

Telecommunications Installation Audit Report  
(Physical Review)

**Mirvac Funds Limited**

**4 Riverside Quay, Southbank**



Prepared by

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**27 May 2017**

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This Report is based on the Information and has been prepared during the Review Period. The purposes of this Report include (i) providing a detailed equipment register of the telecommunications installations present on the Site; (ii) identifying and reporting on Carriers' compliance with tenure documents; (iii) identifying and reporting on WH&S violations; and (iv) providing commentary on actual and potential market rental. In preparing this Report siteXcell has relied on the accuracy of the Information. siteXcell has not verified the Information and no warranty is given as to its accuracy nor is any warranty given or implied that the risks or issues identified in this Report are the only risks or issues existing in respect of the Site. Failure to comment on any matter that may constitute a risk does not imply that no such risk exists. This Report relates only to the matters specifically referred to in the Report. By way of exclusion, this Report does not address issues including welding integrity, structural design and capacity, construction details, electrical issues, building or fire codes and EME levels. This Report is not to be taken as giving any legal, accounting, financial or actuarial advice and such advice is to be sought and obtained from third parties as appropriate. This Report has been prepared on a specific and agreed basis and is not to be relied upon for any other purpose or by any other party other than the Manager or the Owner.

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## Terms and Definitions

In this Report, unless the context clearly indicates otherwise, the following terms and definitions apply:

Term	Definition
ACMA	Australian Communications and Media Authority
Carrier(s)	mobile, fibre and wireless broadband communications telecommunications carrier(s), as defined by ACMA
DAS or IBC	Distributed Antenna System or In-Building Coverage
EME	electromagnetic emissions
EMEG	EME Guide (previously known as an RCSMB)
Information	the information, documents, drawings and other materials, supplied by or on behalf of the Manager and/or Owner during the Review Period, as detailed in Schedule 1
LAAN	Land Access and Activity Notice
Manager / Owner	Mirvac Funds Limited
MDF	main distribution frame
NSA	Mobile Carrier Forum National Site Archives
our Inspection	the physical inspection of the Site conducted by us on 11 <sup>th</sup> May 2017
Report	this audit report and analysis prepared by siteXcell
Review Period	the period from the date we were instructed to undertake a telecommunications audit of the Site up to the date of this Report
Site	4 Riverside Quay, Southbank in the State of Victoria
siteXcell, our, we or us	Total Site Solutions Pty Ltd (ABN 46 112 332 359) (trading as siteXcell®)

Tenancy Register	the schedule of that name prepared by siteXcell and set out in Schedule 3
Tenancy Schedule	the document so named, provided by the Manager
Tenure Documents	the leases, licenses and other agreements entered into between the Owner and Carriers documenting the terms and conditions governing the Carriers' occupation of the Site, as detailed in Schedule 2
WH&S	Work Health and Safety (previously known as OH&S)

## Executive Summary

The Site, situated at 4 Riverside Quay, Southbank in the State of Victoria is owned and managed by the Manager/Owner.

The Site is one of three individual buildings that together comprise the Riverside Quay office complex, located along Southbank's riverfront and directly across the Yarra River from Melbourne's central business district.

siteXcell has been commissioned to:

- (i) determine whether, based on our Inspection, the Carriers currently on the Site are visibly complying with the terms of their Tenure Documents (if any);
- (ii) determine whether, based on our Inspection, any Carriers are currently on the Site without being a party to formalised tenure arrangements;
- (iii) prepare an inventory of the larger components of telecommunications equipment and installations presently located on the Site (refer to Schedule 4);
- (iv) identify and report on any visible WH&S issues or violations in respect of the telecommunications installations identified on the Site;
- (v) formulate strategies to improve and/or maximise revenue and safety at the Site; and
- (vi) provide background on the regulatory/statutory framework governing telecommunications installations.

We conducted a physical inspection of the Site on 11<sup>th</sup> May 2017. A representative of the Manager / Owner was present during our Inspection.

As some areas of the Site have been locked off by Carriers, are otherwise inaccessible and/or Carriers have not been diligent in labelling their equipment and cables, some equipment and cabling, although visible, could not be accessed and/or properly inspected and/or could not be definitively attributed to any particular Carrier.<sup>1</sup>

Although legacy Telstra fibre was identified on our Inspection, as these are typically the base installation, we have not commented on Telstra fibre equipment as a separate installation or Carrier.

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<sup>1</sup> For the purposes of this Report, where equipment could not be attributed to a particular Carrier we have referred to this equipment as belonging to an unknown / unidentifiable Carrier.

**Exclusions**

Unless particular issues were identified on our Inspection, this Report does not comment on the legacy Telstra copper and fibre installations as these are typically considered to be the base installation, most of which would have been installed when the original building structure on the Site was completed.

In addition to the above, this Report does not address issues including welding integrity, structural design and capacity, construction details, electrical issues, building and fire codes, and EME levels. Our Inspection includes a visible review of the following Australian Standards only: AS 5070.1 and AS 1891.

Horizontal cabling and fireproofing are also outside the parameters of our review.

In addition to the above, we have not performed an audit of the Manager's internal records and processes/approvals in respect of the installations on this Site and are unable to comment in respect of these.

**Site Inspection Photographs**

Photographs taken during the course of our Inspection are set out in Schedule 6.



## Summary of Tenure and Rental Findings

### *Carriers sighted on our Inspection and Tenure Status*

Based on our Inspection and review of the Tenure Documents, in addition to the unknown / unidentifiable Carrier(s) sighted on our Inspection, there are six (6) separately identifiable Carriers on the Site, the tenure status of each being as follows:

Carriers Occupying the Site subject to <b>current</b> Tenure Documents	Carriers Occupying the Site subject to <b>expired</b> Tenure Documents	Carriers Occupying the Site <b>without</b> being subject to Tenure Documents
Nil	Uecomm Pty Limited / Uecomm Operations Pty Limited / UE Access Pty Limited ("UeComm") (fibre)	Pipe Networks Pty Limited ("PIPE") (fibre) – occupying pursuant to the service of a LAAN
		Vocus Communications ("Vocus") (fibre) - occupying pursuant to the service of a LAAN
		AAPT Limited ("AAPT") (fibre)
		Optus Networks Pty Limited ("Optus") (fibre)
		AMP
		Unknown / unidentified Carrier(s)

It is possible that some of the telecommunications equipment attributed to a Carrier without tenure may have been installed subject to the service of a LAAN. For the purposes of this Report documentation evidencing the service of LAANs was however only available in respect of the PIPE and Vocus installations.

