



**Australian Government**  
**Department of Communications**

## **BROADBAND NETWORKS IN APARTMENT BUILDINGS**

### **CONSIDERATIONS FOR PROPERTY OWNERS AND MANAGERS**

The Department of Communications is aware that building owners and managers are being approached by telecommunications carriers to install new equipment to provide very fast broadband services in their buildings. This information note is designed to assist building owners and managers to make informed decisions.

#### **National Broadband Network**

The Australian Government has indicated to NBN Co that it should proceed with the rollout of the National Broadband Network (NBN) as quickly and cost effectively as possible. NBN Co will employ a multi-technology mix to provide download data rates of at least 25 megabits per second to all premises and at least 50 megabits per second to 90 per cent of premises as soon as possible.

The NBN is a wholesale-only, open access platform. In practice this means that consumers on that network have a choice as to which retail service provider they wish to purchase a service from. There are over 40 retail services providers offering services on the NBN. More information is available at [www.NBNCo.com.au](http://www.NBNCo.com.au).

#### **Alternative Providers**

Current arrangements are that other new telecommunications networks providing very fast broadband to residential customers will generally need to operate on a wholesale-only basis like NBN Co. However, there are some exceptions to these arrangements. If an exception applies, building occupants may not have the benefits of competition and choice otherwise available on a wholesale-only, open access network.

Building owners and managers who are approached by competing service providers should therefore carefully consider the terms and conditions being offered. It may be that a provider will ask for exclusive use of your in-building cabling to provide services, possibly for an extended period or even in perpetuity. Exclusive use in a building may be needed because of space requirements or to optimise the broadband performance of the equipment being installed. However, it will reduce retail choice unless the provider offers open access to other service providers. Further, it is possible that a request for exclusive use of in-building cabling could conflict with existing contracts with other service providers. Where non-exclusive use is proposed, interference issues may need to be managed.

#### **Carrier use of building entry powers**

Telecommunications carriers have some legislated powers to enter to install and maintain facilities to help them provide services. They can use these powers to install telecommunications equipment.

In doing so carriers must follow specified procedures such as advising building owners and occupants in advance and advising them that they have the right to object.

If the objection cannot be resolved with the carrier, the matter can be referred to the Telecommunications Industry Ombudsman (TIO) within five business days after the objector receives the carrier's response in writing.

Importantly, carriers cannot use their powers to access in-building cabling owned by the body corporate. Carriers therefore need to obtain agreement to use such cabling. If you have doubts about the way a carrier is seeking to exercise its powers, you should raise these promptly with the carrier concerned and seek advice from the TIO ([www.tio.com.au](http://www.tio.com.au)).

### **Summary – Points to consider**

Building owners and managers need to make their own decisions about competing proposals to install telecommunications equipment in their buildings and to provide services into the future. In doing so, the Department recommends that you consider whether:

- the proposal will provide building occupants with a choice of providers and competition into the future;
- building occupants will be locked into the decision for a fixed period or in perpetuity;
- other carriers will be able to or interested in installing competing cabling in the future;
- carriers are correctly advising on their use of rights to access facilities, particularly in respect to in-building cabling;
- the proposal is consistent with pre-existing contracts with other providers; and
- the new provider has a clear plan for managing possible interference with existing services.

### **Contacts and more information**

[Department of Communications](#) – [Australian Communications and Media Authority](#)

June 2014