



**NEW SOUTH WALES GOVERNMENT RESPONSE**

**TO THE**

**STANDING COMMITTEE ON BROADBAND IN RURAL AND REGIONAL COMMUNITIES**

**REPORT**

**BEYOND THE BUSH TELEGRAPH: MEETING THE GROWING COMMUNICATIONS  
NEEDS OF RURAL AND REGIONAL PEOPLE**

**February 2010**

## 1. Introduction

On 21 June 2007, the Legislative Assembly Standing Committee on Broadband in Rural and Regional Communities was established to inquire into the needs of rural and regional communities in relation to telecommunications (including broadband) and other technology services and, in particular, to report on the following terms of reference:

- a. the availability of telecommunications (including broadband) and other technology services in rural and regional communities;
- b. the benefits and opportunities for rural and regional communities of having access to telecommunications (including broadband) and other technology services;
- c. disincentives and barriers to the provision of telecommunications (including broadband) and other technology services to rural and regional communities;
- d. the consequences for rural and regional communities of not having, or not having adequate, access to telecommunications (including broadband) and other technology services, having regard to likely future industry and technological developments; and
- e. options for encouraging providers of telecommunications (including broadband) and other technology services to extend services to rural and regional communities.

In October 2007, the Committee called for submissions and received 41 submissions, including from the former Departments of Commerce (now the Department of Services, Technology and Administration) and of State and Regional Development (now Department of Industry and Investment), and the Departments of Health and Education and Training. These submissions provided the Committee with information regarding the current situation concerning broadband in rural and regional NSW and provided details of relevant Government programs and policies.

In March 2008, the Committee released a discussion paper to highlight the key issues raised in the submissions and called for further submissions. The Committee was particularly interested in receiving further information about Commonwealth and State programs to improve access to broadband services and case studies of how broadband can help rural and regional communities and businesses.

Accordingly, In May 2008 the NSW Government made a further submission to the Committee that provided additional information on its programs, and offered relevant case studies of how broadband can help rural and regional communities and businesses.

The NSW Government is pleased to provide a response to the Final Report. Access to broadband brings great benefits to rural and regional areas, improving quality of life through increased access to services and more flexible labour markets. New technology is enabling wider business opportunities to be seized by entrepreneurs in rural and regional areas.



## 2. Response to Recommendations

**Recommendation 1:** *The Government should continue to take leadership in improving knowledge within rural and regional communities of the best ways to enhance broadband services by conducting community engagement activities such as publicising the results of successful case studies in rural and regional areas.*

The NSW Government supports this recommendation and has launched the Building the Country package, which includes \$11.6 million over five years for the Community Broadband Development Program. The Program is designed to help deliver high speed broadband to small country communities. Local broadband services established under the Program are likely to provide case studies of types of localised networks that could be established in the future, and will become the basis for future local network development.

The NSW Government is also implementing a range of initiatives designed to support rural and regional businesses to use the Internet as a business tool.

Under the New Market Expansion Program the NSW Government provides assistance to rural and regional businesses to expand their use of the Internet to reach new markets and improve access to markets. This assistance supports businesses to develop new websites, upgrade their e-commerce capabilities or undertake Internet-based marketing and sales strategies. Companies ranging from renewable energy product developers to organic food producers and clothing manufacturers have been assisted in these ways.

Additionally, the NSW Government provides a range of capacity-building workshops and seminars to assist businesses in rural and regional NSW to better understand and deploy the Internet as a business tool. These forums usually feature case studies and practical demonstrations of the utility of the Internet for business.

Capacity-building that targets regional and rural small and medium-sized enterprises is also carried out through events such as Small Business September and by providing support for home-based enterprises.

**Recommendation 2:** *The Government should consider establishing a separate centre of expertise in either the Department of State and Regional Development or Commerce for developing local entrepreneurship in broadband and other communications services and to improve liaison between all levels of government and telecommunication service providers.*

NSW Government initiatives to improve entrepreneurship in local communities include:

- the establishment of purpose-built data centres to improve NSW Government agencies' efficiency and to generate jobs;
- working with the Information and Communications Technology (ICT) sector to develop an ICT Industry Action Plan which will identify and develop niches where NSW has advantages and opportunities; and

- expanding education and training in ICT to address future demands for labour in the sector and improve business take-up of ICT.