In the case of the MATV equipment which is presumably for free to air television and/or satellite/Foxtel dishes attributed to the unknown / unidentifiable Carrier(s), it is possible the some of the equipment sighted may in fact belong to a tenant within the building, however we are unable to confirm whether this is the case.

Our recommendations in respect of our tenure findings are detailed in the Major

Findings and Recommendations section of this Report.

Our searches of the ACMA and NSA databases did not indicate that there are not any wireless Carriers registered as having equipment installed on the Site.

### **Rental**

Given that in addition to the unknown/unidentifiable Carrier(s) there are five (5) Carriers occupying the Site without being subject to formalised tenure arrangements and therefore without paying any rental, the Owner is clearly not benefiting from receipt of the potential rental that may be derived from these installations.

Based on the rental figures detailed in the Tenancy Schedule, we have assessed the rental payment obligations of each of the Carriers against the commercial rental expected to be achieved for comparable tenants and installations in comparable sites, and note the following:

Carriers <b>not paying</b> rental	Carriers <b>paying below</b> potential commercial rental	Carriers <b>paying within</b> potential commercial rental	Carriers <b>paying above</b> potential commercial rental
AAPT		Nil	UeComm <sup>2</sup>
Optus Networks			
AMP			
Unknown / unidentified Carrier(s)			
PIPE (not obliged to pay rental as occupying pursuant to a LAAN)			
Vocus (not obliged to pay rental as occupying pursuant to a LAAN)			

<sup>2</sup> We note that in this Site, only UeComm cabling was evident. UeComm however has a rack in the MDF room in 6 Riverside Quay that serves all three buildings within the Riverside Quay Complex. Accordingly, our estimated potential commercial rental takes into account UeComm's installation across the whole of the Complex.

In addition to PIPE and Vocus, it is possible that some of the telecommunications equipment attributed to a Carrier without tenure may have been installed subject to the service of a LAAN. Where equipment has been installed pursuant to a LAAN, a Carrier is not required to enter into formalised tenure and occupies a site pursuant to the Carrier's statutory rights as per the *Telecommunications Act 1997* (Cth) ("Act"). Where a LAAN has been served, whilst not required to pay rental, under the Act a Carrier must pay compensation to the Owner for expenses incurred by the Owner – including on account of the cost of power consumed by the Carrier's equipment. For the purposes of this Report we were not however provided with any documentation evidencing the service of LAANs nor were we provided with evidence that any Carrier has been invoiced reimbursement fees.

Our recommendations in respect of our rental findings are detailed in the Major Findings and Recommendations section of this Report.

## **Summary of Riser Findings**

### ***Riser Capacity***

Our Inspection findings indicate that remaining riser capacity is presently only an issue at the Site in respect of the Ground Level riser. From our Inspection it appears that the remaining riser capacity is as follows:

- (i) Level 6 riser – 70% remaining capacity;
- (ii) Level 4 riser – 50% remaining capacity;
- (iii) Level 2 riser – 30% remaining capacity; and
- (iv) Ground Level riser – 5% remaining capacity.

Our riser review is set out in Schedule 5.

## Major Findings and Recommendations

Major Findings	Recommendations
<b>Tenure Documents and Tenancy Issues</b>	
<p><b>Carriers without tenure:</b> The following identifiable Carriers appear to be occupying space on the Site without apparently any formal tenure arrangement (or without having served a LAAN) or being invoiced any rental:</p> <ul style="list-style-type: none"> <li>(i) AAPT;</li> <li>(ii) Optus Networks; and</li> <li>(iii) AMP.</li> </ul> <p>In the case of Optus Networks, it is noted that cabling only was evident in the risers and no items of telecommunications equipment were sighted on our Inspection.</p>	<p>Document the terms and conditions of any undocumented Carriers' occupancy and, to the extent practicable, pursue the payment of back rent from any Carrier occupying the Site without being invoiced any rental.</p> <p>Where back rent is pursued, the period for which payment should be sought is from the time that the Carrier first occupied the Site without paying rental (if known) to date.</p> <p>The information contained in Schedule 3 includes our estimate of the potential annual rental for each Carrier identified as occupying the Site.</p>
<p><b>Unknown / unidentified Carrier(s):</b> In addition to the Carrier(s) occupying the Site without tenure, unknown / unidentifiable Carrier(s) also appear to have installed telecommunications equipment on the Site without being the subject of formalised tenure.</p> <p>It is possible that some of this equipment belongs to tenants of the building however due to factors including labelling deficiencies, we were unable to confirm the identity of the entity (or entities) that have installed this equipment.</p>	<p>Confirmation of the identity (or identities) of the Carrier(s) responsible for the installation of the equipment and the basis / arrangements pursuant to which the equipment has been installed should be sought.</p> <p>Provided the responsible Carrier(s) can be identified, document the terms and conditions of the occupancy and, to the extent practicable, pursue the payment of back rent from any Carrier occupying the Site without any formal tenure arrangement and payment of rental.</p> <p>Australian Standards AS/NZS 5070.1 requires that all Carrier equipment is clearly labelled and identified, including</p>

<b>Major Findings</b>	<b>Recommendations</b>
	<p>cabling. Provided the responsible Carrier can be identified, the Carrier must be required to rectify any labelling deficiencies.</p> <p>If the equipment is found to in fact belong to a Carrier with tenure but has been installed in contravention of the Carrier's Tenure Documents, the violation will need to be addressed. Addressing the violation may require that the Tenure Document is amended, for example, by revising the rental to account for any increase in the installed equipment or any increase in the licensed area and/or by revising the licensed areas specified in the Tenure Document.</p> <p>Although in our view it is unlikely that Carriers will, if requested, return to the Site to label any unlabelled cables or equipment, if such a requirement is clearly stipulated in the Tenure Document it can and should be enforced as a tenure violation.</p>
<p><b>Expired Tenure:</b> The tenure term provided for in UeComm's Tenure Document (including any option provided for) expired on 30<sup>th</sup> December 2010 and despite being provided with a copy of a signed Heads of Agreement dated 22<sup>nd</sup> December 2015, no documentation or information was provided for our review to suggest any renewal or extension has been documented.</p>	<p>Pursue and enter into the appropriate renewal documentation so that the (current) terms and conditions of UeComm's occupation of the Site are documented.</p>

