



Telecommunications (Nominated Service Area and Statutory Infrastructure Provider) Declaration 2020

I, PAUL FLETCHER, Minister for Communications, Cyber Safety and the Arts, make the following declaration.

Dated 20 September 2020

PAUL FLETCHER
Minister for Communications, Cyber Safety and the Arts

1 Name

This instrument is the *Telecommunications (Nominated Service Area and Statutory Infrastructure Provider) Declaration 2020*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 360K(4) of the *Telecommunications Act 1997*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) nominated service area;
- (b) statutory infrastructure provider;

In this instrument:

Act means the *Telecommunications Act 1997*.

5 Nominated service areas and statutory infrastructure providers

For the purposes of subsection 360K(4) of the Act:

- (a) subsection 360K(3) of the Act does not apply to each nominated service area specified in column 1 of the table in this section; and
- (b) the carrier specified in column 2 of that table is the ***statutory infrastructure provider*** for the nominated service area specified in column 1 for that item.

Note: Section 360J and subsection 360K(3) of the Act together provide that if, immediately before the commencement of that section, a carrier licence held by a carrier was subject to certain declarations in relation to a development area (within the meaning of those

declarations), the development area is a nominated service area, and the carrier is the statutory infrastructure provider for the nominated service area. Subsection 360K(4) of the Act provides for the Minister to declare that a different specified carrier is the statutory infrastructure provider for the nominated service area.

Nominated service areas and statutory infrastructure providers for the purposes of subsection 360K(4)

Item	Column 1 Nominated service area to which subsection 360K(3) does not apply	Column 2 Carrier that is the statutory infrastructure provider for the nominated service area
1	Elements Retirement Living Dennis Road, Springwood QLD 4127	LBN Co Pty Ltd
2	Kelvin Grove Urban Village Kelvin Grove QLD 4059	LBN Co Pty Ltd
3	Little Bay Estate Little Bay NSW 2036	LBN Co Pty Ltd
4	‘Forte’ residential apartment complex 807 – 811 Bourke Street Docklands Victoria 3008	OptiComm Ltd
5	‘EXO’ residential apartment complex 55 Merchant Street Docklands Victoria 3008	OptiComm Ltd
6	‘Serrata’ residential apartment complex 815 Bourke Street Docklands Victoria 3008	OptiComm Ltd
7	‘Convesso’ residential apartment complex 8 Waterside Place Docklands Victoria 3008	OptiComm Ltd
8	‘Concavo’ residential apartment complex 9 Waterside Place Docklands Victoria 3008	OptiComm Ltd

Note: The nominated service areas in items 1 to 3 of the table in this section correspond to the development areas of the same name specified in Schedule 1 to *Carrier Licence Conditions (Pivot Pty Ltd) Declaration 2013* as in force immediately before the commencement of section 360J of the Act, which could, at the time this instrument was made, be found at <https://www.legislation.gov.au/Details/F2018C00307>.

The nominated service areas in items 4 to 8 of the table in this section correspond to development areas of the same name specified in *Carrier Licence Conditions (NT Technology Services Pty Ltd) Declaration 2014* as in force immediately before the commencement of section 360J of the Act, which could, at the time this instrument was made, be found at <https://www.legislation.gov.au/Details/F2014L00490>.

The geographic area of each nominated service area is the area specified for the corresponding development area in the relevant carrier licence condition declaration.