



**Australian Government**

# **Telecommunications in new developments policy**

**Issued by the Minister for Communications, Cyber Safety and the Arts**

**Effective 1 September 2020**

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Director—Publishing and Communications  
Communication Branch  
Department of Infrastructure, Transport, Regional Development and Communications  
GPO Box 594  
Canberra ACT 2601  
Australia

Email: [publishing@communications.gov.au](mailto:publishing@communications.gov.au)

Websites: [www.infrastructure.gov.au](http://www.infrastructure.gov.au) | [www.communications.gov.au](http://www.communications.gov.au) | [www.arts.gov.au](http://www.arts.gov.au).

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# 1. Overview

This document sets out the Australian Government's policy on the provision of telecommunications in new developments. It replaces the Telecommunications Infrastructure in New Developments (TIND) policy that took effect on 1 March 2015. This policy takes effect on 1 September 2020 and applies to the provision of telecommunications infrastructure in all developments, including historic and future developments.

The TIND policy has two key objectives: to provide people moving into new developments with ready access to modern telecommunications, both voice and broadband; and to support a competitive and sustainable market for the provision of such infrastructure, thereby fostering efficiency, innovation and choice.

The TIND policy reflects Australia's open and competitive telecommunications market in which telecommunications carriers compete to provide infrastructure and services, including in different developments. The policy seeks to promote sustainable outcomes by minimising government intervention and fostering commercial operation in a competitive context. Concerns about potential anti-competitive conduct in the market are left to the usual tools to deal with such conduct.

The policy has been revised in light of changes since the 2015 policy took effect, notably the completion of the scale rollout of the National Broadband Network (NBN), the evolution of alternative providers' operations, Telstra's reduced role in new developments and the commencement of the new statutory infrastructure provider (SIP) legislation.

The policy supplements statutory requirements under Part 20A of the *Telecommunications Act 1997* for the installation of fibre-ready facilities, typically passive infrastructure like pit and pipe, in new developments. In many instances these rules are backed up by complementary requirements under state and territory planning laws.

The Government has decided to continue to address the provision of telecommunications in new developments through this policy rather than additional regulation because the market overall is working well. Most participants in the market have been operating in line with the policy and most outcomes are positive. The number of negative outcomes is limited. In this context a lighter touch approach is warranted. The Government will, however, look at more direct approaches should this change and greater guidance be required.

## 2. Key concepts

### 2.1 What is a development?

Development has a broad meaning under this policy, largely deriving from the statutory definition in Part 20A. The Part 20A obligations apply to real estate development projects which involve making lots available for sale or lease, where building units are expected to be constructed at a later date, as well as the construction of new premises.

A development includes the subdivision and development of land for further sale or lease, for example, as is common in large greenfield broadacre developments in outer urban areas, such as new suburbs or estates, or comparable infill developments in more established brownfield areas. A brownfields area is a location with existing housing and buildings. A development also includes the construction of new premises in greenfield or brownfield areas or the refurbishment of premises.

New developments may vary in size and scope. A new development could be a single lot with a free-standing residential premises built on it (known as a 'single-dwelling unit' or SDU), a single lot with more than one SDU on it, or a unit in a new apartment block (known as a 'multi-dwelling unit' or MDU).

In brownfield areas, a SDU or MDU may be built on a vacant block, existing premises may be knocked down and new SDUs or MDUs built at the same location (known as a 'knock-down rebuild'), or an existing building redeveloped or refurbished (e.g. where a warehouse is converted into apartments).<sup>1</sup>

Developments are covered by the policy regardless of their use. The policy therefore covers residential, business, commercial, industrial, agricultural, mixed or any other types of development.

Developments by owner-builders such as the construction of a new premises on a vacant block, construction of a new premises on a sub-divided block or a knock-down rebuild project, whether it involves one or more premises, are treated as developments under the policy.

While the definition of development under the policy is broad and most rules under the policy apply to all developments, there are some areas where some developments may be treated differently to others. These are identified where this is the case.