<b>Major Findings</b>	<b>Recommendations</b>
<b>Access</b>	
<p><b>Access Controls:</b> Improvements are required in respect of contractor and other third party access to the Site given the number of Carriers that have installed equipment on the Site without having formalised tenure and/or have installed equipment without the identity of the Carrier involved being known.</p>	<p>Implementation of additional measures to restrict access to areas housing telecommunications equipment from both a control and a WH&amp;S perspective is required.</p>
<b>Rental and Revenue Streams</b>	
<p><b>Electricity supply:</b> We encountered some difficulty in determining whether the electricity supply to each Carrier was separately metered and therefore whether Carriers were separately charged for electricity consumed or if they are utilising house power without paying for the electricity consumed by their equipment.</p> <p>Despite the above, it is assumed that any power consumed by those Carriers present without formalised tenure is being drawn from house power and is not being reimbursed by those Carriers.</p>	<p>Confirm the metering arrangements and ensure that all Carriers are responsible for payment of all electricity consumed by their equipment and pursues the requisite payment / contribution from Carriers where the obligation is not being complied with.</p>
<p><b>Use of house power:</b> The Tenure Document for UeComm provides that a separate electricity meter is to be installed and/or that the Carrier must pay for or reimburse the cost of the electricity used by their installation.</p>	<p>Enforce the requirement that all Carriers separately meter electricity consumption and pay for their own power usage.</p> <p>Where relevant, the appropriate reimbursement from any Carrier not meeting that obligation should be pursued.</p> <p>Where equipment has been installed pursuant to a LAAN, a Carrier is</p>

<b>Major Findings</b>	<b>Recommendations</b>
	<p>required, as per the <i>Telecommunications Act 1997</i> (Cth) ("Act"), to pay compensation to the Owner for expenses incurred by the Owner – including on account of the cost of power consumed by the Carrier's equipment. For the purposes of this Report we were not however provided with any documentation evidencing that any Carrier has been invoiced reimbursement fees.</p> <p>In addition to the above, in future, the Manager will need to ensure that all future tenure documents (new or renewed) require separate metering by Carriers and that the obligation is complied with.</p>
<p><b>Carriers not paying rental:</b> To the extent that the following Carriers appear to have installed equipment without formalised tenure arrangements and without paying any rental, the Owner is not benefiting from receipt of the rental that could potentially be derived from the Carriers' installations:</p> <ul style="list-style-type: none"> <li>(i) AAPT;</li> <li>(ii) AMP;</li> <li>(iii) Optus Networks; and</li> <li>(iv) unknown/unidentifiable</li> </ul> <p>In addition to the above, PIPE and Vocus, occupying the Site pursuant to the services of LAANs are also under no obligation to pay rental.</p>	<p>When documenting the Carriers' tenure in accordance with the recommendation made above, impose a rental payable for each Carrier that is within the estimated potential annual rental range set out in the Tenancy Register set out in Schedule 3.</p> <p>In the case of the unknown / unidentifiable Carrier(s), this is clearly subject to the Carriers' identity being confirmed in addition to confirming whether the equipment has been installed by tenants in accordance with their tenancies.</p>
<p><b>Carriers paying above rental range:</b> We</p>	<p>Although no recommendation applies,</p>

<b>Major Findings</b>	<b>Recommendations</b>
<p>note that three separate tenure arrangements appear to be in place in respect of UeComm's tenure in the three buildings that together make up the Riverside Quay Complex. In respect of this Site, only UeComm cabling was evident. A UeComm rack was however sighted in the MDF room of 6 Riverside Quay serving all three buildings within the Riverside Quay Complex.</p> <p>When assessing our estimated potential commercial rental, for the purposes of this Report, we have taken into account UeComm's installation across the whole of the Complex.</p> <p>When aggregated, the rental that UeComm appears to be paying in respect of the three Riverside Quay Complex buildings appears to be above the rental range expected for comparable tenants and installations in comparable sites, as does the rental referred to in the signed Heads of Agreement dated 22<sup>nd</sup> December 2015.</p>	<p>we note that despite the rental payable being higher than our estimated potential rental, we would not endorse the Manager/Owner revising the rental downwards on any subsequent tenure negotiations as we base our estimates on current market conditions for newer tenure arrangements.</p>
<b>WH&amp;S Issues</b>	
<p><b>Unlocked cabinets:</b> The doors to wall cabinets belonging to the following Carriers were not locked:</p> <ul style="list-style-type: none"> <li>(i) Telstra (fibre); and</li> <li>(ii) Vocus.</li> </ul> <p>For details refer to the telecommunications equipment and installations asset register prepared based on our Inspection set out in Schedule 4.</p>	<p>Ensure enforcement of the requirement that all access doors are locked and accessible only by authorised personnel.</p> <p>When Carriers arrive on Site to do works, they should be reminded to ensure all access doors are locked prior to their departure from the Site.</p> <p>The Manager and/or the facilities management company should document and/or institute processes and operating procedures to</p>



