUNICATION INFORMATION FORMATS

The Code requires the Carrier to notify the public about its proposals to construct new infrastructure through a website, by letter (hardcopy or email) and by the placement of onsite signs (clauses 6.3.11 and 6.3.12). In using these communications tools, the Carrier is required to ensure all information provided is clear, legible and in plain English. See examples of formats below.

### D1 Website information

Carriers are required to provide information about the proposal (see clause 6.3.7) on the RFNSA website. Below is an example format of a website consultation page.

The screenshot shows a website consultation page for a mobile telecommunications network base station. The page is titled "Community Consultation" and is located at 19 Beaconsfield Street, Highgate Hill, QLD 4101. The page is divided into several sections:

- Proposal Summary:** This section provides an overview of the proposed facility, including the location at 19 Beaconsfield Street, Highgate Hill, QLD 4101. It details the carrier's proposal to install a mobile telecommunications network base station on the rooftop of the existing building. The summary also mentions that the carrier considered alternative candidates and opportunities for co-location, but these were discounted as being viable. A 30m high monopole at 27 Smith St, Highgate Hill, was also considered but did not meet the carrier's radiofrequency requirements. Other properties were considered but did not meet minimum requirements for all siting disciplines. The summary explains why the facility is required, noting that an existing facility at 182 Dornoch Terrace, Highgate Hill, is part of the carrier's network and provides essential mobile services. However, due to the height of this base station, certain technologies cannot be installed due to interference with the surrounding network. The proposed facility at 19 Beaconsfield Street, Highgate Hill, will allow for the installation of these low-band technologies while meeting the increased demand of the carrier's existing customers for mobile services. This site will also accommodate expected growth to the carrier's customer base.
- Community Updates & Announcements:** This section provides updates on the consultation process. It includes dates for when the consultation report is available for download (22 Sep 2017), when the consultation program starts (17 Aug 2017), and when the information session is held (17 Aug 2017). The information session is held on Tuesday 20th August 2017 at the Highgate Hill Reception Lounge, 90 Lounge Street, Highgate Hill. The information session is open to all community members to drop in anytime between 5:00pm and 8:00pm.
- Location:** This section includes a map showing the location of the proposed facility at 19 Beaconsfield Street, Highgate Hill, QLD 4101. The map is titled "Location" and shows the building external rooftop.
- Proposal Details:** This section provides details about the proposed facility, including the site proposal details. The proposed facility is comprised of:
  - Six (6) panel antennas, mounted on the lift motor room of the existing building.
  - Ancillary equipment including six (6) Remote Radio Units (RRUs) and Three (3) Tower Mount Amplifiers (TMAs); and
  - Two (2) outdoor equipment cabinets located on the roof of the existing building.
  - All items colour matched to host buildingThe carrier confirms this proposal complies with the Telecommunications (Low-impact Facilities) Determination 1997. A document list is provided, including the Community Notification Letter, Design Drawing, Environmental EME Report, and Consultation Report.
- Additional Information:** This section provides links to additional information, including Deployment Code FAQs, EME Information, and the Deployment Code Information Portal.
- Community Consultation & Having Your Say:** This section provides information about the carrier's community consultation program, including the dates (18 August until 8 September 2017) and the contact information for Fred Smith, Town Planning Services. The contact information includes the phone number (07) 9999 9999, email (fred.smith@townplanner.com), and postal address (Attention: Fred Smith Town Planning Services Locked Bag 999 Brisbane QLD 4001). The submission closing date is also provided, stating that the closing date for submissions is at 5:00pm on 8 September 2017, and the website will be updated when the final consultation report is sent to Council.

## D2 Envelope

### D.2.1 Envelope

The envelope for this correspondence should contain the following information and adhere to one of the formats below. However, this does not preclude Carriers from sending personalised letters of notification.

For A5 or B5 envelopes, text should be in bold with the font size of 20 points (Arial) or more. For DL envelopes, text should be in bold with the font size of 18 points (Arial) or more.

