![LGAQ logo] Every Queensland **community** deserves to be a liveable one

Local Connectivity

Feedback on Regional Connectivity Program Round 3 (including Mobile Black Spot opportunities) Grant Opportunity Draft Guidelines

February 2023

Contents

About the Local Government Association of Queensland (LGAQ)

The Local Government Association of Queensland (LGAQ) is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve councils and their needs. The LGAQ has been advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

Partners-in-Government Agreement

The LGAQ, on behalf of all 77 Queensland local governments, is a signatory to a three-year partners-in-government-agreement with the State of Queensland.

The Agreement details the key principles underlying the relationship between the state and local governments and establishes the foundation for effective negotiation and engagement between both levels of government.

The agreement acknowledges that local government is the closest level of government to the community, affecting the lives of everyday Queenslanders and acknowledging Local Government as a genuine partner in the Australian government system.

The intent of the agreement was to continue the tradition of working in genuine partnership to improve the quality of life for all Queenslanders to enjoy. By identifying the roles and responsibilities of each party, it provides a solid foundation for effective negotiation and engagement between both levels of government.

The LGAQ is committed to working with the Queensland Government and will continue to be a passionate advocate for councils, to serve our joint jurisdiction for the people of Queensland.

Feedback on Regional Connectivity Program Round 3 Guidelines

Executive Summary

The LGAQ welcomes the opportunity to provide feedback on the Regional Connectivity Program Round 3 (including Mobile Black Spot opportunities) Grant Opportunity Draft Guidelines

All regional councils are interested in better digital connectivity, as it reaches into all aspects of modern life and a community's ability to have sustainable growth, employment, and service delivery.

For 10 years the LGAQ has sought to have the same issues addressed by Federal connectivity funding programs: affordable, accessible, and reliable connectivity to the communities who need it.

The LGAQ offers feedback on the guidelines and the way the Federal and State Government work together to prioritise funding projects, especially with:

- Co-funding arrangements
- Meaningful changes to encourage co-location
- The prioritisation of communities still reliant on 3G
- Including speed benchmarks in and mobile broadband solutions
- And ensuring that LGA are part of early planning of any project funded by the Commonwealth.

The LGAQ is always available for a discussion on the submission, and welcomes any opportunity to facilitate engagement with member councils.

Recommendations /Priorities for Action

The LGAQ has made nine recommendations, which are summarised below:

Recommendation 1:
That the funding model for the Mobile Black Spot Program (MBSP) and the Regional Connectivity Program be significantly overhauled to ensure infrastructure is going to the communities most in need.

Recommendation 2:
That mobile network operators (MNOs) be required to provide competitors with better access to their mobile infrastructure in regional areas.

Recommendation 3:
That the MBSP examine ways mobile roaming may be trialled in regional areas, and along regional access roadways and highways to support regional communities and improve safety of tourists travelling in remote areas.

Recommendation 4:
That the Federal Government supports third party infrastructure in remote areas to improve available markets for consumers and more reliable mobile broadband.

Recommendation 5:
That the State and Federal governments establish co-funding priorities before funding rounds are open, to better ensure projects are developed in the areas of highest need.

Recommendation 6:
That the Federal Government conduct an audit to determine which communities will be directly affected by the coming shut off of 3G networks and prioritise discussions with network providers on ensuring there is a continuity of service.

Recommendation 7:
That the criteria for funded MBSP projects in areas where there are no other data providers be amended to include specificity on the guaranteed data rates for mobile broadband.

Recommendation 8:
That the guidelines are reworded to require consultation with local councils at the beginning of any proposed solution to connectivity or mobile black spot project.

Recommendation 9:
That the guidelines clarify whether discreet communities with a high indigenous population are eligible to access specific First Nations community funding.

Introduction

Better digital connectivity is a priority of all regional councils. A modern community relies on connectivity for health, education, banking, news, political engagement, commerce, emergency services, and entertainment and social cohesion.

Access to the internet has been declared a human right by the United Nations, so it stands to reason that Australian citizens should have a reasonable expectation to have reliable, affordable, and robust internet access wherever they live.

In 2014 the first LGAQ submission to the MBSP stated: *"Too often people in remote areas, especially First Nations communities, have been forced to live with substandard digital connectivity. With not only unreliable low-bandwidth internet access, but unreliable mobile phone access posing not only economic and social issues, but very real dangers in times of personal or environmental crisis."*

Here in 2023 the LGAQ is sadly still asking for the same solutions to the same issues: affordable, accessible, and reliable connectivity to the communities who need it.