<b>Major Findings</b>	<b>Recommendations</b>
	<p>adequately control access to the cable risers, communications room, roof and other installation areas. In addition to imposing controls on access, this will provide a paper trail to assist in determining who has installed what cabling, equipment and antennas in what areas.</p> <p>The above should be reinforced by engaging security personnel to ensure the proper monitoring of installation areas.</p>
<p><b>Labelling deficiencies:</b> A significant amount of the telecommunications equipment installed on the Site has not been labelled and identified in accordance with Australian Standards requirements. Clearly this is the case in respect of the equipment for whom we are unable to identify the responsible Carrier(s) however, equipment belonging to identifiable Carriers was also inadequately labelled.</p> <p>It is possible that the MATV antenna (which is presumably for free to air television) and satellite dishes (possibly Foxtel) have been installed by tenants however we are unable to confirm whether this is the case.</p> <p>For details refer to the telecommunications equipment and installations asset register prepared based on our Inspection set out in Schedule 4</p>	<p>Provided the responsible Carrier(s) can be identified, the Carrier(s) must be required to rectify any labelling and identification deficiencies.</p> <p>If once properly labelled the equipment and/or location is shown to be other than in accordance with any Carrier's Tenure Document (if any), then any tenure violations will also need to be addressed.</p> <p>Although in our view it is unlikely that Carriers will, if requested, return to the Site to label any unlabelled cables or equipment, if such a requirement is stipulated in the Tenure Document it can and should be enforced as a tenure violation.</p>
<p><b>Insufficient signage:</b> There is insufficient signage (including an absence of</p>	<p>Require and enforce the installation of signage to comply with WH&amp;S and</p>

<b>Major Findings</b>	<b>Recommendations</b>
<p>radiation warning and danger signs) in respect of equipment installed on the Roof.</p> <p>For details refer to the telecommunications equipment and installations asset register prepared based on our Inspection set out in Schedule 4.</p>	<p>Australian Standards, including roof surface marking for exclusion zones where required.</p>
<p><b>Firestopping:</b> The firestopping is not properly installed in the risers.</p>	<p>The Carriers must be requested to rectify the installation of the firestopping.</p>
<p><b>Rubbish / waste:</b> Rubbish / waste was found to have been left in a number of the risers inspected which constitutes both a WH&amp;S concern and possibly indicates the areas may have been accessed by unauthorised persons.</p>	<p>The Carriers in these areas must be requested to remove all rubbish/waste and any concerns regarding unauthorised access need to be dealt with as a priority.</p>
<b>Risers, Rooftops and Other Areas</b>	
<p><b>Full riser:</b> The Ground Level communications riser is approaching capacity with only 5% remaining capacity.</p>	<p>Particular care ought to be taken when authorising any future Carriers using this riser.</p>
<p><b>Terminated or Abandoned cabling:</b> Terminated or abandoned cabling appears to have been left in place in the risers with the effect that in addition to taking up valuable riser space, the excess cabling is reducing overall riser capacity.</p> <p>For details refer to the riser review prepared based on our Inspection set out in Schedule 5.</p>	<p>Although not currently stipulated in Tenure Documents, consideration should be given to introducing a provision in all new or renewed tenancies requiring the payment of a bond or other protection covering cabling make good in the telecommunications risers.</p> <p>In the absence of such a requirement, it may be difficult for the Owner to recover costs associated with the costly and time consuming exercise of determining if abandoned cabling is live</p>

<b>Major Findings</b>	<b>Recommendations</b>
	or terminated.
<b>No EMEG:</b> An EMEG indicates where any hazardous areas on the roof or other areas in or on the building are and none appears to have been provided despite the installation of rooftop equipment.	An EME report should be requested and obtained from the Carrier(s).  The Manager should also insert clauses in all new or renewed tenure documents that require all wireless carriers to provide an EMEG and to update the EMEG on making any alterations to their installation and/or installing new equipment.

## Strategic Recommendations

In summary, strategically we recommend that:

- (i) **capital and maintenance works** - the Manager develops practices that ensure all maintenance and capital works approved by the Owner undertaken on or near the mobile communications antennas above or on ceiling areas, and roof areas (including the façade) have been inducted with specific emphasis on the RF EMR hazards. Further information in relation to this can be found in the Regulatory / Statutory section of this Report.
- (ii) **make good** - when tenants leave the Site, a thorough make good inspection should be conducted to ensure that the tenant has also arranged the removal of their telecommunications cabling and equipment to prevent the risers (and other areas) from becoming overcrowded.
- (iii) **electricity metering** - in relation to all existing and new Carrier installations (including the existing Telstra (fibre) installation), it should be confirmed that the Carriers are separately metered and paying for their own electricity usage or reimbursing the Owner for electricity consumption costs (as applicable). We also do not recommend that owners or managers agree to a set or fixed electricity usage figure given the rate at which electricity charges are escalating.
- (iv) **digital TV** - the Manager may wish to review the risers to satisfy themselves that work undertaken by digital TV operators (such as Foxtel) is completed to the Manager's satisfaction and that firestopping is being properly replaced as required.
- (v) **riser review** - a review of all risers and their condition is undertaken by management as our limited riser cabinet review indicated firestopping measures out of position or totally missing.

## Regulatory/Statutory

It is difficult to comment on regulatory matters without first providing some background on applicable legislation and codes.

Whilst siteXcell is not a regulatory expert nor do we provide any legal advice in respect of the interpretation or application of any legislation, we do have experience in dealing with the main pieces of legislation and regulatory bodies governing the telecommunications industry.

In particular, we are able to provide general commentary on the following:

- *Telecommunications Act 1997 (Cth)*;
- *Telecommunications Code of Practice*;
- *Australian Communications Industry Forum (ACIF) Code*; and
- *Australian Communications and Media Authority (ACMA)*, previously referred to as the *Australian Communications Authority (ACA)*.

The governing legislation is extensive and contains provisions which are not directly relevant to the Owner's installations. We have therefore included below extracts and information which in our view may provide the Owner with some background information.

For information purposes and in accordance with the *Telecommunications Act 1997 (Cth)*, the Owner's current installations are deemed Low-Impact.

The following is an extract of information prepared by the Mobile Communications Forum (MCF):

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### **MCF Outline**

#### **Chapter 2 - Regulatory Framework for Low-Impact Facilities**

There are several regulatory documents for low-impact telecommunications facilities that must be read in conjunction with one another. The outline provided in these guidelines is for general background.

Note that the information contained below does not constitute the giving of legal or professional advice, and reliance should not be placed upon it in the absence of such advice.

#### **Principle Legislation**

##### ***Telecommunications Act 1997 (Cth)***

The *Telecommunications Act 1997 (Cth)* (as amended), which is Commonwealth legislation, provides that telecommunications carriers have certain rights to engage in particular activities, together with certain

immunities from State, Territory and local government laws in relation to the conduct of those activities.

These activities include:

- \* the inspection of land to determine whether it is suitable for the carrier's purpose
- \* the installation of specified facilities, including low-impact facilities
- \* the maintenance of facilities.

