

Council Reference: 9170 Information Systems Technology &
Telecommunications (10724151)

Your Reference:

21 January 2010

Mr Paul Gibson MP
Chair - Standing Committee on Broadband in
Rural and Regional Communities
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

Attention: Ms Vicki Buchbach - broadband@parliament.nsw.gov.au

Dear Mr Gibson and Ms Buchbach

Submission to Standing Committee on Broadband in Rural and Regional Communities

Thank you for the invitation to make a submission to the new inquiry by the Standing Committee on Broadband in Rural and Regional Communities into the availability of telecommunications (including broadband) and other technology services in rural and regional communities.

Council is aware of the frustration by many in the Tweed community in trying to access competitively priced broadband, with a reasonable speed and download limit. It is the common experience of many who move to the Tweed, situated on the edge of a large metropolitan centre and city (Gold Coast / Brisbane) that access to fixed line ADSL, ADSL 2+, cable, etc is difficult to achieve.

With reference to part (a) of your terms of reference of the inquiry, *differences between advertised service availability and consumer experience of service levels* it is common experience that residents live in ADSL enabled communities but are unable to access fixed line broadband because they are on a Pair Gain system and no further ports are available for them at the CMUX. They are therefore forced to access wireless broadband, which generally is a greater cost, with greater contention and generally has download limits, significantly less than comparable fixed line alternatives. The outcome is that those residing in rural and regional communities face an imposition to their education, business, social networks and government services that their city counterparts do not.

Council is fully aware of the importance that access to high speed affordable broadband will mean to the future prosperity and quality of life to its residents and business community, this decade, and more so, each year as more of our everyday services are web enabled.

To this end, Council in conjunction with the Tweed Economic Development Corporation (TEDC) developed a Telecommunications Infrastructure Action Plan for the Tweed Shire, available from www.tweed.nsw.gov.au/councilmeetings/ - Year 2009 - May attachments. It was adopted by Council on 28 May 2009. Council has also established a Telecommunications Infrastructure Working Group to implement the actions from the Plan. A copy of the six monthly progress report presented to the December 2009 Council meeting can also be obtained from the above URL by accessing the December month.

With reference to part (b) of your terms of reference, *gaps in service provision in particular regions*, the Telecommunications Infrastructure Action Plan includes survey results of current and future telecommunications providers within the Tweed Shire, as well as developers with large developments to occur in the coming years as to their plans in providing fibre broadband to their developments. The findings of the investigation are referred to in Section 3.1 and Section 3.5 of the Telecommunications Infrastructure Action Plan. The review found that a major inhibitor to high speed broadband within Tweed Shire is access to last mile backhaul.

Developers too, are yet to see the full marketing benefits of providing developments with high speed broadband services. To this end, Council supports the initiatives of the Federal Government to mandate future installations in Greenfield developments by 1 July 2010 as part of their NBN initiative.

With respect to part (c) of your terms of reference - *options for improving service availability* - it is Council's belief, that it is here, that the State Government can make the biggest and most immediate improvement to service availability. Actions that the State Government can implement include:

1. Make representations to the Department of Broadband, Communications and the Digital Economy to fast track design specifications (for conduit and fibre) for NBN which can be incorporated into conditions of consent and subdivisions design specifications.

This will assist local government and the Department of Planning when approving new subdivisions or large brown field infills. The sooner these design specifications are made clear, the sooner local government can work with the development sector to ensure all new estates are FTTH/NBN ready.

2.
 - i. Through the Department of Planning, review the standard definitions of a "Public Utility" within the NSW Planning framework. The current definition of "Public Utility infrastructure" is old terminology and relates to when electricity, gas and Telecom (Telstra) were public owned utilities. With privatisation and corporatisation, this is no longer the case and the terminology should be change to "for purposes of public infrastructure". The current telecommunications industry is extremely competitive and involves many individual companies. The definitions and its use in the Standard Instrument should reflect this situation.
 - ii. New mobile telecommunications infrastructure needs to be incorporated into the definition of "for purposes of public infrastructure" in the NSW Planning framework. As mobile broadband services continue to evolve and improve, they will continue to fill a gap where fixed line broadband is unavailable. Mobile telecommunications facilities are also becoming essential public infrastructure as small smart phone devices such as Apple's iPhone become more popular as a way of accessing online services and an essential business tool.

In most local government areas, the most contentious telecommunications infrastructure, are retro fitted mobile base stations and mobile towers. This delays development approvals for these structures and ultimately leads to delayed access to mobile broadband services and poor mobile voice coverage. The problem will continue to exist while large scale developments do not need to forward plan or treat mobile voice and broadband as a critical upfront public infrastructure. Most of the public angst and public opposition could be easily alleviated if mobile or telecommunication tower precincts were identified at the master planning, rezoning, concept planning and/or subdivision stages. In this way residents purchasing into these estates would be fully aware of the exact locality of these utilities and could make decisions as to the acquisition of land in full knowledge of current and future infrastructure.

3. The NSW Department of Planning establish an overarching set of principles, standards, codes, etc. regarding the satisfactory provision of broadband networks and services.

The current practice across Local Government is that each council relies on the responsible authority for electricity and telephone services, to advise Council that infrastructure has been satisfactorily provided in new subdivisions. Currently, there is a void of what Council needs to be satisfied of, for the successful implementation of broadband networks.

Councils have expertise in roads, water and sewer, etc and can apply a group of conditions. Comprehensive design specifications are needed for NBN / fibre telecommunications to detail to developers and designers what they need to install and to assist council to develop the necessary conditions of consent and be satisfied of the infrastructure provided. A decision needs to be made by the State and Commonwealth as to which authority is responsible for certifying that NBN / fibre telecommunications infrastructure has been installed in accordance with the detailed design specifications.

Council's submission to your inquiry has focussed on what the State and Local Government can do to improve and most importantly ensure that new development in rural and regional communities are NBN / FTTH ready and have the critical infrastructure to ensure availability to telecommunications - especially fixed line and mobile broadband. If the correct planning framework is in place, it will ensure an environment where developers and telecommunications providers can operate, compete and deliver this essential public infrastructure service. For too long, governments have blamed lack of service on telecommunication providers who now operate in a competitive market place. As governments we have the opportunity to make positive proactive changes to the Planning Framework through the Master Planning process which will facilitate better telecommunications.

It is hoped that the Standing Committee will look favourably on Council's submission.

Further information related to our submission can be obtained from Council's Director Technology and Corporate Services, Mr Troy Green on 02 6670 2414, or email tgreen@tweed.nsw.gov.au.

Yours faithfully

Warren Polglase
MAYOR

[\[TCS-CM\] Telecommunications Infrastructure Action Plan - Six Monthly U...](#)