

ITEM B

LORD MAYORAL MINUTE - NGA MOTION - MITIGATING DAMAGE TO ASSETS FROM
INSTALLATION AND MAINTENANCE OF UTILITIES

The National General Assembly of Local Government (NGA) is an opportunity to advocate for change at the Federal level to assist local governments to meet community needs. Motions for the 2020 NGA are due by 27 March 2020.

The installation and maintenance of utilities causes significant damage to community assets in the Wollongong LGA.

Telecommunication companies, for example, have some powers to enter land and install and maintain some types of telecommunications facilities with immunities from some state and territory legislation.

In using their powers and immunities, carriers need to meet the requirements in the *Telecommunications Act 1997* and the Telecommunications Code of Practice 2018.

The Telecommunications Code of Practice 2018 states that if a carrier engages in a low-impact activity the carrier must take all reasonable steps to ensure that the land is restored to a condition similar to its condition before the activity began. The carrier must take all reasonable steps to ensure that the restoration starts within 10 business days after the completion of the low-impact activity.

In practice, community assets such as footpaths are usually left in a worse and often unsafe condition after these activities have occurred. Council ultimately bears the cost of returning the asset to the standard which the community expects.

It would be possible to achieve better coordination and mitigate damage if the Code of Practice required the carrier to:

- provide a list of known/planned works on an ongoing manner and required them to consult with the local government; and
- update their plan in a common platform (such as the iWORCS website).

To address this issue comprehensively, local government should also be given legislative power to enforce restoration works that are not completed within 10 days and/or left in an unsafe condition.

RECOMMENDATION

Wollongong City Council endorse the following submission to the 2020 National General Assembly of Local Government (NGA):

That the National General Assembly of Local Government calls on the Commonwealth Government to -

- 1 Liaise with state and territory Governments to recognise the need for coordination of services and utilities to mitigate damage to community assets such as roads, footpaths and cycleways.
- 2 Amend legislation accordingly to mitigate costs on local government arising from the installation and maintenance of services and utilities.

ATTACHMENTS

There are no attachments for this report.