In carrying out these activities, a carrier must comply with a number of requirements which include:

- \* do as little damage as practicable
- \* act in accordance with good engineering practice and comply with recognised industry standards
- \* take all reasonable steps to restore the land and to protect the environment
- \* give notice to the owner and occupier/s of the land.

The Act also specifies that, in carrying out these activities, carriers must comply with the Telecommunications Code of Practice.

## **Supporting Legislation**

### ***Telecommunications Code of Practice 1997***

Schedule 3 (Clause 15) of the Telecommunications Act 1997 (Cth) requires carriers to comply with a Ministerial Code of Practice.

Generally speaking, the Code places requirements on carriers to conduct their activities for which they are to exercise their statutory rights and immunities in a way that responds to the rights of individual landowners, affected utility service organisations and management authorities and to broader community concerns on environmental issues.

Those requirements include:

- \* Before commencing installation carriers must notify landowners (and occupiers if they are different from the owners), including a local council where it is the landowner or manager of public land.
- \* Carriers must do as little damage as practicable and act in accordance with good engineering practice.
- \* Carriers must comply with an objection and consultation process to resolve particular objections to their activities.
- \* When installing a low-impact facility between 10.00pm and 7.00am, carriers must make no more noise than is allowed under State or Territory law applying to similar activities.

- \* Carriers must take all reasonable steps to ensure that the land is restored to a condition similar to the condition before the activity began. This must start within 10 days of the facility being installed, unless otherwise agreed with the landowner/occupier.
- \* Before engaging in a low-impact facility activity, carriers must consider opportunities to co-locate.

***Telecommunications (Low-Impact Facilities) Determination 1997 (as amended)***

The Telecommunications (Low-impact Facilities) Determination 1997 (as amended) is a Ministerial determination made under Clause 6(3) of the Telecommunications Act.

***The Low-Impact Determination defines those new installations activities that are low-impact, by reference to WHAT facility is proposed and WHERE it is proposed to be installed.***

Chapter 4 of these guidelines deals with the WHAT part of the definition. It goes through, in some detail, those parts of the Low-impact Determination that are relevant to mobile carriers.

**The following is an explanation of the WHERE part of the definition.**

***WHERE a facility is located affects whether it is low-impact or not***

When assessing whether a facility is low-impact we must first establish the nature of the land use where the facility is proposed.

The Low-Impact Determination identifies five land use types or areas by reference to the Principal Designated Use.

**The areas have an order of importance, based on zoning under State or Territory law, so that an area only has its highest possible zoning.**

The order of priority is:

1. Environmental Significance areas
2. Residential areas
3. Commercial areas
4. Industrial areas
5. Rural areas

So, even though low-impact facilities are exempt from State and Territory planning law, it does have relevance in defining the "areas" referred to in the Low-impact Determination.

Where the land use/zoning objectives for the land relates to more than one area and there is no indication of the predominant, preferred or most likely use, the provisions relating to most sensitive area must be applied in determining the Principal Designated Use. For example, in the case of a mixed use designation which allows for residential, commercial and

industrial land uses, the site should be considered to have a residential Principal Designated Use.

Land that is in a built up area that cannot be otherwise described as a commercial, industrial or rural area, is to be considered a residential area.

Land that is not part of a built up area and cannot be otherwise described as a commercial, industrial or residential area, is to be considered a rural area.

*Example: A 1.8m dish is low-impact in industrial and rural areas, but in residential and commercial areas the dish must be no more than 1.2m in diameter to be low-impact.*

**A facility in an area of Environmental Significance is never low-impact.**

There are provisions in the Low-impact Determination which explain what is an area of Environmental Significance.

### **ACIF: C564: 2011 Mobile Phone Base Station Deployment Code**

From October 2002, all carriers must comply with the *C564:2011 Mobile Phone Base Station Deployment Industry Code*, also referred to as the "ACIF Code".

The ACIF Code requires carriers to notify and consult on certain types of low impact facilities. These notification and consultation provisions came in to place in April 2003.

The Code requires carriers to:

- \* have written procedures for site selection;
- \* improve notification and community consultation procedures;
- \* design and operate base stations with the objective of minimising electromagnetic emissions; and
- \* Provide electromagnetic radiation (EMR) emission reports as per the Federal Department of Health's requirements.

### **Roles and responsibilities of the regulators**

#### ***Department of Communications, Information Technology and the Arts***

The Department of Communications, Information Technology and the Arts provides strategic advice and professional support to the Australian Government on a wide range of policy areas including telecommunications, information technology and the information economy.

The Minister for Communications, Information Technology and the Arts is ultimately responsible for telecommunications regulation.



***Australian Communications and Media Authority (ACMA)***

The Australian Communications and Media Authority (ACMA) is responsible for regulating telecommunications and radio communications, including promoting industry self-regulation and managing the radio frequency spectrum. The ACMA also has significant consumer protection responsibilities.

Specifically, the ACMA is responsible for the following:

- \* issuing carrier licences
- \* regulating service providers
- \* reporting on the performance of service providers with reference to Consumer satisfaction and benefits, and quality of service
- \* registration (with safety-net style enforcement powers) of industry
- \* operations and technical codes of practice
- \* setting industry standards where codes fail or fail to be created
- \* regulating and enforcing carriers' powers and immunities
- \* handling public enquiries about certain matters related to telecommunications
- \* handling investigations of certain matters related to Telecommunications, in particular those related to breaches of the Act
- \* ensuring industry compliance with mandatory standards and codes

***Telecommunications Industry Ombudsman***

The Telecommunications Industry Ombudsman (TIO) is a formal and independent dispute resolution scheme. The TIO can investigate a complaint about failure to give notice or the manner in which a carrier has entered on to land. Carriers must comply with a direction issued by the TIO, pursuant to the TIO's constitution.

***Australian Communications Industry Forum***

The Australian Communications Industry Forum (ACIF) is an industry owned, resourced and operated company established by the telecommunications industry in 1997 to implement and manage communication self-regulation within Australia.

ACIF's role is to develop and administer technical and operating arrangements that promote both long term interests of end-users and the efficiency and international competitiveness of the Australian communications industry.

