



Department of Infrastructure, Transport, Regional Development, Communications and the Arts

Consultation on proposed changes to the Telecommunications in New Developments Policy: mobile connectivity and other measures

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Contents

1	Introduction and executive summary	3
2	Proposal to include mobile infrastructure requirements in the TIND Policy.....	5
3	Proposal to require “pathways and risers” in multi-unit buildings	9
4	Proposal to allow nbn to spread backhaul costs across developments in an area	10
5	Comments on other aspects of the TIND Policy.....	12



1 Introduction and executive summary

nbn thanks the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the **Department**) for the opportunity to respond to this consultation regarding proposed amendments to the Telecommunications in New Developments (**TIND**) Policy.

The TIND Policy has two main objectives:

1. to ensure that people moving into new developments have ready access to modern voice and broadband services; and
2. to support the competitive provision of telecommunications infrastructure in new developments.

The TIND Policy seeks to achieve these objectives by providing guidance for developers, carriers, and consumers about the provision of telecommunications infrastructure in new developments. In particular, the policy requires developers to organise and fund the cost of “fibre-ready facilities” (passive infrastructure through which cabling can be fed), and to engage carriers to provide telecommunications network infrastructure (active infrastructure connecting premises to the carrier’s telecommunications network).

The TIND Policy was last updated in September 2020. The updates made at that time streamlined, simplified, and clarified the various elements of the policy, and made important changes to allow **nbn** to compete more effectively to provide network infrastructure in new developments. Key changes included allowing **nbn** to price below the caps in Annex A in response to competitive and commercial forces, and removing the special rules applicable to **nbn** for competitive infrastructure provisioning.

Since the 2020 update, additional legislative and regulatory changes have been made or proposed, to further improve the provision of infrastructure in new developments. This includes the extension of the “fibre-ready facilities” requirements in Part 20A of the *Telecommunications Act 1997* (**Telco Act**) to unincorporated developers, and the proposal to further amend Part 20A to empower the Australian Communications and Media Authority (**ACMA**) to issue remedial notices to developers in cases of non-compliance.

The current review of the TIND Policy is more targeted than the 2020 review. Under the current review, there are three main sets of proposals:

- amendments related to mobile connectivity;
- amendments to require developers to install “pathways and risers” in multi-unit buildings; and
- amendments to allow **nbn** to spread backhaul costs across different developments in an area.

nbn’s submission addresses each of these proposals, and provides additional comments on several other aspects of the TIND Policy.

Proposal to include mobile infrastructure requirements in the TIND Policy

Currently, the TIND Policy is focused on the provision of fixed infrastructure. The reason for this is explained in section 2.3 of the TIND Policy 2020, which states that: “...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”.

The Department is proposing to extend the scope of the TIND Policy “to better facilitate the provision of mobile telecommunications infrastructure in new developments”.¹ In particular, the draft policy includes expectations on developers to:

- consider mobile connectivity as part of the development application process, with a similar level of importance as other utilities;
- engage with a mobile carrier as early as possible to ensure coverage is in place prior to selling or leasing new properties;
- identify appropriate sites or locations for mobile infrastructure to be deployed; and
- make reasonable efforts to reach “fair terms” in land access agreements.

In Section 2 of this submission, **nbn** has set out several important issues to consider in relation to the operation and impact of these proposed changes. **nbn** acknowledges the importance of digital connectivity and the role played by mobile services, but the expansion of the TIND Policy to include mobile requirements may be difficult and costly to operationalise, and may also have unintended impacts on the provision of fixed infrastructure and services. It may be more effective for state and territory governments to consider and update relevant planning laws to improve mobile coverage in new developments. To the extent the TIND Policy is amended to include any mobile requirements, it is critical this does not impact the provision of fixed infrastructure in new developments.

Proposal to require “pathways and risers” in multi-unit buildings

nbn strongly supports updating the TIND Policy to include a reference to the need for developers to install pathways in multi-unit buildings. This will help ensure fixed-line infrastructure can be reticulated to each premises in a multi-unit building, leading to better outcomes for residents. In Section 3 of this submission, **nbn** has suggested several amendments to the proposed new text in the draft policy, to clarify and strengthen this expectation, and help ensure the intended outcome is achieved. We would also suggest including a similar reference to Lead-in Conduits (**LICs**) in the TIND Policy.

