

**Report to General Manager**

Attachments:

1. Maps of Proposed Sites
2. Telecommunications and Electrical Network Infrastructure Policy
3. Encroachment Policy
4. Sample Response Letters to LAAN's
5. Letter from TPG – Suspension of the 5G Rollout Program
6. NSC LAAN and Ancillary Works Register

SUBJECT: 5G Small Cell “*Low Impact*” Technology Rollout within North Sydney Council Local Government Area – Status Report

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ENDORSED BY: Duncan Mitchell, Director Engineering and Property Services

EXECUTIVE SUMMARY:

This report outlines the actions taken to date by North Sydney Council surrounding the recent roll out of 5G “*low impact*” telecommunication equipment within the North Sydney Council Local Government Area (LGA).

One of Australia’s largest Telecommunications Companies (TPG) approached North Sydney Council in late 2017 with the express interest to rollout and install 5G “*low impact*” telecommunication equipment on thirty (30) sites across the North Sydney Council LGA, including nine (9) on multipurpose poles owned by North Sydney Council in the North Sydney Centre.

Council officers since late 2017 have undertaken numerous activities to better ready Council for not only TPG’s proposed 5G network rollout, but any future rollout by other telecommunication network operators.

In summary the main tasks that Engineering and Property Services staff have undertaken to date include:

- Undertaking a thorough and detailed review of TPG’s proposal from a Legal and Engineering perspective.
- Create and maintain a detailed register of all the Notifications, Land Access and Activity Notices (LAAN’s) issued by TPG and its subsidiary companies and prepare a formal letter response (Objection) to each notification and or LAAN received of which to date there have been over 150.
- Engage the services of expert property consultants to assess TPG’s proposed fee structure and provide suitable recommendations regarding license fees.
- Engage Council’s legal consultants to review the powers and responsibilities of the Telecommunication Act and other related laws and prepare a master license agreement that covers TPG’s proposal and any future carrier request.
- Update Council’s Telecommunication and Electrical Network Infrastructure Policy to be in line with 5G and future emerging technologies.

On 28 February 2019, Council was informed by the primary 5G “*low impact*” telecommunication network provider (TPG) that the rollout of its 5G network had ceased in Australia due to factors beyond its control. This information is consistent with the media statement that the company announced to the Australian Stock Exchange (ASX) on 29 January 2019.

TPG informed Council in its letter that some facilities were either fully or partially constructed, some proposed facilities had completed their consultation programs but had not yet commenced construction; some proposed facilities were awaiting completion of their public consultation programs, and some had consultation plans lodged to Council, but had not yet proceeded to public notification. In summary the company advised that it did not intend to proceed with proposed facilities that were in open consultation as at 29 January 2019 (i.e. they have not had a Consultation Report published to the Radio Frequency National Site Archive (RFNSA website).

FINANCIAL IMPLICATIONS:

The cost of establishing the licence agreements, commissioning of the valuation report and general advice surrounding the powers of the Telecommunication Act 1997 was approximately \$30,000 and was funded from Council’s Legal cost centre.

RECOMMENDATION:

1. THAT the report be received.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

Direction:	2. Our Built Infrastructure
Outcome:	2.2 Vibrant centres, public domain, villages and streetscapes
Direction:	3. Our Future Planning
Outcome:	3.3 North Sydney is smart and innovative

BACKGROUND

In early 2017, TPG Telecom Pty Ltd (TPG) announced that it would build its own network of mobile towers to compete with the likes of Telstra and Optus. TPG since that announcement sought to join forces with Vodafone Australia in a merger that has recently been ruled by the ACCC as being anti-competitive and subsequently blocked. The ACCCs view is that ¹ “*TPG has a commercial imperative and the capabilities to roll out its own mobile network and that the merger would preclude TPG’s entry, therefore substantially lessening competition*”

¹ **Source:** Sydney Morning Herald May 8 <https://www.smh.com.au/business/companies/competition-regulator-blocks-vodafone-and-tpg-telecom-merger-20190508-p51lcs.html> <https://www.legislation.gov.au/Details/F2018L00171>

In addition to the recent ACCC ruling against the proposed TPG Telecom Pty Ltd and Vodafone Australia merger, the main equipment vendor (Supplier) for TPG’s mobile network is Chinese telecom giant Huawei, which is now subject to an Australia wide ban similar to the ban in the US and also the partial ban now enforced in the UK where it was announced in April 2019 that Huawei will be allowed to supply some ² “*non-core*” technology to UK phone companies only. The concern that western governments are flagging about the Huawei telecommunication equipment is that it poses a potential security threat and could be used for “*spying purposes*” and it is alleged by some experts that it can also be used to steal intellectual property from local technology companies.

² **Source:** Sydney Morning Herald December 24 <https://www.smh.com.au/business/companies/huawei-equipment-pulled-from-3b-uk-police-phone-network-20181224-p50o11.html>

Prior to the ban on Huawei equipment, TPG informally contacted Council in late 2017 to advise of their \$2 billion program aimed at broadening their mobile network across Australia. This included the purchase of a 700MHz spectrum licence.

As part of their program, TPG advised they will be rolling out telecommunication equipment referred to as “*Small Cells*” technology, technically known as ‘Microcells’ across the North Sydney Council Local Government Area (LGA).

The rollout in North Sydney coincided with TPGs proposed roll out of the 5G network throughout the broader Sydney Metropolitan Region. It involved the installation of ‘*low impact*’ (as defined in the Telecommunication Act) microcell telecommunication equipment on thirty (30) poles. Nine (9) of the proposed poles were located in the North Sydney Centre

on Council owned multipurpose street light poles and the remaining were on Ausgrid poles located in the residential and village areas of North Sydney, (refer to Attachment 1 for locality diagrams of each site).

A “microcell” is a cell within a mobile phone network served by a low powered cellular base station (tower), covering limited areas such as high trafficable streets, busy transportation hubs or densely visited locations. Microcells, in general, cover areas less than a kilometer in diameter and can often be seen mounted on signs, traffic lights or street (smart) poles. The microcell technology consists of installing a base unit which would be connected to either 1, 2 or 3 antennas via RF cables. The base unit would be installed near the top of the subject pole and the antennas erected further up or directly on top of the pole (refer to Photos 1 to 3 in this report for typical images of “*low impact*” – microcell equipment).

Microcells are considered as ‘*low impact*’ technology. They are low-powered cellular radio access nodes that operate in licensed spectrums that have a range of 100 meters to a few kilometres. There are different tiers of microcells that cater for different power levels, capacity requirements and spectrum technology. The company (TPG) that approached North Sydney Council was proposing to roll out a network that is specifically based on “5G” microcell technology utilising the 700MHz and 1800MHz spectrum.

Spectrum relates to the radio frequencies allocated to the mobile industry and other sectors for communication over the airwaves. Because the mobile industry has demonstrated its potential to generate economic value and social benefit, operators are urging national regulators to release sufficient, affordable spectrum in a timely manner for mobile networks to expand and meet consumer demand. Additional spectrum, used to provide increased coverage and/or capacity by carriers, means mobile operators can connect more people and offer faster network speeds.

5G technology is a relatively new technology and most telecommunication companies in Australia, which include the four major players, Vodafone, Optus, Telstra and TPG, are poised to roll out this technology to secure market share. The main company which approached North Sydney Council to roll out 5G “Microcell” (or “Small Cell”) technology is TPG (Total Peripherals Group), who is a relatively new player in the mobile industry market.

The deployment of Small Cell hardware involved mounting the equipment on selected Council owned multipurpose street poles in the North Sydney centre and on Ausgrid poles over Council owned land.

Under the Telecommunications Act 1997 and Telecommunications Code of Practice 2018, Telecommunication Carriers have the powers to serve Council a Land Access and Activity Notice (LAAN) to obtain the rights to mount and use their telecommunication equipment on Council’s poles and other third party owned assets.

Based on the information supplied to Council by TPG (refer to Confidential Attachment 2), TPG is listed on the Australian Stock Exchange and is rated in the top 50 Australian companies. It has a market cap of approximately \$4.5 billion and a global resource of 6,500 personnel. TPG is considered to be the second largest fixed-wire carrier in Australia. It currently provides free public Wi-Fi in Adelaide, Canberra and Melbourne CBD. Nationally, TPG has installed 3500km of cable since 2015 and 1000km of brand new conduits installed. TPG has offered

high-speed fibre broadband service since 2015 and their speeds range from 50-100Mbps with majority of users average 98Mbps.

As widely reported in the local media, the rollout of 5G technology across metropolitan Sydney has posed some significant challenges for Local Councils with communities raising concerns about health impacts and the aesthetic impacts of the “*low impact-small cell*” roll out in both commercial and residential areas.

North Sydney Council’s Local Government Area is a very attractive market for 5G technology service providers because of its population density and topography. Council owned infrastructure and land is in high demand because of its convenient location in the centre of a lucrative high density market.

In addition, Council’s infrastructure already has power and other underground services supplied to them which mobile telecommunication companies may utilise to power up and connect their 5G equipment. The convenience, location, cost benefit and enabling nature of Council’s infrastructure has made North Sydney Council a prime target for companies wishing to roll out 5G technology in a simple and cost-effective way.

The services that TPG are installing are classed at low impact under Schedule 3 of the Telecommunications Act. TPG can therefore issue a Land Access Activity Notice (LAAN) to obtain access to North Sydney Council owned facilities and infrastructure. If North Sydney Council and TPG cannot reach an agreement, TPG may have no other option but to serve a LAAN notice and forcibly gain access to Council’s infrastructure or land which is not the preferred approach for either party.

TPG has officially offered Council a Licence Fee of \$3000 per annum per pole on a 5year term with the provision of free Wi-Fi in the North Sydney centre. This offer was considered inadequate when bench marked against the recommendations of an independent valuation report commissioned by Engineering and Property Services Division. The proposal put forward by TPG was perceived to be tailored in its favour – the Licence fee was considered too low, and the proposal provided minimal information about any adverse, infrastructure, community and or environmental impacts that Council had raised in its objection letters to TPG about its 5G rollout. Further information was requested from TPG to allow Council Officers to adequately assess the full impacts of deploying the proposed telecommunication equipment (refer to Confidential Attachment 2 for a copy TPG’s proposal).

In August 2018, Council was officially issued LAAN’s by TPG, TPG subsidiaries and other companies acting behalf of TPG, as part of its foreshadowed rollout of 5G mobile technology across the North Sydney Local Government Area. It was clear to Council through this approach that TPG’s intent was to use the powers under the Telecommunication Act to force Council into accepting its rollout program without giving Council recourse to any meaningful compensation, negotiation or consideration to any objections raised.



Photo 1 – typical image of “micro cell” telecommunication recently installed on a power pole in the Canterbury Bankstown area



Photo 2 – Close up of the “Micro Cell” facility



Photo 3 – Notification on an NSC owned Multi-Purpose Pole (MPP) about its proposed use as a mobile phone base station, intersection of Berry and Miller Street, North Sydney Centre – Photo taken 19/9/2018.

CONSULTATION REQUIREMENTS

Community engagement was undertaken by the Telecommunications Service Provider (TPG) in accordance with the Telecommunications Act 1997 and Code of Practice 2018.

SUSTAINABILITY STATEMENT

The sustainability implications are of a minor nature and did not warrant a detailed assessment.

DETAIL

Historically, telecommunication carriers would install large unsightly telecommunication facilities and infrastructure within commercial and residential zones. Such facilities and infrastructure would be deemed as ‘*macro*’ *cells* to provide coverage to large areas. Local residents and the community would oppose such facilities and infrastructure due to the size, visual impact and in some cases the health concerns surrounding electromagnetic emissions.

Due to sustained opposition from the community over the last decade, coupled with high demand for internet usage, many telecommunication companies have been forced to reassess their design and construct strategy of “*macro*” telecommunication facilities. This re-design and change in strategic direction has resulted in Telecommunication companies now opting for greater flexibility in site selection and procurement and to be more sympathetic with community concerns. This has led to ‘*low impact – small cell*’ facilities’ taking a more prominent role by the telecommunication industry and greater use of the Telecommunications (Low Impact Facilities) Determination 2018 regulation.

The telecommunication landscape in Australia is constantly changing and new mobile technologies are rapidly evolving. As identified in the background section of this report, telecommunication carriers are beginning to roll out 5G coverage networks across the country and as new competitors enter the market, there is higher demand to install low impact telecommunication facilities and infrastructure on easily and readably available infrastructure within the public domain.

The attractiveness of Council owned infrastructure and land from a location (position) and cost benefit perspective has made local government (Councils across Australia) key stakeholders and enablers for the 5G technology roll out. The approach telecommunication companies have taken with the roll out, in particular in NSW and Victoria has differed considerably between Councils and in turn the way Local Councils have responded to the roll out has been varied.

These differing approaches and responses are making it very difficult for all parties involved to have a consistent methodology on how to maximise and promote the benefits that the roll out of this new technology can bring along with a consistent approach to addressing the concerns that are being raised by Councils and the communities they represent.

To compound the complexity of the issue, Metropolitan and Regional Councils across the country have very different priorities, customer services needs and environments when it comes to the provision of telecommunication services. In Regional areas the simple existence of an

adequate telecommunications network is the customer and service providers first priority whereas in Metropolitan areas it's the speed, aesthetic look and potential health risks that the telecommunications facilities pose that are the main priorities and concerns of the community. In NSW a number of Local Government workshops have been held where the issue of having a consistent and coordinated approach to new telecommunication (5G) roll outs has been raised.

Infrastructure NSW recognise that there is currently no defined NSW Government policy or approach to “Smart Cities” and how to maximise the opportunities that are arising from new technologies such as 5G “Small Cell” rollouts. It is recognised both in State and Local Government that many Councils and the communities they represent are potentially exposed to not being able to fully maximise the benefits and opportunities the 5G roll out could bring simply because they are not equipped with the right resources and tools to work with the telecommunication companies. These opportunities include and are not limited to

- Sharing and accessing the huge volumes of data that councils and the telecommunications companies collect and utilising that data to bring better services to their communities.
- Accessing and sharing the commercial value that this data may have which could be a future revenue source for Local Councils, which in turn would be used to fund better community services, projects and programs.
- Leveraging other benefits and opportunities that telecommunication companies and the new 5G technology roll out can provide such as access to free Wi-Fi, data sharing, digital advertising opportunities on telecommunication infrastructure and the like.
- Sharing and co-locating the telecommunications infrastructure so that the visual impacts on streetscapes, buildings and the landscape are minimised.
- Licencing the co-location of telecommunications infrastructure on Council owned infrastructure or land to bring commercial benefit to Councils while at the same time creating capital cost efficiencies for the telecommunications service provider.

Infrastructure NSW has been working with Local Councils over the last 18 months on developing its “*NSW Smart Places, Smart State Strategy*” which when complete should assist Local Councils in understanding how to unlock the benefits that new technologies such as the 5G technology roll out will bring to all communities in NSW and the rest of the country.

In addition, the to the Infrastructure NSW work with Local Councils, the 2018 Local Government NSW Annual Conference Resolution 21: resolved that:

That Local Government NSW makes representations to the Federal Government to seek a commitment to working with local government as a partner from the outset in the development of planning policies relating to:

- a. The development of cities and regions;*
- b. Infrastructure requirements, including those related to catering for the impact of population growth; and*
- c. Telecommunications requirements, including the provision and location of mobile towers.*

This issue was also raised by Cabonne and Randwick City Councils.

NORTH SYDNEY COUNCIL’S APPROACH TO MANAGING THE 5G ROLLOUT

When a Telecommunication Carrier wants to install low impact mobile equipment, it must issue a Land Access and Activity Notice (LAAN) under the requirements of the Telecommunications Act 1997 and the Telecommunication Code of Practice 2018. Legal advice was sought to understand the powers of the Act and Code of Practice to assist Council in formulating a strategy to respond to any LAAN’s or associated works notifications issued by Telecommunication Carriers.

The following advice was received:

- A carrier can carry out the installation of a facility if it is a low impact facility.
- There is no obligation in the Act or the Code that compels the carrier to enter into a written agreement before they install the facilities.
- The Code requires the carrier to make reasonable efforts to resolve any written objection that the carrier receives.
- Under the Code, Council is entitled to make an objection to the Telecommunications Industry Ombudsman (TIO) with respect to the date when the carrier proposes to start the installation.
- If Council wishes to make an objection to the carrier (and then pursue that with the TIO), there are strict time limits in place - the objection must be made in writing to the carrier at least 5 business days before the commencement date for the installation in the carriers notice.

Therefore, in preparation for the TPG 5G rollout program, and in anticipation of being served with LAAN’s from TPG, the Engineering and Property Services Division undertook the following actions:

- Prepared a thorough and detailed review of TPG’s proposal from a Legal and Engineering perspective.
 - Created and maintained a detailed register of all the Works Notifications, Land Access and Activity Notices (LAAN’s) issued by TPG and its subsidiary companies and prepared a formal letter response to each notification and or LAAN received of which to date there have been over 150 (refer to attachment No 10 of this Report).
 - Prepared a suite of standard objection letters to LAAN’s and associated works notifications (refer to Attachment 8 for copies of sample letters)
 - Updated Council’s Telecommunication and Electrical Network Infrastructure Policy to bring it in line with current practices. This updated policy was endorsed by Council at its meeting on 24 September 2018 (refer to Attachment 3 for a copy of this current Policy).
 - Commissioned Council’s lawyers, Hunt & Hunt, to prepare a Telecommunications Infrastructure Master Licence Agreement, to capture all future ‘*low impact*’ proposals on Council owned infrastructure under that agreement (refer to Confidential Attachment 4 for a copy the Telecommunications Infrastructure Master Licence Agreement);
 - Establish a precedent to treat all ‘*low impact*’ proposals on privately owned infrastructure which is located within the public domain (e.g. Ausgrid poles) as an encroachment and activate Council’s Encroachment Policy to enter into a formal licence agreement (refer to the Attachment 5 for a copy of the Encroachment Policy and refer to Confidential Attachment 6 for a copy of the Licence for Encroaching Structures over Council Property);
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- Commissioned a certified practicing valuer to undertake a valuation of the TPG proposal to install low impact facilities on Council owned multipurpose street poles in the North Sydney Centre to determine an appropriate lease fee (refer to Confidential Attachment 7 for a copy of the Market Licence Fee Advice Report); and
- Entered into negotiations with TPG to set a commercial licence fee for each targeted pole in the North Sydney Centre as well as identifying other benefits for the community as part of the negotiation process such as access to free Wi-Fi in the North Sydney Centre, data sharing and revenue sharing opportunities.

Since the formal notification of the roll out from TPG in August 2018, North Sydney Council has received over 150 LAAN’s and associated works notices from various companies including Aurecon, Metasite, Huawei, Pipenetworks, TPG, Visionstream, Vodafone, Optus, Servicestream and Telstra. Ninety-four of these notices relate directly to the installation of small cells and the remaining relate to ancillary civil works (e.g. undergrounding, laying of conduits and cables). Council raised its concerns directly with the companies, and specifically TPG about its rollout, which were reflected in the response letters sent back to each applicant in relation to the applications that had Council received. Council has responded (formally objected) to every LAAN and associated works notice it has received to date on the 5G rollout for the reasons outlined below. (refer to Attachment 8 for a copy of the standard response letter).

A summary of the key concerns that Engineering and Property Services staff have raised with the proposed 5G roll out, which were identified in the response letters, included the following:

- Electricity / Power Supply. Council will require details from your company on how this is proposed to be achieved as Council’s Multi-Function Poles are on a separately metered network. Council will need to understand in detail ongoing power supply and payment arrangements between your company and Council.
 - Terms and conditions around how any damage to Council owned infrastructure will be repaired as a result of any works undertaken by your company on Council owned infrastructure including installation of wiring, conduits and any associated ground works will need to be resolved.
 - The offer of a lease or licence indemnifying Council over its Multi-Purpose Poles and the offer of a market based rental for each affected pole based on the type of infrastructure installed is absent from your proposal.
 - Any proposal to install telecommunication equipment including all wiring/conduits to be installed within Council owned infrastructure (Multi-Purpose Poles) would be subject to the availability of space within or attached to Council owned Infrastructure.
 - Any installed infrastructure on Council owned property including its Multi- Purpose Poles cannot be subleased to other Telco’s or third parties without the explicit approval of Council and negotiation of compensation (whether the sublessee houses their infrastructure within the TPG infrastructure or as an external attachment).
 - Maintenance requirements. No information on your company’s proposal was supplied to Council on what maintenance regimes the proposed equipment from your company
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requires. Council must have priority access at all times to its poles and must understand the maintenance requirements of your proposal.

- Outage ramifications – council cannot be held liable for any commercial losses or damage to infrastructure as a result of any fault in the electrical supply systems that power Council owned infrastructure.
- Effects of electromagnetism energy – verification by an independent source or expert is an issue that will need to be addressed along with the cumulative effect of other proposed cells and telecommunication equipment that may be proposed and or already exist within the North Sydney Centre and across the North Sydney Local Government Area.
- No information has been provided by your company on what the structural impacts on Council owned infrastructure would be through the installation of the proposed telecommunication equipment. Council would need to have on its records a structural assessment and suitability report on the structural requirements of your proposal for each piece of Council owned infrastructure that is impacted. Council also requires written confirmation from the manufacturers of its Multi-Purpose Poles that the proposal would comply with the manufacturer’s specifications and structural requirements of the pole.
- Council would also like to see what Community consultation process will be undertaken as part of your company’s proposal and how your company will address community concerns about the proliferation of Telecommunication equipment being installed in the Public domain and general environment around North Sydney.

The background to Council’s concerns with the installation of third-party telecommunication equipment or facilities on its network of Multi-Function poles of which Council has over 190 in the North Sydney Centre alone is that these poles have cost Council over \$7million to install over the last 10 years. Council is fully responsible for maintaining the poles in working order so that they are fit for purpose and do not pose any public safety or liability risks.

In addition, each pole is the exclusive property of North Sydney Council and provides a critical service to the community in terms of public lighting, banner hire (revenue to Council) and for the promotion of Council events. Council’s network of Multi-Function poles also enables potential future community uses for emerging “Smart City” initiatives such as Electric Vehicle Charge points, CCTV points, data collection stations for monitoring air quality and noise which are just some of the future uses that are being explored under North Sydney Council’s “Smart City Strategy”.

Finally, the poles which are designed by “HUB Group” and are a registered HUB Group product, were chosen for their look and design functionality which compliments the high standard of public domain aesthetics that Council is aiming to achieve with its entire palette of streetscape furniture, fixtures and materials in the North Sydney Centre. By adding on relatively large and unsightly telecommunication equipment (microcells’ and antennas) to these Multi-Function Poles (MPPs) the aesthetic look and feel that North Sydney Council is trying to achieve in all its Public Spaces and Streetscapes is compromised.

Where it was proposed to install Telecommunication Equipment *over or on* Council owned land as opposed to on Council owned infrastructure, Council raised the following concerns in

its response letters (Objections) to TPG (refer to Attachment 8 for a copy of the standard response letter).

- The visual presentation of the proposed equipment is aesthetically poor particularly in the context of this residential streetscape and that of the adjacent neighbourhood streets;
- The Proposal encroaches into Council’s road reserve (and air space) causing a trespass and as such Council does not give consent to the installation of the Proposal;
- By failing to seek any consent for the encroachment of the small cell installation, Council reserves its position for compensation for the encroachments of the Proposal if the installations proceed;
- There is no explanation as to how the ancillary equipment, if any, will be installed and whether the Council road reserve will be further encroached by the ancillary equipment; and
- Council does not consent to the installation of any ancillary equipment in, on or over its road reserve and reserves its position to seek compensation.

TELECOMMUNICATIONS ACT 1997 AND TPGs PROPOSAL

TPGs proposal to roll out the 5G network in North Sydney is classified as an “installation of facilities” activity under Schedule 3, Part 1, Division 3 of the Telecommunications Act 1997.