This primarily involves:

- \* developing Standards and Codes to support competition and protect consumers, driving widespread compliance
- \* facilitating resolution of strategic and operational industry issues

The following are excerpts from the ACIF Code:

---

**ACIF Code Excerpt**

The ACIF Code in section 10.2 RF EMR Health and Safety Information, subset 10.2.2 states:

"For a specific site, a Carrier must provide, as soon as practicable and at no charge, the following information to members of the public on request:

- (a) a description of their radiofrequency infrastructure on the site;
- (b) the radio frequency bands as per the ARPANSA EME Report format;
- (c) a declaration that their infrastructure is in compliance with the ACMA mandatory limits for general public exposure to RF EMR;
- (d) details of any RF hazard areas associated with their infrastructure and management practices to restrict access to RF hazard areas;
- (e) the levels of exposure to EMR emissions in accordance with the ARPANSA report (see Appendix C – ARPANSA EME Report format); and
- (f) coverage information of the area."

**Appendix B – Additional Design Information (excerpt)**

1. *Standards Australia AS 5070.1*

Infrastructure should be designed and installed having regard to the requirements of AS 5070.1 Australian Standard "Siting and Operation of Radiocommunications Facilities".

2. *ACMA Guide – "Accessing & Installing Telecommunications Facilities – A Guide" October 1999*

Infrastructure should be designed & installed in compliance with the requirements of the ACMA guide - "Accessing and Installing Telecommunications Facilities - A Guide October 1999".

---

In respect of the requirements set out in AS 5070.1, we note the following:

- 1. On-site radiation folders (also known as EMEGs) are required for mobile and wireless Carriers. These are typically placed in the Carrier's equipment shelters. We would however suggest that the Owner may wish to have a copy, which they are entitled to, for their own files.

2. There are a variety of other Australian Standards referred to in AS 5070.1 regarding design and construction in respect of which we are unable to comment as this is outside our immediate area of expertise. If requested by the Owner, siteXcell is able to assist in coordinating the engagement of a consultant specialising in design and construction.
3. Appropriate warning signs are required to warn of hazards on the Site.
4. OH&S legislation must be observed at all times by operational and maintenance staff.
5. Site management (i.e. the Owner) is accountable for the coordination of safety information from all users and must ensure that the requirements of AS 5070.1 are met.
6. Carriers must supply all relevant safety and radiation information required by the Manager and must ensure this information is up-to-date.
7. Carriers should assess the radiofrequency levels of equipment installed and recorded at the Site to ensure that the requirements of AS 5070.1 are met.
8. The site manager must ensure that the relevant areas of the Site are secured and warning signs are displayed in accordance with AS 5070.1.
9. The site technical manager (i.e. the Owner) must ensure that engineering and other steps are taken to keep exposure levels below occupational limits in areas where authorised staff are required to work.
10. Public access to any hazardous areas on the Site should be restricted through the installation of suitable physical barriers such as fencing and lockable access gates or doors. Suitable warning signs should be installed at key points around the perimeter of any existing hazards.

### **Summary of Regulatory Compliance**

Assuming that the Carriers' town planners correctly determined that the installations were considered low-impact and the relevant local council was properly consulted, in our view, the regulatory requirements for low-impact installations have been followed. We did not observe anything on Site that would indicate any violations of the matters prescribed by the *Telecommunications Act 1997 (Cth)* and *Telecommunications Code of Practice 1997* in respect of low-impact installations.

The applicable legislation and codes require wireless/mobile Carriers to provide EME information to the public or site manager if requested. As it is the Manager's responsibility to protect workers and other visitors on the Site, in our view, requesting EME information from all wireless/mobile Carriers (via an EMEG) is a critical step in recognising and protecting against hazardous areas and conditions.

We have not performed an audit of the Manager's internal records and processes/approvals in respect of the installations on this Site and are unable to comment on the compliance of the Carriers' other requirements, as provided for under the legislation.

## **Schedule 1 – Schedule of Information**

In addition to the Tenure Documents listed in Schedule 2, the following was provided by or on behalf of the Manager for our review and consideration:

- Lease Proposal issued to Ue Comm dated 9 February 2012
- Lease Proposal issued to Ue Comm dated 11 January 2011

**Schedule 2 – Tenure Documents Reviewed**

	<b>Document</b>	<b>Parties</b>	<b>Dated</b>
<b>1.</b>	Communications Site Licence	Emergency Services Superannuation Board and UE Access Pty Limited	9 April 2001

### Schedule 3 – Tenancy Register

Carrier Installation	Uecomm Pty Limited (fibre)	Pipe Networks Pty Limited (fibre)	Vocus Communications (fibre)	AAPT	AMP
Tenure Document	Communications Site Licence	LAAN (March 2012)	LAAN (April 2017)	No documented tenure	No documented tenure
Tenure Status (eg: current, expired, undocumented)	<b>Expired</b>	Subject to statutory rights	Subject to statutory rights	N/a	N/a
Tenure Term	01.01.2005 - 30.12.2010 (assuming option exercised)	N/a	N/a	N/a	N/a
Renewed / Original tenure commenced	Assume Yes. Original Term: 01.01.2001 - 30.12.2005	N/a	N/a	N/a	N/a
Remaining Options to Renew	No	N/a	N/a	N/a	N/a
Commencing annual Rent (ex. GST)	\$8,000	N/a	N/a	N/a	N/a
Escalation %	5%	N/a	N/a	N/a	N/a
Current annual rent (ex. GST) based on Tenure Documents	\$13,682.71 (applying escalation post-expiration)	N/a	N/a	N/a	N/a
Rent currently invoiced?*	Tenancy Schedule: \$1,000 (effective 01.10.2009).	N/a	N/a	N/a	N/a
Separate metering required	Yes	N/a	N/a	N/a	N/a
Registered in ACMA?	N/a	N/a	N/a	N/a	N/a
Registered in NSA?	N/a	N/a	N/a	N/a	N/a
Tenure Comments (eg: No tenure; on holdover; upcoming expiry; upcoming review etc)	Signed Heads of Agreement dated 22.12.15. Rents of \$2,500 x 2 and \$7,500 x 1 escalating at 3%	LAAN 08.03.2012 - Basement carpark to Lv 3	LAAN 10.04.2017. siteXcell acted on behalf of the Owner	No tenure	No tenure
Equipment sighted on Inspection	Cabling only. A rack is however located in 6 Riverside Quay	MDF Room: 2 x wall cabinets	MDF Room: 1 x wall cabinet	MDF Room: 1 x wall cabinet	MDF Room: 1 x wall cabinet
Potential / Market rental**	\$5,000 - \$6,000 in respect of the whole Riverside Quay Complex	Not applicable	Not applicable	\$500	\$500

