



**Australian Government**

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

# **Statutory Infrastructure Provider regulated broadband speeds**

## **Consultation Paper**

**April 2025**

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## Introduction

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) is consulting on a pathway to increase the legislated Statutory Infrastructure Provider (SIP) peak download speeds of at least 25 Mbps to 100 Mbps. Further information on the increase and a possible implementation pathway is provided below.

There have been calls from a variety of stakeholders to ensure communities have access to appropriate, regulated broadband speeds that enable participation in both the economy and society. Fast and reliable broadband allows more people to benefit from digital health and government services, access work and learn from home and access entertainment including online streaming and gaming. Demographic changes brought about by population growth in many regional communities have increased demand for greater and better digital connectivity in those areas.

Access to faster broadband speeds can also provide economy wide and productivity benefits through broader access to the digital economy. For example, modelling by Accenture suggests the NBN Fibre to the Node (FTTN) upgrade program will provide a \$10.4 billion cumulative uplift in GDP to 2034.<sup>1</sup>

Whilst significant Government and private investment has and will continue to see the capability of Australia's broadband networks rapidly increase, legislative arrangements have not kept pace with those developments. For example, the ability of regulators to ensure consumers receive good services and outcomes is dependent on the way the important consumer protections under the SIP regime are articulated and their relevance in the current market. The department is seeking views on the potential pathway to increase SIP speeds nationally to ensure the SIP regime remains fit-for purpose.

Submissions including responses to the questions at [Attachment A](#) should be made by 11:59pm Sunday 18 May 2025. You can make an online submission at: <https://www.infrastructure.gov.au/have-your-say/increasing-minimum-legislated-broadband-speeds> or by emailing [sip@infrastructure.gov.au](mailto:sip@infrastructure.gov.au).

## Recent consultation

The [2024 Regional Telecommunications Independent Review](#) highlighted the ongoing importance of broadband to regional communities and recommended future universal service arrangements should ensure minimum legislated broadband speed requirements remain relevant to changing needs. Submissions to the Review highlighted interest in increasing the current SIP upload and download speeds from 25/5 Mbps. State governments and local government associations agreed the SIP speed needs to be updated to 'reflect modern user needs' including greater demand for fast and reliable digital connectivity.

Some of the suggestions included: an increase to 50/10 Mbps in the short term, with a longer-term objective of 200Mbps.<sup>2</sup> Major providers ([Telstra](#) and [NBN Co](#)) proposed an increase over time to 50/20 Mbps. The [Victorian Government submission](#) indicated most small business needs would be met by 50/20 Mbps to 100/20Mbps. Consumer and regional stakeholders identified a priority for regional consumers was fit-for-purpose, affordable and reliable broadband, with appropriate consumer protections.

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<sup>1</sup> Economy impact of completing the upgrade of NBN's FTTN network; key insights, December 2024, <https://www.nbnco.com.au/content/dam/nbn/documents/about-nbn/reports/reports-and-publications/accenture-economic-impact-of-completing-fttn-upgrade.pdf.coredownload.pdf>

<sup>2</sup> NSW Government, 2024 Regional Telecommunications Review submission, <https://www.infrastructure.gov.au/sites/default/files/documents/rtirc-2024-nsw-gov.pdf>

## Overseas experience

Internationally there is recognition of the benefits of faster broadband to productivity and service provision and this has been implemented through a mix of regulatory minimum standards and policy expectations. On 18 March 2024, the [United States Federal Communications Commission](#) raised the fixed speed benchmark to 100/20Mbps, from 25/3 Mbps.