While TPG Telecom Pty Ltd is not currently a licence carrier for the purposes of the Act and therefore, could not issue written notices pursuant to Schedule 3, Part 1, Division 5, Clause 17 of the Act (Notice) to perform the installation of facility activity as proposed. TPG did through its subsidiary companies such as PIPE Networks Pty Limited and the like, issue Notices about the works. PIPE Networks Pty Limited was granted a licence in 2002 which is still current.

As per the telecommunications Act 1997 a licence carrier, for example in this instance PIPE Networks Pty Limited is authorised under the Telecommunications Act to install a low-impact facility and is immune from NSW laws, including town planning and environmental laws.

This immunity applies during the inspection of land, the installation of certain types of telecommunications facilities, such as low-impact facilities, and the maintenance of these facilities. However, while engaged in these activities, the carrier must comply with the requirements in the Telecommunications Act and the Telecommunications Code of Practice 1997. The Telecommunications Code of Practice only applies when the immunity from state and territory laws applies which for NSW and North Sydney Council does apply.

TELECOMMUNICATION CODE OF PRACTICE 2018

The Telecommunications Code of Practice 2018, enacted by the Minister originally in 1997 and amended subsequently on multiple occasions, requires that when a carrier is installing low-impact facilities, it must take all reasonable steps to:

- ensure as little detriment, damage and inconvenience as practicable is caused;
- ensure that the land is restored to a condition that is similar to its condition before the installation began;
- act in accordance with good engineering practice;
- protect the safety of persons and property;
- minimise interference with public utilities, roads and paths, traffic and land use;
- 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);
- co-locate facilities with the existing facilities of other carriers or public utilities, or utilise public easements;
- cooperate with any other carriers or utilities engaging in a similar activity for the same land to cause as little detriment, damage and inconvenience as possible; and
- find out whether it is necessary to notify the Environment Secretary of the installation.

The Telecommunications Code of Practice also requires a carrier to:

- maintain records about the type and location of certain facilities;
- comply with any standard or code registered with the ACMA;
- ensure that the design, planning and installation of the facility are in accord with best practice and comply with the ACMA's legislation, industry codes or standards;
- comply with specified noise limits;
- notify the owner and occupier of the land at least 10 business days before commencing the installation;
- make reasonable efforts to consult with, and resolve the objection from, any owner or occupier who makes a written objection;
- respond to such an objector in writing;
- refer the matter to the Telecommunications Industry Ombudsman (TIO) if the objector requests this in writing within five business days of receiving the carrier's written response;
- comply with any direction from the TIO;
- if required, notify the Director of National Parks, the Heritage Chairperson and the Environment Secretary, at least 10 business days before the start of the activity; and
- comply with any notice given by the Environment Secretary.

OBJECTIONS BY LAND OWNERS OR OCCUPIERS

An owner or occupier of land (North Sydney Council) can object to the carrier about the installation of a low-impact facility on their land under the Telecommunications Code of Practice.

As per the Code of Practice, objections may be made about:

- the use of the land to engage in the activity;
 - the location of a facility on the land;
 - the date when the carrier proposes to start the installation, engage in it or stop it;
 - the likely effect of the installation on the land; and
 - the carrier's proposals to minimise detriment and inconvenience, and to do as little damage as practicable, to the land.
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Strict timeframes apply to the objection process. An objection under the Telecommunications Code of Practice must be made in writing to the carrier at least **five (5)** business days before the commencement date for the installation in the carrier's notice.

North Sydney Council submitted all of its objections generally within the time frame however on a number of instances the notifications arrived at Council after the timeframe had already expired. Council still submitted an objection letter in those instances.

If the objection is not resolved, the objector can require the carrier to refer the matter to the Telecommunications Industry Ombudsman (TIO). Once a carrier has considered an objection and responded to the objector in writing, the objector has five business days to request the carrier in writing to refer the objection to the TIO.

The TIO may investigate the proposal and decide whether to issue a direction to the carrier about the installation. Carriers must comply with a TIO direction. The TIO can also investigate complaints that a carrier has failed to give notice as required by the Telecommunications Code of Practice or about the manner in which the carrier has entered the land.

Since August 2018, North Sydney Council has formally responded, (Objected) to over 150 LAAN applications and associated works notifications which are registered in Council's LAAN register. (refer to attachment No 10 of this Report).

COMPENSATION

An owner of a property, or a person with an interest in a property, is entitled to compensation for any financial loss or damage caused by a carrier when entering and inspecting land or installing or maintaining a low impact facility.

Section 42 of Schedule 3 to the Telecommunications Act provides for compensation in relation to financial loss or damage, while section 62 of Schedule 3 allows for compensation with regard to acquisition of property.

A claim for compensation is not a ground for objection under the Telecommunications Code of Practice. If the amount of compensation cannot be agreed between the parties, a court may decide on what is a reasonable amount.

CO-LOCATION OF LOW-IMPACT FACILITIES

To minimise the visual impact of telecommunications facilities, carriers have extensive rights under the Telecommunications Act to place facilities in or on those of other carriers, and they are expected to cooperate with other carriers in sharing sites. A carrier may only refuse access by another carrier for technical reasons³. Council supports co-location and this is outlined in its Telecommunication Policy. There are provisions within the policy to prevent Carriers from entering into sublease agreements with other Carriers without the explicit approval of Council – whether the host site is on Council land or on a third party asset over Council land.

³ **Source:** Federal Register of Legislation – Telecommunications Code of Practice
<https://www.legislation.gov.au/Details/F2018L00171>

NORTH SYDNEY COUNCIL TELECOMMUNICATIONS AND ELECTRICAL NETWORK INFRASTRUCTURE POLICY

At its meeting on Monday 24 September 2018, Council adopted the revised Telecommunication and Electrical Network Infrastructure Policy.

This policy was originally adopted by Council on 18 February 2013 and automatically re-adopted by Council on 25 June 2018. The policy had not been formally amended since February 2013. Since 2013, the Telecommunication landscape has dramatically changed as a result of new mobile technologies and more companies being introduced into the market.

It has been demonstrated in the last 12 months there was a high demand for access to Council owned infrastructure and other non-Council owned infrastructure by telecommunication carriers who wish to install 5G technology and its associated enabling infrastructure on or over Council owned assets throughout the North Sydney Local Government Area.

As stated previously in this report, the roll out of this 5G technology and associated infrastructure was undertaken under the provisions of the Telecommunication Act 1997.

The amendment of this Policy has enabled Council to embrace new emerging technologies, while at the same time also establishing a robust framework around the management of the roll out to address Community and Council concerns. It also established clear parameters around the requirement to enter into commercial and or non-commercial licence agreements with Council that may arise as a result of the installation of telecommunication facilities in the North Sydney Council Local Government Area.

Note: This policy also has a direct relationship and interaction with Council’s Encroachment Policy - re-adopted by Council in August 2018.

In summary, the amended North Sydney Council Telecommunication and Electrical Network Infrastructure Policy now captures the following 11 key areas:

- Design considerations for low impact facilities
 - Radio Frequency (RF)
 - Tower Extensions
 - Equipment Housing
 - Volume restrictions on co-located facilities
 - Radio Facility Site Access, Signage and Notifications
 - Radio Frequency Equipment Interference
 - Visual Design
 - Radiofrequency electromagnetic energy (EME) Considerations
 - Build and Installation Considerations
 - Planned installation strategy
 - Structural adequacy of Council assets
 - Power
 - Transmission Equipment
 - Make-ready works
 - Space reservation
-

- Removal and decommission
- Ancillary Equipment
- Co-location
- Leasing/Licencing/Sub-leasing/Costings
- Visual Considerations
- Servicing/maintenance considerations
- Consultation Process and Documentation.

PROPOSED LICENCE FEE

In September 2018, K & T Property Consultants were engaged to provide advice to Council regarding a market license fee for the hosting of TPG 5G Small Cell equipment on Council’s network of Smart Poles in the North Sydney Centre.

Market research was conducted and included a survey of eighteen Councils in metropolitan Sydney, Wollongong and Newcastle, several NSW Public Authorities and four City Councils elsewhere in Australia. Based on this research, the fees charged by other authorities ranged between \$2,000-\$5,000 per installation. This range took into consideration the quantity and type of pole used for the installation of 5G Small Cell technology (i.e. ‘smart city’ vs traditional light poles). It also looked at discounted rates for “clusters” of installations in any one location.

The surveyed authorities included:

- 18 Sydney metropolitan Councils (including City of Sydney);
- Sydney Harbour Foreshore Authority (Darling Harbour);
- Royal Botanic Gardens;
- Sydney and Domain Trust;
- Roads & Maritime Services;
- Endeavour Energy, Ausgrid, Transgrid and IPART;
- Newcastle City Council;
- Wollongong City Council
- ACT Government (Canberra City);
- Melbourne City Council;
- Brisbane City Council; and
- Gold Coast City Council.

Of particular interest, when conducting the research, the report highlighted with the impending emergence of 5G technology, many local authorities were not adequately prepared to deal with the new technological landscape (italics and bolding by author of this report):

*“We have found the market for the Small Cell site hosting of communication networks to be somewhat **undeveloped and imperfect**.”*

Furthermore, the report highlighted the importance of having robust systems in place to help Councils navigate the impending changing landscape:

“With the approaching advent of 5G communications there appears to be urgency on both sides of the Small Cell site hosting market. We have received anecdotal reports about the telecommunication carriers being eager to commence their network roll-outs with the

***application of pressure tactics to obtain site agreements.** Similarly, representatives of some Local Government and Public Authorities have told us that within their organisations there exists a strong desire to facilitate public access to the latest communications technology, thereby fostering a “Smart City” image. This later aspect of the market may conceivably result in **some public bodies accepting lower than usual Small Cell site hosting fees** in pursuit of an early 5G network roll-out for their locality.”*

The report also cautioned Councils that Telecommunication Carriers will heavily rely upon the powerful Telecommunications Act and Councils’ vague understanding of it to circumvent some of their obligations and strike a deal which will have less favourable outcomes for Councils:

*“A further distorting influence in the market is the existence of Commonwealth legislation governing the industry. **The Telecommunications Act 1997 (Commonwealth) permits special powers of site access** and use to the Communications Carriers for the purposes of operating a telecommunications network. In particular, these special powers have been used by **the Carrier companies to avoid delays in site establishment by circumventing the need to negotiate and create formal tenure agreements with site owners until after the site is operational.**”*

The report recommended North Sydney Council should charge a fee of around \$6,000 per pole, per annum. Council officers increased this figure to around \$7,500 due to the following factors:

- Council is enabling the 5G roll out through access to its modern and expensive infrastructure (Multi-Purpose Poles) for which Council has undertaken significant capital investment.
- The prime location, density and market value of the North Sydney Local Government Area
- The concerns raised by the community about the 5G roll out,
- The uncertainty on the cost sharing arrangements of accessing Council’s infrastructure in particular the energy usage costs of the telecommunication equipment
- The realisation of the commercial value that this technology and data has, which is not being shared in an equitable manner with Council which through its infrastructure enables the telecommunications company to deliver its services, and
- The communities ongoing expectations and concerns in relation to the impacts the roll out would have on the streetscape aesthetics, public amenity and health.

Consequently, Council officers began negotiations with TPG with this licence fee (a copy of the full report is provided in the Confidential Attachment 7).

TELECOMMUNICATIONS INFRASTRUCTURE MASTER LICENCE AGREEMENT

In October 2018, Council’s legal consultants, Hunt & Hunt Lawyers, were engaged to prepare a standard Telecommunication Infrastructure Master Licence Agreement. The master licence agreement captures 11 main considerations outlined in Council’s Telecommunication Policy framework. This licence was used to enter into negotiations with TPG. The lawyers acting on behalf of TPG reviewed the licence agreement and suggested numerous changes. These changes were put to Hunt & Hunt for further consideration. Some of the suggested changes

were adopted and others rejected (a copy of the full licence agreement is provided in the Confidential Attachment 4).

NORTH SYDNEY COUNCIL’S “*SMART CITY STRATEGY*”

Currently North Sydney Council is developing its “Smart City Strategy” which is due for completion towards the middle of this year. The “Smart City Strategy” does identify the importance of partnering with telecommunications companies and service providers to better utilise the benefits and opportunities the new technologies are offering.

A key component of the Action Plan for the North Sydney Council “Smart City Strategy” would be to call for an expression of interest (EOI) for the provision of 5G technology and other associated services. This EOI would identify the key public benefits that could be achieved for the visitors, workers and residents of North Sydney as well the commercial and non-commercial benefits for Council. These benefits may include the following;

- Rolling out a new generation multifunctional poles which incorporate 5G technology and other ‘Smart City’ technology (e.g. network of electric car charging points, free Wi-Fi, CCTV, air quality and noise data collection functionality and the like) at either a cost neutral or income sharing arrangement (or both);
- Creating a network of electronic (Digital) advertising / Community information panels on bus shelters; and other suitable streetscape furniture and infrastructure within the public domain.
- Creating a formal instrument of agreement which enables the sharing and or accessing the huge volumes of data that North Sydney Council and the telecommunications companies collect and utilising that data to bring better services to the North Sydney community.
- Creating a formal instrument of agreement which enables the equitable sharing of the commercial value of this data which could be used as a future revenue source for North Sydney Council, which in turn would be used to fund better community services, projects and programs.
- Creating a formal instrument of agreement for the sharing and co-locating of any telecommunications infrastructure so that the visual impacts on streetscapes, buildings and the landscape are minimised.
- Creating a formal instrument of agreement for the co-location of telecommunications infrastructure on Council owned infrastructure or land to bring commercial benefit to Council while at the same time creating capital cost efficiencies for the telecommunications service provider.

STATUS OF THE TPG 5G ROLLOUT PROGRAM

In February 2019, TGP advised Council it was suspending the deployment of its 5G mobile technology in Australia (refer to Attachment 9 for a copy of the letter), no specific reasoning was provided.

All infrastructure which was in the process of being rolled in Australia has been suspended. Works in progress have also been suspended. TPG has advised it will not ‘undo’ the infrastructure already in place but will make every site safe as necessary.

North Sydney Council is monitoring all 5G infrastructure sites in the North Sydney LGA which are recorded in detail on its Land Access and Activity Notices (LAAN's) and associated works register.

To the best knowledge of Council officers, no infrastructure has been installed on Council owned poles in the North Sydney Centre or third party poles in the residential and village areas within the North Sydney Council Local Government Area. However, some underground pits and cabling have been installed, but are currently inactive. These locations are identified on Council's Land Access and Activity Notices (LAAN's) and associated works register. (refer to attachment No 10 of this Report).

With the news of the TPG deployment of 5G mobile technology being suspended, this also brought Council's negotiations with TPG on entering into a Licensee Agreement to a halt.

TPG informed Council in its letter that some facilities were either fully or partially constructed, some proposed facilities had completed their consultation programs but had not commenced construction; some proposed facilities were awaiting completion of their public consultation programs, and some had consultation plans lodged to Council, but had not yet proceeded to public notification. In summary the company advised that it did not intend to proceed with proposed facilities that were in open consultation as at 29 January 2019 (i.e. they have not had a Consultation Report published to the Radio Frequency National Site Archive (RFNSA website).

They advised Council that TPG will, in accordance with the requirements of the Deployment Code, publish a Consultation Report to the RFNSA for proposals that commenced Stage Two community consultation. This report will identify the issues raised during consultation, TPG's response to those issues and TPG's intended actions.

The Consultation Report to the RFNSA for each of these proposed facilities will state our intentions as follows:

“TPG does not intend to proceed with this facility as proposed. Community inquiries can be addressed to mobilenetworkenquiries@tpgtelecom.com.au”

In keeping with the requirements of the Code, a copy of these Consultation Reports will be issued separately to Council (Council has not yet received this report).

Further, TPG advised that for these proposed facilities, TPG will also publish a Community Update on the RFNSA providing the same advice, for transparency.

Finally, all on-site signage advertising the proposal will be removed.

For equipment already installed on poles TPG advised that the equipment and any civil works undertaken will remain in situ. As previously mentioned, to the best knowledge of Council officers, no infrastructure has been installed on Council owned poles in the North Sydney Centre or third party poles in the residential and village areas within the North Sydney Council Local Government Area. Only ancillary works such as underground pits and cabling have been installed, but are currently inactive.

TPG advised that it does not intend to complete these facilities as proposed and, in accordance with Code requirements, TPG will duly update the RFNSA consultation pages for these facilities by amending the Consultation Report, and publishing a Community Update which states:

“TPG does not intend to complete this facility as proposed. TPG may undertake some works to secure the facility in a suitable condition. Community inquiries can be addressed to mobilenetworkenquiries@tpgtelecom.com.au”

TPG will also remove on-site signage as per above.

CONCLUSION

The changing dynamics within the telecommunication industry in Australia as outlined in this report has posed significant challenges for State and Local government agencies across NSW and the rest of the country. At both State and Local Government level there is still no consistent framework and or guidelines around managing the impacts associated with the emergence of “Smart City Technologies” such as the 5G “Low Impact” telecommunication network roll out that has just been suspended by TPG for their own commercial reasons.

In the absence of State and Local Government guidelines on this issue, North Sydney Council’s Engineering and Property Services Division along with other Divisions in Council have put in place the necessary policy measures and legal instruments to enable Council in the future to best manage the installation of any telecommunication facility and or infrastructure on Council owned land or assets and or on a private structure located within the public domain which is controlled by Council. The policy measures and legal instruments that’s have now been put in place best represent and protect the interests of North Sydney Council and the Community it represents.

It is the Engineering and Property Services view that Council should be proactive in this field rather than wait for Telecommunication Carriers to approach Council with 5G technology or similar rollouts in the future. It is becoming evident that it is critical for Council to develop a “Smart City Strategy” that is consistent with the State Government (Infrastructure NSW) approach as well as what other Councils are currently developing.

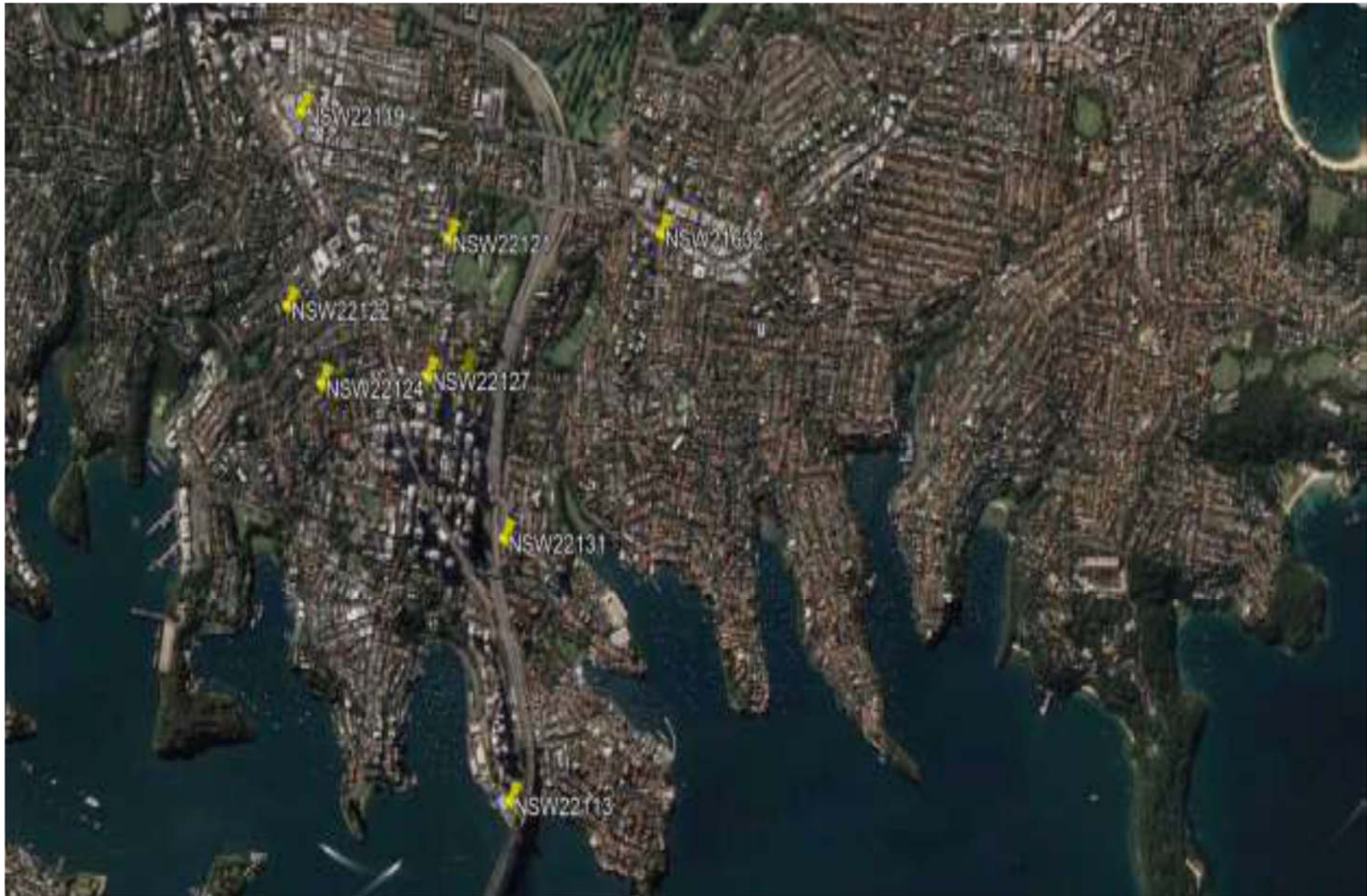
It is also clearly evident from the recent experience at North Sydney Council that a full review of the 1997 Telecommunications Act legislation should be undertaken in light of the recent industry developments. In addition, as per the resolution at the 2018 Local Government NSW Annual Conference - Resolution 21 more guidance for Local Councils is required on how to better manage the roll out of this technology so that all parties can have a consistent approach to fully realising the benefits and opportunities that these “Smart Technologies” will bring to our communities both now and into the future.