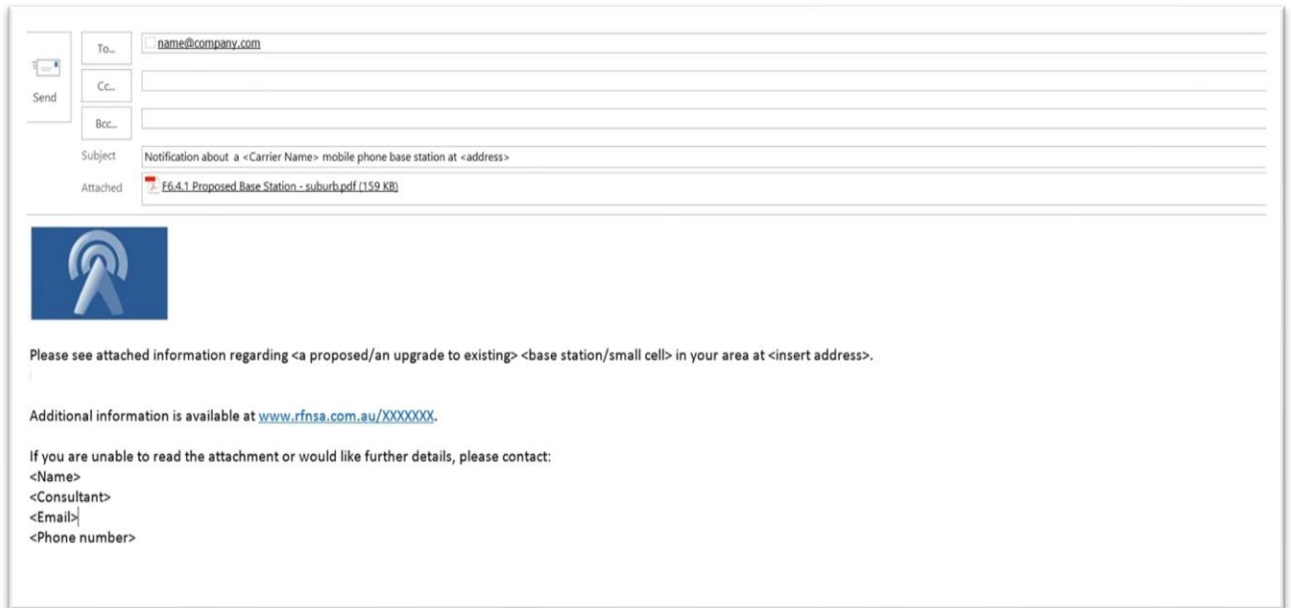
When distributing this correspondence, the Carrier should ensure that envelopes are delivered to letterboxes marked with 'no junk mail' or similar.





## D3 Email Notification

### D.3.1 Email template



The image shows a screenshot of an email composition window. The header includes fields for 'To...' (name@company.com), 'CC...', and 'Bcc...'. The 'Subject' field contains the text: 'Notification about a <Carrier Name> mobile phone base station at <address>'. An attachment is listed as 'F6.4.1 Proposed Base Station - suburb.pdf (159 KB)'. Below the header is a blue square icon with a white signal tower symbol. The main body of the email contains the following text:

Please see attached information regarding <a proposed/an upgrade to existing> <base station/small cell> in your area at <insert address>.

Additional information is available at [www.rfnsa.com.au/XXXXXX](http://www.rfnsa.com.au/XXXXXX).

If you are unable to read the attachment or would like further details, please contact:

- <Name>
- <Consultant>
- <Email>
- <Phone number>

*Display of the Consultation Symbol on a recipient's email may be dependent on the recipient's email software.*

#### D4 On-site signage

The Code requires the Carrier to install a notification sign at the proposed site, where possible (see clause 6.3.11). For onsite signage, the Carrier must adhere to the content and format of the sign below. The sign is to be printed on a white background in A3 size in urban areas; at least A2 in rural areas. For best-practice placement of these signs, see also Appendix E.

