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BROADBAND NETWORKS IN STRATA APARTMENTS - CONSIDERATIONS FOR PROPERTY OWNERS AND MANAGERS

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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.

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.

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About JS Mueller & Co Lawyers

JS Mueller & Co Lawyers has been servicing the strata industry across metropolitan and regional NSW for almost 40 years. We are a specialist firm of strata lawyers with in depth and unmatched experience in, and comprehensive knowledge of strata law and levy collection.

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