ATTACHMENT 1 – LOCALITY DIAGRAMS OF PROPOSED TPG SITES IN NSC LGA

Site ID	Nearest Address	Pole type	Pole Owner	Pole ID
NSW22114	37-45 Carabella St, Kirribilli NSW 2061, Australia	steel	Ausgrid Pole	MO12257
NSW22119	31 Willoughby Rd, Crows Nest NSW 2065, Australia	timber	Ausgrid Pole	MO94324
NSW22120	210 Pacific Hwy, Crows Nest NSW 2065, Australia	timber	Ausgrid Pole	MO94337
NSW22121	285 Miller St, North Sydney NSW 2060, Australia	timber	Ausgrid Pole	MO15021
NSW22122	15 Morton St, Wollstonecraft NSW 2065, Australia	timber	Ausgrid Pole	MO53551
NSW22124	19 Bay Rd, Waverton NSW 2060, Australia	timber	Ausgrid Pole	MO75618
NSW22125	188 Pacific Hwy, North Sydney NSW 2060, Australia	timber	Ausgrid Pole	MO79039
NSW22126	45 McLaren St, North Sydney NSW 2060, Australia	timber	Ausgrid Pole	MO79226
NSW22127	196A Miller St, North Sydney NSW 2060, Australia	timber	Ausgrid Pole	MO79217
NSW22134	124A Blues Point Rd, McMahon's Point NSW 2060, Australia	timber	Ausgrid Pole	MO84194
NSW22140	41 Alfred St S, Milsons Point NSW 2061, Australia	timber	Ausgrid Pole	MO82357
NSW22151	100 Alexander St, Crows Nest NSW 2065, Australia	timber	Ausgrid Pole	MO14201
NSW21632	93-95 Military Rd, Neutral Bay NSW 2089, Australia	steel	Ausgrid Pole	MO14521
NSW23559	30 Shirley Rd, Wollstonecraft NSW 2065, Australia	timber	Ausgrid Pole	GL36657
NSW23966	234 Blues Point Rd, North Sydney NSW 2060, Australia	timber	Ausgrid Pole	MO13303
NSW23972	86-88 Shirley Rd, Wollstonecraft NSW 2065, Australia	timber	Ausgrid Pole	MO36724
NSW22498	4 Macpherson St, Cremorne NSW 2090, Australia	timber	Ausgrid Pole	MO14657
NSW22515	9 Broughton St, Kirribilli NSW 2061, Australia	steel	Ausgrid Pole	MO12090
NSW22519	Horace St, Waverton NSW 2060, Australia	timber	Ausgrid Pole	GL54537
NSW22592	Bernard Ln, Crows Nest NSW 2065, Australia	Timber	Ausgrid Pole	MO89238
NSW22593	19 Victoria St, McMahon's Point NSW 2060, Australia	Timber	Ausgrid Pole	MO52609
NSW22595	41 Bank St, North Sydney NSW 2060, Australia	Timber	Ausgrid Pole	MO75700
NSW22596	85 Carabella St, Kirribilli NSW 2061, Australia	Steel	Ausgrid Pole	MO12115
NSW22598	28 Lavender St, North Sydney NSW 2060, Australia	Timber	Ausgrid Pole	MO75336
NSW22599	116 Alfred St S, Milsons Point NSW 2061, Australia	Timber	Ausgrid Pole	MO82339

ATTACHMENT 1 – LOCALITY DIAGRAMS OF PROPOSED TPG SITES IN NSC LGA

NSW22600	211 A8, Cremorne NSW 2090, Australia	Concrete	Ausgrid Pole	MO14070
NSW22631	342 A8, Cremorne NSW 2090, Australia	Steel	Ausgrid Pole	MO14666
NSW22674	17 Hume St, Crows Nest NSW 2065, Australia	Timber	Ausgrid Pole	MO94416
NSW22625	40 Mount St, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1258
NSW22141	111 Pacific Hwy, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1094
NSW22142	124 Walker St, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1469
NSW22143	90 Pacific Hwy, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1352
NSW22144	104 Mount St, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1460
NSW22145	142 Arthur St, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1498
NSW22146	55-63 Berry St, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1072
NSW22147	110 Pacific Hwy, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1038
NSW22148	Little Spring St, North Sydney NSW 2060, Australia	Smart Pole	Smart Pole - North Sydney Council	1064

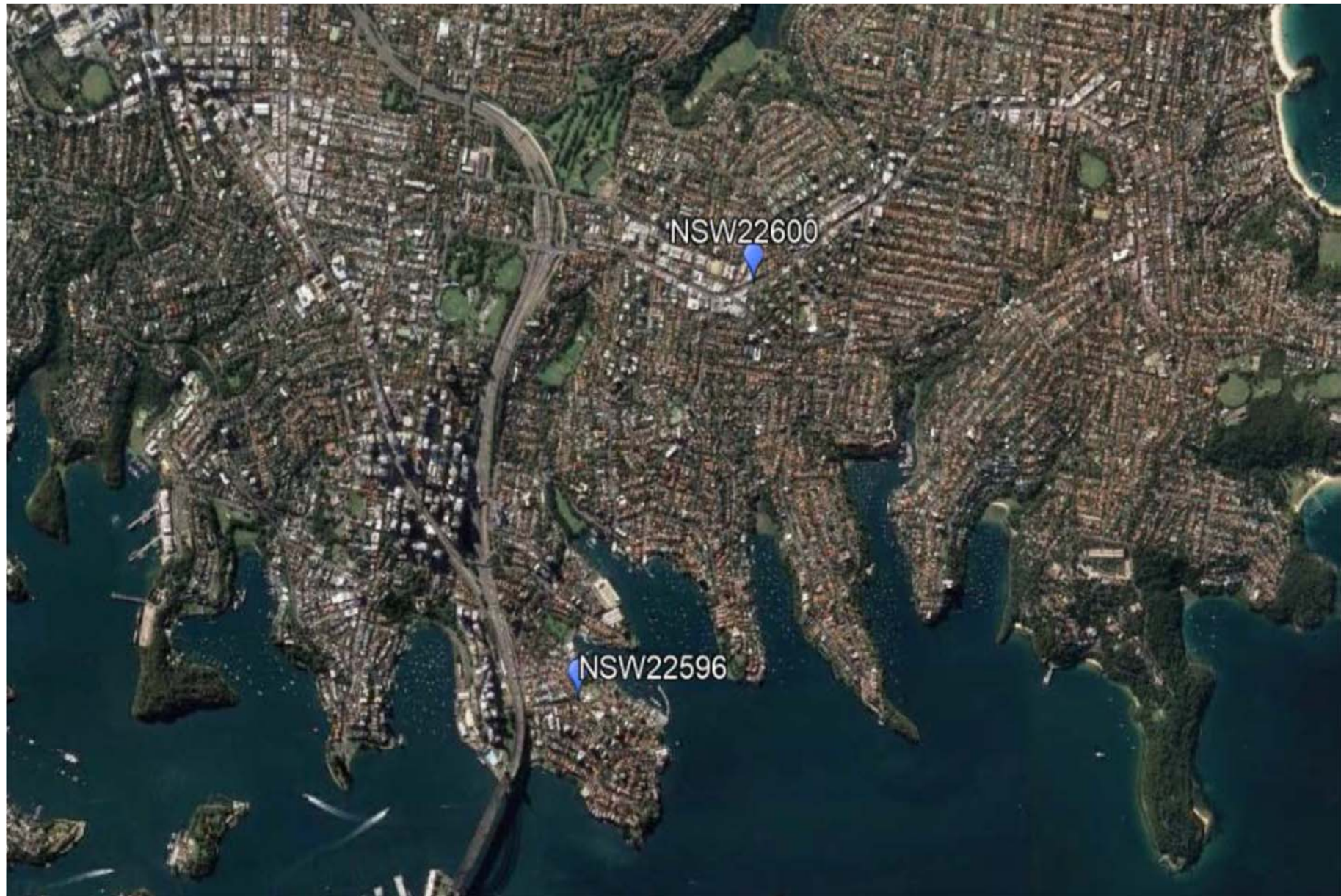
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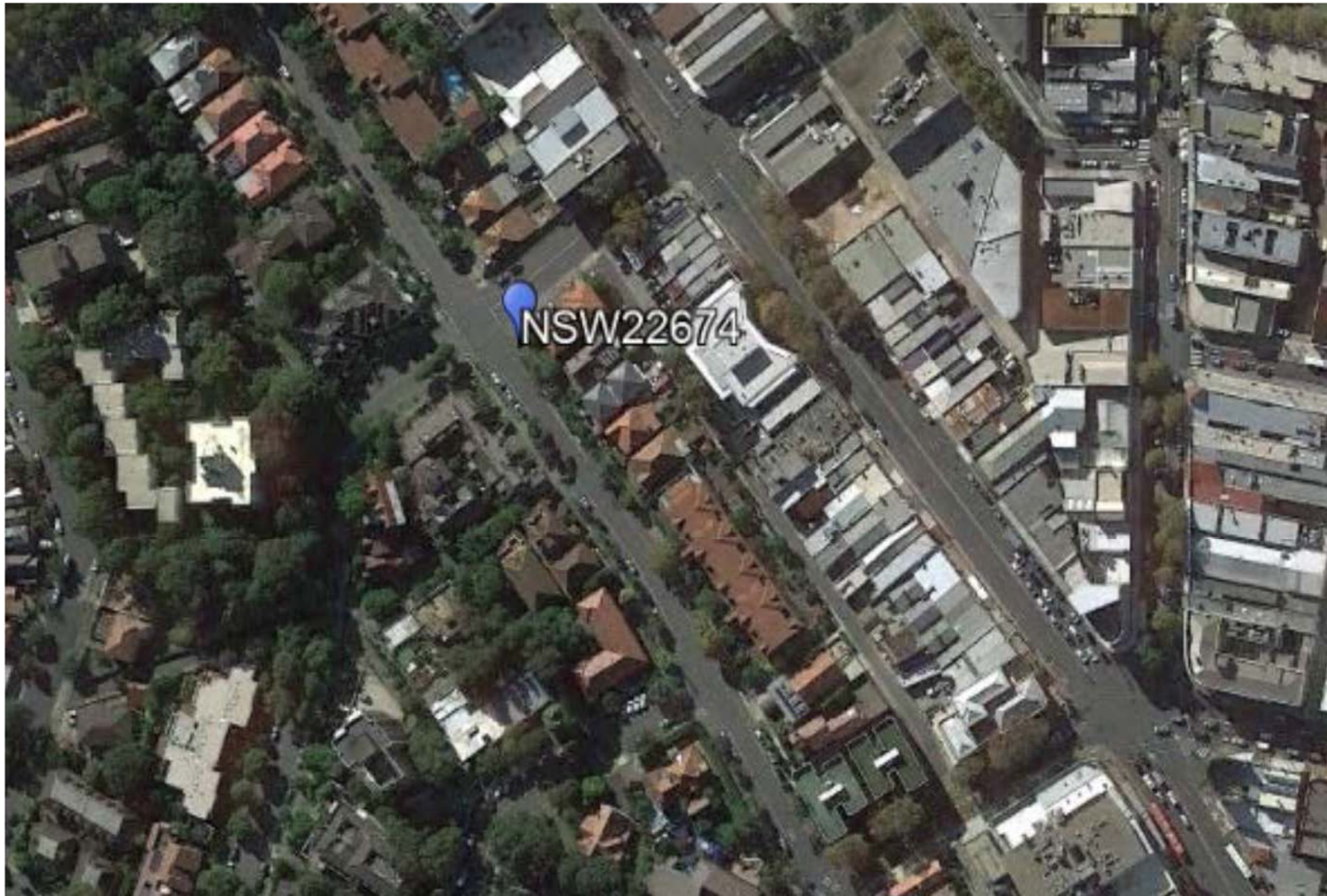
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TELECOMMUNICATIONS AND ELECTRICAL NETWORK INFRASTRUCTURE POLICY

D2-11

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Policy Owner: Director Engineering and Property Services

Category: 2. Our Built Infrastructure

1. STATEMENT OF INTENT

1.1 Works on the Telecommunications and Electrical Network infrastructure provide essential services to the local community and businesses both in and beyond the boundaries of the North Sydney local government area (LGA). Council discourages the installation of full macro telecommunication facilities and encourages the use of low impact telecommunication facilities.

1.2 The intent of this Policy is to:

- a) provide a set of guidelines for the installation of full macro and low impact telecommunication infrastructure and facilities within the North Sydney LGA;
- b) ensure a licence agreement is entered into between Council and the carrier when the location of telecommunication facilities is on Council owned or managed land or infrastructure where consent is granted;
- c) ensure a licence agreement is entered into between Council and the carrier when the location of the telecommunication facilities is on private infrastructure within a public space owned or managed by Council;
- d) ensure the visual quality of North Sydney's public domain, open space, heritage/conservation and sensitive environmental areas are preserved through the appropriate design, and location of telecommunications facilities and electrical network infrastructure taking into account visual amenity, local neighbourhood character, aesthetic qualities and standards within the public domain of North Sydney, health, access, social, cultural and environmental impacts;
- e) ensure effective communication and notification to all stakeholders affected by any aspects of works associated with the upgrading or installation of telecommunication facilities and electrical network infrastructure in the North Sydney LGA;
- f) maintain the visual appearance of the North Sydney's public domain, open space, heritage/conservation and sensitive environmental areas where it is not possible to put telecommunication or electrical network infrastructure underground;
- g) provide controls for carriers and non-carriers during installation of telecommunications facilities and electrical network infrastructure; including full macro and low impact facilities; and
- h) ensure all restoration works required to be carried out as a result of Telecommunications and Electrical Network infrastructure works are

TELECOMMUNICATIONS AND ELECTRICAL NETWORK FACILITIES POLICY

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done so in accordance with Council's *Public Domain Style Manual and Design Codes*.

- 1.3 This Policy has been prepared in consideration of the *Mobile Phone Base Station Deployment Industry Code 2018* which fits within an existing regulatory scheme that comprises:

- a) the *Radiocommunications Act 1992*;
- b) the *Telecommunications Act 1997*, particularly Schedule 3 of the Act; the *Telecommunications Code of Practice 2018*;
- c) the *Telecommunications (Low Impact Facilities) Determination 2018*;
- d) laws and regulations at State, Territory and Local Government level; and
- e) the right to access to land to inspect, install or maintain low impact facilities.

The objectives of this Code are to:

- a) encourage collaborative and transparent approach between carriers, local councils and the community for any proposed deployment of new mobile phone base stations or telecommunication related infrastructure;
- b) enhance the level of information supplied to local councils and the community with respect to mobile phone base stations and or telecommunication related infrastructure;
- c) specify and improve standards, in particular relating to consultation, accessibility and availability of information;
- d) identify at an early stage, community sensitive locations and to apply a Precautionary Approach towards the deployment of mobile phone base stations and or telecommunication related infrastructure; and
- e) ensure appropriate levels of notification and consultation are undertaken by the carriers to local councils and communities.

The Code supplements the requirements already imposed on carriers under the existing legislative scheme by requiring them to consult with local communities and to adopt a Precautionary Principle in planning, installing and operating mobile phone base stations.

This Policy has been prepared in consideration of the *Electricity Supply Act 1995* and regulations made under the Act, *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*, *Industry Code for the Deployment of Mobile Phone Network Infrastructure* as well as *Australian Road Rules* and *RMS Technical Directions* that relate to pedestrian safety and sight lines for motorists.

- 1.4 *Telecommunications Code of Practice 2018*

Carriers exercising their powers under Schedule 3 of the *Telecommunications Act 1997* must do so in accordance with obligations set out in the *Telecommunication Code*. The *Telecommunication Code* details the notification and objection procedures for carriers using Schedule 3 powers and immunities.

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It also sets out further obligations on carriers when inspecting land and installing and maintaining facilities using their Schedule 3 powers under the Act. Compliance with the *Telecommunications Code* is a carrier licence condition.

The *Telecommunications Act* and *Telecommunications Code* require carriers to notify land owners and occupiers of intended activities, which is in the form of a Land Access and Activity Notice (LAAN). Land owners and occupiers may object to proposed activities under certain circumstances. The *Telecommunications Code* requires carriers to make reasonable efforts to resolve valid objections from land owners or occupiers. If the land owner or occupier is not satisfied with the carrier's proposed resolution or response to the objection, and/or no agreement can be reached, they may ask the carrier in writing to refer the objection to the Telecommunications Industry Ombudsman (TIO) for resolution if the carrier wishes to continue with the proposed activity. The carrier must comply with the request to refer the matter to the TIO. Carriers must comply with any direction made by the TIO.

2. ELIGIBILITY

- 2.1 This Policy applies to the installation and or upgrading of all telecommunications facilities and electrical network infrastructure on Council owned or managed land or infrastructure, including but not limited to, buildings, community centres, footpaths, roadways, street light poles and signs, parks and reserves, including where the project activities are described as "low impact" facilities.
- 2.2 This Policy applies to all telecommunications facilities and electrical network infrastructure for which either consent is required or for which the Council is to be notified. It applies to facilities and hardware to be installed by carriers who are licensed under the *Telecommunications Act 1997* and or the *Electricity Supply Act 1995* and regulations made under the Act. It also applies to telecommunications facilities and electrical network infrastructure installed by or on behalf of non-carriers.

3. DEFINITIONS

- 3.1 Public Domain - is defined as all areas under the care and control of Council that are accessible to the public which generally include streetscapes, roadways, laneways, public thoroughfares, carparks, footpaths, parks/open spaces, playgrounds, plazas, bus shelters, multipurpose street light poles, way finding, street furniture, way-finding, marine structures and publicly accessible natural areas.
- 3.2 Telecommunications facilities - facilities or infrastructure to be installed by carriers who are licensed under the *Telecommunications Act 1997*, such as:

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- a) the siting of micro cells for mobile phones serving a small area, as part of a telecommunications network operated by the carrier;
- b) the siting of macro cells for mobile phones serving a large area, as part of a telecommunications network operated by the carrier;
- c) all ancillary equipment required for the normal functioning and operation of a macro or micro cell; and
- d) a satellite dish installed on a residential building or a commercial building for use by the occupants of that building, work that would normally be considered as ancillary to the primary use of the building.

- 3.3 Electrical Network Infrastructure - facilities to be installed by carriers or contractors who are licensed under the *Telecommunications Act 1997* and the *Electricity Supply Act 1995* and regulations made under the Act, such as the erection of towers, poles, structures and associated hardware including the installation and maintenance of conductors, cables, pillar boxes, substations and other associated hardware.

Note: the installation of traffic signals, red light/speed cameras, signal boxes and other associated traffic control devices and structures are not covered by this policy. These items are notified and referred to Council's Traffic Committee.

- 3.4 Exempt Development under the *ISEPP (State Environmental Planning Policy (Infrastructure) 2007)* - refers to any telecommunication facility that is deemed to be of low impact and therefore exempt development by virtue of clause 116 (ISEPP).
- 3.5 Macro Telecommunication Facilities - include building structures, free standing towers, monopoles, HV Towers and any other structure not meeting low-impact conditions. These facilities must be authorised through relevant state and territory planning laws, which typically require a development application.

Certain facilities that cannot be low impact facilities and by default are deemed macro facilities include:

- a) designated overhead lines
- b) a tower that is not attached to a building
- c) a tower attached to a building and more than 5m high
- d) an extension to a tower that has previously been extended
- e) an extension to a tower, if the extension is more than 5m high.

- 3.6 Low-Impact Telecommunication Facilities - include, but not limited to, rooftops, street poles, utility poles, bridges, road signs, bus shelters, clock towers and any other physical structure that meets low-impact requirements and conditions. Underground and above-ground housing, underground and some aerial cables, public payphones, emergency and co-located facilities are also designated as being part of a low impact facility.

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For a facility to be considered low impact under the Low Impact Facility Determination (LIFD) the land area must be considered. The area types include:

- a) areas of environmental significance
- b) residential areas
- c) commercial areas
- d) industrial areas
- e) rural areas

In this context, certain low-impact facilities/equipment may only be installed in rural or industrial areas, whereas other low-impact facilities may be installed in all areas - depending on size, height and other considerations.

Facilities cannot be low impact facilities if they are to be installed in areas of environmental significance - including those listed under Commonwealth, State or Territory heritage registers. Such facilities are subject to other Commonwealth, State or Territory approval processes. Telecommunications facilities in these areas remain subject to other Commonwealth laws which would ordinarily apply, such as the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*.

4. PROVISIONS

This Policy has been prepared in consideration of the *Telecommunications Act 1997*, *Electricity Supply Act 1995* and regulations made under the Act, *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*, *Industry Code for the Deployment of Mobile Phone Network Infrastructure* as well as *Australian Road Rules* and *RMS Technical Directions* that relate to pedestrian safety and sight lines for motorists.

- 4.1 The *Roads Act 1993* (s.97) enables Council to specify the manner and standards to which any person who is entitled to place utility services in, on or over a road can undertake work. It also clearly states that an Act that authorises the provision of services in, on or over a road does not authorise the provision of the services in contravention of this section.
- 4.2 Telecommunications facilities and or electrical network infrastructure works should be carried out in accordance with Council's *Public Utility Authority Works Conditions*.
- 4.3 Where telecommunications or electrical network infrastructure facilities are required to be located in the in the public domain it is preferable to have these facilities located where they have the least impact on the visual quality of the local environment including the character of the local neighbourhood and urban environment including the local streetscapes, buildings, cultural attractions, community facilities, memorials and public art. It is also important to have these

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facilities and any associated infrastructure located where they have the least impact on the natural environment including natural habitat areas, harbour foreshore areas, community gardens, heritage conservation areas, view corridors or places of special interest.

- 4.4 Where telecommunications or electrical network infrastructure facilities are required to be located all restoration works to the public domain are to be carried out in accordance with Council's *Public Domain Style Manual and Design Codes*.

Other important impacts to be considered include health, public/road safety, access, social and cultural impacts. Refer to Appendix B.

- 4.5 Design considerations for low impact facilities

4.5.1 Radio Frequency (RF)

- a) proposed antennas are panel antennas, yagi antenna and the like that are no larger than 2.8m, protrude from the structure not more than 3m and/or is flush mounted to the structure.
- b) omnidirectional antenna or an array of omnidirectional antennas not more than 4.5m long; and not more than 5m apart; and if the array is attached to a structure - not protruding from the structure by not more than 2m.
- c) radiocommunications dish are not more than 1.2m in diameter. If the radiocommunications dish is attached to a supporting structure, the total protrusion from the structure is not more than 2m.
- d) colour matching of antennas and dishes to suit its background or as agreed in writing between the carrier and Council.
- e) the radio facility (site) has a cabinet of not more than one cubic metre in volume and a separate antenna not more than 1.2m long.
- f) the radio facility (site) has a transmitter unit of not more than 0.03m³ in volume and a separate antenna not more than 1.2m long.
- g) equipment installed inside an existing structure including the radiocommunications antennas concealed inside existing structures. This applies to commercial, industrial and rural areas only.

4.5.2 Tower Extensions

- a) tower height extensions not exceeding 5m and no previous extension has taken place. This applies in rural and industrial areas.
- b) equipment cabinets/housing to be kept to a minimum and hidden/obscured from view as much as possible.

4.5.3 Equipment Housing

- a) Option 1 (preferred): Underground pits with surface area of not more than 2m²

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-
- pits shall be located within the footpath;
 - all underground services shall be avoided;
 - pit lids shall be paver infill lids with a class D rating if the site is located within the North Sydney CBD, Village areas, or Special areas as defined in Council's *Public Domain Style Manual and Design Codes*. If the site is located within a residential area, the pit lid shall be a concrete infill lid;
 - pits shall be structurally sound to withstand a 4 tonne sweeper driving over it; and
 - infill material shall match surrounding footpath paving.
- b) Option 2: Roadside cabinet
- not more than 2m high; and
 - with a base area of not more than 2m²
- c) Option 3: (least preferred): Equipment shelter
- not more than 2.5m high; and
 - with a base area of not more than 5 m²; and

4.6 Volume restrictions on co-located facilities

- a) current volume restriction on adding facilities to an existing facility (e.g. a tower) or public utility structure (e.g. a road sign, street light pole, water tank) in commercial or residential areas is 25% (refer to 4.11.9 below for further detail).

4.7 Radio Facility Site Access, Signage and Notifications

- a) appropriate and distinct signage is required for any/all radio telecommunications facilities;
- b) direct access by the public must be restricted in certain exclusion zone areas caused by electromagnetic exposure (EME) e.g. no ladders, locked doors, fencing, barricades etc.

4.8 Radio Frequency Equipment Interference

- a) carriers are to ensure all telecommunication radio facilities are operating in their appropriate licence spectrum and have the appropriate levels of protection to ensure interference to equipment outside their designated bands.
- b) in the event of interference, suspected or detected, an appropriate management and resolution plan regarding the carrier's radio spectrum interference with Council's existing hardwired or wireless equipment (e.g. metering, lighting or signage etc.) shall be actioned in a timely manner.

4.9 Visual Design

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- a) ensure all designs are in keeping with the areas character and look/feel at all times;
 - b) not to become an eye soar;
 - c) not to physically obstruct views of the public; and/or
 - d) residential/commercial/office workers.

