

Agreement in Principle

Mr PAUL LYNCH (Liverpool—Minister for Industrial Relations, Minister for Commerce, Minister for Energy, Minister for Public Sector Reform, and Minister for Aboriginal Affairs) [12.51 p.m.]: I move:

That this bill be now agreed to in principle.

I am pleased to introduce the National Broadband Network Co-ordinator Bill 2010, which will facilitate and accelerate the rollout of the National Broadband Network in New South Wales. The NBN Co, an Australian Government owned company, has already commenced construction of the national telecommunications network for the high-speed delivery of communications throughout Australia. NBN Co is currently working in a number of priority sites—known as first and second release sites—across the country, including some within New South Wales. The National Broadband Network is to be rolled out across Australia over the next eight years. The purpose of the bill is to ensure that New South Wales can get the most out of the short- and long-term economic and social benefits the National Broadband Network will deliver.

Widespread high-speed broadband is essential for the delivery of government services to the community of New South Wales, and especially for regional and remote communities. High-speed broadband can connect regional and remote offices, schools and medical centres, support high-quality videoconferencing, and provide regional doctors with immediate access to medical files. Widespread high-speed broadband is also vital for the transformation of our economy. The National Broadband Network will create new markets and business opportunities as well as new business models in the key sectors of health, education and transport.

The New South Wales Government strongly supports the rollout of the National Broadband Network. It showed its support by establishing the New South Wales National Broadband Network Taskforce to ensure the State is in the best possible position to achieve as smooth a rollout as possible. From the beginning, NBN Co foreshadowed its need to access assets with the potential to facilitate the rollout. This has been demonstrated in NBN Co's keenness to access New South Wales Government owned assets for the rollout of the National Broadband Network in the first release sites in Armidale and Minnamurra-Kiama Downs. This translated into the successful execution of facilities access agreements between Country Energy and Integral Energy with NBN Co. The Department of Services, Technology and Administration worked closely with all involved to assist the successful outcome.

To ensure the rollout continues quickly and smoothly in New South Wales, it is vital to establish a dedicated position that has the power to act on behalf of the State. It is imperative to ensure similar agreements between New South Wales Government asset owners and NBN Co are expedited as smoothly and successfully as those agreements just concluded over the first release sites. The coordinator's primary role will be to negotiate access to all New South Wales Government owned infrastructures that will be used in the NBN rollout. This infrastructure includes not only power poles but microwave towers and road, rail and river bridges.

Part 2 of the bill establishes the New South Wales NBN Co-ordinator who will be responsible for facilitating and accelerating the rollout of the National Broadband Network in New South Wales. The coordinator will have the specific functions of liaising with and coordinating the activities of government agencies in relation to their involvement with the rollout of the National Broadband Network in New South Wales. The coordinator will be the State Government coordinator for negotiations with NBN Co. The coordinator will manage complex negotiations between NBN Co and New South Wales government agencies. The coordinator will also be able to enter into contracts on his or her own behalf with NBN Co.

Part 3 of the bill provides for the establishment of a Government Chief Executives Committee, to provide advice on the exercise of functions by the coordinator. The Director General of the Department of Services, Technology and Administration or the director general's nominee will be the presiding member of the committee. Directors General, or their nominees, of the Department of Premier and Cabinet, Industry and Investment, and Transport NSW will also be on the committee, as well as the Secretary of the Treasury or the secretary's nominee. The committee will issue guidelines, if necessary, in relation to consultations the coordinator should undertake when carrying out official functions. The committee may also prepare protocols for government agencies in relation to developing and implementing agreements with NBN Co regarding the rollout of the National Broadband Network in New South Wales.

Part 4 of the bill requires government agencies to facilitate and assist the rollout of the National Broadband Network in New South Wales. The bill requires agencies to cooperate with the coordinator in relation to providing access to government assets, and to notify the coordinator of any proposed exercise of the agency's functions that may adversely impact on the coordinator's functions. Importantly, the bill authorises and empowers government agencies to exercise any of their functions for the purpose of facilitating and assisting the rollout of the National Broadband Network, particularly to comply with a request of the coordinator. The bill will allow the coordinator to request government agencies to agree to the appointment of the coordinator as agent for a government agency in its dealings with NBN Co, including authorising the coordinator to enter into contracts and

arrangements with NBN Co on behalf of the government agency.

The bill provides for ministerial powers to support the coordinator in resolving, on behalf of the New South Wales Government, any contractual or other disputes. Specifically, the bill allows the Minister to direct agencies to comply with a request made by the coordinator for the purposes of facilitating the rollout of the National Broadband Network. Such directions will only be made after consultation with the Chief Executives Committee and, in the case of State-owned corporations, with the shareholding Ministers. The initiatives in this bill apply only to the rollout of the National Broadband Network in New South Wales. Once the network has been constructed, the legislation will be repealed. The bill therefore provides a mechanism under which the functions of the coordinator are kept under review. Once the coordinator is satisfied that the Act is no longer required, he or she will provide a certificate to that effect and the Governor can repeal the Act. This bill will ensure that New South Wales realises the benefits that the National Broadband Network will deliver. It establishes a framework in which the activities of government agencies will be coordinated and jointly focused on delivering economic and social benefits for the people of New South Wales. I commend the bill to the House.