

2008-2009

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Telecommunications Amendment
(Working with the Community) Bill 2009**

No. , 2009

(Mr Johnson)

A Bill for an Act to amend the *Telecommunications Act 1997*, and for related purposes

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1 **A Bill for an Act to amend the *Telecommunications***
2 ***Act 1997, and for related purposes***
3 **The Parliament of Australia enacts:**

4 **1 Short title**

5 This Act may be cited as the *Telecommunications Amendment*
6 (*Working with the Community*) Act 2009.

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
12

Commencement information

Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	

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Note: This table relates only to the provisions of this Act as originally passed by both Houses of the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

(2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or edited in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Working with the community

Telecommunications Act 1997

1 Before Division 8 of Part 1 of Schedule 3

Insert:

Division 7A—Working with the community

39A Community consultation for the installation of mobile phone towers and low impact facilities

- (1) Notwithstanding any provisions of this Act, its delegated legislation, or the provisions of a law of a State or Territory, a carrier must consult all stakeholders before installing either a mobile phone tower or a low impact facility.
- (2) For the purposes of this section, the consultation period is to be 60 calendar days.
- (3) The consultation must include advertising the proposed development in the local print media.
- (4) For the purposes of this section, stakeholders include, but are not limited to, the following:
 - (a) affected Commonwealth Government agencies;
 - (b) affected State or Territory Government agencies;
 - (c) affected local councils;
 - (d) the owner and occupier of the affected site; and
 - (e) occupiers of residences within 100 metres of the site.

39B Community sensitive locations

No mobile phone tower or low impact facility may be constructed within 300 metres of the following:

- (a) a child care centre
- (b) kindergarten;
- (b) a school;

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- 1 (c) an aged care facility;
2 (d) a retirement home; or
3 (e) hospital.