4.10 Radiofrequency electromagnetic energy (EME) Considerations

- a) a radiocommunications facility transmit radiofrequency electromagnetic energy (RF EME) to provide users with wireless services.
- b) the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is the government agency responsible for setting the exposure standard for RF EME. The ARPANSA exposure limits are set well below the level at which adverse health effects are known to occur and include a wide safety margin to protect the public.
- c) the Australian Communications and Media Authority (ACMA) regulates EME from radiocommunications transmitters by imposing conditions on the radiocommunications licences it issues to telecommunications carriers. The ACMA imposes licence conditions through the *Radiocommunications Licence Conditions (Apparatus Licence) Determination 2015*. Under the conditions, telecommunications carriers must ensure that RF EME exposure from a transmitter does not exceed the levels set in the ARPANSA Standard;
- d) macro sites (e.g. large towers) - especially collocated sites with multiple carriers - transmit and radiate the most amount of radio power and hence the produce the greatest EME. Care in design needs to be considered to nearby buildings, roadways, homes, elevated grounds, bridges and walkways. The duration of stay within the affected EME zones also needs to be taken into account e.g. an office worker sitting for 8 hours vs a pedestrian or vehicular access path crossing for 10 seconds) may impact EME assessment differently.
- e) low impact facilities may or may not expel the same amount of power and EME. However, more care in design is needed due to the generally lower placement of such radio equipment and antennas (for them to be deemed Low impact or for their smaller coverage footprint objectives). Street poles, road signs, bus shelter are of a significant design challenge due to their greater proximity to the public and risk of EME exposure;
- f) EME is a challenging field and requires experienced knowledge and understanding of antennas, RF power and modelling; Hence carriers are required to make assessments and, if determined by the engineer of the day, that there is a potential EME risk, then further assessment or modelling predictions is to be undertaken.
- g) an independent audit and/or a secondary EME assessment will be commissioned by Council if initial assessments are a cause for concern.
- h) an EME assessment is highly recommended on all proposed sites.
- i) an EME assessment must be undertaken when the proposed structure is in close proximity to 'sensitive' sites such as nursing homes, childcares, playgrounds etc.

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4.11 Build and Installation Considerations

4.11.1 Planned installation strategy

Ensure all works are managed appropriately with Council to minimise down time and outages through proper coordination.

4.11.2 Structural adequacy of Council assets

A structural assessment of each Council's asset shall be undertaken by the carrier and shall comprise:

- a) structural loading and assessment of poles, steel structures, utilities etc. taking into account current equipment proposals and future upgrades.
- b) structural foundation assessment (current equipment proposal and future upgrades).
- c) ensure enough spare capacity for asset owner services and future upgrades is considered.
- d) wind loading calculations.
- e) all proposed ancillary equipment on structure shall be clearly outlined and defined if they will run internal or external to the structure.

4.11.3 Power

- a) the provision of power for the safe and efficient operation of the LIF shall be clearly identified.
- b) all power shall be underground, no overhead wiring shall be permitted.
- c) it is preferable for a carrier to source independent power.
- d) sharing of Council's power may be considered subject to the following conditions:
 - a full audit of Council's private electrical grid shall be undertaken to identify if there is sufficient power, load and capacity.
 - the cost of any approved upgrade to Council's electricity grid shall be borne by the carrier.
 - use of Council's electricity shall be subject to a service level agreement and metered separately where possible.
 - power usage for any LIF shall be at the carrier's expense.
 - power shall run internal to the structure fitted with the carrier's RF equipment.
 - a kill switch shall be installed for servicing and maintenance purposes (refer to 4.14 below).

4.11.4 Transmission Equipment

The Carrier shall identify the following provisions:

- a) will optical underground cabling be used or an alternative nominated?

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- b) will existing fibre services be used or will new trenching be required?
- c) is transmission to be run internal to the structure or external (latter will be refused)?
- d) is a transmission dish proposed?

4.11.5 Make-ready works

- a) any disruption, changes or damage caused as part of the installation of any telecommunication facility shall be reinstated to original or better condition (e.g. footpath paving) in accordance with Council's *Public Domain Style Manual and Design Codes* and manufacturer's specifications.
- b) carrier shall be liable for all costs of reinstatement works.
- c) any damage to Council infrastructure (e.g. street pole) or equipment (e.g. meter sensors) shall be reported to Council as soon as possible - all damage shall be repaired by Council only and costs passed on to the carrier.
- d) a full dilapidation report of each Council infrastructure shall be undertaken prior to any telecommunication facility being deployed - a copy of the report shall be submitted to Council.

4.11.6 Space reservation

Approval to install LIF on Council owned street light poles shall be subject to availability of space inside the pole. Generally, space inside the pole is reserved for Council. Short term use of the space to a carrier may be considered where monetary compensation is mutually agreed to under a licence agreement. Where additional space is available beyond the immediate and future needs of Council, Council may consider entering into a long term licence agreement.

4.11.7 Removal and decommission

At the end of the licence agreement or any time earlier as agreed to, the carrier is responsible to remove all equipment and undertake make-ready works. Any equipment not removed in the agreed timeframes will be removed by Council's nominated contractors and cost passed onto the carrier.

4.11.8 Ancillary Equipment

As per Part 3.1.4 of the *Telecommunications (Low-impact Facilities) Determination 2018* - a facility that is ancillary to a facility covered by subsection (1) is also a low impact facility only if it is:

- a) necessary for the operation or proper functioning of the low impact facility; or
- b) a shroud installed over a low-impact facility, where the shroud is intended to minimise the visual amenity impact of the low-impact facility and is colour-matched to its background; or

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- c) installed, or to be installed, solely to ensure the protection or safety of:
 - the low impact facility; or
 - a facility covered by paragraph a); or
 - persons or property in close proximity to the low impact facility.
 - d) special shrouds which are aesthetically pleasing shall be designed and fitted to LIFs especially in areas defined by Council as having important heritage significance and where the visual impact is of community importance.
 - e) dishes up to 1.2m in diameter is included as part of definition for low impact facilities. Any proposal to use dishes shall be made available upfront in any design proposal.
 - f) any proposal to use solar panels shall be made available upfront in any design proposal; and
 - g) the use of cable trays running up/down be used to support radio frequency (RF) cables, transmission equipment (TX) and power cables or to connect such cabling between the structure and the equipment housing shall be made available upfront in any design proposal.

4.11.9 Co-location

Council will generally support co-location subject to meeting the following conditions and considerations:

- a) the volumetric expansion of the existing LIF footprint is limited to a maximum of 25% by the new LIF.
- b) visual impact is minimised (preferably the new LIF to be housed within the existing LIF where possible).
- c) structural loading and capacity reservations for Council shall be assessed and weighed by the new carrier in consultation with Council.
- d) co-locations agreements (licencing/leasing) shall be directly with Council and no subleased/sub-licenced between carriers is permitted (refer to leasing requirements under 4.12 below).
- e) an EME assessment of co-located sites shall be undertaken due to the increased EME as a result of the increased power emanating from a single location, hence the exposure/radiation transmission will be greater.
- f) an assessment shall be undertaken to determine if there is sufficient power/transmission space for a new carrier co-location or even single carrier future upgrade plans.

4.12 Leasing/Licencing/Sub-leasing/Costings

Council will require a Carrier to enter into a licence/lease agreement prior to the deployment and installation of any telecommunication facilities on any Council infrastructure or asset, or a private structure located within a public space owned

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or managed by Council. The licence will generally incorporate the following provisions:

- a) at the discretion of Council, an individual licence agreement per site or Master Level Agreement (MLA) shall be nominated by Council.
- b) any individual carrier/service agreement shall clearly stipulate the nominated spectrum for the provision of the carrier's mobile service. For example, agreement is for LTE on 2600MHz or 1800MHz. Any other future licence/spectrum changes shall be assessed against the current licence agreement.
- c) an independent lease rate assessment shall be commissioned by Council to determine the market value - either per pole or across the network of telecommunication facilities or infrastructure that is proposed to be rolled out.
- d) an annual adjustment of 5% shall be applied over the licence period or as varied by Council.
- e) co-location arrangements - no sub-licencing/leasing to other carriers will be permitted without prior approval from Council.
- f) compensation for loss of further use of the Council infrastructure (e.g. light poles or other asset) if Council wishes to not reserve capacity for itself.
- g) construction/demolition/relocation clauses shall be negotiated for the affected Council assets.
- h) breakout clauses shall be negotiated (e.g. 5/5/5/5-year terms).
- i) Council's external legal costs shall be covered by carrier.
- j) the cost associated with undertaking independent design/EME assessments made at the request of Council shall be covered by the carrier.
- k) the cost associated with undertaking an independent structural assessment of the Council asset made at the request of Council shall be borne by the carrier.
- l) the carrier shall indemnify (and compensate) Council for any death, injury, loss or damage caused to any person or property (including the Council Infrastructure) by or in connection with the carrier's equipment and/or their contractors.
- m) the carrier must have appropriate public liability and product liability insurance in place for the full duration of the licence agreed and shall nominate Council as an interested party on the insurance certificate.
- n) clauses to indemnify Council from the carrier's financial loss caused by asset failure/power failure or any other seen/unforeseen event shall be incorporated into the licence agreement.
- o) equipment upgrade and/or swap out clauses shall be incorporated in the licence agreement.

4.13 Visual Considerations

Telecommunication facilities shall meet the following parameters:

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- a) facilities shall match the colour of the Council asset (e.g. street light pole).
 - b) shrouding shall match the colour of the Council asset (e.g. street light pole).
 - c) any future carrier upgrades and or swap outs to bigger/newer technologies shall not be undertaken without the explicit approval of Council.

4.14 Servicing/maintenance considerations

A service and maintenance agreement shall be agreed to and incorporated into any agreed licence agreement. The service and maintenance agreement shall incorporate model clauses to cover areas such as:

- a) carrier shall liaise and work closely with Council to coordinate maintenance of any LIF on Council infrastructure.
- b) carrier shall schedule all maintenance of LIF around Council's own work timeframes/schedules and maintenance protocols. Due consideration shall be given to any road closures and notice timeframes.
- c) Council shall have priority access and shut down of its infrastructure for maintenance purposes.
- d) service intervals and timeframes shall be negotiated with the carrier to cover proactive and reactive maintenance.
- e) a power 'kill' switch shall be installed on all assets (or) on assets with Council equipment or services (e.g. lights, flags, wireless communication etc.).

4.15 Consultation Process and Documentation

- a) the carrier shall adhere to *the Mobile Phone Base Station Deployment Code* regarding all consultation processes (timelines and activities) to the public, asset owners and any identified interested party.
- b) the carrier shall comply with Council's notification policies about sites and schedule of works and any other pertinent information.
- c) the carrier shall collate all consultation process documents, certification documents, assessment documents, statements of conformity, design documents, as-built documents, CAD drawings etc required throughout the pre-installation stage, the installation stage and the post installation stage and provide copies to Council as part of the handover documentation package.
- d) the carrier shall put in place a database repository (or system) which captures a full list of the all the equipment installed on Council asset(s), power radiating from the equipment that is onsite and active at any given time - a copy of this information shall be provided to Council on a regular basis.
- e) a carrier shall put in place a system to allow Council to be notified and approve of any changes to a LIF.

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- f) when Council is served a Land Access Activity Statement under the *Telecommunications Act*, the carrier will receive a standard response from Council depending on the asset classification (i.e. whether it is a Council asset or private asset which is located within the public space which designated under the care and control of Council. The carrier shall comply with the letter issued by Council. Refer to Appendix D for copies of the standard letters.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council's Engineering and Property Services Division is responsible for administration of this Policy.

6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Community Engagement Policy
- Complaints Handling Policy
- Development Control Plan
- Public Domain Style Manual and Design Codes
- Public Utility Authority Works Conditions

The Policy should be read in conjunction with the following documents/legislation:

- Australian Road Rules and RMS Technical Directions
- Electricity Supply Act 1995
- Environment Protection and Biodiversity Conservation Act 1999
- Mobile Phone Base Station Deployment Industry Code 2018
- Radiocommunications Act 1992
- Radiocommunications Licence Conditions (Apparatus Licence) Determination 2015
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- Telecommunications Act 1997
- Telecommunications (Low-Impact Facilities) Determination 2018
- Telecommunications Code of Practice 2018

Version	Date Approved	Approved by	Resolution No.	Review Date
1	18 February 2013	Council	61	2016/17
2	25 June 2018	Council	214	2020/21
3	24 September 2018	Council	352	2020/21

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APPENDIX A: INSTALLATION OF PUBLIC TELEPHONE GUIDELINES**1. Traffic and Pedestrian Safety**

- 1.1 Telephones are not to be located on kerb blisters. Kerb blisters have generally been installed on intersections, roundabouts or near driveways to improve sight distance for motorists.
- 1.2 Telephones are not to be located within 10 metres of an unsignalised intersection or 20 metres of a signalised intersection (measured from the intersecting kerb line). This reflects the current *Australian Road Rules* for parking at intersections. These rules have been developed to improve sight distance for motorists and pedestrians at intersections.
- 1.3 Telephones are not to be located within 20 metres of the approach to a marked pedestrian crossing or pedestrian refuge or 10 metres from the departure side of a marked pedestrian crossing or pedestrian refuge. This reflects the current Australian Road Rules for parking at pedestrian facilities. These rules have been developed to improve sight distance for motorists and pedestrians at pedestrian facilities.
- 1.4 Telephones are to be located so as not to become an impediment to passengers waiting at the bus stop and also to other pedestrians trying to walk through the bus stop.
- 1.5 Telephones are to be located a minimum 20 metres away from the entrance to a train station. This is to ensure that the telephone does not become an impediment to passengers entering and exiting the train station, but also other pedestrians trying to walk past the train station entrance.
- 1.6 Telephones are not to be located in a location that may cause distraction to motorists, create a safety hazard for motorists, or cause a motorist to concentrate on the telephone signage rather than traffic, directional or road safety signage. For example, a telephone is not to be located on the approach to a busy intersection where a motorist may be expected to give consideration to numerous pieces of information.
- 1.7 Telephones are not to be located in a location where there has been more than one reported pedestrian accident in a five-year period within 20 metres of the proposed location. This is to ensure that there is sufficient sight distance for motorists and pedestrians at this location.
- 1.8 Telephones must be located a minimum 600 mm off the face of the kerb (to the outer extremity of the telephone). This is to minimise the risk of a car or car door causing damage to the telephone. It is also to minimise the risk of a non-frangible telephone becoming a hazard to motorists.
- 1.9 Where possible, telephones should not be located near to the kerb on main roads with clearways.
- 1.10 Telephones must provide a minimum clearance between obstacles, boundaries and kerb lines. This is to ensure that fire safety conditions are always met and to enable the convenient movement of people through the public domain, including people who have mobility impairment. Any application must address the following issues in order to define the available area:
 - a) Pedestrian way clearance
 - b) Clearance from objects

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2. Pedestrian Way Clearance

- 2.1 The minimum clearance allowed for pedestrian movements varies for safety reasons and risk management purposes. The following table outlines the minimum pedestrian clearance required between the telephone and any obstacle, boundary or kerb line:

	High Traffic Risk	Medium Traffic Risk	Low Traffic Risk
High Pedestrian Traffic	3.0 m	2.5 m	2.5 m
Medium Pedestrian Traffic	2.5 m	2.0 m	2.0 m
Low Pedestrian Traffic	2.0 m	1.5 m	1.2 m

- 2.2 High traffic risk may encompass one or more of these factors:

- a) High volumes of vehicles;
- b) High speed of vehicles;
- c) Travel lane adjacent to the kerb (during any part of the day, including Clearways and No Stopping restrictions).

- 2.3 Medium traffic risk may encompass one or more of these factors:

- a) Medium volume of vehicles;
- b) Medium speed of vehicles;
- c) Parking adjacent to the kerb.

- 2.4 Low traffic risk may encompass one or more of these factors:

- a) Low volume of vehicles;
- b) Low speed of vehicles;
- c) Parking adjacent to the kerb.

3. Clearance from objects

- 3.1 Council is trying to reduce the amount of “clutter” found on footpaths. This is to create an attractive and accessible environment for pedestrians, particularly those with mobility issues. It is also to ensure that appropriate maintenance can be undertaken on these various objects. A minimum 900mm clearance is to be provided between the telephone and the following objects:

- a) Trees and garden plots
- b) Public seating
- c) Rubbish bins
- d) Bicycle hoops
- e) Parking signs
- f) Parking meters
- g) Power poles
- h) Essential services:
 - Fire hydrants
 - Hose reel cupboards
 - Fire exit doors
 - Fire equipment stores
 - Substations
 - Switchboards

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- Communication pole
 - i) Adjacent to Outdoor Dining Areas

4. Streetscape design and proximity to adjacent businesses

- 4.1 Telephones are not to be located in close proximity to any public artwork, major landscape element or historic feature.
- 4.2 Telephones are not to be located in a visually prominent position; they should not dominate the visual landscape.
- 4.3 Telephones are not to be located directly in front of a retail shop store front.
- 4.4 Heritage; telephone booths in the vicinity of heritage items require development consent from Council.
- 4.5 Advertising; any proposal for advertising signs on telephone booths requires development consent from Council.
- 4.6 Where a telephone booth is replaced and the new booth is moved more than two metres it is considered to be a new telephone booth.

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APPENDIX B: TELECOMMUNICATION AND ELECTRICAL INFRASTRUCTURE FACILITIES**1.Impacts of telecommunications facilities**

Telecommunications or electrical network infrastructure facilities can have a substantial impact on the physical environment as well as the health and wellbeing of the community. A sensitive approach to the location and design of these facilities can reduce these impacts to some extent.

The controls in this section (taken from Section 18 of the *North Sydney Development Control Plan*) aim to reduce the likelihood of harm associated with Telecommunications or electrical network infrastructure facilities to the community and to regulate their presence in the built environment. These facilities can have significant impacts on the public domain through visual clutter.

This Appendix generally covers the installation of telecommunication facilities on non-Council owned or managed land or infrastructure. For installation of telecommunication facilities on Council owned or managed land or infrastructure, refer to the Policy.

1.1 Community health and amenity**a) Reduction and minimisation of human exposure to emissions:**

- i. Locate telecommunications or electrical network infrastructure facilities away from sensitive activities such as schools and child care centres;
- ii. Install telecommunications or electrical network infrastructure facilities as far as possible utilising:
 - undergrounding;
 - camouflage and concealment (shrouding);
 - colour consistency with background;
 - contrast in scale (significance); and
 - co-location.
- iii. Locate telecommunications or electrical network infrastructure facilities in commercial/mixed use zones in preference to residential areas;
- iv. Site telecommunications to meet the Australian Standards on electromagnetic radiation emissions;
- v. Avoid interruption to views; and
- vi. Avoid interruption to pedestrian and vehicle movement.

1.2 Visual or physical impacts**a) Telecommunications or electrical network infrastructure facilities should be concealed from public view where ever possible:**

- i. Locate telecommunications or electrical network infrastructure facilities underground or concealed within buildings wherever possible;
- ii. Match surface opening and access covers, with existing pavement, either Council's specified pavers or concrete;
- iii. Locate air vents for underground facilities so that they are not visually intrusive.
- iv. Use overhead cabling and support structures that are grey, or a subdued colour that blends with background;

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- v. Use building features such as false panels, clock towers, disused chimneys to conceal telecommunications facilities, but avoid use of fake vegetation and other novelty effects.
- b) Visual impact of equipment boxes is minimised:
- i. Locate equipment boxes underground where possible, avoiding rooftops and power poles;
 - ii. Set back equipment boxes on roof tops from the edge of the roof and where possible build into an existing structure;
 - iii. Where equipment boxes are located on rooftops do not increase the overall height of the building, or increase shadowing of open spaces around that building or adjoining properties;
 - iv. Place equipment boxes on the ground so that they are not visible from a public place, such as the street or parks, or adjoining properties.
- c) Surface mounted facilities are integrated with building or structure:
- i. Match colour with background material;
 - ii. Provide non-reflective surface materials and finishes;
 - iii. Mount flush with wall, with minimal horizontal or vertical protrusion from the surface; and
 - iv. Position high on the wall or structure to which facilities are attached.

1.3 Sensitive environments

- a) Minimise impact on sensitive environments, flora and fauna habitats, areas of heritage significance or archaeological sites:
- i. Avoid suspending cables in front of heritage items on the same side of the street;
 - ii. Where power poles are only on the same side of the street as heritage items, then underground cabling or place against the heritage building in an unobtrusive manner e.g. behind parapets or against the buildings above awnings or verandah roofs;
 - iii. Group and run together subscriber cables wherever possible e.g. behind parapets, under verandahs or along rear lanes;
 - iv. Take all reasonable steps to protect the environment;
 - v. Protect significant landscape elements and vegetation.

1.4 Co-location

- a) Telecommunications or electrical network infrastructure is co-located to minimise disturbance and visual impact:
- i. Utilise existing underground conduits or towers; and
 - ii. Consider adverse visual impacts of co-location, for example clustering of poles.

1.5 Short term and long term impacts of works

- a) Damage and inconvenience caused by telecommunications or electrical network infrastructure facilities or activities is minimised:
- i. Restore land and buildings as close as possible to conditions found on site prior to installation;

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- ii. Protect the safety of persons and property;
 - iii. Minimise interference with the operation of public utilities, traffic, roads and paths, traffic, and the use of land; and
 - iv. Restore any vegetation that is disturbed or destroyed during construction immediately after construction.

1.6 Clearances

- a) Telecommunications or electrical network infrastructure works and facilities must provide a minimum clearance between obstacles, boundaries and kerb lines. This is to ensure that fire safety conditions are always met and to enable the convenient movement of people through the public domain, including people who have mobility impairment. Any application must address the following issues in order to define the available area:

- Pedestrian way clearance; and
- Clearance from objects.

- b) Pedestrian Way Clearance - The minimum clearance allowed for pedestrian movements varies for safety reasons and risk management purposes. The following table outlines the minimum pedestrian clearance required between the electricity works and any obstacle, boundary or kerb line:

	High Traffic Risk	Medium Traffic Risk	Low Traffic Risk
High Pedestrian Traffic	3.0 m	2.5 m	2.5 m
Medium Pedestrian Traffic	2.5 m	2.0 m	2.0 m
Low Pedestrian Traffic	2.0 m	1.5 m	1.2 m

- c) High traffic risk may encompass one or more of these factors:

- High volumes of vehicles, cyclists and pedestrians;
- High speed of vehicles; or
- Travel lane adjacent to the kerb (during any part of the day, including Clearways and No Stopping restrictions).

- d) Medium traffic risk may encompass one or more of these factors:

- Medium volume of vehicles, cyclists and pedestrians;
- Medium speed of vehicles; or
- Parking adjacent to the kerb.

- e) Low traffic risk may encompass one or more of these factors:

- Low volume of vehicles, cyclists and pedestrians;
- Low speed of vehicles; or
- Parking adjacent to the kerb.

- f) Council's aim is to reduce the amount of visual and physical "clutter" in the Public Domain. This is to create an attractive and accessible environment for pedestrians and residents, particularly those with mobility issues. It is also to ensure that appropriate maintenance can be undertaken on these various objects. A minimum 900mm clearance is to be provided between telecommunication facilities and electricity works and the following objects:

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- Trees and garden plots;
- Other streetscape furniture elements such as bins, bollards, bubblers, bicycle hoops, seats, fences, parking signs, parking meters, Power poles
- Essential services;
- Fire hydrants;
- Hose reel cupboards;
- Fire exit doors;
- Fire equipment stores;
- Substations;
- Switchboards;
- Communication pole;
- Adjacent to Outdoor Dining Areas

g) In areas that have a specific or unique purpose such as playgrounds, cultural attractions, community facilities, memorials, public art, natural habitat areas, community gardens, heritage conservation areas, view corridors or places of special interest - particular consideration needs to be given to the placement of telecommunications or electrical network infrastructure facilities. These considerations must satisfy the requirements of the *ISEPP (State Environmental Planning Policy (Infrastructure) 2007)* and if the works are deemed not “Exempt” they must satisfy Council’s own Planning Controls.

h) Pedestrian Trip Hazards - this section applies to those telecommunications or electrical network infrastructure works which are less than 0.5m above the footpath. Electricity works which are less than 0.5m high may create a trip hazard for pedestrians if they are not suitably marked or shielded from through pedestrian traffic.