Priority Setting

In the last six months, funding from the Commonwealth was made available through an "Improving Mobile Coverage" funding round. This stream of funding had not been announced previously. The guidelines went to a targeted group of stakeholders, with only four prioritised areas in Queensland:

- East Douglas
- Emerald
- Kuranda
- Upper Stone

With communities in the Cape still only able to access unreliable 3G coverage, which is due to be shut down in mid-2024, it was disappointing funding was also not allocated to these "priority" areas.

This funding was also announced while the Federal Government was planning approaches to determine mobile blackspots, and poor service areas accurately across Australia.

The Mobile Black Spot Program is entering in its tenth year in 2024. This will coincide with the shutdown of the 3G network. With the areas that are still reliant on 3G not a stated priority in the guidelines. We would urge the Federal Government to investigate if the competitive funding model that allocates funds to Mobile Network Operators (MNOs) is the best way to ensure the program addresses connectivity in the areas that have the most need.

Market forces that ensured some investment from mobile carriers in regional and remote areas have been essentially exhausted, and areas that have not received significant investment are not likely to receive investment in the near future due to the lack of significant returns in the medium- to long-term for network operators.

A new philosophy of how and where mobile networks are expanded or established needs to be examined to establish quality connectivity in areas of high need – areas that may not

produce any medium-term profitability – and ensure these communities can grow and be economically, socially and politically engaged outside of the shadow of a mobile black spot.

This direction will need to come from the alignment of State and Federal Government policy settings, with strong data and criteria providing the evidence base to ensure infrastructure is built where it is most needed – not simply where the market might see an opportunity for returns on investment.

Recommendation 1:
That the funding model for the Mobile Black Spot Program (MBSP) and the Regional Connectivity Program be significantly overhauled to ensure infrastructure is going to the communities most in need.

Co-build solutions

The focus on Multi-Mobile Network Operators (MNO) and co-build solutions is appreciated, however MNOs have been encouraged to have co-location embedded into the planning and design of any MBSP infrastructure for some time, without any meaningful result.

Future funding for the MBSP and other regional digital infrastructure investment needs to seek solutions to issues such as availability of space on towers for the second carrier, and the need for regulated costs for backhaul to the nearest point of presence, instead of the nearest exchange, with a view to establishing a cost-effective co-location model, rather than simply "encouraging" co-builds that are not likely to happen.

The Regional Telecommunications Review 2021 states *"Co-location discussions generally occur after funding has been awarded for a particular location, which may not be suitable for an additional provider due to network or physical factors.[1]"* Adjustments are needed to the MBSP if this is ever to change.

In-depth analysis is needed to determine why co-location has not happened through this program, and meaningful adjustments made to the approval process to ensure it takes place. If no solution can be found, the LGAQ encourages the Federal Government to look at other solutions, such as mobile roaming or ensuring third-party infrastructure is made equally available to all MNOs.

Recommendation 2:
That mobile network operators (MNOs) be required to provide competitors with better access to their mobile infrastructure in regional areas.

Recommendation 3:
That the MBSP examine ways mobile roaming may be trialled in regional areas, and along regional access roadways and highways to support regional communities and improve safety of tourists travelling in remote areas.

---

[1] 2021 Regional Telecommunications Review - A step change in demand p45
https://www.infrastructure.gov.au/department/media/publications/2021-regional-telecommunications-review-step-change-demand

Recommendation 4:
That the Federal Government supports third-party infrastructure in remote areas to improve available markets for consumers and more reliable mobile broadband.

Specific feedback on the draft guidelines document

Co-funding

(Page 10) 3.1.1 Financial co-contribution
To increase the reach of the Program, **applicants are encouraged to seek financial co-contributions (cash) towards each Proposed Solution from state, territory or local governments, local communities and/or other third parties**.

Discussions on priorities, infrastructure needs, and service provision needs to happen at a State and Federal level to determine what co-funding opportunities exist, before the funding rounds are announced.

State and Federal governments need to be aligned on where digital infrastructure is needed, and structure funding programs to decisively increase connectivity in these areas.

Communities that are at the lower end of connectivity are likely to be in regional and remote areas and, by definition, smaller councils that do not have staff with specific skills in grant writing or specific knowledge of digital connectivity solutions. Competitive funding rounds, or funding criteria that are based on the engagement of third-party infrastructure providers will naturally not favour these communities.

Where co-funding is an additional criterion that will increase the likelihood of successful funding from the RCP, the process once again has a systemic bias towards larger communities and councils, and away from smaller remote communities who are less likely to have access to local funding to allocate to these infrastructure projects.