<b>Carrier Installation</b>	<b>Unknown Carrier(s)</b>
Tenure Document	No documented tenure
Tenure Status (eg: current, expired, undocumented)	N/a
Tenure Term	N/a
Renewed / Original tenure commenced	N/a
Remaining Options to Renew	N/a
Commencing annual Rent (ex. GST)	N/a
Escalation %	N/a
Current annual rent (ex. GST) based on Tenure Documents	N/a
Rent currently invoiced?*	N/a
Separate metering required	N/a
Registered in ACMA?	N/a
Registered in NSA?	N/a
Tenure Comments (eg: No tenure; on holdover; upcoming expiry; upcoming review etc)	No tenure
Equipment sighted on Inspection	Roof: 5 x yagi antennas, 1 x dipole antenna, 1 x MATV, 1 x flat microwave & 1 Foxtel dish
Potential / Market rental**	\$25,000 - \$30,000

\* Per the information provided

\*\* Given these are existing installations & assuming Carriers did not exercise statutory access powers.

Note: The figures contained in this register do not include any back rent.



## Schedule 4 – Asset Registers

### MDF Room

Installation Location	Carrier Name	Equipment Quantity	Equipment Type	Equipment Size	OH&S Issues	Description	Tenure Issues	Description
<b>MDF Room B</b>								
<b>East</b>	Pipe Networks	1	Wall Cabinet	300x300mm	No	N/A	No	LAAN installation
<b>East</b>	AAPT	1	Wall Cabinet	300x300mm	No	N/A	Yes	No tenure for existing installation
<b>East</b>	AMP	1	Wall Cabinet	300x300mm	No	N/A	Yes	No tenure for existing installation
<b>East</b>	Telstra fibre	3	Rack	300x600mm	No	N/A	No	N/A
<b>South</b>	Telstra Fibre	1	Wall Cabinet	300x450mm	Yes	Cabinet unlocked	No	N/A
<b>South</b>	Pipe Networks	1	Wall Cabinet	300x300mm	No	N/A	No	LAAN installation
<b>South</b>	Vocus	1	Wall Cabinet	300x300mm	Yes	Cabinet unlocked	No	LAAN installation
<b>West</b>	Telstra Fibre	5	Rack	300x600mm	No	N/A	No	N/A
		<b>14</b>						

**Roof**

Installation Location	Carrier Name	Equipment Quantity	Equipment Type	Equipment Size	OH&S Issues	Description	Tenure Issues	Description
<b>Roof</b>								
<b>General</b>					Yes	Roof access ladder not locked		
<b>Lower Roof</b>	Unknown (possibly tenant digital TV)	4	Yagi Antenna	1 mtr long	Yes	Insufficient labelling	Yes	Possibly tenant equipment
<b>Lower Roof</b>	Unknown	1	Yagi Antenna	1 mtr long	Yes	Warning Signage and labelling not sufficient	Yes	No tenure for existing installation
<b>Lower Roof</b>	Unknown	1	Dipole	300 dia	Yes	Warning Signage and labelling not sufficient	Yes	No tenure for existing installation
<b>Lower Roof</b>	Unknown	1	MATV	1.2 mtr long	Yes	Insufficient labelling	Yes	Possibly tenant equipment
<b>Lower Roof</b>	Unknown	1	Flat microwave	300x300mm	Yes	Warning Signage and labelling not sufficient	Yes	No tenure for existing installation
<b>Lower Roof</b>	Foxtel	1	Satellite Dish	900 dia	Yes	Insufficient labelling	Yes	Possibly tenant equipment

## Schedule 5 – Riser Review

Install- ation Location	Side of Building	Carrier Name	Equip- ment Quantity	Equip- ment Type	Equip- ment Size	WH&S Issues	Descrip- tion	Tenure Issues	Descrip- tion	Remaining Capacity %
Level										
<b>6</b>	East	Telstra Fibre, UeComm, AAPT, Vocus, Foxtel	0	Cables only	N/A	No	N/A	No	N/A	70%
<b>4</b>	East	Telstra Fibre, UeComm, AAPT, Vocus, Foxtel, Pipe Networks, Nextgen	2	Telstra Wall Cabinet	300x300 mm	Yes	Fire stopping missing, rubbish left	No	N/A	50%
<b>2</b>	East	Telstra Fibre, UeComm, AAPT, Vocus, Foxtel, Pipe Networks, Nextgen, Optus Networks	0	Cables only	N/A	No	Fire stopping missing, rubbish left	No	N/A	30%
<b>G</b>	East	Telstra Fibre, UeComm, AAPT, Vocus, Foxtel, Pipe Networks, Nextgen, Optus Networks	0	Cables only	N/A	No	Fire stopping missing, rubbish left	No	N/A	5%
			<b>2</b>							

## Schedule 6 – Photographs taken on Inspection



MDF Room



MDF Room - Telstra racks



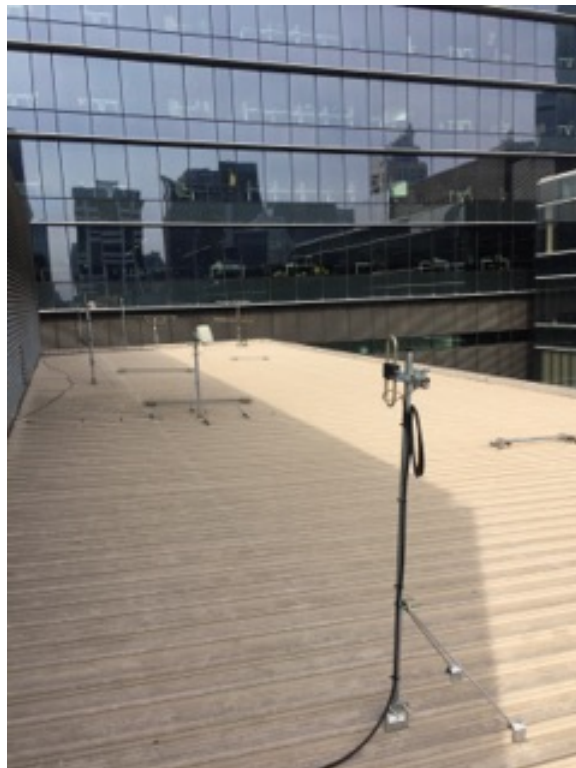
MDF Room – AMP, AAPT, Pipe Networks cabinets