**Recommendation 3:** *The Government should work with the Federal Government to ensure the National Broadband Network roll-out gives a high priority to areas currently without terrestrial broadband services.*

The NSW Government is implementing a range of initiatives to improve the coordination between Government and telecommunication providers, including establishing a NSW National Broadband Network (NBN) Taskforce (the Taskforce) which includes representatives from both industry and Government agencies. This Taskforce is assisting with communication across Government agencies and helping to ensure the effective delivery of the NBN in NSW.

The Taskforce is focused on a number of key areas, including:

- securing NBN-related business for NSW;
- ensuring the planning process for the rollout proceeds smoothly; and
- promoting the ICT industry, technology application and development, and training through the course of the rollout.

The NSW Government is drafting a *Telecommunications Facilities Code Including Broadband* that will assist in the delivery of wireless broadband in rural and regional NSW, including areas currently without terrestrial broadband services through classifying new telecommunications towers as complying development.

**Recommendation 4:** *Through appropriate intergovernmental channels, the Government should encourage the Federal Government to develop a national telecommunications infrastructure strategic plan.*

The NBN will provide a national telecommunications infrastructure to deliver fibre to the premises to 90 per cent of Australia, with the remaining 10 per cent being serviced with wireless and other technologies.

**Recommendation 5:** *The Government should regularly evaluate the benefits of projects delivered by the Community Broadband Development Program and the results publicised in regional areas where communities may be eligible for the program.*

The NSW Government has completed a review of the methodology, deployment and community satisfaction of the first round of the Community Broadband Development Program. The review will also shape the second and subsequent rounds.



**Recommendation 6:** *The Government should consider ways to reduce barriers for regional telecommunication companies to gaining access to Crown land held by various agencies (such as NSW Forests, National Parks and Wildlife Service and the Department of Lands) to install communications devices by introducing a central contact point within an appropriate agency such as the Department of Commerce to coordinate such requests and streamline terms of access taking into account the existing development controls relevant to those agencies.*

Following the adoption of a number of recommendations outlined in the Independent Pricing and Regulatory Tribunal's 2005 *Review of Rental for Crown Land Communication Tower Sites in NSW* a common framework and a low-cost fee schedule has been adopted across key NSW Government agencies.

The progressive implementation of recommendations since 2006 has streamlined licensing and billing processes. Key contact points have been established within Government agencies. A working party involving these key agencies continues to review areas of common policy to improve cross-agency consistency and address issues concerning access as they arise.

The NSW Government does not support the introduction of a coordination agency which does not have a regulatory or approval role in the project unless a telecommunication project is of sufficient size and complexity to require such oversight. The NSW Government believes this would further complicate communication between the telecommunication carriers and the public land managers.

**Recommendation 7:** *Through appropriate intergovernmental channels, the Government should encourage the Federal Government to make radiofrequency spectrum suitable for wireless broadband applications affordable to non-profit and community enterprises in regional areas.*

The Australian Communications and Media Authority has reviewed this matter and determined that it does not favour the reservation of spectrum for public and community use.

**Recommendation 8:** *The Department of Planning should consider issuing advice to local government about streamlining arrangements for developers wanting to install optical fibre as a voluntary measure and consider ensuring that new developments retain a right of way for subsequent installation of fibre.*

The NSW Government has prepared and exhibited a draft *NSW Telecommunication Facilities Code Including Broadband*. The draft Code provides for exempt and complying developments which will assist rural and regional communities by ensuring that new telecommunications towers are complying development in rural and industrial zones. Radio and satellite dishes are also proposed to be exempt and complying development under certain conditions. These planning provisions will assist in filling in the gaps in service provision in particular regions.