Without specific targeted interventions the most at risk will not see a change in their opportunities and goals such as Closing the Gap Target 17 *"By 2026, Aboriginal and Torres Strait Islander people have equal levels of digital inclusion"* will be impossible to meet.

Recommendation 5:
That the State and Federal governments establish co-funding priorities before funding rounds are open, to better ensure projects are developed in the areas of highest need.

The impending 3G Switch off

As stated, more focus needs to be placed on the impending shutdown of the 3G network. In the draft guidelines at (Page 12) "5 What can the money be used for" the criteria states:

To be eligible your Proposed Solution must:

- not have started construction or be part of the participating telecommunications provider's forward build network or upgrade plans from the period commencing from the date the Grant Opportunity opens until 30 June 2027;

This would seem to either disincentivise an MNO from long-term planning or make the funding unavailable for necessary upgrades to the existing network, especially in the case of what could potentially be a large-scale issue such as the 3G "switch-off".

With this in mind, the guidelines should explicitly state under the objectives of the funding that it can be used to expand or significantly upgrade coverage, as included below.

> Page 6
> 2.2 About Round 3
> The objectives of Round 3 of the Program are to:

- expand or **significantly upgrade** mobile coverage in regional, rural, and First Nations communities.

This is the same with the specifics in "2.2.1 Service and deliverables" (Page 7).

The guidelines need to define "patchy" coverage so as to make clear what level of coverage and reliability will be an acceptable upgrade project

We'd suggest an additional and specific dot point should be added, in conjunction with "Deliver at least 4G broadband data services and voice service" that states proposed Mobile Blackspot Solutions should also "upgrade infrastructure in areas that have 3G only services".

The draft guidelines at (Page 12) 5.1 Eligible grant activities state:

> Proposed Mobile Black Spot Solutions must:
>
> - Provide new mobile coverage to a location in regional, rural or remote Australia"

The guidelines could state specifically that this includes the upgrade from a 3G-only service, i.e., "Provide new mobile coverage, or an upgrade from a 3G only service to a location in regional, rural or remote Australia"

Recommendation 6:
That the Federal Government conduct an audit to determine which communities will be directly affected by the coming shut off of 3G networks and prioritise discussions with network providers on ensuring there is a continuity of service.

Speed as well as coverage

Coverage alone is not enough and benchmarks for connectivity speed need to be specified.

The draft guidelines at (Page 7) Services and deliverables state:

> (Page 7) For services delivering New Handheld Coverage, the service will enable consumers to perform a range of functions using mobile devices, such as making and receiving phone calls, sending emails and text messages, browsing the internet, accessing

online services, downloading files, using mobile apps, and accessing emergency communications services. To meet this expectation all proposed Mobile Black Spot Solutions must:

- deliver at least 4G broadband data services and a voice service; and
- provide coverage modelling based on a New Handheld Coverage level with a Reference Signal Received Power (RSRP) at a 90 per cent confidence level for the cell area, as per the following table.

4G broadband data services need to be defined with a minimum up/down speed. Communities that have a single point of connectivity can experience slowdowns and unreliable coverage depending on many factors, but most importantly the maximum speed the towers and available backhaul can provide. The Statutory Infrastructure Provider broadband requirement of 25 (Download) /5 (Upload) Mbps (25/5 Mbps) could be set as the minimum level of service that is provided to the users for any MBSP funded project, with benchmarks based on the likely population of the community during peak times.

Recommendation 7:
That the criteria for funded MBSP projects in areas where there are no other data providers be amended to include specificity on the guaranteed data rates for mobile broadband.

Council Consultation is key to effective delivery

In previous MBSP funding rounds, councils have been completely unaware of MBSP funding bids, and have only been alerted to the success of the MNO when they receive an application for the use of land.

When these projects are done without council assistance potential issues including the availability of land, change of use issues, or site placement suitability issues may arise – and which could have been avoided if councils were engaged earlier.

It has been at this point that in the past that an MNO will state the project is now being delayed due to council regulations or fees, or that it is simply too difficult to work with (in the case of Queensland) 77 different planning schemes.

All of this can be avoided with early involvement of councils, and better alignment with local planning. All Queensland councils support the need to improve connectivity for their community – however such projects do not exist in a vacuum. (See attached Moreton Bay Regional Council submission).

