

# **Principles for the engagement of local government in the NBN**

## **1. Context/Introduction to the principles**

Local government considers that all Australians should have access to reliable, affordable and high-speed broadband and therefore supports the objectives underlying the Australian Government's National Broadband Network (NBN) initiative, including that the NBN operate as a wholesale open access network.

However, in practice, the NBN will require significant co-ordination and co-operation between all levels of government, entities established by the Australian Government to fulfil the NBN objectives (such as NBN Co. and NBN Co (Tas)) and those carrying out the works, in order to deliver the NBN effectively and efficiently for all communities. It is estimated that some 4,000 to 5,000 homes per day around the nation will be connected to the NBN when the roll-out is fully under way.

Local government is uniquely positioned to represent the interests of all members of regional and local communities across Australia in relation to the build and roll-out of the NBN, and can play an important advocacy role in encouraging the use and take-up of, the NBN, consistent with the Online & Communications Council Framework agreed to by all levels of government in December 2008. Local government seeks to advance these interests nationally through the principles contained in this document.

The principles are deliberately objectives-based and broadly cover the themes of: resourcing and capacity of local government; and the importance of consultation with local government. They do not attempt to canvass technical implementation or operational aspects of the NBN.

It is acknowledged that the Australian Government and NBN Co. are observing the spirit of these principles in large part already. Local government welcomes the existing level of consultation and goodwill displayed to date by NBN Co. in the five mainland trial sites, and further welcomes the commitment by the Minister for Broadband, Communications and the Digital Economy to work constructively and co-operatively with local government.

The principles are put forward by the Australian Local Government Association (ALGA) as the national voice of Australia's local and regional councils. They are a 'living' set of principles and will be revised as the NBN roll-out evolves. They have been prepared in conjunction with ALGA's member associations and were endorsed by the ALGA Board on 14 June 2010.

## 2. Principles

### **Resourcing and capacity: Local government calls on the Australian Government and relevant bodies, in particular NBN Co., to consult affected local government authorities prior to and during the NBN build and construction in the specific Local Government Area, and ensure they are supported to answer queries from the public about the NBN**

Local government must be provided with the capacity supports that enable it to facilitate the roll-out as well as handle queries about the NBN in their Local Government Area. This includes that:

- Affected councils must be provided with key information regarding the timing, location and operational requirements of each phase of the roll-out, sufficiently in advance of work commencing so that council can support and facilitate the roll-out. By doing this, local and regional councils will also be able to help inform communities of disruptions to services and utilities so that citizens can plan around the roll-out.
  - Engaging with councils on design guidelines at the earliest stage possible should also occur.
- Flexible business models for the implementation must be provided for, noting that a variety of ownership arrangements exist and that some councils already own and operate broadband networks and have placed significant investment in the infrastructure in order to meet the demands and expectations of their communities.
- Any communications strategy in relation to the NBN must ensure that the public can understand and appreciate the role of councils in respect of the NBN, compared to other stakeholders.
- Educational tools, either in the form of guidelines or national specifications, would be very helpful particularly to industry and decision-making authorities such as local government. New requirements for planning and development can create a level of confusion as to exactly what is sufficient to meet the new requirements. As a result, there is a steep learning curve that takes place with each change, in the preparation of applications by developers, that then must be assessed by local governments. An educational tool developed by the Australian Government, in consultation with ALGA and its member associations, would help smooth that adjustment.

### **Local government is an end-user of the NBN: Recognition of business ‘use of the network’ and the role of local government (both intergovernmental and vis-à-vis community members)**

Local government should be included in discussions with other levels of government and other stakeholders in the consideration of service delivery and/or other business opportunities arising from the rollout of the NBN network.

## **Preservation of existing land reserves especially road reserves**

### ***Importance of maintaining road reserves given remnant and urban vegetation and the need to ensure the natural and urban environment is adequately protected***

Road reserves often contain critically important urban canopy which is not easily replaced therefore there is a need for any proposed removal/pruning of trees or clearing of vegetation as a result of access to the road reserve to be clearly outlined in land access notices so that the impact on the environment and urban amenity can be assessed prior to any work being undertaken.

### ***Consult with local government on proposed design and construction standards to manage the impacts on community assets***

Local government has vast experience and an intimate knowledge of the road reserve and the various valuable assets located within it, as well as public open spaces. Local government should be consulted on proposed design and construction standards for infrastructure that will be placed in, on, or above the road reserve or public open space for which it is the authority.

### ***Councils must be provided with land access notices and there must be proper information exchange between councils and contractors engaged by carriers***

Before any work is undertaken on a road reserve or public open space a land access notification must be presented to the road authority setting out where and when the work is to be undertaken, the safety requirements that will be put in place to protect the workers and the public e.g. traffic and pedestrian control systems.

One of the biggest difficulties for road authorities is dealing with contractors engaged by telecommunications carriers.

Contractors need to be provided with precise information in relation to their role and responsibilities to road authorities and adjacent property owners before they are allowed to access the road reserve. Their responsibilities are to include the preservation of assets and the restoration of any damaged property.

## **Co-ordination of NBN works with those of other public utilities**

Installation, upgrade and maintenance of public works must be co-ordinated with the roll-out of the NBN, and vice-versa.

### ***Installation of cables should conform with relevant state and local planning laws***

Installation of fibre must conform with local government and state government planning laws and local planning controls regarding overheading or undergrounding of cables, whilst retaining flexibility to respond to issues affecting each Local Government Area.

Given the impact that overhead cables can have on local amenity including streetscape, clear, consistent and transparent policies for the installation of overhead and underground Fibre-to-the-Premises infrastructure are fundamental and should encompass:

- Continuation of current state or local government underground cabling policies or schemes to maintain local amenity including a hierarchy of options enabling the preservation of the urban canopy;
- Timely, appropriate and informed consultation with local government;
- Undergrounding cables in areas prone to natural hazards or other climactic vulnerability;
- Integration with existing Commonwealth and state planning policies and guidelines; and
- The definition, and infrastructure requirements of, greenfields estates.

***Requirements regarding ‘fibre ready’ compared to fibre installation should be made clear***

Local government understands that the Commonwealth legislation will mandate fibre in greenfields except in certain circumstances set down in regulations/instruments, in which case the greenfields must generally be ‘fibre ready’. Local councils must have sufficient information to know and understand, as a key planning approval authority, how to distinguish the two requirements and ensure that ‘fibre ready’ installation is not used by carriers in a way that contravenes the Commonwealth’s objectives.

**Costs and funding**

Given the nature of works likely to be associated with the roll-out of the NBN, compensation to councils for reparatory works will be needed as a contingency measure to guard against any adverse impacts on council revenues particularly in regional and remote areas.

**Ensuring rural and regional communities do not get left behind**

The NBN should deliver high-speed affordable reliable access to all communities including those in regional, rural and remote Australia. Consistent service across all regions is a fundamental objective.

Cable and wireless technologies should be extended as far as possible but reliance on satellite technology should not be the default position in the more regional and remote areas of Australia.

The NBN Co. should be the sole body responsible for the whole NBN network inclusive of fibre, wireless and satellite services which will ensure consistent service delivery to regional, rural and remote communities and avoid the considerable uncertainties that would occur if the non-fibre components were not included in the scope of the NBN Co.