Where optical fibre for broadband can be provided, both rural and regional communities will benefit from the draft Code. The draft Code facilitates the rollout of the NBN by clarifying and in places extending, the exemptions provided under

the *Telecommunications (Low-impact Facilities) Determination 1997* for telecommunication facilities related to broadband, including:

- underground conduit or cables, including subscriber connection and fibre-optic cable for broadband;
- above ground cables, including subscriber connection and fibre optic cable for broadband;
- conduit or cables, including subscriber connection and fibre optic cable for broadband within a premises; and
- boring or directional drilling.

Digging trenches and drilling required for conduits and cables are exempt development, which means that consent from council is not required. Above ground cables are already exempt in State Environmental Planning Policy (Infrastructure) and the provision has been redrafted in the draft Code.

The draft Code will help users to access online NSW Government services where available. The provisions will particularly assist rural and regional communities in times of emergencies. The draft Code specifically exempts omnidirectional antenna of a height required by NSW Government Radio Networks.

The NSW Government has prepared state planning provisions to facilitate the rollout of broadband in greenfield estates, many of which are located in regional areas. These provisions will ensure that all greenfield sites, as defined by the Commonwealth Government, will be provided with either a conduit or the optic-fibre for broadband. These provisions will be finalised once the Commonwealth Government has finalised its *Telecommunications Legislation Amendment (Fibre Deployment) Bill 2009* and related legislative instruments.

**Recommendation 9:** *The Department of Commerce should continue to structure its procurement of IT services for government agencies to maximise the possibility of infrastructure extension in rural and regional areas.*

The NSW Government supports this recommendation and will continue to structure its procurement of IT services for government agencies to maximise infrastructure development while achieving best value for money.

**Recommendation 10:** *The Department of Planning should consider the need to review planning advice to local governments to include a requirement that carriers applying for approval to install communications towers demonstrate why they are unable to share existing infrastructure.*

The NSW Government's draft *Telecommunications Facilities Code Including Broadband* includes a principle that 'telecommunications Facilities should be co-located wherever practical'. This principle states that:

- telecommunications lines are to be located, as far as practical, within an existing underground conduit or duct;



- overhead lines and antennas should, where possible, be co-located or attached to existing structures such as buildings, public utility structures, poles, towers or other radio-communications equipment to minimise unnecessary clutter;
- towers may be extended or replaced for the purposes of co-location; and
- the proponent must demonstrate that either co-location is not practicable, or that the proposed new macrocell base station will result in less visual impact or will have less environmental impact.

It is intended that development proposals that seek to be classified as exempt or complying development must be consistent with these principles in the Code.

**Recommendation 11:** *The Department of Commerce should continue to structure its procurement of IT services for government agencies in order to promote opportunities for competition in rural and regional areas.*

The NSW Government supports this recommendation and will continue to actively pursue ways to maximise competitive forces, especially in regional and rural areas, while achieving value for money.

**Recommendation 12:** *Through appropriate intergovernmental channels, the Government should encourage the Federal Government to improve the knowledge of visitors to single carrier areas about the lack of coverage by other networks and to advise of appropriate steps to take to avoid complete loss of mobile contact.*

The NSW Government supports this recommendation and will continue to lobby the Commonwealth Government for better mapping of mobile phone coverage and the provision of roaming agreements between carriers. It should be noted that the mapping of mobile carrier coverage is a complex issue, as carriers have commercial concerns with providing this information. The NSW Government also notes that emergency contacts, such as 000 services, are always available if any carrier has coverage.

**Recommendation 13:** *Through appropriate intergovernmental channels, the Government should encourage the Federal Department of Broadband, Communications and the Digital Economy to publicise information about the Broadband Service Locator and Provider Data Speed testing more broadly such as by regularly advertising in the rural and regional press.*

The NSW Government supports this recommendation and through the Broadband Project Manager is continuing to work with the Commonwealth Government to publicise information about the Broadband Service Locator and Provider Data Speed testing more broadly.

**Recommendation 14:** *The Government consider ways of improving accessibility to broadband services by developing policies to enable government facilities including schools to be used after hours.*

The NSW Government supports this recommendation in-principle, subject to further analysis to determine the long-term implications to the NSW Government's

existing policies for the after hours use of school facilities and ongoing rural and regional information technology program.