## 2.2 Who is a developer?

Just as there are many types of developments, there are many types of developers. Developers may be large corporations, partnerships, families or individuals. The policy applies to all developers, regardless of their nature and whether they are incorporated or unincorporated. Owner-builders are also considered to be developers.

Regardless of their size or nature, all developers have responsibilities to ensure telecommunications are appropriately provided in their new development, just as they do for other utilities like power, water, and sewerage.

Again, while the definition of developer under the policy is broad and most rules under the policy apply to all developers, there are some areas where some developers may be treated differently to others. These are identified where this is the case.

## 2.3 Broadband and voice services on fixed networks

The TIND policy is focussed on the provision of broadband and voice services using fixed infrastructure.<sup>2</sup> This is because the provision of fixed infrastructure is best done as part of the development process, involves more investment and co-ordination and has been historically more challenging. While an increasing amount of telecommunications traffic is now carried by mobile networks, fixed networks still carry the vast majority of internet traffic, for example, streaming videos and large file downloads. Access to voice services over fixed lines is also considered beneficial as a back-up for mobile services and for those consumers not comfortable with mobile technology. The TIND policy does not directly address the provision of mobile services in new developments as these services are typically provided by competing carriers on a commercial basis with minimal government involvement. The Government does, however, encourage developers wanting mobile coverage in their developments to engage early with mobile carriers on this matter.

<sup>1</sup> Such 'building redevelopment projects' are also defined in statute (see section 360Y of the *Telecommunications Act 1997*).

<sup>2</sup> Inclusive of fixed-line, fixed wireless and satellite technology as all deliver fixed services to end-user premises.

## 2.4 Fibre-ready and other telecommunications facilities

The TIND policy seeks to provide people moving into new developments with ready access to modern telecommunications facilities by having developers organise and fund the cost of two main sets of telecommunications infrastructure.

The first set is known as 'fibre-ready facilities'. These are typically passive infrastructure like underground pits and conduits through which telecommunications lines can be fed. In some instances, the facilities may be aboveground (e.g. poles where ducts are not practical).

The second set of infrastructure is the active infrastructure such as cabling (or radio pathways) and associated electronics that connect individual premises to the wider telecommunications network and provide the active services that consumers use.

## 2.5 Carriers and carriage service providers

While passive infrastructure is typically installed by a civil contractor working for a developer, active network infrastructure is generally provided by telecommunications carriers. These are firms licensed under the *Telecommunications Act 1997* to provide such infrastructure for public use. Rather than provide this infrastructure themselves, developers typically contract a carrier to provide it for them. NBN Co Limited (NBN Co), Lynham Networks, OptiComm, Telstra and Uniti are some examples of carriers active in the new developments market.

Developers are free to choose the carrier that services their developments. Most carriers make commercial decisions as to whether to provide infrastructure and services in new developments. However, to ensure services are available, NBN Co is obliged to service new developments with broadband infrastructure upon reasonable request. That is, it is the default infrastructure provider. Fixed-line and fixed wireless infrastructure can typically support voice services as well as broadband.

Telecommunications infrastructure is commonly used to provide wholesale services which are then used by competing retail service providers to provide services to their customers. Again, most retail service providers make a commercial decision as to where they will provide services. However, Telstra is obliged to provide a voice service upon reasonable request nationally as part of its universal service obligation (USO).

Telstra will generally provide a voice service where required using NBN Co's infrastructure and wholesale services. Where Telstra is unable to, or does not, use NBN Co's infrastructure, it may need to provide its own infrastructure to supply voice services.

## 2.6 Statutory infrastructure providers (SIPs)

To ensure all places in Australia have ready access to modern telecommunications the Australian Parliament has enacted new statutory infrastructure provider (SIP) legislation. The legislation commenced on 1 July 2020. This legislation created obligations for NBN Co (as the default SIP for Australia) and for other carriers who roll out networks in new developments.<sup>3</sup>

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<sup>3</sup> Information on the SIP legislation can be found at [www.communications.gov.au/what-we-do/internet/telecommunication-reform-package#statutory-infrastructure-providers](http://www.communications.gov.au/what-we-do/internet/telecommunication-reform-package#statutory-infrastructure-providers).