Proposal to allow nbn to spread backhaul costs across developments in an area

nbn strongly supports this proposed change to the TIND Policy. As we explain in Section 4 of this submission, allowing **nbn** to amortise the costs of shared backhaul infrastructure across multiple developments over time will remove the “first mover disadvantage” faced by developers in new

¹ Department Consultation Paper: Possible amendments to the Telecommunications in New Developments Policy – Mobile Connectivity and Other Measures, October 2023, page 1.



greenfield areas. **nbn** understands that amortisation of this kind is common practice among major utility providers, and it will allow **nbn** to charge for shared backhaul infrastructure more equitably. To support the proposed new text in section 3.7 of the draft TIND Policy, **nbn** has suggested several amendments to the table of charges in Annex A of the policy.

Comments on other aspects of the TIND Policy

In Section 5 of this submission, **nbn** has commented on several other aspects of the TIND Policy:

- **Developer contribution charges in Annex A:** A review of the developer contribution charge caps in Annex A may be needed, to help ensure they keep pace with changing costs over time. **[CIC] [CIC]**
- **[CIC] [CIC]**
- **Several amendments to clarify the operation of the policy:** These comments relate to sections 3.6 (“Adjacency to NBN Co’s long term fixed-line footprint”), 3.9 (“Access to NBN’s Co’s backhaul and business to business interface”), and 3.10 (“Competitive safeguards and competitive neutrality”).
- **The timing of the next review of the TIND Policy:** **nbn** believes the next review should occur sooner than five years’ time, not only because of the more targeted nature of the current consultation, but also because the extent and speed of market change and innovation necessitates more frequent reviews.

2 Proposal to include mobile infrastructure requirements in the TIND Policy

The main focus of the proposed updates to the TIND Policy is the inclusion of requirements regarding mobile connectivity in new developments. In particular, the Department’s consultation paper states:

“The current version of the TIND Policy does not directly address the provision of mobile connectivity in new developments. It does, however, encourage developers wanting mobile coverage in their developments to engage early with carriers. The proposed amendments to the TIND Policy set out the Australian Government’s expectations for developers regarding mobile connectivity and that it should be considered early in the planning process in a similar manner to other utilities, such as water and electricity.”²

² Department Consultation Paper: Possible amendments to the Telecommunications in New Developments Policy – Mobile Connectivity and Other Measures, October 2023, page 3.



nbn agrees that digital connectivity and inclusion are essential for Australians. Indeed, these objectives are at the heart of our purpose and objectives, with the most recent Statement of Expectations (**SoE**) stating that:

“The enduring purpose of the NBN is to provide fast, reliable and affordable connectivity to enable Australia to seize the economic opportunities before it and service the best interests of consumers. It is essential to enabling access to key services, maximising employment and educational opportunities, and driving productivity and economic growth. NBN Co will enhance Australia’s digital capability by delivering services to meet the current and future needs of households, communities and businesses, and promote digital inclusion and equitable access to affordable and reliable broadband services.”³

nbn acknowledges the role played by mobile services in meeting digital connectivity and inclusion outcomes. Our comments focus on the potential operation and impact of the proposed changes to the TIND Policy.

In our experience, many developments are undertaken by smaller developers, often with fewer than six premises. Unless the opportunity is significant, mobile network operators and infrastructure providers may be unwilling to give smaller developers any commitments as to infrastructure and service availability – noting there is no “mobile infrastructure provider of last resort” – and developers may query the value of the process. This, coupled with the discussion below about recent tower divestments, may also mean that smaller developers end up having to engage with a number of mobile network operators and infrastructure providers, materially adding to their regulatory burden without necessarily delivering a result. Indeed, developers may not own or control the sites on which mobile network operators or providers wish to locate their infrastructure assets.

Alternatively, where mobile providers do engage with developers on a development-by-development basis, it is possible that this may lead to an overly fragmented approach, and to the duplication of infrastructure and facilities within a particular geographic area.

