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Hi Powers and Immunities Framework team,

Thank you for giving us the opportunity to provide feedback in relation to improvement of telecommunication powers and immunities framework.
Please note below highlighted comments as requested.

Land access activity notice - LAAN notice –

The LAAN notices sent out by telecom carriers comprise of very large areas and scopes of work, such that 5 days is not enough to review and raise objections. Telecom authorities should breakdown the larger LAANs into smaller areas and smaller quantity of works, that can be assessed by road authorities within the applicable time frames, and raise formal objections if necessary. The total number of LAAN requests sent within a work week should also be limited to a reasonable number.

Low impact facilities –

The definition of low impact facilities should be amended to exclude excavation works required for installation of underground infrastructure such as conduits, pits or footings. Telecommunication carriers should apply for consent from coordinating road authority to be able to undertake any traffic impact or excavation works.

This will allow road authorities and councils to review the Land access notice, and provide conditions under which telecom carriers agents can undertake road works. It will lead to greater compliance with standards and best practices.

Works Timeframes within LAAN –

The LAAN notices stipulate works timelines which are sometimes 1 year in advance, and up to 1 year for the total duration of works. This provides a lot of flexibility to the telecom carriers for organising the works, however It is extremely difficult for council to keep track of such works. Council gets no notice from the contractors immediately before commencement where council can schedule works inspections to address any safety, quality and community consultation issues. This leads to poor quality of assets reinstatements, and dissatisfaction amongst the community. Therefore, LAAN notices should be limited to a maximum of 6 weeks in advance, and upto 4 weeks of total duration of works. There should be also be a mandatory requirement on Telecommunication carriers to notify road authority, and gain consent to begin 1 week prior to works commencement

Major Projects - Installation of new network –

When telecommunication companies needs to undertake network upgrades over large area within a metropolitan suburb (eg. NBN works in all suburbs of City of Yarra), such works need to be coordinated closely with the road authority. The telecom carriers should give atleast 6 months advanced notice to coordinating road authority for their intention, with detailed information around potential impact, disturbance, closures etc. The larger areas should be broken down into smaller manageable sections, and fit for purpose solutions should be proposed and implemented to suit council and community expectations.

Compliance with Standards –

Telecommunication carriers like NBN tend to undertake roadworks under generic standards, with no regard to specific road asset types and quality of assets within the road reserve. It should be incumbent on telecommunication carriers to comply with road authorities' standards while undertaking works on road infrastructure.

End of works notification –

At the completion of works, Telecommunication carriers should send end of works notification with location details, scope of completed works, quality control evidence and photographs to demonstrate compliance with road authority's standard requirements. Any concerns raised by coordinating road authority upon inspection of completed works, should be addressed and rectified by telecom authorities promptly.

Non-compliant assets –

Road authorities such as councils undertake asset renewal works like road / footpath resheeting, drainage or kerb channel works on regular basis. During such works, there are occasions when telecommunication assets like underground conduits and cables are found to be installed very close to the surface level, even within the asphalt / concrete layer. Sometimes, pits are found to be either too high or too low from the finished ground level, or pits are located at a very unsuitable location.

It gets extremely difficult for road authorities to work around such poorly installed Telecommunication assets, and it adds unnecessary delay costs to works programs. There are times when certain sections of roads or footpaths are not upgraded only because of the interfering telecom assets being poorly installed, and at an unsuitable location. The requirement of compliance with engineering best practices should be included as a mandatory condition for telecom authorities operations such as - Underground services should be installed at depths greater than minimum permitted levels from ground surface level; Telecom pit lids should flush and align with the ground level; And telecom infrastructure including pits etc. should be located such that functionality of road reserve assets is not compromised. At the request of coordinating road authorities, telecom carriers should promptly organise to rectify and relocate any poorly installed infrastructure, with costs completely borne by the relevant telecom carrier or its agent.

Thankyou.

Best regards.

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Yarra City Council acknowledges the Wurundjeri Woi Wurrung as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra, and gives respect to the Elders past and present.