

AMTA Submission to the ACCC Review of the Facilities Access Code

An ACCC Discussion Paper reviewing “A Code of Access to Telecommunications Transmission Towers, Sites of Towers and Underground Facilities” August 2018

5 October 2018



The Australian Mobile Telecommunications Association (AMTA) is the peak industry body representing Australia’s mobile telecommunications industry. Its mission is to promote an environmentally, socially and economically responsible, successful and sustainable mobile telecommunications industry in Australia, with members including the mobile network operators and Carriage Service Providers, handset manufacturers, network equipment suppliers, retail outlets and other suppliers to the industry.

AMTA also manages the Mobile Carriers Forum (MCF). The members of the MCF include the four mobile phone carriers deploying mobile networks in Australia, namely Telstra, Optus, Vodafone Hutchison Australia (VHA) and TPG. The MCF is a specialised AMTA Forum that deals specifically with issues related to the deployment and operation of mobile phone networks.

The MCF is made up of a National Council who oversees and directs the work of the MCF, with representatives from each carrier. It has also formed several National Taskforces working on specific issues, such as the Deployment Code, Compliance and EME regulations and site design management. The MCF has also established state based regional forums to address region specific issues and implement the MCF’s best practice policies at a local level.

Working within the MCF, MNOs have well established processes for requesting co-location on existing infrastructure. Some also have agreements in place to enable co-building and sharing of infrastructure.

In relation to co-building process, the MCF has agreed a high-level process that will enable members to proactively share deployment plans for regional and remote areas on a regular basis, and in an agreed format, within a defined timeframe, so that other MCF carriers could consider co-building and therefore sharing costs associated with development and planning applications and building of infrastructure. This is included in **Attachment A**. Co-building that occurred in co-operation with third parties and the Regional Rail Connectivity Project in Victoria is a good example of how this can be successful.

As noted in the ACCC's discussion paper, Carriers are already starting to roll out infrastructure to enhance the performance of current 4G networks and in anticipation of accommodating the infrastructure requirements of the evolution to 5G technologies.

The ACCC discussion paper cites the *Communications Sector Market Study*, which noted concerns that regulation may discourage adequate investment in small cell infrastructure to support 5G networks. This is also a concern of the Carriers, who are actively seeking regulatory reform to facilitate this type of network infrastructure which has minimal impact on visual or other amenity but may be subject to regulatory and planning controls intended for much larger and more impactful infrastructure types.

The imposition of unnecessary and inappropriate regulatory burden on small cell type infrastructure is an impediment, as the key advantage of such infrastructure in the roll out of 5G networks is that it may be deployed quickly and cost effectively. This is a significant factor given the very large number of such deployments that will be required to meet the demands Australian businesses and the community are expected to place on the new technology. Therefore, any additional cost or delay that regulations impose on small cell deployment could negatively impact investment decisions that Carriers may make.

While not necessarily in the scope of the Facilities Access Code, the recognition of the importance of this infrastructure for the successful adoption of 5G technologies, and the avoidance of new provisions within this Code or elsewhere that may have an adverse impact on small cell or other 5G infrastructure, is strongly encouraged. Members would welcome further discussions with Government on removing any other potential obstacles to 5G deployment.

AMTA Proposed co-building process for regional, rural and remote areas



Background and purpose

Following the ACCC's forum on Mobile Regional Issues held in February 2018, AMTA's Mobile Carrier Forum (MCF) members (Optus, Telstra, TPG and VHA) agreed that it would be useful to develop a draft process to enable the timely sharing of short-term deployment plans in outer regional and remote areas with the objective of proactively testing interest from other carriers for co-building opportunities.

The underlying purpose of sharing short-term deployment plans is to encourage investment and extend coverage beyond the current mobile network fringes, in outer regional and remote areas.

By co-building, MCF members will be able to share some of the costs of deployment and this will therefore enable sites to be built where there may not otherwise be an economic case to deploy infrastructure for an individual mobile network operator.

The areas included in the scope for this process would be based on the definitions of regions included in the [Australian Statistical Geography Standard \(ASGS\)](#) as used by the ABS and for the Government's Mobile Blackspots Programme.

Proposed AMTA Co-Building Process for Regional/Remote Australia:

| Stage | Quarterly MCF Meetings | Preliminary consultation - Proposing Carrier | Responses from other Carriers | Decision | Project Planning and Commencement |
|----------------------|--|--|--|---|--|
| Information required | At the MCF State based meetings which occur 5 times each year, Carriers will share deployment plans in defined regional/remote areas within the next 6-12 month timeframe using an agreed template/format which will allow the Carrier to flag any planned deployment sites for consideration by other Carriers as a co-build. | The Proposing Carrier will share information including site location as well as other info where it is available and relevant such as contractor/vendor details and proposed timeline for the site build. Proposing Carrier would also advise (where this is known) regarding responsible planning authority i.e. crown land; state land agency; local govt. As well as the applicable planning regime i.e. DA, low impact, code assessable. | The responding Carriers will indicate willingness to co-build by the next Quarterly meeting for the co-building process to be initiated. | Once the proposing Carrier has received responses from other carriers it will advise regarding the decision to go ahead and notify which carriers will be included. | During the project planning stage which will commence once a decision has been made; the carriers involved in the co-build project will operate under any bi-lateral arrangements that exist to share information, resources and costs where appropriate. The shared costs may include towns, civils, DAs and design, joint equipment and installation as well as landlord agreements. |
| Timeframe | Regular quarterly update - with 6-12 month projection. | Included in quarterly update | Respond within 2 weeks | At 2 weeks | |

Agreed template should include Site location; desired timeframe for deployment; contractor/vendor info if appropriate and available; any complexities around community consultation.