	
<h1>NOTICE OF MOBILE PHONE BASE STATION PROPOSAL</h1>	
<b>Location</b>	Building Rooftop 101 Sunshine Street North Sydney
<b>Proposal</b>	Installation of 6 panel antennas on rooftop plant room wall. Each antenna is 0.5 w x 2.6 h (metres)
<b>Carrier</b>	TalkAnywhere
<b>Information</b> For details, how to make a submission or to check for updates.	<b>Email:</b> <a href="mailto:inquiries@talkanywhere.com">inquiries@talkanywhere.com</a> <b>Web:</b> <a href="http://www.rfnsa.com.au">www.rfnsa.com.au</a> <b>Phone:</b> 02 1234 5678 RFNSA site No 1234567
<b>Submissions Close</b>	<b>5pm 28<sup>th</sup> February 2019</b>
<small>Notice lodged under requirements of Communications Alliance Code C564:2020</small>	

## D5 Temporary Facility On-site signage

The Code requires the Carrier to install a notification sign at the temporary facility site, where possible (see clause 8.1.5). For onsite signage, the Carrier must adhere to the content and format of the sign below. The sign is to be printed on a white background in A3 size in urban areas; at least A2 in rural areas. For best-practice placement of these signs, see also Appendix E.

	
<h1>NOTICE OF TEMPORARY FACILITY</h1>	
<b>Location</b>	Insert address
<b>Carrier</b>	
<b>Proposal</b>	Temporary facility consisting of a mobile phone base station facility/pole/tower/rooftop facility with associated equipment installed in accordance with the <i>Telecommunications Act 1997</i> .
<b>Purpose</b>	Due to the maintenance of a mobile facility located at (enter address). Due to the replacement of a mobile facility located at (enter address). For an event(s) at a venue located at (enter address). To provide mobile services during a high-demand holiday period for (enter the name of the area/suburb). To provide mobile services to one or more emergency service organisation to deal with an emergency or natural disaster.
<b>Timing</b>	This temporary facility is expected to be in place until (enter MONTH and YEAR).
<b>Safety</b>	This temporary facility will comply with ACMA EME regulatory arrangements. See <a href="http://www.rfnsa.com.au/">www.rfnsa.com.au/</a> (insert site number) for more information.
<b>More information about this temporary facility</b>	<b>Email:</b>
	<b>Web:</b> <a href="http://www.rfnsa.com.au/">www.rfnsa.com.au/</a> insert site number
	<b>Phone:</b>
	<b>RFNSA Site Number</b>
<small>Notice lodged under requirements of Communications Alliance Code C564:2020</small>	

## **E BEST PRACTICE GUIDELINES FOR PLACEMENT OF SIGNS**

### **E1 Introduction**

The placement of a sign or signs on the site of a proposed mobile phone base station is intended to provide an opportunity for members of the community to be informed of the proposal or the temporary facility.

The purpose is to supplement the other methods used to inform Interested and Affected parties.

In particular, it is intended to ensure that people who regularly pass by the site, or who regularly visit the locality, are informed and given the opportunity to participate in the consultation process.

In addition, it is intended to provide an opportunity for people who move into the area subsequent to the completion of the consultation process, or observe the construction activities, to have an opportunity to learn about the proposal, or obtain information about what is being built.

### **E2 Objective**

The objectives of these guidelines are to:

- (a) ensure passers-by have the opportunity to learn about the proposal; and
- (b) create consistency of format so that notification signs can be easily recognised as such by the public.

### **E3 Placement considerations**

The Carrier is to have regard for the interests and desires of the property owner or occupier when considering sign placement. There will be occasions when the landowner's wishes preclude a particular location.

Also, when considering the placement of on-site signage, the sign should:

- (a) be placed in a position that is readily visible from the nearest public footpath or other public pedestrian space;
- (b) be placed in a location that is visible (but not necessarily to be read) by motorists, so that they can come back on foot and investigate;
- (c) be placed near the most trafficked frontage as well as a location near the proposed site location, if a property or proposed site has two or more street frontages;

*This does not apply where a public space frontage is well removed from the planned location on the site.*

- (d) be placed directly on the public space frontage or, where that is not possible, as near as practical to that frontage;
- (e) be legible from a publicly accessible space;
- (f) typically, be affixed to a boundary wall, fence, or similar or if a suitable fixing point is unavailable, be affixed to a tomato stake, star picket or similar and placed adjacent to the boundary;