As mentioned above, another relevant issue to consider is that, over the last couple of years, some mobile network operators have sold their tower infrastructure to new tower entities. These divestments were summarised by the Australian Competition and Consumer Commission (**ACCC**) in its recent [Regional Mobile Infrastructure Inquiry Final Report](#):⁴

- In 2021, Telstra transferred over 8,000 of its towers, mast, large pole and antenna mount structures to Amplitel. Telstra owns 51% of Amplitel, with the remaining 49% sold to a consortium of investors.
- In 2020, Singtel formed Australia Tower Network (**ATN**) to hold its telecommunications infrastructure assets. In late 2021, Singtel sold 70% of ATN to AustralianSuper. In May 2022,

³ NBN Co Limited Statement of Expectations, 19 December 2022, page 1.

⁴ ACCC, Regional Mobile Infrastructure Inquiry: Final Report, July 2023, page 19.



Singtel and AustralianSuper purchased Axicom, and their respective shares in ATN changed to 18% and 82%. The combined portfolio is now known as Indara.

- Prior to its purchase by Singtel and AustralianSuper (referred to above), Axicom acquired mobile tower assets from Optus and Vodafone between 2000 and 2008.
- In May 2022, TPG sold its mobile tower assets to Waveconn, an entity owned by a Canadian public pension fund.

In light of these divestments by mobile network operators, it may be unclear to developers which entity they are supposed to engage with in order to satisfy any mobile-related requirements in the TIND Policy.

Given the current development industry perception of external imposts and demands, it is important that the proposed changes to the TIND Policy do not add significant additional administrative requirements on the development industry – especially given the desire to increase industry output materially over the next several years.

In addition to the practical and operational issues outlined above, there is a risk that the inclusion of mobile requirements in the TIND Policy may have unintended impacts on the provision of fixed (particularly fixed-line) infrastructure in new developments:

- The proposed mobile-related requirements appear to significantly increase developer obligations to engage carriers / providers in relation to telecommunications services:
 - For mobile connectivity, developers will be expected to: consider connectivity as part of the overall development application process; engage with a carrier as early as possible to ensure mobile coverage is in place prior to selling or leasing premises; identify appropriate sites or locations for mobile infrastructure to be deployed; and make reasonable efforts to reach “fair terms” in land access agreements.
 - For fixed connectivity, developers will continue to be required to organise and meet the cost of fibre-ready facilities and telecommunication network infrastructure, with a requirement for fixed-line infrastructure to be used unless that is “not reasonable”, in which case fixed wireless or satellite may be used instead.
- [CIC].⁵ [CIC]

Against that background, **nbn** believes consideration should be given as to whether there are more effective ways to improve mobile coverage in new developments, that do not impose additional burdens and therefore costs on developers and do not give rise to the other potential issues outlined above.

⁵ [CIC] [CIC]



As **nbn** understands it, at a high level, the decision to increase urban density or to re-zone land is generally made by state and territory planning authorities and councils. As part of the planning process, it would be appropriate for these bodies to consider mobile coverage issues – including in relation to emergency services access – and the suitability of locations for mobile tower and other infrastructure. In particular, councils have a role in identifying, with the assistance of industry experts, locations to be reserved for public services such as sewerage pumping stations, electrical substations, schools, and parks, and it may be possible for planners to consider reserving lots for mobile infrastructure as well. Reserved lots could be identified on a master plan with special purpose zoning, to help ensure the availability of locations for new mobile infrastructure.

We recognise that changes to state and territory planning processes will require liaison and action by state and territory governments, and may take time to develop and implement. However, we think the possibility should be explored as a more effective way to ensure mobile coverage is available in new developments, and to deliver better outcomes than imposing requirements on individual developers on a development-by-development basis under the TIND Policy.

