

Resolution of Council

19 August 2019

Item 12.2

NBN Impacts on City Streets

Moved by Councillor Scully, seconded by Councillor Miller –

It is resolved that:

(A) Council note:

- (i) under the Telecommunications Act 1997 companies are allowed to install "low impact facilities" without consultation or planning approval;
- (ii) as a result, the design and placement of these facilities has, in some cases, had a distinctly negative impact on public amenity and access;
- (iii) low impact facilities can include roadside cabinets, (small) radio communications dishes and antennae, cable pits, and public payphones. They are not regulated because their size means they are meant to have a low visual impact and be less likely to raise planning, heritage or environmental concerns;
- (iv) the Telecommunications Code of Practice requires that when installing low impact facilities carriers must take all reasonable steps to:
 - (a) ensure as little detriment, damage and inconvenience as practicable is caused;
 - (b) minimise interference with public utilities, roads and paths, traffic and land use;
 - (c) ensure that the land is restored to a condition that is similar to its condition before the installation began; and
 - (d) protect the environment (including ecosystems, people and communities; resources; qualities and characteristics of locations and areas, and the social, economic and cultural aspects of all these);

- (v) it is apparent these standards are not being met, as evident by the inappropriate placement of NBN facilities on public footpaths which obstruct reasonable thoroughfare and access;
 - (vi) poorly considered line installations, and footpaths left in a poor state after lines are laid, are also having an impact on the quality and accessibility of footpaths and the public realm in the City of Sydney;
 - (vii) the City of Sydney's draft Inclusive and Accessible Public Domain Guidelines ("the Guidelines"), currently on exhibition for public comment, have been developed to achieve our objective of a liveable city where everyone has equitable and dignified access in the public domain. The Guidelines provide information to ensure that accessibility and inclusion of people with disability is considered in the design, management and use of public spaces in the City of Sydney Local Government Area;
 - (viii) the Guidelines state that "Quality and accessible public outdoor spaces play an important role in creating a liveable and welcoming city" and "The continuous accessible path of travel is the foundation of an inclusive and accessible public domain"; and
 - (ix) City staff have sought better outcomes and discussions with NBN Co over the years in order to secure better outcomes for City residents, businesses and visitors impacted by NBN node boxes, but have not been able to secure meaningful co-operation on a suitable outcome for the public domain;
- (B) the Lord Mayor be requested to invite NBN Co representatives and other relevant organisations to a meeting of the Inclusion Advisory Panel, to present their practices and to receive feedback about the impact of these facilities as advocates for fair and equitable access in the public domain;
- (C) the Lord Mayor be requested to invite the Chief Executive Officer of NBN Co to meet with City of Sydney staff, Councillors and members of the Inclusion Advisory Panel for a tour of the city to review existing NBN facilities, and discuss solutions for mitigating their significant impacts on public amenity and accessibility; and
- (D) the Chief Executive Officer be requested to consult with members of the Retail Advisory Panel about the impact of these facilities on city main streets and businesses.

Carried unanimously.

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