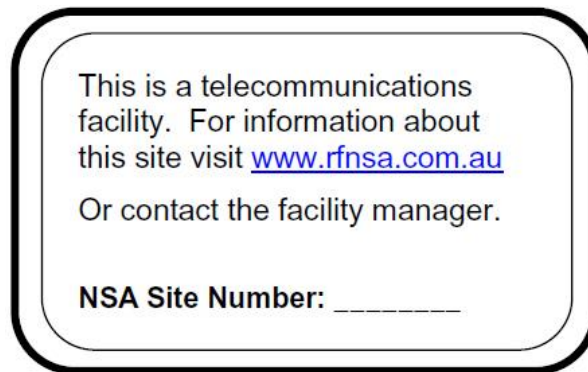
- (g) be positioned at eye height for a typical adult;
- (h) be placed, if possible, at the entrance to a public thoroughfare if the planned site includes one (e.g. a public arcade from a rear privately owned car park to the street frontage); and
- (i) have consideration given to factors such as the likelihood of the sign being disturbed or its removal during the construction phase and locations less likely to be disturbed by vandals.

## F RF WARNING SIGNS

The following are typical examples of signs used to inform and warn of RF radiation hazards at transmitter sites.

### F1 Telecommunications facility and RFNSA identification sign

The following sign is used to identify a mobile telecommunications facility and to provide information regarding the National Site Archive (NSA) site number.



**FIGURE F1**

Example of an identification sign

### F2 RF EME Warning Signs

RF EME warning signs are used to identify areas that may exceed the general public and occupational exposure limits. These signs are to be installed at point of access restriction.



**FIGURE F2 a**

Example of an EME warning sign

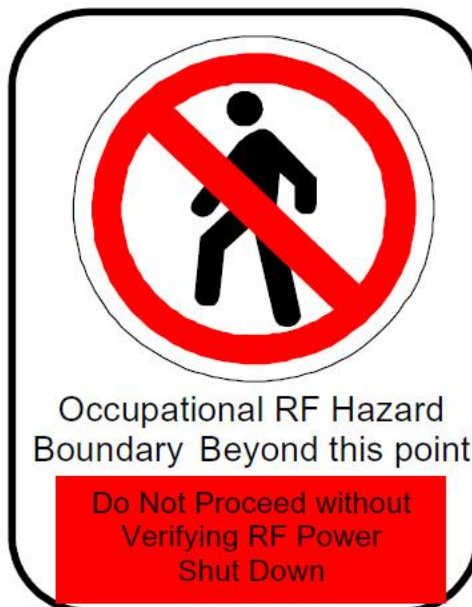


**FIGURE F2 b**

Example of an EME warning sign (Small scale infrastructure)

### F3 RF EME Hazard Identification

RF EME Hazard Identification sign is used to identify the boundary point of occupational EME exposure.



**FIGURE F3**

Example of an RF Hazard Identification Sign

## PARTICIPANTS

The Working Committee responsible for the revisions made to this Code consisted of the following organisations and their representatives:

<b>Organisation</b>	<b>Membership</b>	<b>Representative</b>
Australian Communications Consumer Action Network (ACCAN)	Voting	Wayne Hawkins
Australian Communications and Media Authority (ACMA)	Non-Voting	Andrew Sabo Dominic Byrne Melissa Moroney Shane McAuliffe
Australian Local Government Association (ALGA)	Voting	Monica Telesny
Mobile Carriers Forum (MCF)	Voting	Ray McKenzie
Optus	Voting	Lisa Kelly
Telstra	Voting	Michele Fuge
Vodafone Hutchison Australia	Voting	Trudy Schmidt

Craig Purdon of Communications Alliance provided project management support.



Communications Alliance was formed in 2006 to provide a unified voice for the Australian communications industry and to lead it into the next generation of converging networks, technologies and services.

In pursuing its goals, Communications Alliance offers a forum for the industry to make coherent and constructive contributions to policy development and debate.

Communications Alliance seeks to facilitate open, effective and ethical competition between service providers while ensuring efficient, safe operation of networks, the provision of innovative services and the enhancement of consumer outcomes.

It is committed to the achievement of the policy objective of the Telecommunications Act 1997 - the greatest practicable use of industry self-regulation without imposing undue financial and administrative burdens on industry.



**Published by:  
COMMUNICATIONS  
ALLIANCE LTD**

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