Telecommunications or electrical network infrastructure works less than 0.5m high must be located adjacent, along the line of through pedestrian travel, to an existing object which is more than 1.0m high. For example, the electricity works may be located adjacent to a garbage bin or a public seat.

i) Traffic and Pedestrian Safety - this section applies to those telecommunications or electrical network infrastructure works which are more than 0.8m above the footpath. Works which are more than 0.8m high may block sight distance to pedestrians, motorists or both.

- i. Telecommunications or electrical network infrastructure facilities are not to be located on kerb blisters. Kerb blisters have generally been installed on intersections, roundabouts or near driveways to improve sight distance for motorists;
- ii. Telecommunications or electrical network infrastructure facilities, located at the kerb, are not to be located within 10 metres of an unsignalised intersection or 20 metres of a signalised intersection (measured from the intersecting kerb line). This reflects the current *Australian Road Rules* for parking at intersections. These rules have been developed to improve sight distance for motorists and pedestrians at intersections; and
- iii. Telecommunications or electrical network infrastructure facilities should be located a minimum 600 mm off the face of kerb (to the outer extremity of the object). This is to minimise the risk of a car or car door causing damage to the object. It is also to minimise the risk of a non-frangible object becoming a hazard to motorists.

j) Public telephone booths are to be installed in accordance with Appendix A.

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- k) Telecommunications facilities and Electrical Network Infrastructure that are not “exempt development” are to be sited and installed in accordance with Appendix B, i.e. the relevant provisions of the *North Sydney Development Control Plan*.
 - l) Council’s consultation requirements are consistent with the Communication Alliance Ltd. *Industry Code C564.2011 Mobile Phone Base Station Deployment*. Carriers must notify both Council and the public of intent to install telecommunication facilities in accordance with Appendix C.

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APPENDIX C: CONSULTATION REQUIREMENTS

The following information is extracted from the Communication Alliance Ltd. *Mobile Phone Base Station Deployment Industry Code 2018*. For more information, refer to http://www.commsalliance.com.au/_data/assets/pdf_file/0018/32634/C564_2011.pdf

Note: The consultation requirements of the Industry Code do not apply to telecommunications facilities that require Development Approval. In such cases public consultation will occur through Council's Development Application process.

1. Installation at an existing site without Development Application

Applicable if:

- a) a carrier proposes to carry out any work at premises in relation to the installation of telecommunications facilities that is not Low Power RF telecommunications facilities;
- b) there is already telecommunications facilities at the premises, other than Low Power RF telecommunications facilities or Exempt telecommunications facilities and;
- c) the work does not require Development Approval.

1.1 Council Notification

The carrier must give Council notice of the proposed work which must include:

- a) the proposed location;
- b) a written description of the proposed work;
- c) a statement setting out whether the carrier regards the infrastructure as a Low Impact Facility under the *Telecommunications (Low-impact Facilities) Determination 1997* and the reasons for that conclusion;
- d) a statement that the proposed infrastructure will be in compliance with the Australian Communications and Media Authority (ACMA) electromagnetic radiation (EMR) regulatory arrangements;
- e) a statement of estimated EMR exposure levels; and
- f) a statement that Council may obtain further information on the proposed work, including contact details for the carrier's representative from whom the information may be obtained.

1.2 Newspaper Notification

The carrier must publish a notice in a newspaper circulating the location surrounding the proposed work as prescribed in Section 7.3 of the *Industry Code C564.2011 Mobile Phone Base Station Deployment*.

1.3 Council and Public Submissions

Before commencing the work, the carrier must have regard to any submissions received from the public and Council.

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2. Installation at a new site without Development Application

Applicable if:

- a) a carrier proposes to carry out any work at premises in relation to the installation of telecommunications facilities that is not Low Power RF telecommunications facilities;
- b) there are no telecommunications facilities at the premises, other than Low Power RF Infrastructure; and
- c) the work does not require Development Approval.

The consultation process must involve the development of the consultation plan and its delivery, implementation, analysis and responses.

In developing a consultation plan for a site the carrier must endeavour to meet the objectives of:

- a) identifying and informing interested and affected parties (refer to Industry Code of definition) of the proposed project;
- b) maximising the level of accurate and accessible information about the project to interested and affected parties;
- c) using its reasonable endeavours to identify community sensitive locations (refer to Industry Code of definition); and
- d) meeting the reasonable needs and expectations of the community.

2.1 Council Notification

2.1.1 The carrier must invite Council to comment on:

- a) the suitability of the draft consultation plan for this community;
- b) whether there are any additional key stakeholders who should be included as interested and affected parties; and
- c) whether there are any significant events within the community that the carrier should be aware of in developing the draft consultation plan.

2.1.2 The information provided to Council and interested and affected parties must include:

- a) the proposed location;
- b) a written description of the proposal;
- c) a statement setting out whether the carrier regards the infrastructure as a Low Impact Facility under the *Telecommunications (Low-impact Facilities) Determination 1997* and the reasons for that conclusion;
- d) a statement that the proposed infrastructure will be in compliance with the ACMA EMR regulatory arrangements;
- e) an Australia Radiation Protection and Nuclear Safety Agency (ARPANSA) electromagnetic energy (EME) report for the proposal;
- f) the contact details of the Carrier's representative;
- g) an invitation to make submissions; and
- h) the timeframe to make the submission.

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2.1.3 Information on the carrier's website must include:

- a) the address of the proposed site;
- b) a description of the proposal;
- c) the rationale for the proposal;
- d) whether or not the Carrier considers the proposal is low impact;
- e) alternate options and opportunities for co-location considered;
- f) any key dates (e.g. submission dates, construction dates);
- g) an ARPANSA EME report for the proposal;
- h) a link to the Communications Alliance information portal; and
- i) phone and email address for more information or making a submission.

2.1.4 On-site signage - the carrier must place a sign about the proposal at the site proposed in a manner that ensures that it is clearly visible and legible from a public road or footpath, unless Council approval is required for the sign, Council instructs otherwise, or it is not practical to do so.

- a) the sign must comply with the format in Appendix E3.
- b) the sign must be weatherproof if installed externally.
- c) the sign must not be removed by the carrier until construction is complete.

2.2 Council and Public Submissions

2.2.1 The minimum submission period for Council must be 20 working days and for interested and affected parties (i.e. the public) must be at least 15 working days.

2.2.2 The carrier must allow interested and affected parties an extension period of an additional five working days to provide comment if requested in writing.

2.2.3 Assessing submissions received - at the end of the consultation process the carrier must assess all submissions:

2.2.3.1 The carrier must respond to interested and affected parties who provided it with individual submissions in the consultation process.

2.2.3.2 The carrier must prepare a report which is sent to Council and published on its website. The report must include:

- a) summary of submissions received during the consultation process;
- b) the carrier's consideration and assessment of these submissions;
- c) a statement about the carrier's intended actions regarding the proposed work; and
- d) where construction is intended, the carrier must include a range of likely dates for commencement of construction.



D2-04

ENCROACHMENT MANAGEMENT POLICY

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Policy Owner: Director Engineering and Property Services

Category: 2. Our Built Infrastructure

1. STATEMENT OF INTENT

1.1 The purpose of this Policy is:

- a) To ensure that all encroachments on land owned or controlled by North Sydney Council are effectively managed under a consistent set of guidelines which safeguards Council's legal obligations and liability;
- b) To ensure encroachments from private property onto public property are safe for pedestrians and vehicular traffic, are designed and constructed to Council's expectations and conserves the desirable characteristics of an area;
- c) To enter into Agreements with private property owners for encroachments where the encroachment/s are greater than 5m² or 1m³, and which has been approved as part of a development consent, or in exceptional circumstances;
- d) To formalise existing encroachments which are unable to be removed;
- e) To formulate a consistent method of calculating rental or compensation payable to Council for approved encroachments.

2. ELIGIBILITY

- 2.1 This Policy applies to all Councillors and employees of Council as well as external consultants employed as representatives of Council.
- 2.2 This Policy applies to all private landowners and residents, with specific reference to adjoining landowners who create encroachments onto or over land owned or controlled by Council.

3. DEFINITIONS

- 3.1 **The Act** - refers to the *Local Government Act 1993*.
- 3.2 **Adjacent owner** - means the owner of land over which an encroachment extends.
- 3.3 **Agreement** - means a legal contractual obligation to which two parties have entered into negotiations and have agreed to.

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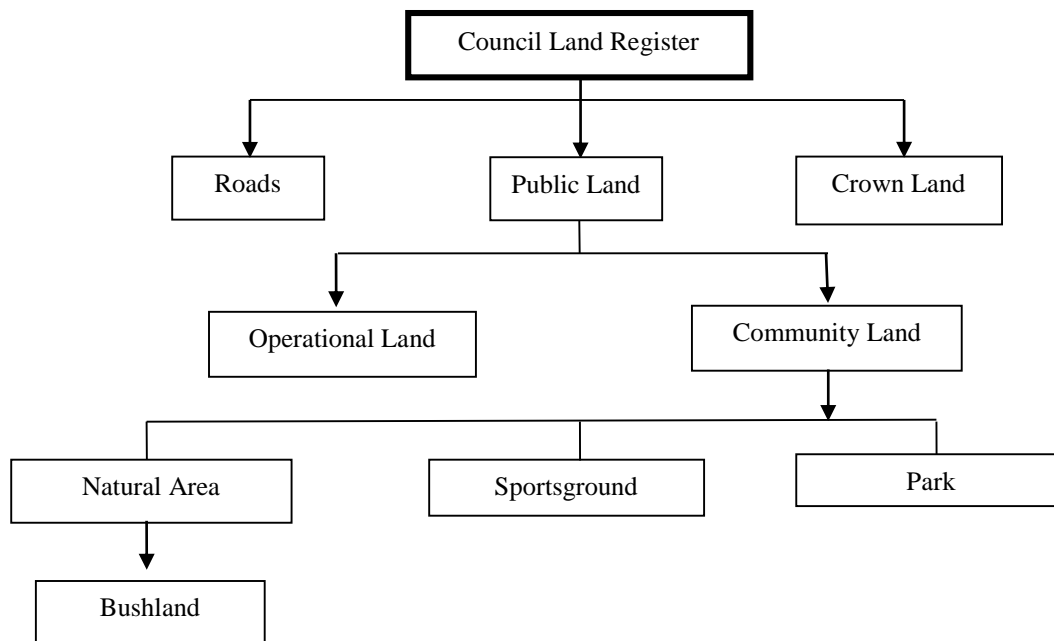
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-
- 3.4 **Bond** - a formal transaction wherein an applicant deposits an amount of money into the Council bond account to allow Council to draw on and pay costs associated with the transaction.
- 3.5 **Boundary** - the boundary line between contiguous parcels of land.
- 3.6 **Community Land** - one type of Council's Public Land which:
- a) Is reserved for community use;
 - b) Is of importance to the community because of its use or special features and must be managed according to special guidelines in accordance with the Act;
 - c) Council has no power to sell, exchange or otherwise dispose of, unless it is re-classified as Operational Land;
 - d) Council can grant a lease, licence or other estate over it, but only for the purposes pursuant to Section 46 of the Act, some of which may be expressly authorised by a Plan of Management, and not for more than 21 years;
 - e) Must have a Plan of Management prepared for it, or applying to it.
- 3.7 **Council Land** - all land owned or controlled by Council which is provided for in Council's Land Register, including public road.
- 3.8 **Crown Lease** - a lease on Crown land which enables exclusive use over a particular piece of land for a specified term and purpose, governed by the *Crown Lands Act 1989*.
- 3.9 **Crown Licence** - a Licence on Crown land which is a contractual agreement that grants the licensee a personal right to occupy and use Crown land for a particular purpose in accordance with the *Crown Lands Act 1989*. It does not grant exclusive possession of the land as is the case of a lease, and may permit the land to be used by other persons.
- 3.10 **Crown Reserve** - a parcel of Crown land retained or acquired by the State and set aside for specific public purposes.
- 3.11 **Easement** - a right, attached to land (the dominant tenement), to use other land (the servient tenement) for a specified purpose known to the law.
- 3.12 **Encroaching owner** - means the owner of land contiguous to the boundary beyond which an encroachment extends.
- 3.13 **Encroachment** - the intrusion of a structure or other object onto or over land owned or controlled by Council.
- 3.14 **"Exceptional circumstances"** are those circumstances wholly within the discretion of the Council and may include a consideration of the public benefit or superior planning outcome which may benefit the public as a whole.

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- 3.15 **Instrument** - A formal document which records and evidences proprietary rights.
- 3.16 **Land Register** - comprises all land that is owned or controlled by Council which is categorised as follows:



- 3.17 **Minor Encroachments** - an encroachment of a structure/s that are less than 5m² or 1m³, and are unlikely to result in a significant risk to Council.

Such encroachments may include structures such as hosecocks (taps); letterboxes; protrusion of parking garages, sheds; balconies, protruding into Council's airspace, structures, eaves and gutter overhangs, sewer and other drainage pipes, stairs; water meters; boundary line built elements such as fences, walls or other landscaping and architectural detail encroachments as determined solely at the discretion of Council, but does not include encroachments which currently benefit the encroaching property such as rock anchors, solar panels/structures and other structures which generate an income.

- 3.18 **Operational Land** - comprises land which:
- is held as a temporary asset or as an investment;
 - facilitates the carrying out by Council its functions or operational activities, such as the provisions of public car parks;
 - may not be open to the general public, such as a Works Depot or Council garage; and
 - is not required to be managed on behalf of present and future communities, or kept for general public use.

The range of controls which apply to Community Land do not apply to the use and management of Operational Land.

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- 3.19 **Other Estates** - as defined in accordance with Section 21 of the *Interpretation Act 1987*, which includes interest, charge, right, title, claim, demand, lien and encumbrance whether at law or in equity. A common example in local government is the granting of easements.
- 3.20 **Parcel** - a parcel of land defined by measurement as a lot in a Deposited Plan or allotment lawfully registered pursuant to the provisions of the *Conveyancing Act 1919* and the *Conveyancing (Sale of Land) Regulation 2010*.
- 3.21 **Plan of Management** - a plan adopted by Council under Division 2 of Part 2, Chapter 6 of the *Local Government Act 1993*, to manage an area of public land.
- 3.22 **Positive Covenants or Restrictions for Maintenance and Repair** - a dealing created on title for the maintenance and upkeep of the burdened land in accordance with Section 88BA(1) of the *Conveyancing Act 1919*.
- 3.23 **Public Land** - has the same meaning as under the *Local Government Act 1993* and is defined as follows:
public land means any land (including a public reserve) vested in or under the control of the Council, but does not include:
(a) a public road, or
(b) land to which the *Crown Lands Act 1989* applies, or
(c) a common, or
(d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
(e) a regional park under the *National Parks and Wildlife Act 1974*.
- 3.24 **Public Road Reserve** - a public road reserve is a strip of public land that abuts property boundaries and which forms part of the public road accessible to the public.
- 3.25 **Regular Awnings** - the following table represents a “Regular Awning”. All other awning will be subject to Clause 4.2.3.5.

Awnings (in accordance with Council's DCP)			
Requirement		Zone	
		B3 - Commercial Core B4 - Mixed Use	B1 - Neighbourhood Centre
Minimum width		2m (min)	2m (min)
Setback from kerb	General	1.1m (or 600mm where walkway is not of sufficient width)	600mm
	To accommodate street trees	1.5m	2.0m
Height above footpath level		3.2m - 4.2m	3.0m - 3.6m

- 3.26 **Reserve Trust** - a reserve trust is a corporation established under the *Crown Lands Act 1989* to manage a Crown reserve on behalf of the people of NSW. It is not a branch of a department of Government, however, it responsible under

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the oversight of the Minister - for care, control and management of a specific reserve and is not for private profit.

3.27 **Road** - in accordance with the *Roads Act 1993*, a road includes:

- a) the airspace above the surface of the road;
- b) the soil beneath the surface of the road; and
- c) any bridge, tunnel, causeway, road-ferry, ford or other work or structure forming part of the road.

For the purposes of this Policy roads include footpaths. It does not include roads under the control of the Roads and Maritime Services.

3.28 **Section 10.7 Planning Certificates** - outlines the relevant planning information that applies to a particular parcel of land on the date that the Certificate was signed. These Certificates are required to accompany the contract of sale of any registered parcel of land pursuant to the provisions of the *Conveyancing Act 1919* and the *Conveyancing (Sale of Land) Regulation 2010*.

There are two types of Planning Certificates which include:

- a) Section 10.7(2) Planning Certificate - basic information to satisfy the requirements identified under the *Environmental Planning & Assessment Regulation 2000*, such as applicable planning instruments, permissible uses and legislative constraints such as building height and heritage status).
- b) Section 10.7(5) Planning Certificate - all information contained within a Section 10.7(2) Planning Certificate and any other information of relevance that Council sees fit, such as encroachments, previous subdivisions, easements and other Council advice.

3.29 **Security Deposit** - a sum of money equivalent to six month's rental (or a negotiated amount, determined at the discretion of the Property Assets Department), and paid to the landlord to be used to recover any arrears or other lease related costs (e.g. paying for damage caused by the tenant). The money is refunded once the tenant has vacated the property and there are no outstanding matters.

3.30 **Subject land** - that part of the land over which an encroachment extends.

4. PROVISIONS

4.1 Risk

4.1.1 This Policy applies to all Council Land.

4.1.2 It focuses on the management of all encroachments which impact Council land.

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4.1.3 Encroachments onto Council's public land may present a potential risk of safety to the public as well as a potential risk of legal claims to Council if left unmanaged.

4.1.4 Council has a duty to manage the risk and this is done by ensuring that the private property owner who encroaches onto Council land remains responsible for identifying the risks, assessing the extent of the risks and for undertaking all measures necessary to mitigate the risk to an acceptable level.

4.2 Guiding Principles

4.2.1 Classification

4.2.1.1 Road:

- a) Management of encroachments on public roads shall be in accordance with the principles pursuant to the Roads Act 1993.
- b) Encroachments on public roads are not permitted unless in 'exceptional circumstances' and if approved by Council.

4.2.1.2 Operational Land:

- a) Management of encroachments on Operational Land shall be in accordance with the principles pursuant to the *Local Government Act 1993*.
- b) Encroachments on Operational Land are not permitted unless in 'exceptional circumstances' and if approved by Council.

4.2.1.3 Community Land:

- a) Management of encroachments on Community Land shall be in accordance with the principles pursuant to the *Local Government Act 1993*.
- b) Encroachments over Community Land are prohibited.

4.2.1.4 Crown Land:

- a) Management of encroachments on Crown Land shall be in accordance with the principles pursuant to the *Crown Lands Act 1989* and the Department of Primary Industries Catchments and Lands Trust Handbook, and in accordance with the Principles of Crown Land Management, Section 11 of the Act.
- b) Where Council is the Reserve Trust Manager of Crown land, upon notification of an existing encroachment

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Council will inspect the reserve to determine the public impact and to determine whether the encroachment is consistent with the purpose of the reserve.

- c) If the encroachment meets these conditions, a lease may be granted but only in 'exceptional circumstances', otherwise the encroachment must be removed.
- d) Section 34(1)(b) of the *Crown Lands Act 1989* permits the Minister to grant easements over Crown Land.
- e) Section 34(1)(a) empowers the Minister to sell Crown Land on behalf of the Crown.
- f) Council cannot sell or otherwise dispose of Crown Land without the authorisation of the Minister.

4.2.2 Minor Encroachments

4.2.2.1 Minor encroachments over Council land are generally not permitted.

4.2.2.2 Where minor encroachments occur, they will be notated on a Section 10.7(5) Planning Certificate. This is to ensure that property owners are aware of any encroachment that Council has identified in relation to their land.

4.2.2.3 A minor encroachment is to be regularised by a Deed of Agreement between Council and the property owner. This is to ensure that Council is indemnified against any potential public liability claim which may arise as a result of the encroachment.

However, Council reserves the right to determine whether the minor encroachment warrants a lease or easement to be entered into.

4.2.2.4 The Deed is to be accompanied by a Plan of Survey, prepared by a Registered Surveyor. The Plan must reflect the dimensions and size of the encroachment in m² or m³ occupied by the encroachment.

4.2.3 New Encroachments

4.2.3.1 New Encroachments over Council land is generally not permitted.

4.2.3.2 Council shall only grant permission for an encroachment as part of a development consent or otherwise only in 'exceptional circumstances'.

4.2.3.3 If owner's consent is required as part of a development application, the applicant is required to submit a plan of

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survey, prepared by a Registered Surveyor, with the encroachment/s calculated in m² (area) or m³ (volume), depending on the nature of the encroachment.

4.2.3.4 If an encroachment appears over various levels, then the volume of the encroachment over each level must be taken into consideration to determine the total volume.

4.2.3.5 If the encroachment/s are greater than 5m² or 1m³ the encroaching land owner will be requested to secure either one of the following:

- (a) Lease or Licence
- (b) Easement

(i) Execution of the Lease Agreement

- (a) If the determined option is a lease as per Item 4.2.3.5(a), then the encroaching owner is required to enter into a lease agreement which must be executed before a Construction Certificate can be issued.
- (b) The commencement date of the lease shall be the Date of Practical completion.
- (c) The agreed rental will be reviewed at the date of Practical Completion, using the same approach applied at the time the lease was initially executed, or CPI may be applied to compensate the time lapse.

(ii) Easement

- (a) If an easement is approved for the encroached area, a draft plan of easement, together with the terms and conditions must be provided to Council with the recommended bond before a Construction certificate can be issued.
- (b) All documentation relating to the easement must be executed by both parties and lodged for registration at the NSW Land Registry Services immediately after a Certificate of Practical Completion is issued and before an Occupation Certificate can be issued.

4.2.4 Existing Encroachments

4.2.4.1 If Council becomes aware of an existing encroachment on its land, and it is not in the public interest or is otherwise unacceptable, Council may:

- (a) direct the encroaching owner to remove the encroachment;
- (b) remove the encroachment at the owner's expense and recover such expense as a debt under the provisions of the *Local Government Act 1993* or as a liquidated claim in court; or

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(c) issue infringement notices or commence enforcement action until the matter is resolved.

- 4.2.4.2 If Council concludes that the encroachment cannot be removed, then Clause 4.2.3.5 will be applied if the encroachment/s are greater than 5m² in area or 1m³ in volume. If the encroachment/s are less than 5m² in area or 1m³ in volume, it will be regarded as a minor encroachment.
- 4.2.4.3 Zonings and classifications of some land may prevent Council from formalising Agreements with property owners, and the encroaching owner would be responsible for the cost of the reclassification process if approval to formalise the encroachment is granted by Council. Reclassification is at the discretion of Council and may be refused.
- 4.2.4.4 If the land occupied by the encroachment is classified as Community Land, it can only be leased/licenced if the purpose for which the lease/licence is issued is consistent with the core objectives for the area of Community Land in question.
- 4.2.4.5 If the land occupied by the encroachment is Crown land, Council will only permit the encroachment to remain (by entering into a lease or licence) if the use is consistent with the purpose of the reserve (i.e. public recreation), and is in the public interest. The consent of the Minister is also required.
- 4.2.4.6 If an existing encroachment is identified by Council and it cannot be removed, (Refer to Clause 4.2.4.2, the encroachment will be notated on a Section 10.7(5) Planning Certificate. This is to ensure that property owners are aware of any encroachment that Council has identified in relation to their land.

4.2.5 General Principles

- 4.2.5.1 The following principles relate to the various categories for the management of encroachments on Council Land.
- 4.2.5.2 Only regular awnings that have public benefit over Council land will be permitted.
- 4.2.5.3 Council shall only grant permission for an awning as part of a development consent or otherwise only in 'exceptional circumstances'.
- 4.2.5.4 Encroachment/s must not hinder pedestrian/vehicle access safety.

