

2 September 2019

LBN CO
Unit 1, 171 Victoria Road,
Gladesville NSW 2111
Attn: Managing Director - Steve Picton

Via Register Post & Email: info@lbnco.com.au; malcolmw@lbnco.com.au

Dear Sir,

**Strata Plan 80510 | VINOSA | 2-8 JENNER STREET, LITTLE BAY
LBNCo - ACCESS TO PROPERTY**

We write as the Managing Agent of Vinosa Apartments, SP 80510, which is part of the Prince Henry Community Association in response to correspondence from your company dated 30 August 2019.

This correspondence refers to access to the subject property between 17 September and 17 October 2019 for the purposes of installing FTP equipment.

The Strata Committee considered your request and it noted that in recent weeks 2 public meetings had been held at Prince Henry concerning telecommunications services in the Prince Henry area.

At this time the Strata Committee has refused your request and denies your company entry to the subject property. The Strata Committee seeks a response to the following questions at which time it will further consider your request. (NB The questions have no particular order and all are deemed equally important to gain a clearer understanding of LBNCo and the benefits/issues it may provide).

1. Prince Henry is currently provided telecommunication services through a Landcom contract with Pivit. What will your company do differently to Pivit and can residents remain with Pivit
2. Pivit provides landline, internet, free to air TV, pay TV, emergency lift phone services and emails. The site already has broadband and internet. What specifically will LBN provide and how do they consider a LAAN notice to be appropriate given infrastructure already exists?
3. For services to be provided by LBN what is the cost including bundles so residents can compare with the Pivit charges?
4. Will LBNCo charge individual residents a connection fee and if so how much?
5. It understood that LBN uses technology manufactured by Huawei, a company deemed a security risk by the Australian Government, It is understood a number of residents work or are in regular contact with Governments and therefore what

is LBN's intention and timeframe to have technology/products that is not deemed a security risk by the Australian Government.

6. LBN has identified 17 RSPs, however it does appear only a very small number provide services in the Little Bay area. Can you please confirm which of the 17 are able to provide services to Little Bay and the level of service will be consistent with that in question 2 above (ie one provider to provide everything)
7. It is noted that LBN does not appear to have any of the major RSPs on its panel, This is a concern as after dealing with a monopolistic small provider for over 10 years to again have no option to consider one of the larger providers appears to have no real improvement. Therefore what is LBN doing to have at least 1 major service provider as a RSP, when will that be and will they provide the full suite of services?
8. Vinosa property – If access is approved and LBN installs its technology what indemnities does Vinosa get in respect of any damage to its property, such an indemnity to cover installation and ongoing operation including fire).
9. In respect of installation where exactly is it intended to install any equipment and what structural works if any are required noting you require access for around 8 weeks. Any access will require supervision and a pass back of supervision costs to your company. Is LBNCo in agreement with this as the Strata Committee is not prepared to allow unsupervised access for some 8 weeks.
10. Recent media reports indicate that LBNCo has been acquired by Unity Wireless. What are the implications of this for what is intended to be provided to Vinosa and when will such implications be evident to the residents if access is approved?
11. Vectoring. It is understood that where buildings have multiple cables from different providers "vectoring" can occur which is loss of signal or interrupted signal. What assurances can LBNCo provide that the installation of your cables will not create a "vectoring effect" ?
12. Is LBNCo proposing to have a formal contract with Vinosa and if so can a copy of that be provided, noting such an agreement may require independent legal advice. If not a legal contract what is the intended agreement, if any?

Your response when received will be circulated to the Strata Committee for further consideration, noting the Strata Committee expects specific response to each of the 12 questions so it can properly consider your request.

Further enquiries etc

Further, the Strata Committee feels that your use of a LAAN notice in this instance is unlawful and not in the spirit of the Telecommunications Act. We intend to report this unlawful and unscrupulous use of a LAAN notice to the Ombudsman.

Yours Sincerely,

Toula Bachas

Toula Bachas
Strata Manager