The European Union Universal Services Directive has set a goal to provide accessible connectivity of at least 100 Mbps to all European households. The [Gigabit Infrastructure Act](#) responds to the growing needs for faster, reliable, data-intensive connectivity and will be fully applicable in November 2025. The Act updates the 2014 Broadband Cost Reduction Directive to ensure faster, affordable, and simpler rollout of Gigabit networks installation, addressing hurdles like cost and complex procedures for network deployment.<sup>3</sup>

## Current Legislative framework

The Statutory Infrastructure Provider (SIP) regime is set out in Part 19 of the *Telecommunications Act 1997* (the Act). It commenced on 1 July 2020 and aims to ensure that all people in Australia can access high-speed broadband services. Under the Act, NBN Co Limited is the default SIP for Australia, but the SIP regime provides for alternative carriers to become SIPs for geographic areas in which they deploy telecommunications networks, generally through being contracted by developers to service new buildings or estates. There are currently 34 SIPs nationally. The Australian Communications and Media Authority maintains a [register of SIPs](#).

A SIP must, on reasonable request by a Carriage Service Provider (CSP), supply an eligible service to the CSP in order that the CSP can provide qualifying carriage services to end-users at premises in the service area. This includes supplying wholesale services that allow retail providers to provide broadband services with specific peak download and upload speeds. A qualifying carriage service is either a fixed-line, fixed wireless or satellite carriage service that must enable end-users to download communications and have peak download and upload speeds of at least 25/5 Mbps per second (see section 360A of the Act).

## Capability of Australian broadband networks

Based on available information, recent market developments and upgrades undertaken or underway to the NBN, the department expects SIP services will ultimately be able to meet the proposed new 100 Mbps download speeds, although a transition may be required for some networks and technology types. SIPs use a mix of different technology to provide broadband across their networks, including Fibre to the Premises (FTTP), Fibre to the Building (FTTB), Fibre to the Curb (FTTC), Fibre to the Node (FTTN) and some Hybrid Fibre Coaxial (HFC). NBN Co uses these fixed-line technologies and also fixed wireless and satellite. Around [10 million premises, or 90 per cent](#) of homes and businesses in the NBN fixed line footprint will be able to access near gigabit wholesale speed tiers by December 2025, and 94 per cent by the end of 2030.

NBN Co is upgrading FTTN services with high speed, reliable connections capable of delivering access to higher internet speeds. These upgrades are expected to be completed by 2030. As upgrades are delivered, it is expected that NBN Co will be able to provide on demand access to speeds in excess of 100 Mbps.

Furthermore, the NBN Fixed Wireless and Satellite Upgrade Program was completed by NBN Co in December 2024. The fixed wireless upgrades are delivering increased average end-user download speeds of over 100 Mbps.

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<sup>3</sup> <https://digital-strategy.ec.europa.eu/en/policies/gigabit-infrastructure-act>

NBN Co's Sky Muster satellite products have the existing capability to deliver speeds of up to 100 Mbps. As the Sky Muster satellites will reach end of life in the early 2030s, NBN Co is currently considering its future approach for providing services in its satellite footprint, including the potential role Low Earth Orbit Satellite services could play.

The department is aware that across SIPs and technology types, specific networks currently have different capabilities to deliver peak speeds of at least 100 Mbps and there may be localized issues that would need to be addressed. While the majority of fixed line networks will be able to meet the requirement from the outset, we understand that a small number of FTTN and legacy HFC developments may require more significant time for upgrades to meet the higher standard. Further, some FTTB, FTTC or FTTN lines used to service units in multi unit buildings may experience interference where they share cabling with other networks, impacting on speed. For example, NBN Co has indicated in its [2024-25 Annual Service Improvement Plan](#) that it is planning to provide around 86,000 FTTN premises with FTTP technology to enable these services with underperforming lines to access 25/5 Mbps speeds.

## Consumer preferences are changing

The preferences and expectations of consumers have also evolved in recent years and consumers are requesting additional data and faster broadband speeds. This is driven by greater use of data intensive applications and technologies, including streaming services, smart appliances and additional devices per household. According to [NBN Co](#), a decade ago the average Australian home had 7 internet-connected devices and consumed around 40 gigabytes per month. Today, the average household consumes more than ten times that amount of data across 22 internet-connected devices. The company expects that within the decade, the average monthly download usage will reach more than 1,100 gigabytes across around 40 internet-connected devices. NBN Co's [2025 Half Yearly Report](#) indicates that there is increasing demand for faster speeds. The percentage of premises on 100 Mbps and above plans has increased from 20 per cent to 28 per cent between December 2023 and December 2024.