4.2.5.5 Category

- (a) **Leases and Licenses** as per Item 4.2.3.5 may be categorised as follows:
- (i) Use of small areas of land for driveways, garages or parking areas;
 - (ii) Use of small areas of adjoining land for beautification of a resident's holding;
 - (iii) Airspace encroachments such as balcony encroachments, pedestrian footbridges, vehicular airbridges, building cladding, decorative awnings, protruding structures and any other related encroachments; and
 - (iv) Commercial use.
- (b) **Easements/Positive Covenants:**
- (i) The nature of the encroachment will determine whether an easement is required.
 - (ii) Council shall only grant permission for an easement as part of a Development Application or in 'exceptional circumstances'.

Council reserves the right to determine whether a Lease or Easement is to be registered to secure its interests.

4.2.5.6 No Sale/Transfer

- (i) The sale/transfer of Council land is not permitted under this policy.
- (ii) However, if Council believes the subject property is no longer required, only then will Council consider selling/transferring the property but only in circumstances where the encroachment is over Operational Land or land classified as a public road in accordance with the *Roads Act 1993*, and only if the encroaching owner is a government authority.
- (iii) Any sale or transfer of Council Land will be subject to Council approval by way of Council resolution.

4.2.6 Maintenance and Insurance

- 4.2.6.1 If an easement is approved, positive covenants or restrictions may be imposed onto the encroaching owner in accordance with Section 88BA(1) of the *Conveyancing Act 1919*.
- 4.2.6.2 All agreements will comprise Council's standard terms and conditions relating to insurance purposes.
- 4.2.6.3 The encroaching owner is the only person with the entitlement benefiting from the interest and has the obligation to repair and

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maintain the infrastructure, or any damages caused to Council property, which are consistent with Council's standards and requirements, unless otherwise determined by Council.

- 4.2.6.4 Council may occasionally monitor the encroached area to ensure that the public interest is maintained.
- 4.2.6.5 The encroaching owner is required to maintain public liability insurance of \$20 million, noting Council's interest on the Certificate of Currency.
- 4.2.6.6 If the encroaching owner neglects to fulfil their obligations, Council may terminate the agreement at any time and the landowner will not be compensated for any losses.
- 4.2.6.7 The landowner is also responsible for providing Council with a copy of the Certificate of Insurance on an annual basis. This is to ensure that the landowner holds adequate public liability insurance in relation to the development that encroaches onto Council land.

4.2.7 Rent and Compensation: Method for calculating Rental and Compensation payable to Council

- 4.2.7.1 Leases and Licences that apply to Roads and Operational Land - the rental payable to Council for the granting of Leases and Licences over an approved Encroachment will be calculated as follows:
 - a) Use of small areas of land for driveways, garages or parking areas, the annual cost of the rent will be 10% of the Value of Council Land (VCL).
 - b) Use of small areas of adjoining land for incorporation or beautification of a residents' holding, the annual cost of the rental will be 1% of the VCL.
 - c) Commercial use - Council's registered valuer will determine the appropriate market rent or compensation payable to Council.
 - d) In air spaces and other related encroachments, Council's registered valuer will determine the appropriate market rent or compensation payable to Council.
 - e) Rental increases - An annual CPI increase will apply to all leases until the date of renewal.
Upon renewal, a market valuation will be undertaken to determine the new rental.

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4.2.7.2 Easements

The compensation payable will be determined by a registered Valuer.

Example of Calculation in relation to Leases and Licences as per Items 4.2.7.1 (a) and (b)		
Acronyms	Description	Illustration
ACL	Area of Council land	5 sqm
AARL	Area of Adjoining Resident's land	500 sqm
VARL	Valuation of Adjoining Resident's land	\$1,000,000
VCL	Value of Council's Land (Rental Payable by lessee):	\$10,000
VCL Rent	(As per 4.2.7.1 (a)) Use of small areas of land for driveways, garages or parking areas (10%)	\$1,000 per annum plus GST
	(As per 4.2.7.1 (b)) Use of small areas of adjoining land for incorporation or beautification of a residents holding (1%)	\$100 per annum plus GST
VARL/AARL	Equates to \$ rate per sqm of ACL	\$2,000 per sqm

Illustration as per 4.2.7.1(a):

$$\begin{aligned} (\text{VARL/AARL}) \times (\text{ACL}) &= \text{VCL} \times 10\% \Rightarrow \text{Rental payable} \\ (\$1,000,000/500 \text{ sqm}) \times (5 \text{ sqm}) &= \$10,000 \times 10\% \Rightarrow \$1,000 \text{ per annum plus GST} \end{aligned}$$

Illustration as per 4.2.7.1(b):

$$\begin{aligned} (\text{VARL/AARL}) \times (\text{ACL}) &= \text{VCL} \times 1\% \Rightarrow \text{Rental payable} \\ (\$1,000,000/500 \text{ sqm}) \times (5 \text{ sqm}) &= \$10,000 \times 1\% \Rightarrow \$100 \text{ per annum plus GST} \end{aligned}$$

4.2.8 Title Application and Costs

4.2.8.1 It may be required that Title be created for any encroached parcel of land for which Council has granted approval.

4.2.8.2 All costs associated with any transaction as per Clause 4.2.3.5 will be borne by the applicant or the encroaching property owner.

4.2.8.3 Council will bear the costs of any valuation if required. The valuation is for the purposes of Council only and it will not be released to any party.

4.2.8.4 If an encroachment is approved by Council, the encroaching owner will be required to enter into a Heads of Agreement with Council. A Heads of Agreement is a pre-requisite to the Lease Agreement which comprises the key elements to the Lease. By executing the Heads of Agreement, the property owner confirms that he is willing to enter into a Lease Agreement with Council.

4.2.8.5 The executed Heads of Agreement is to be returned to Council

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with a bond of \$10,000, or a lower amount as determined at the discretion of the Property Assets Department.

4.2.8.6 If the application requires the permanent closure of the road, the applicant or the encroaching owner is required to lodge a bond of \$20,000, or a lower amount as determined at the discretion of the Property Assets Department.

4.2.8.7 This bond is required to cover legal, advertising, surveying or any other likely costs arising from a transaction approved as per Clause 4.2.3.5 and must be submitted with a written authorisation to draw on the bond to recover expenditure being incurred. A further amount may be requested if the amount of bond lodged is insufficient.

4.2.8.8 If a lease is approved as per Clause 4.2.3.5, the encroaching property owner is required to lodge a Security Deposit with Council.

4.2.8.9 The lease would be subject to all other Council's standard terms and conditions.

4.2.9 Removal or Release of Encroachments (as per Appendix A):

4.2.9.1 Appendix A (flowchart) outlines the process followed by Council after Council has been made aware of an unauthorised encroachment.

4.2.9.2 It focuses on the legal obligations delegated to Council in accordance with the appropriate Acts applicable to land either owned or controlled by Council as comprised in the Council's Land Register.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council's Director Engineering and Property Services, Director City Strategy and Director Open Space and Environmental Services are accountable for the implementation of this Policy.
- 5.2 Council's Property Assets Department is responsible for actioning tasks associated with the implementation of this Policy.
- 5.3 Council's Property Officer will review this Policy every four years or as required by Council or senior management.

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6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Local Environmental Plan
- Development Control Plan

The Policy should be read in conjunction with the following documents/legislation:

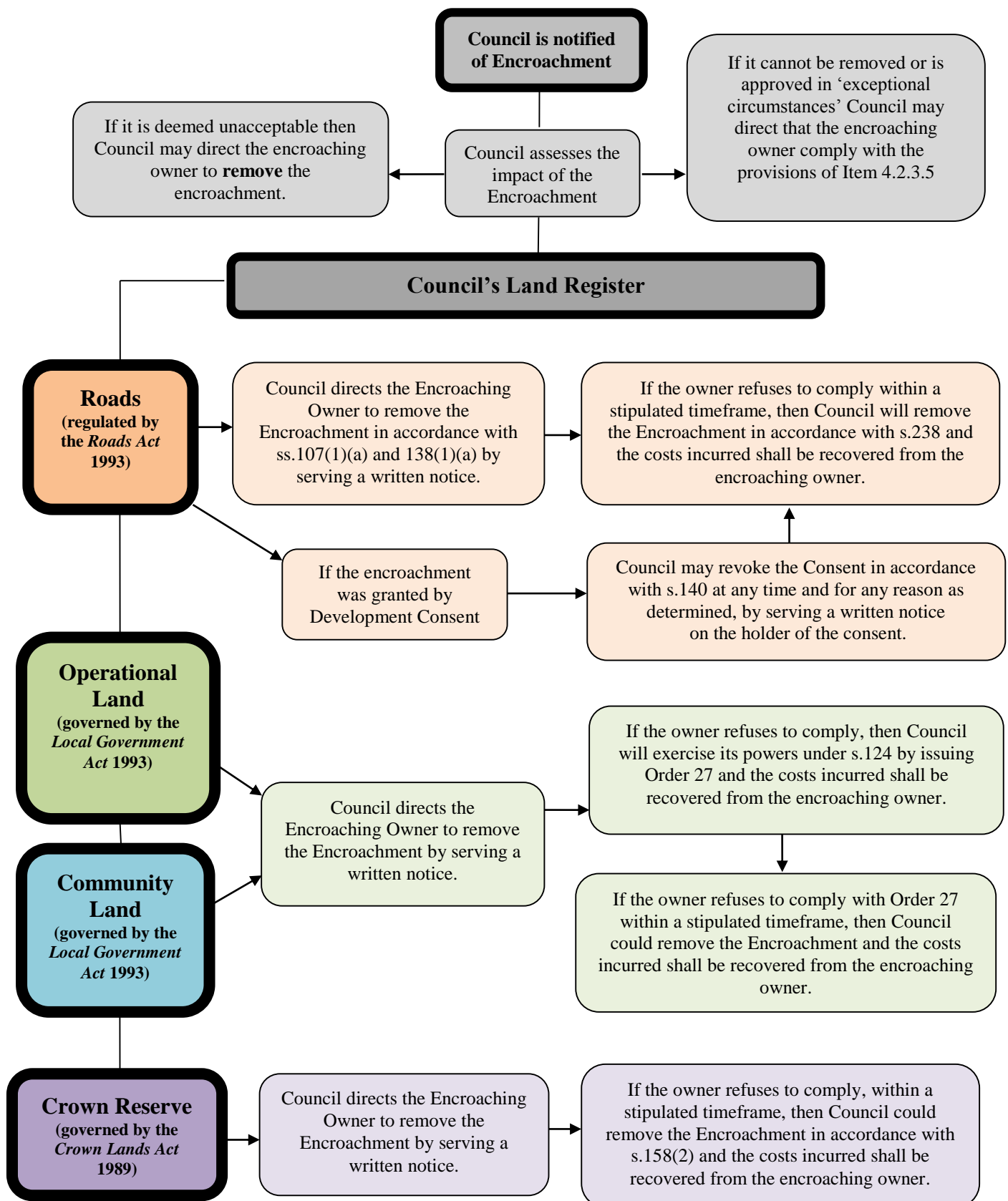
- Conveyancing Act 1919
- Conveyancing (Sale of Land) Regulation 2010
- Crown Lands Act 1989
- Department of Lands Fact Sheets
- Department of Primary Industries Catchments and Lands Trust Handbook 2007 (updated 2012)
- Encroachment Act 1922
- Environmental Planning and Assessment Act 1979
- Local Government Act 1993
- Local Government Amendment (Community Land Management) 1998
- Local Government Manual 1993
- Local Government Practice Note May 2000 - Division of Local Government
- Real Property Act 1900
- Registrar General Directions
- Roads Act 1993

Version	Date Approved	Approved by	Resolution No.	Review Date
1	18 February 2013	Council	61	2016/17
2	13 May 2013	Council	279	2016/17
3	18 May 2015	Council	155	2016/17
4	27 August 2018	Council	311	2020/21

ENCROACHMENT MANAGEMENT POLICY

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APPENDIX A: REMOVAL OR RELEASE OF ENCROACHMENTS FLOWCHART



[first line of name & address]

E:

[type in date here]

Dear addressee's name

RE: Proposal to Install Telecommunication Equipment on Council Owned Infrastructure

Thank you for your email regarding Land Access Activity Notice (LAANs) reference: (#
INSERT from Cover Email) on behalf of Pipe Networks Pty Ltd part of the TPG Group.

A review of the proposal has resulted in a number of significant issues being raised about Council owned infrastructure being used for this purpose.

Council would like to work with your company to resolve the issues and cannot make any final decision or grant any approvals to use Council owned infrastructure for this purpose until all issues have been resolved.

A summary of some of the issues concerning Council at this stage are:

1. The visual presentation is aesthetically poor particularly in the streetscape of neighbourhood streets;
2. Electricity / Power Supply. Council will need details from your company on how this is proposed to be achieved as Councils Multi-Function Poles are on a separately metered network. Council will need to understand in detail ongoing power supply and payment arrangements between your company and Council.
3. Terms and conditions around how any damage to Council owned infrastructure will be repaired as a result of any works undertaken by your company on Council owned infrastructure including installation of wiring, conduits and any associated ground works will need to be resolved.
4. The offer of a lease or licence indemnifying Council over its Multi-Purpose Poles and the offer of a market-based rental for each affected pole based on the type of infrastructure installed is absent from your proposal.
5. Any proposal to install telecommunication equipment including all wiring/conduits to be installed within Council owned infrastructure (Multi-Purpose Poles) would be subject to the availability of space within or attached to Council Owned Infrastructure.

- 2 -

6. Any installed infrastructure on Council owned property including its Multi-Purpose Poles cannot be subleased to other Telco's or third parties without the explicit approval of Council and negotiation of compensation (whether the sublessee houses their infrastructure within the TPG infrastructure or as an external attachment)
7. Maintenance requirements. No information on your company's proposal was supplied to Council on what maintenance regimes the proposed equipment from your company requires. Council must have priority access at all times to its poles and must understand the maintenance requirements of your proposal.
8. Outage ramifications – council cannot be held liable for any commercial losses or damage to infrastructure as a result of any fault in the electrical supply systems that power Council owned infrastructure.
9. Effects of electromagnetism energy – verification by an independent source or expert is an issue that will need to be addressed along with the cumulative effect of other proposed cells and telecommunication equipment that may be proposed and or already exist within the North Sydney Centre and across the North Sydney Local Government Area.
10. No information has been provided by your company on what the structural impacts on Council owned infrastructure would be through the installation of the proposed telecommunication equipment. Council would need to have on its records a structural assessment and suitability report on the structural requirements of your proposal for each piece of Council owned infrastructure that is impacted. Council also requires written confirmation from the manufacturers of its Multi-Purpose Poles that the proposal would comply with the manufacturer's specifications and structural requirements of the pole.
11. Council would also like to see what Community consultation process will be undertaken as part of your company's proposal and how your company will address community concerns about the proliferation of Telecommunication equipment being installed in the Public domain and general environment around North Sydney.

Based on the above issues and lack of information provided about your proposal, Council objects to the Land Access & Activity Notices and cannot consent to the proposed works at this stage. Council requires an extension of time to discuss these matters with your company and requests a written response on how each of the issues identified in this letter will be addressed.

Yours sincerely



Duncan Mitchell
Director Engineering & Property Services

Attachments:

- 3 -

#LIST AND ATTACH - TPG LAAN Referrals in PDF Format

NAME/ADDRESS

E: INSERT

DATE

Dear SALUTATION

RE: Proposal to Install Telecommunication Equipment Over Council Owned Land

I refer to your letter of DATE.

I note your letter seeks feedback from the Council as part of your consultation process about the proposed installation of small cell mobile base station equipment on various existing Ausgrid street light poles located in Council's road reserves in the North Sydney area (the **Proposal**).

Council objects to the Proposal on the following grounds:

1. The visual presentation is aesthetically poor particularly in the streetscape of neighbourhood streets;
2. The Proposal encroaches into Council's road reserve (and air space) causing a trespass and as such Council does not give consent to the installation of the Proposal;
3. By failing to seek any consent for the encroachment of the small cell installation, Council reserves its position for compensation for the encroachments of the Proposal if the installations proceed;
4. There is no explanation as to how the ancillary equipment, if any, will be installed and whether the Council road reserve will be further encroached by the ancillary equipment; and
5. Council does not consent to the installation of any ancillary equipment in, on or over its road reserve and reserves its position to seek compensation.

I look forward to your response.

Yours sincerely



Duncan Mitchell
Director Engineering & Property Services

- 2 -

Attachments:

LIST AND ATTACH- #TPG LAAN Referrals in PDF Format

[first line of name & address]

[type in date here]

Dear addressee's name

RE: Proposal to Install Telecommunication Equipment on Infrastructure

Thank you for your letter regarding consultation notices you have received on behalf of TPG informing residents of their proposal to install telecommunication equipment in your local area.

Council has made its own submission to TPG objecting to the proposals which I have attached to this letter for your information.

To date, Council has not received an official response from TPG however it is committed to continued dialog with TPG to reach a suitable outcome.

If you would have any queries regarding this issue I can be contacted on PH: 99368230 or via email on Duncan.mitchell@northsydney.nsw.gov.au

Yours sincerely



Duncan Mitchell
Director Engineering & Property Services

Attachment:

Letter to Telco listing this particular LAAN installation

HUAWEI
ARO C&SI Services Department
Level 5, 12 Help Street, Chatswood, 2067
Email: tpgplanning@huawei.com
Web: <http://www.huawei.com/au/au>

Attention: Ashleigh McMenamin

Dear Ashleigh

RE: North Sydney Councils Objection to Install Telecommunication Equipment on Council Owned Infrastructure and or over Council Owned Land

I refer to your letter of October 4, 2018

North Sydney Council again reiterates to you and TPG as per previous correspondence that it does not approve of the installation of any Telecommunication Equipment on Council Owned Infrastructure and or over Council Owned Land without a formal licence agreement in place and formal compensation.

North Sydney Council on that basis considers any proposed installation of small cell mobile base station equipment on its infrastructure and or over land it owns (An Encroachment) as illegal.

Myself and our Legal team are happy to discuss this with you further.

Yours sincerely

Duncan Mitchell
Director Engineering & Property Services



28 February 2019

Mr Ken Gouldthorp
General Manager
North Sydney Council
200 Miller Street
North Sydney, NSW 2060

Dear Mr Gouldthorp,

Re: TPG Mobile Network Status in North Sydney

As North Sydney Council is aware, TPG has been active in the deployment of a 4G mobile network over the last six months. Council may be aware that TPG made a company announcement on 29 January 2019 that it has decided to cease the rollout of its mobile network in Australia¹.

We appreciate that Council and communities will have inquiries regarding the rollout, and we are pleased to provide you with an understanding of the status of the rollout across North Sydney; clarity of TPG's intentions for individual facilities; and advice about our communications with affected communities in keeping with the requirements of the *Mobile Phone Base Station Deployment Code*.

We highlight that as of 29 January 2019, facilities proposed for the 4G network were in various stages of progress or completion across North Sydney.

Some facilities were either fully or partially constructed, some proposed facilities had completed their consultation programs but had not commenced construction; some proposed facilities were awaiting completion of their public consultation programs, and some had consultation plans lodged to Council, but had not yet proceeded to public notification. In summary, we advise the status of the rollout across North Sydney:

Deployment Code Status	Number of Facilities
Stage One Consultation Plan submitted to Council (no public consultation)	6
Stage Two (Public consultation commenced (but no Consultation Report published)	1
Stage Three (Consultation Report published to RFNSA but no construction commenced)	27
Consultation Report published (and construction commenced)	6

¹ <https://www.asx.com.au/asxpdf/20190129/pdf/44247b6xdpq097.pdf>

Actions Resulting from TPG Company Announcement

TPG takes this opportunity to clarify its' intentions for its' built and proposed facilities across North Sydney, which for your reference are listed in detail in *Appendix A*. We hope that the summary of actions below is useful to Council.

- Stage One Consultation (submission of consultation plan to Council)

For facilities where a Consultation Plan was submitted to Council, but Stage Two community consultation did not commence, TPG advises that it does not intend to proceed with consultation for those facilities as proposed, and that no further action is required.

- Stage Two Community Consultation Program Still Open

TPG advises that it does not intend to proceed with proposed facilities that were in open consultation as at 29 January 2019 (i.e. they have not had a Consultation Report published to the RFNSA website).

We advise Council that TPG will, in accordance with the requirements of the Deployment Code, publish a Consultation Report to the RFNSA for proposals that commenced Stage Two community consultation. This report will identify the issues raised during consultation, TPG's response to those issues and TPG's intended actions. The Consultation Report to the RFNSA for each of these proposed facilities will state our intentions as follows:

"TPG does not intend to proceed with this facility as proposed. Community inquiries can be addressed to mobilenetworkenquiries@tpgtelecom.com.au"

In keeping with the requirements of the Code, a copy of these Consultation Reports will be issued separately to Council. Further, we advise that for these proposed facilities, TPG will also publish a Community Update on the RFNSA providing the same advice, for transparency. Finally, on-site signage advertising the proposal will be removed.

- Stage Three Community Consultation Program Closed
 - No Construction Commenced

TPG advises that in keeping with the Code, it has already published Consultation Reports to the RFNSA for a number of proposals that completed their consultation programs, and that these Consultation Reports indicated an intention to proceed with those facilities. In some instances, no construction activity had commenced following publication of the Consultation Report to the RFNSA.

We recognise that the advice in these Consultation Reports has been superseded by the company announcement on 29 January 2019. TPG advises Council that for sites that completed Stage Three consultation, it will amend these Consultation Reports with an update that states:

"TPG does not intend to proceed with construction of this facility as proposed. Community inquiries can be addressed to mobilenetworkenquiries@tpgtelecom.com.au"

TPG will also publish a Community Update on the RFNSA providing the same advice, for transparency. Additionally, on-site signage advertising the proposal will be removed.

- Construction commenced – Civil Works Only

TPG advises that civil works, including power and fibre works, will remain in situ. However, we also advise that TPG does not intend to proceed with the installation of these facilities, and that as above, TPG will both amend the published Consultation Report and published a Community Update on the RFNSA to the same effect:

"TPG does not intend to proceed with the installation of this facility as proposed. TPG may undertake some works where required to secure the facility in a suitable condition. Community inquiries can be addressed to mobilenetworkenquiries@tpgtelecom.com.au"

TPG will remove on-site signage as per above.

- Construction commenced but not complete – Equipment Installed on Pole

TPG advises that equipment installed on poles, and any civil works undertaken will remain in situ. TPG advises that TPG does not intend to complete these facilities as proposed and, in accordance with Code requirements, TPG will duly update the RFNSA consultation pages for these facilities by amending the Consultation Report, and publishing a Community Update which states:

"TPG does not intend to complete this facility as proposed. TPG may undertake some works to secure the facility in a suitable condition. Community inquiries can be addressed to mobilenetworkenquiries@tpgtelecom.com.au"

TPG will remove on-site signage as per above.

- Construction Complete

TPG advises that completed facilities, including equipment installed on poles, and any civil works undertaken, will remain in situ.

Once a facility is fully built (construction complete), the obligation under s6.3.9 of the Code is met and consultation pages are archived. There are therefore no further communications about these facilities via the RFNSA. On-site signage is removed once construction is complete, and should no longer be present at site.