The LGAQ proposes the guidelines at (Page 8) 2.2.2 Local community priority are amended to read as follows:

> During the application period, applicants are strongly encouraged to consult with state, territory and local communities regarding the Proposed Solutions. **Applicants are encouraged to develop Proposed Solutions with local governments input as to placement of digital infrastructure and base stations so as to avoid delays or land use issues once a project has been approved.**

The LGAQ would urge the strongest possible language be included in the guidelines to encourage co-development of projects as early as possible. The best placement to meet

community needs, potential range, ease of access and best visual amenity are all factors that can be considered early, and solutions found earlier, with proper consultation. This can only happen when collaborative approaches are used.

According to the draft guidelines, consultation with local governments is not a requirement for mobile black spot solutions. No matter how remote a location may be, it will always be part of a local government area. Consultation should be encouraged early in the planning process to eliminate issues with use of land, land access, and to ensure the identification of where mobile towers would best be placed as far as the future use of land and the needs of the community.

Successful projects be informed by regional digital plans, created or endorsed by councils and Regional Organisations of Councils, who are often involved in digital planning.

The draft guidelines at (Page 9) Application and selection process state:

> (Page 9) For the purposes of the Program, a First Nations community is defined as *a geographic location, bounded by physical or legal boundaries, which is inhabited or intended to be inhabited predominantly (i.e., greater than 50% of usual residents) by First Nations peoples, with housing or infrastructure (power, water, sewerage) that is managed on a community basis. First Nations communities have populations of (but not limited to) 50 or more First Nations people*[2].

It would assist local government to have clarity on the smallest region that is applicable. Local Government Areas (LGA) have discreet communities within the boundaries of their LGA. These LGAs have an overall indigenous population of up to 40 per cent and when the sub regions that need connectivity solutions are looked at on their own, they would easily qualify for funding. A minimum population or type of geographic boundary would be helpful for these communities to know if they are able to develop solutions as part of this program.

Whole areas may or may not be eligible for specialised funding and infrastructure projects depending on the specificity of the geographic boundaries for eligible projects.

Recommendation 8:
That the guidelines are reworded to require consultation with local councils at the beginning of any proposed solution to connectivity or mobile black spot project.

Recommendation 9:
That the guidelines clarify if discreet communities with a high indigenous population are eligible to access specific First Nations community funding.

---

[2] This definition is based on ABS Release — 2901.0 — Census of Population and Housing: Census Dictionary, 2016 – Discrete Community.

Examples

Please find attached a case study from Moreton Bay Regional Council, that was originally submitted to the 2021 Regional Telecommunications Review, outlining the issues with MBSP projects that are not developed in conjunction with local government.

Conclusion

Overall, the LGAQ supports the Federal Government's decision to allocate $300 million in additional funding for regional connectivity.

However, until significant changes are made to the way funding is allocated and how projects are prioritised, communities will not see real-world changes in the levels of connectivity they enjoy and will not see the benefits of these funding rounds.

Closing the telecommunications gap in remote and first nation communities must be prioritised and is considered an essential task prior to be completed prior to any decommissioning of the 3G network.

The nine key recommendations made by the LGAQ, alongside suggested wording changes within the guideline as outlined above, will help ensure the Government's desired outcome for real, tangible improvement to connectivity in regional, rural and remote Queensland will be better able to be achieved.

The LGAQ hopes to encourage communities to develop robust applications in conjunction with infrastructure providers and is also appreciative of the assistance of the Department in providing information to councils.

Contact Details
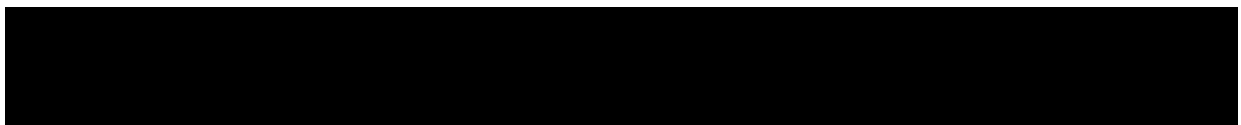
Appendix

LGAQ Policy Statement

The LGAQ Policy Statement[3] is a definitive statement of the collective voice of local government in Queensland. The relevant policy positions of local government in the context of telecommunications and digital connectivity are as follows:

6. Planning and Development
6.1 Strategic Land Use Planning
6.1.7 Telecommunications
- 6.1.7.1 Local government acknowledges the fundamental role played by 'telecommunications' infrastructure as an enabler of economic development and in the provision of health and education services in rural and remote areas of Queensland.
- 6.1.7.2 Local government supports efficient planning assessment and installation of telecommunications infrastructure and is the appropriate sphere of government to determine the level of assessment to be applied to telecommunications facilities.

