

Thursday, 29 August 2019

Mr. Paul Fletcher MP  
Minister for Communications, Cyber Safety and the Arts  
Level 2, 280 Pacific Highway  
Lindfield NSW 2070

By email: [Paul.Fletcher.MP@aph.gov.au](mailto:Paul.Fletcher.MP@aph.gov.au)

cc: Matt Thistlethwaite MP, Federal Member for Kingsford Smith - [Matt.Thistlethwaite.MP@aph.gov.au](mailto:Matt.Thistlethwaite.MP@aph.gov.au)  
Michael Daley MP, State Member for Maroubra – [maroubra@parliament.nsw.gov.au](mailto:maroubra@parliament.nsw.gov.au)

Dear Minister

### **PRINCE HENRY AT LITTLE BAY TELECOMMUNICATIONS | ACCESS TO THE NBN**

As the Managing Agent for the Prince Henry Community Association, we are writing to you on behalf of the Prince Henry at Little Bay Community Association Executive Committee (EC). Members of the EC are seeking a meeting to discuss the ongoing problems with the provision of telecoms services to Prince Henry residents.

For more than 10 years, the residents of Prince Henry have been tagged 'adequately served' from an NBN rollout perspective. The 'adequately served' status resulted from Landcom's appointment of Pivit as the telecoms provider at Prince Henry for a period of 25 years from 2007. To date, service levels have been variable at best, with little or no recourse for dissatisfied subscribers due to Pivit's vertical integration as both wholesaler and sole retail service provider (RSP).

Pivit is now seeking to exit its contract with Landcom, and would seem to have entered into some sort of background agreement to assist another private provider, LBNCo, in taking over and/or replacing the network infrastructure at Prince Henry. Although difficult to prove, this arrangement would be in violation of Pivit's contract with Landcom, and would likely result in a similar situation for Prince Henry residents going forward. Landcom, in the meantime, have been making enquiries into the NBN as a more secure option for Prince Henry's future. However, as yet, no firm commitment from NBN Co has been received.

The rollout of NBN infrastructure in the immediately surrounding suburban areas is either currently completed or under way (see attached diagram). Both the Prince Henry Community Association (CA) and Landcom believe that the way clear for Prince Henry's inclusion in this rollout may be as simple as the removal of the 'adequately served' status, which 10 years on would no longer seem to be practically or commercially accurate.

The CA has in recent weeks meet with Matt Thistlethwaite, Federal member for Kingsford Smith, who strongly supports the position advanced by the CA in this letter. Early next week the CA will be meeting with Michael Daley, State MP for Maroubra.

In short, EC members are seeking a meeting to discuss this possibility, so as to ensure that Prince Henry residents finally receive the same telecoms network choices as other Australian taxpayers.

Attached is a background summary comprising much of the history and more recent developments. However, should you have any questions or require additional information, please do not hesitate to contact me on either (02) 8203 3111 or 0439 757 222 or [kathryn@changestrata.com.au](mailto:kathryn@changestrata.com.au).

We look forward to receiving your response.

Yours sincerely,  
CHANGE STRATA MANAGEMENT

**Kathryn Milne**  
senior portfolio manager