If any mobile-related requirements are included in the TIND Policy, our view is that:

- This should be limited to a requirement for developers to consider the mobile coverage that is or will be available in their new developments, including seeking information from mobile operators where necessary, who should have a mechanism to provide this information. Where there is no or limited coverage, developers could engage with their relevant planning authority, and this could potentially feed into broader planning processes regarding mobile coverage, as suggested above, while continuing to allow mobile network operators to determine whether and when to deploy infrastructure in accordance with normal commercial and market forces.
- It will be critical to ensure that any mobile-related requirements included in the TIND Policy are framed – and are understood by developers, carriers and other industry participants – to be separate from and additional to the requirements relating to the provision of fixed infrastructure. Put another way: the TIND Policy’s requirements about the provision of fixed infrastructure must remain, and must be understood to remain, just as important as they always have been; and developers must consider any mobile requirements separately from and in addition to their ongoing obligations regarding the provision of fixed infrastructure.
- Consistent with the point above, if / where the TIND Policy refers to mobile requirements as having “a similar level of importance as other utilities, such as water, electricity and sewage”,⁶ it should also include a reference to fixed telecommunications infrastructure in this list. Otherwise, when read in isolation, these parts of the TIND Policy may give the impression that mobile is the only telecommunications infrastructure developers need to consider.

⁶ Draft TIND Policy, section 4.2 (“Developer Obligations”).



3 Proposal to require “pathways and risers” in multi-unit buildings

The Department is proposing to amend the TIND Policy to include an expectation that developers who are building multi-unit buildings such as apartment blocks should “*also arrange for pathways and risers to be installed so that in-building cabling can be deployed when that is required*”.⁷ In addition, the Department is proposing to note that Communications Alliance “*has developed guidelines for the installation of in-building pathways and conduits*”.⁸

nbn strongly supports updating the TIND Policy to include a reference to the need for pathways in multi-unit buildings. This is because:

- Under Part 20A of the Telco Act, developers are required to install fibre-ready facilities prior to selling or leasing building lots or units in a new development. Currently, the TIND Policy references these legislative obligations, but it does not impose any additional requirements on developers in relation to the provision of passive infrastructure to facilitate fixed-line services.
- This means that, if a developer only builds to the minimum requirements set out in the legislation, a carrier would be unable to readily connect fibre to each premises in a multi-unit building. While most developers install pathways and spaces, there are instances where this does not happen, ultimately leading to poor outcomes for end-customers.
- Updating the TIND Policy to include an expectation on developers to install pathways in multi-unit buildings will help ensure fixed-line infrastructure can be reticulated to each premises in the building, leading to better outcomes for occupants.

To ensure this objective is achieved, **nbn** suggests the Department consider amending its proposed drafting in several ways, to ensure the expectation on developers is as clear as possible:

- In section 2.2 (“Fibre-ready and other telecommunications facilities”) of the draft TIND Policy, **nbn** suggests simply referring to “pathways”, rather than “pathways and risers”. This will be clearer and simpler for the purposes of the TIND Policy, as “pathway” is a more general term which may involve different components (e.g. risers, laterals, cable trays, etc) depending on the type of multi-unit building.⁹
- Further, the proposed drafting should be strengthened so that pathways are required to be installed in multi-unit buildings being served with fixed-line infrastructure and/or where fibre-ready facilities are being installed in accordance with Part 20A of the Telco Act, unless there is a reason not to do so (including because of the way the carrier engaged by the developer intends

⁷ Draft TIND Policy, section 2.2 (“Fibre-ready and other telecommunications facilities”).

⁸ Draft TIND Policy, section 3.2 (“Developer responsibilities”).

⁹ See: <https://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/design-build-install/pathway>.



to deploy its network). A change of this kind will reduce the risk of a more subjective interpretation about when pathways are “required” for the deployment of in-building cabling.

Taking these suggestions together, **nbn** believes the second paragraph of section 2.2 of the draft TIND Policy should be amended to read as follows (our suggested changes to the Department’s proposed text are shown in red and strikethrough):

*“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). Where developers are building multi-unit building such as apartment blocks, it would be expected that they also arrange for pathways ~~and risers~~ to be installed so that in-building cabling can be deployed **to each premises** ~~when this is required~~. **Pathways should generally be installed in multi-unit buildings being served with fixed-line infrastructure and/or where fibre-ready facilities are being installed in accordance with Part 20A of the Telco Act.**”*

In addition, **nbn** believes it would be useful to include a similar reference regarding the importance of installing Lead-in Conduits (**LICs**), to help ensure connection of the network in the street to the new building for relevant fixed-line deployments.¹⁰ LICs are typically installed during construction of new premises in greenfield or infill areas. If they are not installed during construction, a new building may not be able to be readily connected to the **nbn**, and it may be necessary to dig up part of the property’s outdoor area in order to connect a service. Including an expectation in the TIND Policy regarding the provision of LICs may help reduce the number of instances where this occurs.