When a developer contracts a carrier to service its development, the carrier will become the SIP for that development. SIPs are required to connect premises in their service areas to their networks on reasonable request from a retail provider, and supply wholesale services that allow end-users to receive high-speed broadband and (on fixed-line and fixed wireless networks) voice services.<sup>4</sup>

The Minister can make standards, rules and benchmarks that apply to SIPs and SIPs must provide mapping information on their new developments to the Australian Communications and Media Authority (ACMA).

## 3. The policy

### 3.1 Consumer outcomes

People moving into new developments should have ready access to modern telecommunications, specifically broadband and voice services, which are of a high quality. Before they take possession of new premises, they should be able to know that telecommunications services are or will be available to them, who is providing them, the timeframes for delivery, and what costs apply.

Consumers that have particular preferences about the network, and/or the retail service provider they use, are encouraged to check which carrier and/or retail service providers are servicing a development before committing to it. The ACMA maintains a register of SIPs.<sup>5</sup> Consumers can also check with the developer which carrier has been contracted to service the development.

### 3.2 Developer responsibilities

Developers are responsible for organising, and meeting the costs of pit and pipe infrastructure and telecommunications network infrastructure in their developments, so that services are available when people move into premises. This is consistent with their responsibility to organise other infrastructure required to make a premises liveable and consistent with the user pays principle.

More specifically, incorporated developers can face penalties under Part 20A of the *Telecommunications Act 1997* if they seek to sell or lease lots or units in new developments without fibre-ready facilities (e.g. pit and pipe). The Commonwealth will also consider similar laws going forward for unincorporated developers.

Developers are able to undertake or sub-contract aspects of this work themselves, for example, trenching and the installation of pit and pipe. However, only licensed carriers can operate telecommunications networks for public use. As such, developers are encouraged to work with carriers to find the optimal solution for their developments. Given Australia's open and competitive market, developers are free to approach the network provider of their choice. Carriers including NBN Co can provide turnkey packages, including pit and pipe and network infrastructure, if they wish.

Most developers engage a carrier, provide pit and pipe where required, and have a carrier install the network. Developers who do not do this may create additional costs and inconvenience for new occupants, potentially attracting adverse publicity, and face difficulties in selling or leasing premises.

The Communications Alliance has published generic specifications for pit and pipe<sup>6</sup>, and carriers may have pit and pipe specifications of their own they prefer developers to use.

<sup>4</sup> Some networks that are primarily intended to supply voice services are exempt from the SIP regime. In these circumstances carriers may supply voice services under a contract with a developer, but will not be the SIPs. (NBN Co, as the default SIP, will be the SIP). The exemption instrument can be found at [www.legislation.gov.au/Details/F2020L00856](http://www.legislation.gov.au/Details/F2020L00856).

<sup>5</sup> See: [www.acma.gov.au/statutory-infrastructure-provider-sip-register](http://www.acma.gov.au/statutory-infrastructure-provider-sip-register).

<sup>6</sup> Guideline G645: *Fibre ready pit and pipe specification for real estate development projects*, available at [www.commsalliance.com.au/Documents/all/guidelines/g645](http://www.commsalliance.com.au/Documents/all/guidelines/g645).

Developers should approach a carrier early so that there is enough time to install network infrastructure before people move into premises. The minimum notice period for a developer to apply to NBN Co to install infrastructure is six months (180 calendar days) prior to the development's estimated first occupancy date. Carriers can also specify a minimum period for which pit and pipe should be available prior to the date when infrastructure needs to be ready for service. NBN Co asks for a minimum of four months (120 calendar days) between the completion of pit and pipe to its satisfaction and the ready for service date. Other carriers may have other requirements, and this may be an area where carriers compete. Failure by developers to follow a carrier's timeframes can lead to delays and inconvenience for occupants of their developments.