Summary of Intentions & Actions Outlined Above

TPG's intentions and actions, specified above, are summarised as follows:

Deployment Status	Intentions	Actions
Stage One (Consultation Plan)	⇒ TPG will not proceed with facility as proposed.	⇒ No action required.
Stage Two (Open Consultation)	⇒ TPG will not proceed with facility as proposed.	⇒ Consultation Report published to RFNSA ⇒ Community Update published to RFNSA ⇒ Consultation Report to be provided to Council ⇒ On-site signage removed
Stage Three (Consultation Report)	⇒ TPG will not proceed with facility as proposed.	⇒ Consultation Report amended ⇒ Community Update published to RFNSA ⇒ On-site signage removed
Construction Commenced (Civil Works Only)	⇒ TPG will not proceed with facility as proposed.	⇒ Works remain in situ ⇒ Consultation Report amended ⇒ Community Update published to RFNSA ⇒ On-site signage removed

Construction Commenced (Equipment on Pole)	⇒ TPG will not complete this facility as proposed.	⇒ Works remain in situ ⇒ Consultation Report amended ⇒ Community Update published to RFNSA ⇒ On-site signage removed
Construction Complete	⇒ Constructed infrastructure to remain in situ.	⇒ No action required via RFNSA (consultation page archived) ⇒ Proactive advice for sensitive communities and for other facilities, inquiries addressed as received.

Community Inquiries

We hope that the advice contained within this correspondence will assist Council in responding to any community inquiry about the TPG mobile network. We would be pleased to assist Council with any such inquiries, especially for those completed facilities where RFNSA consultation pages have been archived.

For those TPG facilities that attracted community concern, TPG is taking steps to proactively advise those communities and residents of the outcomes of the company announcement, in addition to publicly available advice on the RFNSA.

Outstanding community inquiries received by Council can be directed to Jacqueline Crompton, TPG Stakeholder Manager at Jacqueline.crompton@tpgtelecom.com.au.

Completion Works

TPG advises that some close-out construction works may be required for some facilities to satisfy all necessary OH&S requirements, as well as the requirements of utility providers and owners on whose infrastructure TPG has co-located a mobile facility. These works will occur where required as a matter of proper due diligence. As above, RFNSA Community Updates will advise:

“TPG may undertake some works to secure the facility in a suitable condition.”

TPG highlights that these works pertain to necessary construction due diligence, and we highlight that TPG is **not** installing new facilities.

I trust that the advice herein provides Council with a clear understanding of the TPG network and of our communications with communities. Please see attached below a detailed summary of the TPG mobile network facilities in your local government area. As above, I would be pleased to assist if you have further inquiries.

Sincerely,



Jacqueline Crompton
Stakeholder Manager

Appendix A – Deployment Status North Sydney

RFNSA ID	Site Address (nearest adjacent / opposite property)	Deployment Status
2060099	28 Lavender St, North Sydney NSW 2060	Stage 1
2061021	37-45 Carabella St, Kirribilli NSW 2061	Stage 1
2060083	1A Henry Lawson Ave, McMahon's Point NSW 2060	Stage 1
2090007	4 Macpherson St, Cremorne NSW 2090	Stage 1
2060097	41 Bank St, North Sydney NSW 2060	Stage 1
2060096	19 Victoria St, McMahon's Point NSW 2060	Stage 1
2062005	Corner Miller St & Amherst St, Cammeray NSW 2062	Stage 1
2060104	52 High St, North Sydney NSW 2060	Stage 1
2060075	19 Bay Rd, Waverton NSW 2060	Stage 2
2061032	116 Alfred St S, Milsons Point NSW 2061	Stage 3
2065050	31 Willoughby Rd, Crows Nest NSW 2065	Stage 3
2060078	196A Miller St, North Sydney NSW 2060	Stage 3
2061026	41 Alfred St S, Milsons Point NSW 2061	Stage 3
2065069	Bernard Ln, Crows Nest NSW 2065	Stage 3
2090009	342 A8, Cremorne NSW 2090	Stage 3
2060082	124A Blues Point Rd, McMahon's Point NSW 2060	Stage 3
2060094	234 Blues Point Rd, North Sydney NSW 2060	Stage 3
2061030	9 Broughton St, Kirribilli NSW 2061	Stage 3
2090008	211 A8, Cremorne NSW 2090	Stage 3
2065051	210 Pacific Hwy, Crows Nest NSW 2065	Stage 3
2060073	285 Miller St, North Sydney NSW 2060	Stage 3
2060076	188 Pacific Hwy, North Sydney NSW 2060	Stage 3
2060081	2 Whaling Rd, North Sydney NSW 2060	Stage 3
2060085	111 Pacific Hwy, North Sydney NSW 2060	Stage 3
2060086	124 Walker St, North Sydney NSW 2060	Stage 3
2060087	90 Pacific Hwy, North Sydney NSW 2060	Stage 3
2060088	104 Mount St, North Sydney NSW 2060	Stage 3
2060089	142 Arthur St, North Sydney NSW 2060	Stage 3
2060090	55-63 Berry St, North Sydney NSW 2060	Stage 3
2060091	110 Pacific Hwy, North Sydney NSW 2060	Stage 3
2060092	Little Spring St, North Sydney NSW 2060	Stage 3
2065055	100 Alexander St, Crows Nest NSW 2065	Stage 3
2061020	4 Alfred St S, Milsons Point NSW 2061	Stage 3
2060095	Horace St, Waverton NSW 2060	Stage 3
2089010	93-95 Military Rd, Neutral Bay NSW 2089	Stage 3
2060100	40 Mount St, North Sydney NSW 2060	Stage 3
2060077	45 McLaren St, North Sydney NSW 2060	Construction Commenced
2065052	15 Morton St, Wollstonecraft NSW 2065	Construction Commenced
2065072	17 Hume St, Crows Nest NSW 2065	Construction Commenced
2061031	85 Carabella St, Kirribilli NSW 2061	Construction Commenced
2065061	30 Shirley Rd, Wollstonecraft NSW 2065	Construction Commenced
2065066	86-88 Shirley Rd, Wollstonecraft NSW 2065	Construction Commenced

NSC LAAN REGISTER

Feb-19

ENGINEERING AND PROPERTY SERVICES DIVISION

Item	Description of LAAN	Council Property/Infrastructure Impacted by LAAN or Works	Utility Authority	Date LAAN was received by Council	Access / Works Start Date	Access / Works Finish Date	Access / Works Due by No of Business Days	ECM Reference	Date letter sent	Reasons for Approval / Not Approved	Responsible Council Officer	Response ECM	Found in TPG	
3	Huawei - invitation to comment on draft consultation plan 3	85 Caraballa St, Kirribilli, 28 Liverpool Rd, Crown Nest, 116 Alfred St, 5 Milsons Point, 211 Ash, Cremorne, 30 Shirley Rd, Woollahracraft, 234 Blues Point Rd, North Sydney, 86-88 Shirley Rd, Woollahracraft	TPG	8/3/2018	Not given	Not given	10 days	ECM 7508701				Y	Small Cell	1
4	Huawei - invitation to comment on draft consultation plan 4	93-95 Military Rd, Neutral Bay, 4 Alfred St, 5 Milsons Point, 37-45 Caraballa St, Kirribilli, 31 Willoughby Rd, Crown Nest, 210 Pacific Hwy, Crown Nest, 285 Miller St, North Sydney, 13 Morton St, Woollahracraft, 13 Bay Rd, Waverton, 188 Pacific Hwy, North Sydney, 45 McLaren St, North Sydney, 192 Miller St, North Sydney, 2 Whaling Rd, North Sydney, 1244 Blues Point Rd, McMahon's Point, 14 Henry Lawson Ave, McMahon's Point, 41 Alfred St, 5 Milsons Point	TPG	8/3/2018	Not given	Not given	10 days	ECM 7507203				Y	Small Cell	1
5	Pipenetworks - survey and deploy underground conduit/trench	Military Rd, Neutral Bay - hauling optical fibre cable using existing Telstra and PPE conduit located	TPG	8/29/2018	9/12/2018	8/12/2018	10 days	ECM 7536275		No response required				1
6	Pipenetworks - survey and deploy underground conduit/trench	Adrian St, Home St and Pitt St, Crown Nest - break out existing ODA pit and hauling of optical fibre cable	TPG	9/14/2018	9/18/2018	8/18/2018	10 days	ECM 7541525		No response required				1
7	Aurecon - upgrade mobile phone base station	Site no 27406 - 4-8 Kareela Rd, Cremorne Point	Vodafone	9/5/2018	Not given	Not given	10 days	ECM 7544983	9/30/2018	Aurecon Response to Max 30-9-18	Edward Wong	ECM 7545899	Small Cell	1
8	Aurecon - upgrade mobile phone base station	Site no 22395 - Gallopig Legion Bowling Club, Alfred St, Milsons Point	Vodafone	9/5/2018	Not given	Not given	10 days	ECM 7544984	9/30/2018	Aurecon Response to Max 30-9-18	Edward Wong	ECM 7545899	Small Cell	1
9	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22488 Pole number MD14057 - NW c/r of Macquarion St and Parapente St, Cremorne	TPG	9/7/2018	9/21/2018	8/21/2018	10 days	ECM 7547248	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
10	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW23964 Pole ID MD13301 - Outside of Blues Point Rd, North Sydney - 0X12187TPO1 - Segment 8	TPG	9/7/2018	9/21/2018	8/21/2018	10 days	ECM 7547247	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
11	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW23590 Pole ID MD70538 - NW c/r of Walker St and Lavender St, Lavender Bay - 0X12187TPO1 - Segment 9	TPG	9/7/2018	9/21/2018	8/21/2018	10 days	ECM 7547246	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
12	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22127 Pole ID MD70917 - Outside of 194 Miller St, North Sydney - 0X12187TPO1 - Segment 1	TPG	9/7/2018	9/21/2018	8/21/2018	10 days	ECM 7547245	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
13	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22124 Pole ID MD70618 - Outside 19 Bay Rd, Waverton - 0X12187TPO1 - SEG2	TPG	9/7/2018	9/21/2018	8/21/2018	10 days	ECM 7547244	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
14	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22124 Pole ID MD70618 - Outside 19 Bay Rd, Waverton - 0X12187TPO1 - SEGMENT 2	TPG	9/10/2018	9/24/2018	8/24/2018	Not given	ECM 7548462	9/26/2018	Response sent	Edward Wong	ECM 7543150	Small Cell	1
15	Pipenetworks - using Council smart pole for connection	Site ID NSW22143 - Opposite of 115 Pacific Hwy, North Sydney - 0X12187TPO1 - SEGMENT 06	TPG	9/10/2018	9/24/2018	8/24/2018	Not given	ECM 7548461	9/26/2018	Response sent	Edward Wong	ECM 7543150	Small Cell	1
16	Pipenetworks - using Council smart pole for connection	Site ID NSW22141 Pole ID 109 - Outside of 111 Pacific Hwy, North Sydney	TPG	9/10/2018	9/24/2018	8/24/2018	Not given	ECM 7548460	9/26/2018	Response sent	Edward Wong	ECM 7543150	Small Cell	1
17	Metcash - removal and installation of radio Remote Units and other ancillary equipment	1-15 Christie St, Woollahracraft	Optus	9/10/2018	9/10/2018	Not given	10 days	ECM 7547570	9/30/2018	Metcash Response to Joel 30-9-18	Edward Wong	ECM 7545998	Small Cell	1
18	Huawei - upgrade existing mobile station	272 Pacific Hwy, Crown Nest	Optus	9/10/2018	Not given	Not given	10 days	ECM 7547590	9/30/2018	Huawei Response to Brad 30-9-18	Edward Wong	ECM 7545940	Small Cell	1
19	Pipenetworks - survey and deploy underground conduit/trench	Alfred St, Dind St, Glen St, Milsons Point - PPE Ref: RT83429 - 0X12187TPO1	TPG	9/11/2018	9/25/2018	8/25/2018	10 days	ECM 7551872		No response required				1
20	Pipenetworks - proposed new Small Cell facilities in North Sydney LGA	210 Pacific Hwy, Crown Nest; 188 Pacific Hwy, North Sydney; 1244 Blues Point Rd, McMahon's Point; 41 Alfred St, 5 Milsons Point; 111 Pacific Hwy, North Sydney; 124 Walker St, North Sydney; 104 Mount St, North Sydney; Little Spring St, North Sydney; 100 Alexander St, Crown Nest; Horace St, Waverton; 30 Shirley Rd, Woollahracraft; and 234 Blues Point Rd, North Sydney	TPG	9/11/2018	Not given	Not given	10/1/2018	ECM 7551893	9/25/2018	Huawei letter drafted	Edward Wong	ECM 7542233	Small Cell	1
21	Pipenetworks - proposed new Small Cell facilities in North Sydney LGA	90 Pacific Hwy, North Sydney; 142 Arthur St, North Sydney; 55-63 Berry St, North Sydney; 9 Broughton St, Kirribilli; Bernard Ln, Crown Nest; 40 Mount St, North Sydney; 342 Ash, Cremorne	TPG	9/13/2018	Not given	Not given	10/1/2018	ECM 7551894	9/25/2018	Huawei letter drafted	Edward Wong	ECM 7542233	Small Cell	1
22	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22622 Pole ID 1258 - NW c/r William St and Mount St, North Sydney - 0X12187TPO1 - Segment 5	TPG	9/13/2018	9/26/2018	8/26/2018	10 days	ECM 7550597	9/26/2018	Response sent	Edward Wong	ECM 7543150	Small Cell	1
23	Pipenetworks - proposed new Small Cell facilities in North Sydney LGA	93-95 Military Rd, Neutral Bay, 31 Willoughby Rd, Crown Nest, 285 Miller St, North Sydney, 45 McLaren St, North Sydney; 192 Miller St, North Sydney	TPG	9/14/2018	9/14/2018	10/1/2018	10 days	ECM 7552602	9/26/2018	Huawei letter drafted	Edward Wong	ECM 7542257	Small Cell	1
24	Pipenetworks - using Council smart pole for connection	Site ID NSW22144 Mobile Site, Outside of 132 Arthur St, North Sydney - 0X12187TPO1 - SEGMENT 3	TPG	9/11/2018	9/25/2018	8/25/2018	10 days	ECM 7552605	9/26/2018	Response sent	Edward Wong	ECM 7543150	Small Cell	1
25	Aurecon - upgrade mobile phone base station	Site no 2518 - 80 Shirley Rd, Woollahracraft	Vodafone	9/13/2018	Not given	Not given	9/26/2018	ECM 7553111	9/30/2018	Aurecon Response to Max 30-9-18	Edward Wong	ECM 7545899	Small Cell	1
26	Pipenetworks - proposed new Small Cell facilities in North Sydney LGA	4 Alfred Street South MILSONS POINT	TPG	9/14/2018	NA	NA	NA	ECM 7553118		Council advised TPG development consent is required at the proposed location, taking this information into account TPG have decided not to proceed with the development.			Small Cell	1
27	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22622 Pole ID MD13871 - Outside 54 High St, North Sydney - 0X0901001 - SEGMENT 1	TPG	9/14/2018	9/14/2018	10/1/2018	NA	ECM 7553108		On the basis of consultation undertaken, TPG Telecom intends to proceed with proposed development with construction commencing 14/09/2018 to 31/Oct/2018 for 2 Whaling Rd and 15 Morton St			Small Cell	1
28	Huawei - proposed new small cell installation	2 Whaling Rd, North Sydney, 15 Morton St, Woollahracraft, 4 Alfred Street South, Milsons Point	TPG	9/14/2018	9/14/2018	10/1/2018	NA	ECM 7553108		On the basis of consultation undertaken, TPG Telecom intends to proceed with proposed development with construction commencing 14/09/2018 to 31/Oct/2018 for 2 Whaling Rd and 15 Morton St			Small Cell	1
29	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22622 Pole ID MD13871 - Outside 54 High St, North Sydney - 0X0901001 - SEGMENT 1	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552606	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
30	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22515 Pole ID MD12090 - Mobile site located outside Broughton St, Kirribilli - 0X12187TPO1 - Segment 4	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552607	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
31	Pipenetworks - using Council smart pole for connection	Site ID NSW22625 Pole ID 1258 - NW c/r William St and Mount St, North Sydney - 0X12187TPO1 - Segment 5	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552608	9/26/2018	Duplicate of ECM 7550997			Small Cell	1
32	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22603 Pole ID MD14070 - along Military Rd, Cremorne - 0X12187TPO1 - Segment 2	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552609	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
33	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22292 Pole ID MD14069 - approx 42 m W from SW c/r of Falcon St and West St, Crown Nest - 0X122005TPO1 - Segment 5	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552629	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
34	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW3972 Pole ID MD3674 - outside 88 Shirley Rd, Woollahracraft - 0X094001	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552629	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
35	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22115 Pole ID MD14201 - approx 5 m E from NW c/r of Holmestown St and Alexander St, Crown Nest - 0X094001 - Segment 1	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552625	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
36	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22603 Pole ID MD14070 - along Military Rd, Cremorne - 0X12187TPO1 - Segment 2	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552625	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
37	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22603 Pole ID MD14070 - along Military Rd, Cremorne - 0X12187TPO1 - Segment 2	TPG	9/17/2018	10/2/2018	9/2/2018	10 days	ECM 7552625	9/26/2018	Response sent	Edward Wong	ECM 7543205	Small Cell	1
38	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22147 Pole ID 1038 - Mobile site, NW c/r of Pacific Hwy and Charles St, North Sydney - 0X12187TPO1 - Segment 4	TPG	9/14/2018	9/28/2018	8/28/2018	10 days	ECM 7553408	9/26/2018	Response sent	Edward Wong	ECM 7543150	Small Cell	1
39	Aurecon - Proposed New radio communication equipment at existing site	Site ID 4032 - North Point 100 Miller St, North Sydney	NSW Telco Authority	9/17/2018	Not given	Not given	10 days	ECM 7543494		No response required			Small Cell	1
40	Huawei - propose to upgrade existing mobile base station located at 73 Miller St, North Sydney NSW 2060	Miller St Cammeray NSW 2062 - RT840145-0X1236301	TPG	9/20/2018	10/5/2018	9/5/2018	10 days	ECM 7557818		No response required			Small Cell	1
41	Huawei - response on stopping proposal to upgrade	4 Alfred Street South MILSONS POINT	Optus	9/19/2018	Not given	Not given	9/26/2018	ECM 7555889	9/30/2018	Huawei Response to Brad 30-9-18	Edward Wong	ECM 7545940	Small Cell	1
42	Resident - complaint in relation to proposed small cell at Berry	55-63 Berry St, North Sydney	TPG	9/20/2018	NA	NA	NA	ECM 7561151	9/26/2018	Response sent	Edward Wong	email	Small Cell	1
43	TPG - response to customer in regards to small cell	19 Bay Rd Waverton RfNA Site No2600075 / pole number M075618 (NSW22124)	TPG	9/26/2018	NA	NA	NA	ECM 7564304		Related to ECM 7547244			Small Cell	1
44	Downer EDI - cable hauling and joining through existing and/or new conduits; upgrade/repair/raise pth/manholes and clear blockages in conduits; and excavation to expose existing premises lead-in to conduits	5/65 BERRY ST NORTH SYDNEY NSW 2060 - FIRE ON DEMAND-280V 02 SAM	TPG	9/28/2018	10/1/2018	10/1/2018	10 days	ECM 7563616		No response required				1
45	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22624 Pole number MD94416 - approx 5m E from St c/r of Nicholson St and Rume St, Woollahracraft - 0X122007TPO1 - Segment 8 - 0X0922674	TPG	9/28/2018	10/10/2018	9/10/2018	10 days	ECM 7563609	9/30/2018	Pipenetworks Response Letter for equipment over Council Owned Land 30-9-18	Edward Wong	ECM 7545993	Small Cell	1
46	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW2596 Pole number MD12115 - outside 89 Caraballa St, Kirribilli - 0X12187TPO1 - Segment 05	TPG	9/28/2018	10/10/2018	9/10/2018	10 days	ECM 7563608	9/30/2018	Pipenetworks Response Letter for equipment over Council Owned Land 30-9-18	Edward Wong	ECM 7545993	Small Cell	1
47	Pipenetworks - survey and deploy underground conduit/trench	Waters Rd, Neutral Bay - RT841911 - 0X1346701	TPG	9/28/2018	10/10/2018	9/10/2018	10 days	ECM 7564143		No response required				1
48	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22624 Pole number MD12115 - along Alfred St, Milsons Point - 0X12187TPO1 - SEG2	TPG	9/28/2018	10/10/2018	9/10/2018	10 days	ECM 7564143	9/30/2018	Pipenetworks Response Letter for equipment over Council Owned Land 30-9-18	Edward Wong	ECM 7545993	Small Cell	1
49	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22118 Pole number MD94324 - St c/r of Willoughby Rd and Broughton St, Crown Nest - 0X122007TPO1 - Segment 1	TPG	9/28/2018	10/10/2018	9/10/2018	10 days	ECM 7564144	9/30/2018	Pipenetworks Response Letter for equipment over Council Owned Land 30-9-18	Edward Wong	ECM 7545993	Small Cell	1
50	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22631 Pole number MD14646 - along Military Rd, Cremorne - 0X12187TPO1 - SEG 3	TPG	9/28/2018	10/10/2018	9/10/2018	10 days	ECM 7564143	9/30/2018	Pipenetworks Response Letter for equipment over Council Owned Land 30-9-18	Edward Wong	ECM 7545993	Small Cell	1
51	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22603 Pole number MD12839 - along Alfred St, Milsons Point - 0X12187TPO1 - SEG1	TPG	9/28/2018	10/10/2018	9/10/2018	10 days	ECM 7564142	9/30/2018	Pipenetworks Response Letter for equipment over Council Owned Land 30-9-18	Edward Wong	ECM 7545993	Small Cell	1
52	Huawei - upgrade existing mobile station	Horace St, Waverton	TPG	9/28/2018	Sept/Oct	Not given	10 days	ECM 7561229	9/30/2018	Huawei Response Letter to Ting 10-9-18	Edward Wong	ECM 7545994	Small Cell	1
53	Huawei - upgrade existing mobile station	210 Pacific Hwy, Crown Nest; 188 Pacific Hwy, North Sydney; 1244 Blues Point Rd, McMahon's Point; 41 Alfred St, 5 Milsons Point; 111 Pacific Hwy, North Sydney; 124 Walker St, North Sydney; 104 Mount St, North Sydney; Little Spring St, North Sydney; 100 Alexander St, Crown Nest; 234 Blues Point Rd, North Sydney	TPG	9/28/2018	Sept/Oct	Not given	10 days	ECM 7562420	9/30/2018	Huawei Response Letter to Ting 10-9-18	Edward Wong	ECM 7545994	Small Cell	1
54	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW21632 Pole number MD14521 - approx 10m E from St c/r of Military Rd and Ben Boyd Rd, Neutral Bay - 0X12187TPO1 - Segment 1	TPG	9/28/2018	10/1/2018	9/1/2018	10 days	ECM 7563734	9/30/2018	Pipenetworks Response Letter for equipment over Council Owned Land 30-9-18	Edward Wong	ECM 7545993	Small Cell	1
55	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22114 Pole number MD12257 - NE c/r Caraballa St and Westbrook Ave, Kirribilli - 0X12187TPO1 - SEG1	TPG	9/28/2018	10/1/2018	9/1/2018	10 days	ECM 7564427	9/30/2018	Pipenetworks Response Letter for equipment over Council Owned Land 30-9-18	Edward Wong	ECM 7545993	Small Cell	1
56	Pipenetworks - survey and deploy underground conduit/trench	Atchison St and Mitchell St, St Leonards - RT84708 - 0X1034001	TPG	9/28/2018	10/1/2018	9/1/2018	10 days	ECM 7564426		No response required				1
57	Downer EDI - cable hauling and joining through existing and/or new conduits; upgrade/repair/raise pth/manholes and clear blockages in conduits; and excavation to expose existing premises lead-in to conduits	107 MOUNT ST NORTH SYDNEY NSW 2060 - FIRE ON DEMAND-280V 01 SAM	TPG	9/28/2018	10/1/2018	10/1/2018	10 days	ECM 7564747		No response required				1
58	Pipenetworks - survey and deploy underground conduit/trench	Clarke St, Crown Nest - RT828646 - 0X1182401	TPG	9/28/2018	10/1/2018	9/1/2018	10 days	ECM 7564914		No response required				1
59	Huawei - upgrade existing mobile station	85 Caraballa St, Kirribilli, 211 Ash, Cremorne	TPG	9/28/2018	Not given	Not given	10/2/2018	ECM 7564915	9/30/2018	Huawei Response Letter to Abhishek 30-9-18	Edward Wong	ECM 7545995	Small Cell	1
60	Huawei - upgrade existing mobile station	110 Pacific Hwy, North Sydney, 116 Alfred St, 5 Milsons Point	TPG	9/28/2018	Not given	Not given	10/2/2018	ECM 7564905	9/30/2018	Huawei Response to Blake 30-9-18	Edward Wong	ECM 7545996	Small Cell	1
61	Resident - complaint in relation to proposed small cell at Shirley	30 Shirley Rd, Woollahracraft	TPG	9/26/2018	NA	NA	NA	ECM 7565187	9/30/2018	Response sent	Edward Wong	email	Small Cell	1
62	Huawei - Consultation report for the proposed TPG small cell equipment installation within the North Sydney LGA	19 Bay Road WAVERTON NSW 2060	TPG	10/3/2018	NA	NA	10 days	ECM 7569206		No response required			Small Cell	1
63	Pipenetworks - survey and deploy underground conduit/trench	Site ID NSW22824 Pole number MD13880 - Outside 52 High St, North Sydney, NSW - 0X090401 - Segment 1	TPG	10/3/2018	10/1/2018	9/17/2018	10 days	ECM 7569208	10/7/2018	Pipenetworks Response Letter for equipment over Council Owned Land 2-10-18			Small Cell	1
64	Huawei - Proposed TPG Small Cell installation - North Sydney LGA_03	17 Hume St, Crown Nest NSW 2065	TPG	10/3/2018	Not given	Not given	10/1/2018	ECM 7569398	10/7/2018	Huawei Response Letter for equipment on Council Owned Land 7-10-18	Edward Wong	ECM 7571141	Small Cell	1
65	Downer EDI - cable hauling and joining through existing and/or new conduits; upgrade/repair/raise pth/manholes and clear blockages in conduits; and excavation to expose existing premises lead-in to conduits	5/65 BERRY ST NORTH SYDNEY NSW 2060 - FIRE ON DEMAND-280V												