4 Proposal to allow nbn to spread backhaul costs across developments in an area

nbn strongly supports the proposed changes to the TIND Policy to allow it to spread backhaul costs across developments over time in new growth areas.

Developments in greenfield areas are likely to require new or augmented backhaul. Backhaul infrastructure installed to serve the first development in an area may be used to serve subsequent developments as well (**shared backhaul infrastructure**). However, the TIND Policy 2020 prevents **nbn** from charging for backhaul where it is “already available”, which means **nbn** cannot seek a backhaul contribution for subsequent projects that will use all or part of the infrastructure installed for the first project in an area.

As a result, **nbn**’s only avenue to recover backhaul infrastructure costs is to charge the first developer the full cost of the infrastructure that is installed to serve their project (subject to the constraints in Annex A of the policy), even if some or all of that infrastructure will ultimately be used by subsequent

¹⁰ See: <https://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/design-build-install>.



projects in the same area. This may disincentivise the first developer in a given growth corridor from engaging **nbn** as their infrastructure provider, or increase the costs of premises in their development.

Updating the TIND Policy to allow **nbn** to amortise shared backhaul infrastructure costs across multiple projects over time will help create a more fair and equitable charging model for developers in new greenfield areas. For this reason, **nbn** supports the inclusion of the new text the Department has added to section 3.7 of the draft TIND Policy. We do, however, believe that supporting changes need to be made to the table of charges in Annex A of the policy. We would suggest the following additional text be included in Annex A (shown in blue highlighting):

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

NBN Co charge per premises/lot		Paying party
Network		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	
Backhaul		
NBN backhaul already available (where costs are not being amortised)	No charge	
Backhaul costs up to \$1000 per lot/premises (where costs are not being amortised)	Up to 50% of costs	
Backhaul costs over \$1000 per lot/premises (where costs are not being amortised)	Up to 100% of costs over \$1000 (in addition to up to 50% of the first \$1000)	
NBN backhaul in greenfield areas (where costs are being amortised for infrastructure to be used by multiple developments)	For each development, NBN Co may recover up to 100% of the costs of that development's expected proportional share, calculated on a per lot/premises basis (but NBN Co may not recover more than 100% of the total cost of shared backhaul infrastructure)	
Network		
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)

In addition, consistent with the new text added to section 3.7 of the draft policy, we would suggest amending the Department's proposed new sentence under the table in Annex A, to say the following (suggested changes shown in red): "As stated in section 3.7, NBN Co may amortise



backhaul charges over different developments in the same area, including across multiple developments over time.”

5 Comments on other aspects of the TIND Policy

Developer contribution charges in Annex A

Under Annex A of the TIND Policy, **nbn** is able to charge a developer contribution per lot / premises to the cost of the network (**Developer Contribution Charge**). The maximum Developer Contribution Charge is \$600 for single-dwelling units (**SDUs**) / \$400 for multi-dwelling units (**MDUs**) for fixed-line network, and \$1300 (SDUs) / \$1100 (MDUs) for fixed wireless and satellite.

The size of these Developer Contribution Charges has not changed since 2015. Briefly, the history regarding these charges is as follows:

- In the TIND Policy 2015, **nbn**'s pricing was fixed. That is, **nbn** was required to charge a Developer Contribution Charge of \$600 per premises for SDUs and \$400 per premises for MDUs for developments within the fixed-line footprint.
- In the TIND Policy 2020, these amounts were retained but, importantly, they were changed from fixed prices to capped prices. This means that, since September 2020, **nbn** has been able to charge below the amounts in Annex A if warranted by competitive and commercial forces, but we cannot charge above them.

The 2020 change from fixed prices to capped prices was – and remains – critical to allow **nbn** to compete more effectively in new developments.

However, the absolute amounts **nbn** may charge developers have not changed since 2015 and, consistent with trends right across the economy, **nbn**'s network deployment costs have changed since that time. For that reason, a review of the Developer Contribution Charge caps in Annex A may be needed, to help ensure they keep pace with changing costs over time.