### 3.3 Exemptions from pit and pipe requirements

In rural and remote areas incorporated developers may claim an exemption from the pit and pipe infrastructure requirements under Part 20A of the *Telecommunications Act*<sup>7</sup>. This exemption is specifically targeted at developments where telecommunications would generally be offered by direct buried cable, wireless or satellite service, and do not need pit and pipe infrastructure. Details on claiming an exemption are available from the website of the Department of Infrastructure, Transport, Regional Development and Communications.<sup>8</sup>

It is important to note that an exemption of this type would only exempt a development from the requirement to install pit and pipe infrastructure under Part 20A, and not any other obligation to provide telecommunications infrastructure, for example under state or territory planning laws. That said, the Commonwealth's preference is for state, territory and local government requirements to be consistent with, and to complement, the Commonwealth's TIND laws and policies.

Other exemptions may also be available, for example, where there is existing pit and pipe infrastructure that can be used, infrastructure is scheduled to be installed, or where above ground infrastructure is used in connection with optical fibre networks.<sup>9</sup>

### 3.4 SIPs and infrastructure providers

As noted above, developers are free to approach the carrier of their choice. The carrier a developer contracts to roll out networks in a new development will generally become the SIP for that development, and that SIP will need to connect premises and supply wholesale services so retail providers can supply broadband and voice to consumers at those premises.

As also noted above, Telstra (as the USO provider) may also need to provide infrastructure of its own to provide voice services, and may contract with developers to do this. This infrastructure may be additional to infrastructure provided by SIPs for broadband.

Unlike past versions of the TIND policy, there is no threshold for the size of developments NBN Co must service as SIP.

### 3.5 Access technology

So they can meet their ongoing SIP requirements, carriers should install fixed-line networks in new developments unless this is not reasonable, in which case they should use either fixed wireless or satellite technologies.

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<sup>7</sup> The formal exemption instrument is at [www.legislation.gov.au/Details/F2016L01871](http://www.legislation.gov.au/Details/F2016L01871).

<sup>8</sup> See [www.communications.gov.au/policy/policy-listing/telecommunications-new-developments](http://www.communications.gov.au/policy/policy-listing/telecommunications-new-developments).

<sup>9</sup> The formal exemption instrument is at [www.legislation.gov.au/Details/F2011L02808](http://www.legislation.gov.au/Details/F2011L02808).

Consistent with their ongoing SIP requirements, the technology platform must enable the carrier to supply wholesale services to retail providers that will then allow those retail providers to supply broadband services to end-users with peak download speeds of at least 25 Mbps and peak upload speeds of at least 5 Mbps.

On fixed-line and fixed wireless networks, including NBN Co's, the wholesale services must also allow retail providers to supply end-users with voice services. Measures that prevent them being used in this way will be scrutinised and subject to appropriate action.

Carriers remain free to install networks that offer both higher and lower speeds as well as these specified speeds.

NBN Co is also subject to an additional statutory target that its fixed-line networks be capable of being used by retail providers to supply broadband fixed-line carriage services with peak speeds of at least 50/10 Mbps to 90 per cent of premises serviced by the networks.

### 3.6 Adjacency to NBN Co's long term fixed-line footprint

Where NBN Co is servicing a new development that is outside but adjacent to its long-term fixed-line footprint, it should consider using fixed-line technology, noting that this is the default technology platform under the SIP regime. A new development is considered to be adjacent to NBN Co's fixed-line footprint if the development's nearest boundary is 1,000 metres or less from the nearest point of NBN Co's fixed-line footprint boundary.

In all such cases, NBN Co will need to consider whether it is cost effective for it to install fixed-line infrastructure. It must keep records where it decides not to use fixed-line infrastructure, including its reasons for not using such infrastructure, and must make those records available to the Minister or Department of Infrastructure, Transport, Regional Development and Communications on request. The Minister and Department can also request in writing regular reports on NBN Co's treatment of adjacent developments, with the Department to specify the details of such reports as required.

### 3.7 Charging

Like other businesses, carriers are entitled to charge developers for the infrastructure and services they provide. Generally the charging arrangements they enter into with developers, including the structure and level, will be a commercial and contractual matter for the parties concerned.