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	Pipenetworks - F6.2.3 Invitation to Council to comment on Draft Consultation Plans	150 Miller Street CAMMERAY NSW 2062, 52 High Street NORTH SYDNEY NSW 2060	TPG	10/10/2018	Not given	Not given	10/24/2018	ECM 757086	10/14/2018	Huawei Response Letter for equipment on Council Owned Land 14-10-18	Edward Wong	ECM 757813	Small Cell	1			
111	Pipenetworks - survey and deploy underground conduit/trench	Merrill Street and Pacific Highway, North Sydney - RTES 3082	TPG	10/6/2018	10/2/2018	9/22/2018	10 days	ECM 757321	No response required					1			
112	Resident - Councilor request - Telco applications re antennae - various locations	Various locations	TPG	10/11/2018	NA	NA	NA	ECM 757628	No response required				Small Cell	1			
117	Huawei - F6.7 Consultation report for proposal to install TPG small cell equipment	220 Pacific Hwy, Crown Nest, 188 Pacific Hwy, North Sydney; 124A Blues Point Rd, McMahon's Point; 41 Alfred St S, Milsons Point; 111 Pacific Hwy, North Sydney; 124 Walker St, North Sydney; 99 Walker St, North Sydney; Little Spring St, North Sydney; 100 Alexander St, Crown Nest; Horace Street, Waverston; 30 Shirley Road, Wollstonecraft; 234 Blues Point Road, North Sydney	TPG	10/11/2018	Not given	Not given	Not given	ECM 757664	10/4/2018	Huawei Response to Ting 14-10-18	Edward Wong	ECM 757817	Small Cell	1			
118	TPG - response to NSC in regards to small cell	Various locations	TPG	10/16/2018	Not given	Not given	Not given	ECM 758079	10/16/2018	TPG Response letter 16-10-18	Edward Wong	ECM 758076	Small Cell	1			
120	Resident - email to Duncan	30 Shirley Rd, Wollstonecraft	TPG	10/10/2018	NA	NA	NA	ECM 757484	10/16/2018	20 Oct 18, 2018, Huawei Response - N0W21559 RFNSA 2060061	Mandy	ECM 758135	Small Cell	1			
121	TPG - Response to Mr Zimmerman and Ms Rohan	N5W22124 - 19 Bay Rd, Waverton	TPG	10/16/2018	NA	NA	NA	ECM 758539	No response required	An writing with reference to our meeting with Mr Adam Arsen and Dr Gifford regarding the proposed TPG facility at that location. I can advise that as a result of our meeting, TPG now considers alternative locations that will enable the large antenna array to be installed, and we will also ensure that any new consultation process includes all relevant information, and that any alternative they may wish to consider installing the antenna array, and we will also ensure that any new consultation process includes all relevant information, and that any alternative they may wish to consider installing the antenna array.	Duncan Mitchell		Small Cell	1			
122	Pipenetworks - survey and deploy underground conduit/trench	Site ID: N5W22124 Pole ID: M0K4194 - outside of 124A Blues Point Rd, McMahon's Point NSW	TPG	10/16/2018	10/10/2018	9/30/2018	10 days	ECM 758261	10/21/2018	Pipenetwork Response Letter for equipment over Council Owned Land 14-10-18	Edward Wong	ECM 7585054	Small Cell	1			
123	Pipenetworks - survey and deploy underground conduit/trench	• (road reserve) 30 Pacific Hwy, North Sydney NSW 2060 • (road reserve) 142 Arthur St, North Sydney NSW 2060 • (road reserve) 15-43 Barry St, North Sydney NSW 2060 • (road reserve) Broughton St, Kirribilli NSW 2061 • (road reserve) 40 Mount St, North Sydney NSW 2060 • (road reserve) 342 Ash, Cromorne NSW 2090	TPG	10/16/2018	10/13/2018	9/30/2018	10 days	ECM 758260	No response required					1			
124	Huawei - F6.7 Consultation report for proposal to install TPG small cell equipment located within the North Sydney LGA	19 Bay Rd Wollstonecraft RFNSA Site N0W206075 / pole number N0W71618 (N5W22124)	TPG	10/15/2018	Not given	Not given	Not given	ECM 758032	10/2/2018	Huawei Response to Blake 21-10-18				1			
131	Huawei - response to resident	19 Bay Rd Wollstonecraft RFNSA Site N0W206075 / pole number N0W71618 (N5W22124)	TPG	10/13/2018	NA	NA	NA	ECM 758168	No response required				Small Cell	1			
132	Pipenetworks - survey and deploy underground conduit/trench	Site ID: N5W22593 Pole ID: M0S2609 - NW cor of Webb St and Victoria St, McMahon's Point NSW - DCL1827P01 - Segment 04 • (road reserve) 30 Pacific Hwy, North Sydney NSW 2060 • (road reserve) 142 Arthur St, North Sydney NSW 2060 • (road reserve) 15-43 Barry St, North Sydney NSW 2060 • (road reserve) Broughton St, Kirribilli NSW 2061 • (road reserve) 40 Mount St, North Sydney NSW 2060 • (road reserve) 342 Ash, Cromorne NSW 2090	TPG	10/19/2018	11/1/2018	10/2/2018	10 days	ECM 758521	10/28/2018	Pipenetwork Response Letter for equipment over Council Owned Land 28-10-18	Edward Wong	ECM 7591930	Small Cell	1			
137	Huawei - Response to Council	230 Pacific Hwy, Crown Nest, 188 Pacific Hwy, North Sydney; 124A Blues Point Rd, McMahon's Point; 41 Alfred St S, Milsons Point; 111 Pacific Hwy, North Sydney; 124 Walker St, North Sydney; 99 Walker St, North Sydney; Little Spring St, North Sydney; 100 Alexander St, Crown Nest; Horace Street, Waverston; 30 Shirley Road, Wollstonecraft; 234 Blues Point Road, North Sydney; 450 Miller St, Cammeray; 52 High St, North Sydney	TPG	10/21/2018	NA	NA	NA	ECM 759182	No response required				Small Cell	1			
138	Huawei - Response to Council	Global Utility Construction - installation of Conduit and 2 pits via Trench & Understorey along with fibre optic cable installation	343 Pacific Highway North Sydney NSW - RTES3082	10/30/2018	Not given	asap	5-10 days	10 days	ECM 759462	No response required				Small Cell	1		
140	Huawei - consultation reports for the proposed TPG small cell installation.	Cliff St, Lavender St, Alfred St, Middlemiss St, Bradfield Hwy & Pacific Hwy	TPG	10/29/2018	October November	Not given	Not given	ECM 759230	10/30/2018	Response to Telcos LAAN letters 30 Oct 2018	Edward Wong	ECM 759488	Small Cell	1			
141	Pipenetworks - survey and deploy underground conduit/trench	Road Reserve NSW 2060 - R78B409-01323C01	TPG	10/28/2018	11/12/2018	10/12/2018	10 days	ECM 759266	No response required					1			
142	Huawei - consultation report for the proposed TPG small cell installation	(Road reserve) 17 Hume St, Crown Nest at Nicholson St	TPG	11/2/2018	Now 18	Dec-18	Not given	ECM 759794	9/26/2018	Response to Telcos LAAN letters 26/09/2018 2nd letter	Edward Wong	ECM 756593	Small Cell	1			
143	Pipenetworks (PPE) will break out an approved pit along the street and install approximately 3.5m of new PPE conduit to a new PPE pit which will be located along New Street. PPE will break out from new PPE pit to building level 1.1. If new PPE conduit towards the building/VSD room located at 1.2 floor level. As for other locations indicated on the initial plan, PPE will have a new vertical fibre cable which will be located along New Street using manholes. Existing pits available and confirmed.	West St, North Sydney	TPG	11/2/2018	11/15/2018	10/15/2018	Not given	ECM 759773	No response required					1			
144	Global Utility Construction - installation of Conduit and 2 pits via Trench & Understorey along with fibre optic cable installation	343 Pacific Highway North Sydney NSW - RTES3082	TPG	11/26/2018	Not given	Not given	Not given	ECM 761971	Response sent via Email 29/11/2018				Small Cell	1			
154	TPG - response to customer in regards to small cell	N5W22124 - 19 Bay Rd, Waverton	TPG	11/19/2018	NA	NA	NA	ECM 761338	No response required					1			
157	Global Utility Construction - installation of Conduit and 2 pits via Trench & Understorey along with fibre optic cable installation	343 Pacific Highway North Sydney NSW - RTES3082	TPG	11/26/2018	Not given	Not given	Not given	ECM 761971	Response sent via Email 29								

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238	Pipenetworks - survey and deploy underground conduit/trench	Site ID: NSW22512 Pole ID: MO2504 - Along Union St, McMahon's Point NSW - PIPE Ref: ICI3095TPO1 (Segment 01) - NS0202312	TPG	1/15/2019	1/30/2019	12/30/2019	10 days	ECM 7661020	1/19/2019	Pipenetwork Response Letter for equipment over Council Owned Land 19-1-10	Edward Wong	ECM 7664320		Small Cell							
244	Pipenetworks - survey and deploy underground conduit/trench	Webb St, Chuter St, Victoria St, McMahon's Point NSW 2060 - R7950561 - ICI4035C01	TPG	1/10/2019	1/22/2019	12/22/2019	10 days	ECM 7656818		No response required											
245	Pipenetworks - survey and deploy underground conduit/trench	Ridge Street and Ridge Lane, North Sydney NSW 2060 - R7966283 - ICI3813TPO1	TPG	1/17/2019	2/1/2019	1/1/2020	10 days	ECM 7664173		No response required											
258	Pipenetworks - survey and deploy underground conduit/trench	Willoughby Road, CROWS NEST 2065 - PIPE Ref: R7979235 - ICI413C01	TPG	1/29/2019	2/12/2019	1/12/2020	10 days	ECM 7672143		No response required											
261	Pipenetworks - survey and deploy underground conduit/trench	Rangers Rd Neutral Bay NSW 2089 - R7933965 - ICI3791C01	TPG	1/25/2019	2/11/2019	1/11/2020	10 days	ECM 7670355		No response required											
262	GP International Pty Ltd - Optus proposes to install Optus cable	From "A" End Location: Existing g42268087, adjacent to 12 Shirley Rd, Wollstonecraft NSW 2060, to "B" End Location: 50 Denry Rd, Wollstonecraft NSW 2060	Optus	1/18/2019	Not given	Not given	Not given	ECM 7664503		No response required											
268	Pipenetworks - survey and deploy underground conduit/trench	74-80 Shirley Rd, Wollstonecraft NSW 2065 - R7966283 - ICI3813TPO1	TPG	1/18/2019	2/1/2019	1/1/2020	10 days	ECM 7664173		No response required											
272	Servicestream - upgrade a Mobile Phone Base Station at an Existing Site	287 Military Road Cremorne NSW 2090 (RfNSA Site - 20900002)	Vodafone	2/14/2019	Not given	Not given	2/28/2019	ECM 7689263		No response required				Small Cell							
273	Servicestream - upgrade of mobile phone base station	4-8 Kareela Road, CREMORNE POINT NSW 2090 (RfNSA 20900001)	Optus	2/14/2019	Not given	Not given	2/22/2019	ECM 7688327		No response required				Small Cell							
275	Pipenetworks - survey and deploy underground conduit/trench	Pacific Hwy and Berry St, North Sydney NSW 2060 - PIPE Ref: R7977206-10823TPO1	TPG	2/12/2019	2/27/2019	1/27/2020	10 days	ECM 7686789		No response required											
281	Pipenetworks - survey and deploy underground conduit/trench	12 Atholton St, St Leonards	TPG	2/8/2019	2/22/2019	1/22/2020	10 days	ECM 7683780		No response required											
284	Servicestream - upgrade a Mobile Phone Base Station at an Existing Site	287 Military Road Cremorne NSW 2090 (RfNSA Site - 20900002)	Vodafone	2/7/2019	Not given	Not given	2/28/2019	ECM 7682506		No response required				Small Cell							
285	Pipenetworks - survey and deploy underground conduit/trench	Blues Point Road, MCMAHONS POINT NSW 2060 - R7793800 - ICI413C01	TPG	2/13/2019	3/11/2019	2/11/2020	10 days	ECM 7690556		No response required											
290	Pipenetworks - survey and deploy underground conduit/trench	Blues Point Road, MCMAHONS POINT NSW 2060 - R7793800 - ICI413C01	TPG	2/13/2019	3/11/2019	2/11/2020	10 days	ECM 7690556		No response required											
294	Schokman - trenching and installing new pipe	12 Atholton St, St Leonards - PIPE Ref: R7983714-103008TPO1	Pipenetworks	2/18/2019	2/20/2019	2/22/2019	10 days	ECM 7692353		No response required											
295	Optus - UPGRADE AN EXISTING MOBILE PHONE BASE STATION	22 Peel Street, North Sydney - 15674 - RfNSA No. 2061002	Optus	2/18/2019	Not given	Not given	2/26/2019	ECM 7691845		No response required				Small Cell							
297	TPG - TPG Network Advice	North Sydney LGA	TPG	2/28/2019	NA	NA	NA	ECM 7704430		No response required				Small Cell							
303	Pipenetworks - survey and deploy underground conduit/trench	Chf St, Lavender St, Alfred St, Milsons Point NSW 2061 & Lavender St, Lavender Bay NSW 2060 - PIPE Ref: R7828268, R98571TPO1	TPG	2/26/2019	3/14/2019	2/14/2020	10 days	ECM 7701125		No response required											
305	Pipenetworks - survey and deploy underground conduit/trench	Alexander Lane and Falcon Street, CROWS NEST NSW 2065 - PIPE Ref: R7881786 - ICI418C01	TPG	3/6/2019	3/22/2019	2/22/2020	10 days	ECM 7710374		No response required											
306	Current - Proposed Optus Fibre installation	74-76 Upper Pitt St, Caraballa St and Peel St, Kirribilli - EO5006420	Optus	3/6/2019	Not given	Not given	10 days	ECM 7710376		Response required from David Manson											
310	Pipenetworks - survey and deploy underground conduit/trench	Holtermann Street & Alexander Street CROWS NEST NSW 2065	TPG	3/5/2019	3/21/2019	2/21/2020	10 days	ECM 7709873		No response required											
314	Pipenetworks - survey and deploy underground conduit/trench	Hume St, Nicholson St, Pacific Hwy, NORTH SYDNEY NSW 2060 - PIPE Ref: R7983470-14768C01	TPG	3/1/2019	3/15/2019	2/15/2020	10 days	ECM 7705668		No response required											
315	Global Utility Construction - survey and deploy underground conduit/trench	Hume St, Nicholson St, Pacific Hwy, NORTH SYDNEY NSW 2060 - PIPE Ref: R7983470-14768C01	TPG	3/1/2019	3/15/2019	2/15/2020	10 days	ECM 7706288		No response required											
316	Pipenetworks - survey and deploy underground conduit/trench	Chandos Street, Mitchell Street and Atholton Lane, St Leonards NSW 2065 - PIPE Ref: R7978888 - R0924TPO1	TPG	3/1/2019	3/19/2019	2/19/2020	10 days	ECM 7706275		No response required											
319	BMM Group - Notification of an Optus Small Cell Upgrade	48-50 Alfred Street South, MILSONS POINT NSW - Property/Assets 52393 Milsons Point	Optus	3/12/2019	Not given	Not given	10 days	ECM 7714864		Response by Gavin and Hollie				Small Cell							
320	Pipenetworks - survey and deploy underground conduit/trench	Gillies St and Hazelbank Rd, Wollstonecraft NSW 2065 - PIPE Ref: R7884614 - ICI48969C01	TPG	3/11/2019	3/27/2019	2/27/2020	10 days	ECM 7713501		No response required											
321	Optus - Installation of underground Optus fibre cable at Kirribilli	74-76 Upper Pitt St, Kirribilli - EO2613931	Optus	3/8/2019	3/22/2019	6/22/2019	10 days	ECM 7712213		No response required											
331	Huawei - intend to stop work	19 Bay Rd Waverton RfNSA Site No2060075 / pole number M077518 (NSW22124)	TPG	3/15/2019	NA	NA	10 days	ECM 7719141		No response required				Small Cell							
334	BMM Group - Response to Gavin's response	48-50 Alfred Street South, MILSONS POINT NSW 1565 (RfNSA: 2061001)	Optus	3/15/2019	Not given	Not given	Not given	ECM 7719140		No response required				Small Cell							
335	Huawei - UPGRADE AN EXISTING MOBILE PHONE BASE STATION	83 Walker Street, North Sydney NSW 2060 - RfNSA 2060042	Optus	3/28/2019	Not given	Not given	10 days	ECM 7711520		No response required				Small Cell							
344	Current Construction - Fibre installation activities at the following locations: - Greenfield Building / Being / Residual Activities - Fibre Used in Roadcut to 100 Mount Street, North Sydney - From 100 Mount Street to 100 Mount Street, North Sydney - Fibre Used in Roadcut to 100 Mount Street, North Sydney - Fibre Used in Roadcut to 100 Mount Street, North Sydney	Cor of Mount Street & Walker Street North Sydney - VDCU1856	Vocus	3/28/2019	4/12/2019	7/12/2019	10 days	ECM 7731575		No response required											
345	Optus - upgrading of equipment	Ausgrid pole MO2358 - 48-50 Alfred Street South, MILSONS POINT NSW - Property/Assets 52393 Milsons Point 1565	Optus	3/11/2019	3/29/2019	6/28/2019	10 days	ECM 7727262		No response required				Small Cell							
346	Pipenetworks - survey and deploy underground conduit/trench	Arthur St and Mount St, North Sydney NSW 2060 - PIPE Ref: R7987092 - ICI5113C01	TPG	4/9/2019	4/30/2019	3/30/2020	10 days	ECM 7744040		No response required											
347	Pipenetworks - survey and deploy underground conduit/trench	Mount Street, North Sydney NSW 2060 - PIPE Ref: R7985767 - ICI4896C01	TPG	4/7/2019	4/26/2019	3/26/2020	10 days	ECM 7739829		No response required											
348	Global Utility Construction - survey and deploy underground conduit/trench	Rangers Rd Neutral Bay NSW 2089 - R7933965 - ICI3791C01	TPG	4/8/2019	2/11/2019	1/11/2020	10 days	ECM 7741266		No response required											
349	Pipenetworks - survey and deploy underground conduit/trench	Mount St & Pacific Hwy, NORTH SYDNEY NSW 2060 - PIPE Ref: R7966445 - ICI8611TPO1	TPG	4/9/2019	4/26/2019	3/26/2020	10 days	ECM 7741575		No response required											
350	Pipenetworks - survey and deploy underground conduit/trench	Miller St, North Sydney NSW 2060 - PIPE Ref: R7990513 - ICI528C01	TPG	4/24/2019	5/13/2019	4/13/2020	10 days	ECM 7754885		No response required											
359	Vocus - planned hazardous works	Unknown	Unknown	4/15/2019	5/8/2019	5/9/2019	Not given	ECM 7748660		No response required											
359	Pipenetworks - survey and deploy underground conduit/trench	Victoria Street, Mitchell Street and Blues Point Road, MCMAHONS POINT NSW 2060 - PIPE Ref: R7985846 - ICI520C01	TPG	4/15/2019	5/6/2019	4/6/2020	10 days	ECM 7748140		No response required											
400	Pipenetworks - survey and deploy underground conduit/trench	Pacific Highway, Myrtle Street NORTH SYDNEY NSW 2060 - PIPE Ref: R7987285 - ICI4496C01	TPG	4/12/2019	5/2/2019	4/2/2020	10 days	ECM 7747457		No response required											
402	Pipenetworks - survey and deploy underground conduit/trench	Ridge Street, Ridge Lane & James Place, North Sydney NSW 2060 - PIPE Ref: R7987864 - ICI512TPO1	TPG	4/12/2019	5/3/2019	4/3/2020	10 days	ECM 7747791		No response required											
403	Pipenetworks - survey and deploy underground conduit/trench	Mitchell St & Chandos St, ST LEONARDS NSW 2065 - PIPE Ref: R7990516 - ICI5127C01	TPG	4/30/2019	5/15/2019	4/15/2020	10 days	ECM 7758323		No response required											
404	Pipenetworks - survey and deploy underground conduit/trench	1 James Place, North Sydney NSW 2060 - ref R7987864	TPG	4/29/2019	5/1/2019	11/1/2019	10 days	ECM 7755040		No response required											
409	Servicestream - Notification of Proposal to upgrade a Mobile Phone Base Station at an Existing Site	75 Miller Street North Sydney NSW 2060 (RfNSA Site - 2060070)	Vodafone	5/1/2019	Not given	Not given	5/17/2019	ECM 7763578		No response required				Small Cell							
427	Visionstream - Notification about a mobile phone base station	adj. 38 Bank Street North Sydney, NSW 2060 - Project 2452466; Notice: 2357885/Project/MO-NA193113-02-10077739-65	TPG	5/15/2019	Not given	Not given	Not given	ECM 7774740		No response required											
441	Pipenetworks - survey and deploy underground conduit/trench	Waters Rd, Neutral Bay NSW 2089 - PIPE Ref: R7998410 - ICI5394C01	TPG	5/9/2019	5/27/2019	4/27/2020	10 days	ECM 7768919		No response required											

[illegible]

	From	8/29/2018	To	18/02/19
Total LAAN registered		450		
Total letters sent		27		
Companies		Utilities		Count
Aurecon		Vodafone		8
Metasite		Optus		1
Huawei		Optus		1
Huawei		TPG		20
Pipenetworks		TPG		84
TPG		TPG		6
Visionstream		Telstra		31
Resident		TPG		4