[CIC] [CIC]

[CIC] [CIC]

Adjacency to **nbn**'s long term fixed-line footprint

Section 3.6 of the TIND Policy 2020 (and the draft policy) provides that:

“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.”



nbn believes it would be useful to add some additional text to the end of this paragraph, to make it clear that the relevant date for assessing whether a new development is “adjacent to” **nbn**’s fixed-line footprint is when the developer seeks to engage **nbn** to serve the development in question.

For example, the final sentence in the paragraph extracted above could be amended to read:

*“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, assessed at the time the developer seeks to engage **nbn** to service the new development.”*

We have suggested making this amendment to help minimise confusion for fixed wireless and satellite customers in circumstances where the fixed-line footprint has moved closer to their premises over time, and they are unclear why they have a fixed wireless or satellite service when their neighbours (in newer developments) have a fixed-line connection instead.

Access to **nbn**’s backhaul and business to business interface

Section 3.9 of the TIND Policy 2020 (and the draft policy) is headed “Access to NBN Co’s backhaul and business to business interface”. In essence, this section states that there is no need for the policy to instruct **nbn** to offer commercial products as it should have incentives to do so, that **nbn** has a Product Development Forum through which new products can be sought, and that there are mechanisms through which the ACCC and the ACMA can consider and address relevant issues if that is considered necessary.

Section 3.9 was included in the TIND Policy 2020 to effect a change from the TIND Policy 2015. This is because the 2015 policy expressly required **nbn** “to establish a process for identifying market demand for the provision of backhaul services on commercial terms to alternative network operators” and, if there was demand for it, to “make the specifications of its interface available to alternative providers on an ongoing basis on fair commercial terms so they can operate their own interface on the same basis”.¹¹ The inclusion of section 3.9 in the TIND Policy 2020 represented the adoption of a simpler approach to these issues, relying on existing commercial and regulatory mechanisms in the telecommunications sector rather than the imposition of special rules on **nbn**.

Against this background, **nbn** believes section 3.9 should be removed from the next version of the policy altogether. Section 3.9 is now lacking the context provided by the 2015 policy requirements, and without that context it has the potential to confuse rather than to clarify.

¹¹ TIND Policy 2015, pages 15 and 30.



Competitive safeguards and competitive neutrality

Section 3.10 of the TIND Policy 2020 (and the draft policy) notes:

- the Government's strong support for competition in all telecommunications markets and between all providers, including **nbn** and alternative carriers servicing new developments;
- that **nbn** is subject to normal competition law requirements and the Commonwealth Competitive Neutrality Policy; and
- that **nbn** is required to operate commercially and this places an inherent discipline on any charging or overbuilding decisions, particularly in lower density, residential markets.

In relation to the last dot point above, **nbn** suggests that it may also be useful to incorporate some aspects of the most recent SoE. In particular, the SoE requires **nbn** to operate commercially, noting that *"there will be circumstances where there will need to be trade-offs between NBN Co's commercial objectives and its obligations and policy expectations"*.¹² We have suggested this to provide some additional context relevant to the fulfilment of **nbn**'s obligations as they relate to new developments.

Timing of the next TIND Policy review

Like the TIND Policy 2020, the draft policy states that the Government *"expects to review this policy in five years' time, but will do so earlier if warranted by changes in the market"*.¹³

nbn believes the updated policy should be reviewed sooner than five years' time.

As a general proposition, the extent and speed of market change and innovation necessitates more frequent reviews.

More specifically, to the extent the current review remains focused on the three substantive issues discussed in the consultation paper – mobile connectivity, pathways in multi-unit buildings, and the amortisation of shared backhaul infrastructure costs – it will be essential that there is a timely opportunity to canvas, consider and address the various issues and topics not covered during this consultation, including those discussed in section 5 of this submission. In this circumstance, **nbn** believes the TIND Policy should be reviewed again in two years' time, in accordance with the five-year timeline set in the TIND Policy 2020.

¹² NBN Co Limited Statement of Expectations, 19 December 2022, page 4.

¹³ TIND Policy 2020, section 3.13 ("Review"); Draft TIND Policy, section 5 ("Review and Further Information").