Like other carriers, NBN Co is entitled to charge and is expected to do so, even when acting as the default SIP. The charges NBN Co may charge are set out in Annex A. These charges include a developer contribution per lot or unit to the cost of the network, a developer contribution per lot or unit to backhaul costs, and a retail customer contribution per lot or unit to the cost of the network.

As the default, the retail customer contribution is to be paid to NBN Co by the retail service provider servicing the premises, who may pass it on to their customer. However, NBN Co may also put in place arrangements so the contribution can also be recovered from another person or entity (for example, a state or territory housing authority, landlord or developer) if they wish to pay the contribution. This is to provide flexibility on the recovery of the amount, noting a tenant may not be a long-term occupant of a premises but a broadband connection provides ongoing amenity. If NBN Co does not recover the contribution from another person or entity, then the amount is payable by the retail service provider.

NBN Co may charge below the amounts in Annex A if warranted by competitive and commercial forces, but it is not able to charge above them; that is, the charges operate as caps. These caps are to protect developers and occupants from costs that might otherwise discourage them from accessing telecommunications.

NBN Co may, however, charge other amounts to provide additional services (such as expedited installation). In this case, NBN Co may charge above the cap.

As set out in section 3.10 below, NBN Co must have a charging policy and schedule and lodge it with the Minister for Communications, Cyber Safety and the Arts, in advance of applying it and must update the document as required. The document must cover charging below the amounts specified in Annex A and any other amounts to provide additional services.

The charges in Annex A apply to typical development projects providing residential, business and other premises. Consistent with established practice, the provision of telecommunications to one-off major projects like major office complexes, industrial sites, commercial premises, hospitals, airports, hotels or similar, would be subject to commercial negotiations. Generally, the commercial component of a mixed development is considered commercial and subject to commercial flexibility while the residential component is considered residential and subject to the charging principles set out above.

The structure and level of charges set by providers other than NBN Co is a commercial matter for them in a competitive marketplace.

Where a carrier other than NBN Co seeks an end-user contribution (possibly referred to as a connection charge) from a retail carriage service provider or a retail customer or another party, it should publish the charge on its website. Carriers should not charge end-users more than the relevant published rate. The maximum end-user contribution charge is set by this policy at \$300 for a telephone and Internet service. The Government will monitor carrier compliance with these aspects of the policy and will consider further regulation if warranted.

NBN Co must publish information on the treatment of infill developments, where premises have ready access to NBN Co's existing infrastructure. Such developments would include the construction of new premises on vacant land or subdivisions and knock-down rebuilds where owner-builders or others construct one or more premises in established areas. NBN Co's published information must set out the circumstances in which it will require the payment of new development charges in Annex A as opposed to its usual connection charges for pre-existing properties. Other carriers should publish similar information. The objective of this principle is to ensure it is clear to developers, including owner-builders, when a standard connection charge is payable as opposed to additional new development charges.

### **3.8 Competitive infrastructure provisioning ('overbuilding')**

Consistent with the evolution of the telecommunications in new development market and the move to a more normal and sustainable market for the future, there will be no special rules relating to the competitive provision of telecommunications infrastructure in new developments or overbuilding of one network by another.

In an open and competitive market like Australia's, where developers are free to choose which carrier they wish to use and carriers are generally free to make commercial decisions, such rules have no merit going forward. To the extent market circumstances dictate an area is most efficiently serviced by one fixed-line network, this should be the outcome of normal commercial forces and does not need to be mandated by Government policy. Conversely, where an area may be profitably served by multiple competing networks, this should not be ruled out (and indeed cannot be ruled out under Australian law).

Section 3.10 below looks further at residual concerns that NBN Co may take advantage of its Government ownership or position in the market to compete unfairly or to undermine the value of past investments.

### 3.9 Access to NBN Co's backhaul and business to business interface

Mechanisms exist in the telecommunications sector to provide access to services (such as backhaul). Consistent with normalising operation of the new developments market, the policy gives preference to these mechanisms.

