

GRIFFITHS CONTRACTING SERVICES PTY LTD  
TELECOMMUNICATIONS CONSULTANCY AND DESIGN

# Consultation Paper Submission

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Review of Instruments under Part 20A of the  
Telecommunications Act 1997



In response to the key questions

Q1: As long as the requirements of Part 20A continue to be relevant and they are, the 2011 instrument should remain as it allows for the reactive fine tuning of the Acts requirements in circumstances where the Act needs to be flexible. This is very pertinent in regional and rural developments.

Refinements to the 2011 instrument could include the need for Developers to install fibre ready infrastructure through and past their developments to cater for the future cutover to FTTP. The number of lots in the development should not be an issue. As per Part 20A I agree that these costs be borne by the developer, as is the case with all other utilities. It is far cheaper to install infrastructure at the time of development and redevelopment than it is to install it in a brownfields situation. Ultimately all the services referenced in the 2011 instrument will become obsolete. Pit and pipe can accommodate any technology even fiber backhaul for fixed wireless towers. Power services are being installed underground for maintenance and aesthetic reasons. Overhead broadband services need to be considered in the same context.

Q2: Again as long as the requirements of Part 20A continue to be relevant the 2021 instrument should remain as it allows for the reactive fine tuning of the Acts requirements in circumstances where the Act needs to be flexible. On occasion this flexibility may require a quick response to keep developments on schedule. This is very pertinent in regional and rural developments due to the complexity of the NBN service to be supplied, eg. Fixed line, wireless, satellite. Refinements to the 2021 instrument may be required.

Q3: The developer exemption process appears to be operating satisfactorily. Requirements to apply to a carrier as per Part 20A should also be added to the exemption criteria and proof of application and carrier response should be provided. Consultation between the Carrier and State and Local Government Planning must be implemented and be raised to a higher level. NBNCo and all other Carriers must have adequate Network Planning teams who can proactively plan to service all new development. In my opinion since 2011 a majority of new developments in this country have been serviced by NBNCo reactively. Brownfields has taken priority, yet new devs will continue indefinitely.

Q4: Pit and pipe exemptions should generally remain but distinctions should be made.

Rural Remote- Areas where broadband services can only be provided via fixed wireless and satellite or 4G/5G.

Regional Centres and surrounding Rural Town commercial and residential developments must be afforded the opportunity to have access to all services via fixed line wherever possible. Fibre ready infrastructure should be installed to all developments to accommodate ongoing future growth. Again

proactive planning between NBNCo /Carriers and Local Government Planning Depts. must occur on a regular basis to identify the growth corridors.

Q5: Distinction between Rural Remote and Regional Rural needs to be clarified.

As most Rural Remote areas are serviced by fixed wireless/ satellite/4G/5G developers would have an extreme reluctance to install fibre ready infrastructure, and rightly so. Exemptions should remain. Following a development application to NBNCo and a formal rejection of the application this information should be added as proof for an exemption to be granted.

Regional Rural is a different beast. These are areas of higher population and greater commercial activity and must be treated the same as city suburbs. Greater emphasis needs to be placed on consultation between NBN Co and Local Government to ensure adequate fibre ready infrastructure is installed by Developers. More consultation with Local Government and NBNCo could result in the issuing of more appropriate Planning Permits to Developers.

If Council agrees that pit and pipe needs to be installed as per Part 20A to cater for future growth and NBNCo are not willing to extend the fixed line footprint at this time then it should be compelled to take ownership of that pit and pipe from the Developer for later use. In my discussions with NBN there doesn't seem to be any issue with taking ownership.

The governments promotion of over 20 other telecommunications carriers now allowed to compete with NBNCo in new developments will now only cause confusion. If one of these so called carriers takes ownership of a developers pit and pipe and only provides a wireless back haul, how can future surrounding developments hope to be serviced by NBNCo with full FTTP without wasteful overbuilding? This situation already occurs in metropolitan areas. These so called "carriers"(in lower case) have little or no interest in servicing rural customers with fixed line services but may have some self interest in servicing some sites in Regional areas by fixed wireless, lowering service quality to regional communities.

NBNCo the largest wholesale infrastructure provider is therefore by default the only one who should give validation to Developers applications for an exemption and take ownership of Developer provided pit and pipe. One infrastructure owner, no overbuilding, no confusion, open access to all RSP's.

Q6: State and Local Gov. should be playing a greater role in setting telecommunications requirements in their jurisdiction. The Commonwealth's role is to provide clear telecommunication policies and intent via statute. Part 20A conveys this. NBNCo needs to step up and engage more with key stakeholders to implement the Governments policy with a greater emphasis now on future requirements. The ongoing expansion of the fixed line network seems to be a major stumbling block. The fixed line network will need to be constantly expanded as ongoing development continues. Consultation between NBNCo and Local Gov. would make this process a lot easier. Clear Government policy needs to be a priority. Are we to have a fully functioning fixed fiber optic network to the majority of homes and businesses (a definite must) or a second class fixed wireless