- 6.1.7.3 Local government supports co-location of telecommunications infrastructure and information sharing amongst the development industry, telecommunications providers and local government in order to minimise disruption to local communities and to maximise efficiencies.

8 Infrastructure, Economics and Regional Development
8.4 Communication
8.4.1 Service Access
- 8.4.1.1 Advances in technology should be applied to give remote areas access to telephone, television and internet services consistent with those available in urban areas.
- 8.4.1.2 Local government across Queensland experiences significant inequities in mobile phone coverage between rural and urban communities. Local government will engage the State and Federal governments to address this inequity.
- 8.4.1.3 Local government supports the concept of a system of uniform telephone charges throughout Australia to reduce the disparity of remote locations.

8.8 Economic Development
- 8.8.7 Local government supports the rollout of digital infrastructure, including the National Broadband Network and the provision of equitable access to high-speed broadband internet. This includes support from Federal and State governments in developing the digital economy and online service delivery for local government.

8.9 Regional Development

---

[3] https://www.lgaq.asn.au/downloads/file/183/2019-lgaq-policy-statement

- 8.9.5 Digital infrastructure and technology are recognised as enablers to help overcome the barriers of remoteness, infrastructure shortfalls, attract regional investment and facilitate regional prosperity.

LGAQ Advocacy Action Plan

The LGAQ is committed to member driven advocacy and working with members to build stronger local government and more resilient local communities.

The Local Government Association of Queensland's Advocacy Action Plan (AAP)[4] is a roadmap designed to highlight the top policy positions and funding priorities councils believe are critical to ensuring Queensland flourishes and our communities thrive.

Relevant Advocacy Action items to this submission are:

Federal Government:

AAP 06 - Legislate to require telecommunication operators to provide competitors access to their mobile infrastructure in regional areas to enable roaming.

AAP 07 - Fully implement recommendations of the Rural Telecommunications Independent Review Committee Report benefitting rural and First Nations councils.

AAP 14 - Acknowledge that regional inequality still exists and commit to a consistent policy approach through all agencies to address this inequality in line with the Senate Committee Report into Regional Inequality delivered in December 2020.

State Government:

AAP 15 - Fast track reliable digital connectivity throughout regional Queensland and ensure non-commercially viable black spots are addressed as a fundamental rights issue.

AAP 122 - Allocate $1 million to develop a digital training and upskilling program for older workers and provide $500,000 per year for three years to roll out training across all local governments.

Both Levels of Government:

AAP 23 - Provide additional funding to meaningfully address the digital connectivity issues across the state, particularly regional and rural Queensland.

AAP 24 - Collaborate with local government and the private sector to find solutions, including digital connectivity solutions, to ensure the long-term sustainability for the provision of regional news.

AAP 93 - Provide funding to ensure remote and discrete First Nation communities have the digital connectivity necessary to provide the same level of services available to other communities across Australia.

---

4 https://www.lgaq.asn.au/downloads/file/383/advocacy-action-plan-2021

Annual Conference Resolutions

The LGAQ is a member lead organisation with binding motions submitted by councils every year at the LGAQ Annual Conference. These motions form the advocacy priorities for the LGAQ. The following motions are currently active in the LGAQ and reflect the priority that Councils in Queensland place on digital connectivity and mobile access.

2022 Annual Conference

Motion 12
The LGAQ calls on the Federal Government to commit to funding and implementing the recommendations of the 2021 Regional Telecommunications Review

Motion 81
The LGAQ calls on the State and Federal governments to:

1. To ensure there is meaningful engagement with the community - implement a notification or "tick off" process by the Federal MP and affected councils for the consultation aspect of any project application in development.
2. Include on the ground testing to ensure value for money in the location of this infrastructure which is designed to increase connectivity and reduce the digital divide.

Motion 135
The LGAQ to call on the State and Federal governments to increase funding for connectivity in regional areas, in particular regions covering widespread agricultural land.

20221 Annual Conference

Motion 28
That the LGAQ calls on the Australian Communications and Media Authority (ACMA) and telecommunications providers to commit to a customer service guarantee for mobile (calls and data) network services.

20220 Annual Conference

Motion 69
That the LGAQ lobby the Federal Government to legislate to require telecommunication operators to provide access to their mobile infrastructure in regional areas for competitors to enable roaming.

Attachments

Please find attached a case study from Moreton Bay Council that was originally submitted to the 2021 Regional Telecommunications Review – outlining the issues with MBSP projects that are not developed in conjunction with Local Government.