Carriers can seek access to these services on a commercial basis. There is no need for the policy to instruct NBN Co to offer commercial products as it should have incentives to do so as a matter of course. If NBN Co needs to develop new products, it has a Product Development Forum, through which new products can be sought. If a service cannot be obtained through these means, the ACCC can be asked to look at the issue.

Part 6 of the *Telecommunications Act 1997* also provides mechanisms by which industry can make codes or the ACMA can make standards in relation to industry-wide processes and practices, which could include business-to-business interfaces. It is always open to retail service providers to operate on multiple networks as many do, though ultimately this is their commercial decision.

### 3.10 Competitive safeguards and competitive neutrality

The Government strongly supports competition in all telecommunications markets and between all providers, including NBN Co and alternative carriers servicing new developments. In the case of telecommunications in new developments, this includes competition for the market, as often the first fixed-line provider in a development may be the only such provider due to the economics of fixed-line supply, as well as competition within the market, where it can support multiple providers. However, competition should be fair and subject to the usual competitive safeguards.

To the extent there may be residual concerns that NBN Co may take advantage of its Government ownership or position in the market to compete unfairly or to undermine the value of past investments, NBN Co is required to operate commercially and this places an inherent discipline on any charging or overbuilding decisions, particularly in lower density, residential markets. However, it is possible that NBN Co could consider it is in its long-term interest to seek to exclude competition. The possibility of such anti-competitive conduct is a significant concern, however there are powerful and long-standing tools to deal with it and these should be preferred.

NBN Co, as a matter of course, is subject to normal competition law requirements. This includes both Part IV and Part XIB of the *Competition and Consumer Act 2010*, both of which include prohibitions on conduct that has the effect, or likely effect, of substantially lessening competition. Under Part XIB, the ACCC has the ability to issue competition notices to address emerging conduct issues. As a Commonwealth Government Business Enterprise, NBN Co is also subject to the Commonwealth Competitive Neutrality Policy<sup>10</sup>. In the event of a breach of the Competitive Neutrality Policy, a complaint can be made to the Australian Government Competitive Neutrality Complaints Office (AGCNCO)<sup>11</sup>. The Government considers these established legislated and policy mechanisms, administered by dedicated regulators, are better and more appropriate protections against anti-competitive conduct than proscriptions in this policy.

In the event of concerns nevertheless arising in this area, it is important that information is readily available. NBN Co must therefore have a charging strategy and schedule and lodge it with the Minister for Communications, Cyber Safety and the Arts in advance of applying it and it must keep it up-to-date. It must also retain records of its charging decisions, including the charges it has applied and its reasons for charging below the caps. NBN Co must also retain records of any decisions to build

<sup>10</sup> See [treasury.gov.au/publication/commonwealth-competitive-neutrality-policy-statement](https://www.treasury.gov.au/publication/commonwealth-competitive-neutrality-policy-statement).

<sup>11</sup> See [www.pc.gov.au/about/core-functions/competitive-neutrality](https://www.pc.gov.au/about/core-functions/competitive-neutrality).

competing infrastructure in new developments being serviced by other carriers and the commercial case for such activities. NBN Co must also keep records of its compliance with competitive neutrality policy in relation to new developments.

NBN Co will report to the Department of Infrastructure, Transport, Regional Development and Communications on these matters monthly, unless otherwise agreed in advance in writing by the Department, with the Department to specify the details of such reports as required. This will provide the Government with ongoing visibility of such matters. By retaining such information, NBN Co will also be better able to assist the ACCC or AGCNCO if required.

Given the concerns raised, NBN Co's conduct in the market will be closely monitored by the Government as policy maker and it reserves the right to adjust this policy or take other remedial steps if needed. The Government also expects the ACCC and AGCNCO will be equally vigilant.