## What is being proposed?

The department is considering a possible pathway to increase the legislative SIP requirement so that a SIP must, on reasonable request by a CSP, be able to offer a qualifying carriage service that will support retail broadband services with peak download speeds of at least 100 Mbps, up from the current 25 Mbps. The change will apply to all existing SIPs, including NBN Co and new SIPs entering the market.

It is important to note that SIP speeds are simply a baseline, or reference, offer, that a SIP is required to offer on reasonable request from a CSP. SIPs have always been able to offer services with slower or faster speeds, and this will not change if the baseline download speed requirement is raised to 100 Mbps. However, all customers would be able to request and receive a 100 Mbps plan. SIPs will continue to be able to offer slower speeds plans at a lower cost, which provide consumer choice and the option of a broadband connection that best suits consumers' needs.

The department is also interested in feedback on the peak upload speed, noting this is an important capability for many users, particularly small businesses. The 100 Mbps NBN Home Fast wholesale product currently has an upload speed of 20 Mbps.

The Australian Communications and Media Authority (ACMA) currently only has power to assess compliance with the peak 25 Mbps requirement. Updating the SIP regime to reflect the capability of networks will establish clear expectations on SIPs and also improve consumer protections. Moving to a SIP speed that is more reflective of the services being supplied would allow the ACMA to better match actual service delivery to the services consumers are already using.

## How could such a change be implemented?

The department is interested to hear from SIPs on the capability of their existing network and the nature and timelines of upgrades that would be needed to offer a 100 Mbps download speed. While most SIP networks could readily support the higher download speed, some may not be able to meet this requirement immediately, and therefore the department is seeking views on a suitable commencement date for the legislation and whether a staged implementation of the obligation is preferable. For example, the obligation could take effect from the outset and initially apply to all SIP networks that are determined to be able to support 100 Mbps and all new developments commencing after the new requirements are in force.

Networks that may need to be upgraded or replaced would then be subject to the new requirement at a later date, allowing them time to plan to support the higher speeds. The legislation could set a timeline for these networks to be subject to the new laws or have a general obligation in statute but allow for certain networks to be exempt from the obligation during the period they are being upgraded, and then subject to it later. The department is interested in hearing from SIPs on their capability to meet the new speeds on their existing networks. We are interested in knowing, if upgrades are needed, the extent and likely costs of the upgrade and when they would be expected to be complete.

## Attachment A—Consultation Questions

### Questions for all stakeholders

1. Do you support an increase to SIP speed requirements?
2. What benefits would this deliver to consumers?
3. Should there also be an increase to the current legislated peak upload speeds from 5 Mbps?
4. Are there any other changes that you think the department should consider to support better consumer outcomes?

### Questions for SIPs?

5. What do you consider would be an appropriate timeline for an increased SIP requirement?
6. Do you consider there would be a need for a staged approach that allows networks to be upgraded before being subject to the new speeds?
7. Do you anticipate any difficulties meeting the requirement, including for networks which have existing capability to meet the requirement?
8. Would you need to upgrade infrastructure or equipment? Please provide details of any upgrades that would be required and how long these would take to complete?
9. Should different speed standards apply across different technologies?
10. What are your views on when the obligation should take effect for specific technology?
11. Are there other factors which would impact on how soon you could meet the requirement, such as cost or availability of contractors?

Submissions including responses to the questions at Attachment A should be made by 11:59pm Sunday 18 May 2025. You can make an online submission at <https://infrastructure.gov.au/have-your-say/broadband-speeds> or by emailing [sip@infrastructure.gov.au](mailto:sip@infrastructure.gov.au).