



# Connection Approvals Policy

## NBN Co's obligation to connect under the Statutory Infrastructure Provider (SIP) regime

Under the Statutory Infrastructure Provider regime set out in the *Telecommunications Act 1997*, **NBN Co** is the Statutory Infrastructure Provider for all areas that have been declared **nbn**<sup>™</sup> Ready For Service. Once the **nbn**<sup>™</sup> broadband access network has been declared by the Minister for Communications as built and fully operational, **NBN Co** will be the default Statutory Infrastructure Provider for all of Australia (except where an alternative carrier has been declared the Statutory Infrastructure Provider by the Minister).

Wherever **NBN Co** is the Statutory Infrastructure Provider, we will connect a premises to the **nbn**<sup>™</sup> broadband access network upon reasonable request from a Retail Service Provider, subject to some legal, environmental and technical limitations outlined in this policy.

The approach to approving connections in this policy is consistent with **NBN Co**'s standard approach to accepting and rejecting orders for **nbn**<sup>™</sup> Ethernet that require installation works at a premises. This policy does not affect **NBN Co**'s approach to supplying eligible services (which includes the logical activation of the services), which will continue to be met in accordance with Part XIC of the *Competition and Consumer Act 2010*. Readers looking for information regarding our approach to supplying eligible services can find them on our website at <https://www.nbnco.com.au/sell-nbn-services/supply-agreements>.

This document is intended for carriage service providers (CSPs) and customers to understand what circumstances would make a request for a connection to the **nbn**<sup>™</sup> broadband access network unreasonable to fulfil. We recognise that circumstances can change, and so if a connection request has been refused for a reason set out in this policy, customers are not prevented from making a connection request for the same premises in the future.

Customers that wish to discuss a connection refusal made in accordance with this policy should contact their RSP in the first instance or alternatively contact **NBN Co**'s Contact Centre by visiting <https://www.nbnco.com.au/corporate-information/contact-us>.

## When will NBN Co consider it unreasonable to fulfil a request for connection?

Under this policy, a request to connect a premises will generally be approved except for when any of the following limitations apply:

- The premises is in a region that has not been declared Ready for Service.<sup>1</sup>
- The premises is not yet ready to connect (Service Classes include SC0, SC4, SC7, SC10, SC20, and SC30).<sup>2</sup>
- The premises falls within an area where **NBN Co** is not the Statutory Infrastructure Provider.
- The connection request does not relate to a premises.
- For premises that fall within the Fixed Wireless and Satellite footprints, despite best efforts to connect the premises, the connection is prevented due to land geography or other significant physical barriers.

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<sup>1</sup> This limitation only applies during the initial rollout of the **nbn**<sup>™</sup> broadband access network. Once the **nbn**<sup>™</sup> broadband access network has been declared by the Minister for Communications as built and fully operational, **NBN Co** will be the default Statutory Infrastructure Provider for all of Australia and this limitation will cease to apply.

<sup>2</sup> See footnote 1.

- The premises is not within **NBN Co's** fixed line footprint (or **NBN Co** is otherwise unable to connect the premises to a fixed line network for reasons outside **NBN Co's** reasonable control), the premises has been allocated for connection to either:
  - **nbn™** Fixed Wireless but capacity on all available cells is constrained; or
  - **nbn™** Satellite, but capacity on all available beams is constrained.

In these cases, **NBN Co** will take steps to increase capacity as soon as reasonably practicable.

- The premises is in an Ready For Service rollout region, but not served by **NBN Co** because the premises is already connected to infrastructure from a competing provider that is capable of providing a qualifying carriage service, e.g. **NBN Co** passes MDU in which most premises are served by competitor fibre, with small number of copper services. **NBN Co** installs DSLAM for connection of copper services but does not overbuild premises connected with fibre.<sup>3</sup>
- At the time the request is made, there is a pending request for connection to a qualifying carriage service at the same premises, whether the pending request is with **NBN Co** or another CSP, and whether it was made by the parties making the first-mentioned request or a third party.
- The premises already has a connection to the **nbn™** broadband access network.
- The CSP making the request refuses to accept the connection under **NBN Co's** terms and conditions; or there are reasonable grounds to believe that the CSP would:
  - fail to comply with the terms and conditions of the connection, or
  - fail to protect the integrity of a telecommunications network or the safety of individuals working on, or using services supplied by means of, a telecommunications network or a facility.
- **NBN Co** is prevented at the time of the request from approving the connection request due to circumstances outside its control (such as Frustrated Premises,<sup>4</sup> third party delays, uncontrollable events, natural disasters, and severe weather conditions)
- There are legal impediments to the request, including (but not limited to):
  - The customer has no legal right to occupy the premises specified in the request, is under 18 years of age, or has not provided the required identification
  - The connection of the premises would contravene an injunction, declaration, other order, declaration or determination of a court, regulator or other authority of competent jurisdiction
  - The connection of the premises would contravene a law of the Commonwealth, the applicable State or Territory, or the local government
  - When consent or legal authority from other parties is required before **NBN Co** can connect the premises (e.g. seeking access to common property; to situate equipment at a third party location, such as council approval for wireless tower; or landlord consent), and that consent has not been provided or obtained.
- There are technical and environmental impediments to the request, including (but not limited to):
  - The site is not suitably secure, permanent, or equipped (at the customer's expense) to support the connection for the relevant technology. This may include insufficient electricity supply; necessary works and civil infrastructure for the installation of lead-in cabling have not been supplied; or the premises is not sufficiently secure for housing telecommunications equipment.
  - Unimpeded access to the premises (or associated land) is unavailable to enable **NBN Co** to complete the connection
  - The connection of the premises would expose **NBN Co** personnel, or the public, to unreasonable health or safety risks, including threatening or intimidating behaviour by the customer; hazardous environments or conditions; or injury due to unsafe building structures or spaces.
  - Connection of the premises at the proposed location would have material adverse environmental or heritage impacts, or adverse impacts to a site of cultural significance.

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<sup>3</sup> This limitation only applies until the declarations for nominated service areas and designated services areas have been settled.

<sup>4</sup> See **nbn's** Frustrated Premises Protocol at [https://www.nbnco.com.au/content/dam/nbnco2/2020/policies/nbn\\_Frustrated%20Premises%20protocol\\_Sept2020.pdf](https://www.nbnco.com.au/content/dam/nbnco2/2020/policies/nbn_Frustrated%20Premises%20protocol_Sept2020.pdf)