### 3.11 Network and service standards

Telecommunications infrastructure and services in new developments need to meet the reasonable expectations of consumers. Market forces play an important role in this regard as developers who provide high quality telecommunications networks in their developments will be more attractive to buyers or tenants while those offering sub-standard telecommunications are likely to face difficulties in selling or leasing properties. This means consumers need to be well informed. Proposed new consumer safeguards flowing from the Consumer Safeguards Review will be beneficial in this regard, however consumers also need to take responsibility for finding information and using it to make informed choices.

The new SIP legislation will also be beneficial as it will, in effect, set baseline requirements for access technologies and download and upload speeds that will need to be provided in new developments.

The Government has also indicated it will set standards and associated benchmarks applying to SIPs<sup>12</sup>, including providers in new developments. It is envisaged these will provide maximum timeframes for connection and repair of wholesale services, and set out associated appointment keeping arrangements. Further network performance and reliability standards may also be considered over time if warranted by market outcomes.

### 3.12 Awareness-raising and compliance

As noted above, the vast majority of developers have followed past policies on telecommunications in new developments and had high quality telecommunications installed in their projects for the benefit of property buyers and other occupants. The proportion of developers that have not done the right thing is relatively small. To maintain and improve on these outcomes, ongoing awareness-raising of this policy and relevant regulation is essential.

The Government will continue to work with relevant parties, including firms and associations in the development and telecommunications sectors, consumer groups and state, territory and local governments, to maintain and raise awareness among all developers of the need to install appropriate telecommunications infrastructure in new developments. As most developers turn to local planning laws for guidance in the first instance, the Government sees ongoing merit in complementary state, territory and local government rules on telecommunications in new developments.

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<sup>12</sup> See [www.communications.gov.au/documents/part-b-reliability-services-consumer-safeguards-review-final-report](http://www.communications.gov.au/documents/part-b-reliability-services-consumer-safeguards-review-final-report).

### 3.13 Review

The Government expects to review this policy in five years' time, but will do so earlier if warranted by changes in the market. By emphasising normal commercial practices and general market rules and given the general adherence to the policy, the Government would prefer not to continue with a TIND policy beyond this date.

## 4. Further information

This policy and further information on new developments issues are available on the website of the Department of Infrastructure, Transport, Regional Development and Communications.<sup>13</sup> This includes information on the SIP regime and obligations in Part 20A of the *Telecommunications Act 1997*.

Comments or queries about the policy can be directed to the Department of Infrastructure, Transport, Regional Development and Communications at [new.developments@communications.gov.au](mailto:new.developments@communications.gov.au).

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<sup>13</sup> [www.communications.gov.au/policy/policy-listing/telecommunications-new-developments](http://www.communications.gov.au/policy/policy-listing/telecommunications-new-developments)

## Annex A—NBN Co maximum charges and caps for new developments

NBN Co charge per premises/lot		Paying party
<b>Network</b>		Developer
Deployment contribution per lot/premises (SDU)	\$600	
Deployment contribution per premises (MDU)	\$400	
Wireless/satellite contribution per premises (SDU)	\$1300	
Wireless/satellite contribution per premises (MDU)	\$1100	
<b>Backhaul</b>		
NBN backhaul already available	No charge	
Backhaul costs up to \$1000 per lot/premises	Up to 50% of costs	
Backhaul costs over \$1000 per lot/premises	Up to 100% of costs over \$1000 (in addition to up to 50% of the first \$1000)	
<b>Network</b>		
End-user contribution per premises	\$300	RSP contracted with NBN Co (RSP may pass through to end-user) unless recovered from another person (e.g. state or territory housing authority, landlord or developer)

The charges in this table are maximum amounts and NBN Co can charge below these amounts for the network infrastructure it provides to new developments. It may charge additional amounts where developers require additional services (such as expedited installation).

The specific definitions of what qualifies as an SDU and what qualifies as an MDU will be a matter for NBN Co in the first instance. Its definitions will need to be consistent with generally accepted industry practice. The Government reserves the right to require NBN Co to provide or publish its definitions if warranted.

In addition to these charges, developers are required to meet the cost of pit and pipe or other fibre-ready facilities required by NBN Co (or any other carriers).