MDF Room – Pipe Networks, Telstra, Vocus cabinets



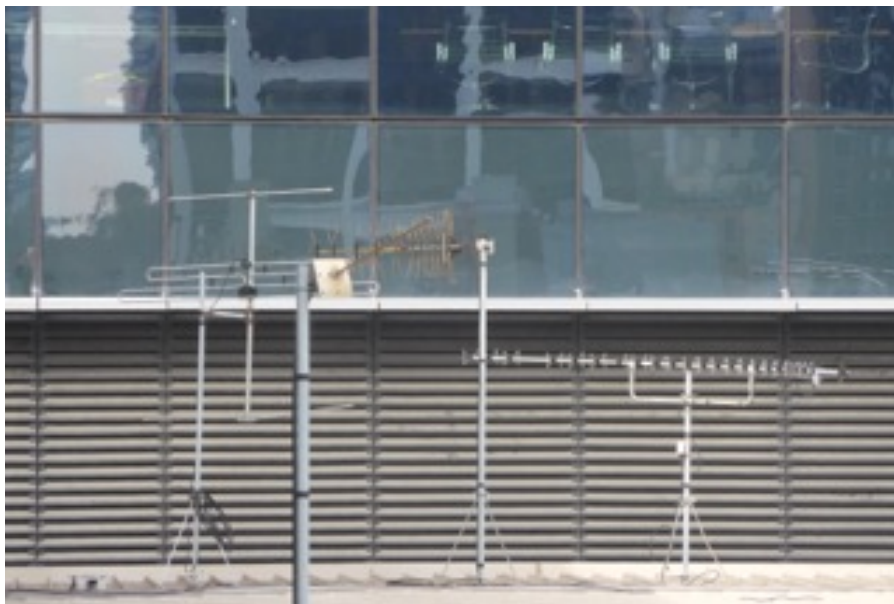
Roof – Foxtel satellite dish



Roof – unknown antennas



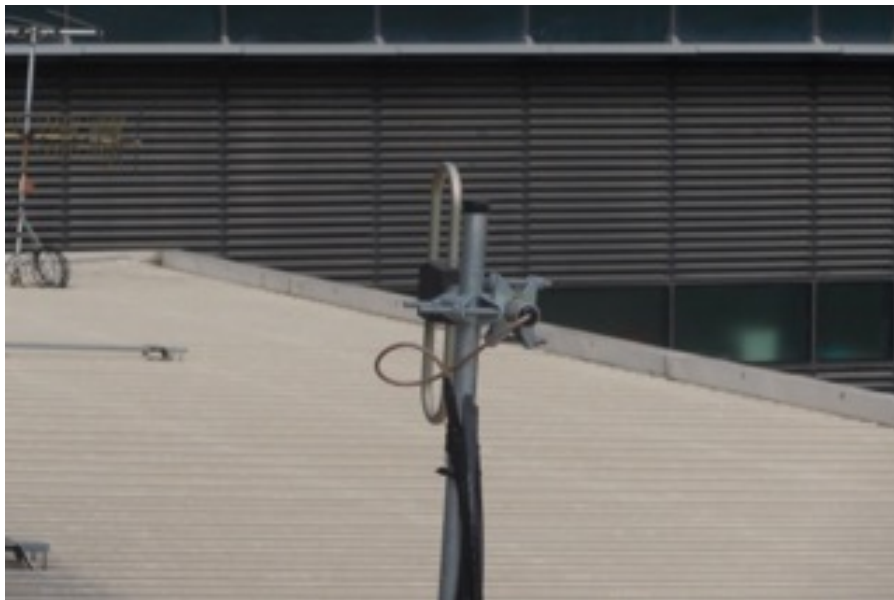
Roof – unknown antennas



Roof – unknown digital TV and yagi antennas



Roof – unknown flat microwave antenna



Roof – unknown dipole antenna

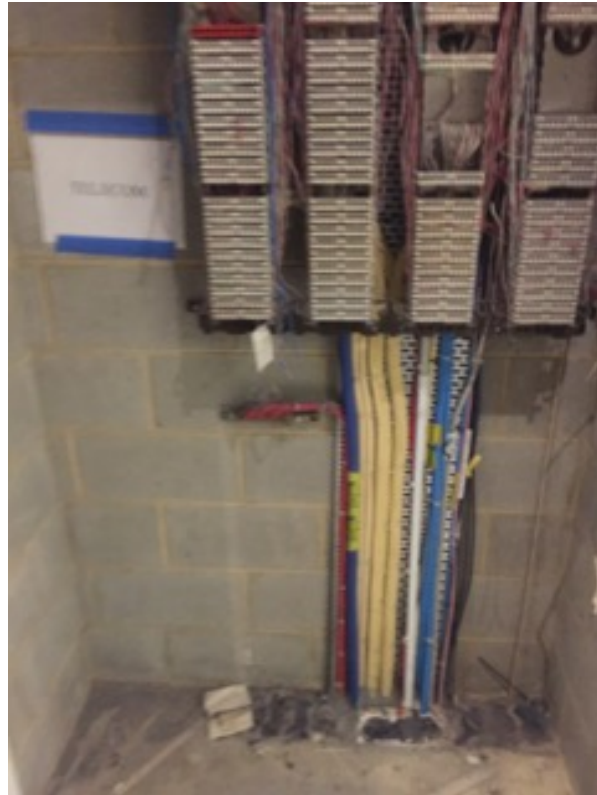




Upper Roof – unknown GPS antenna



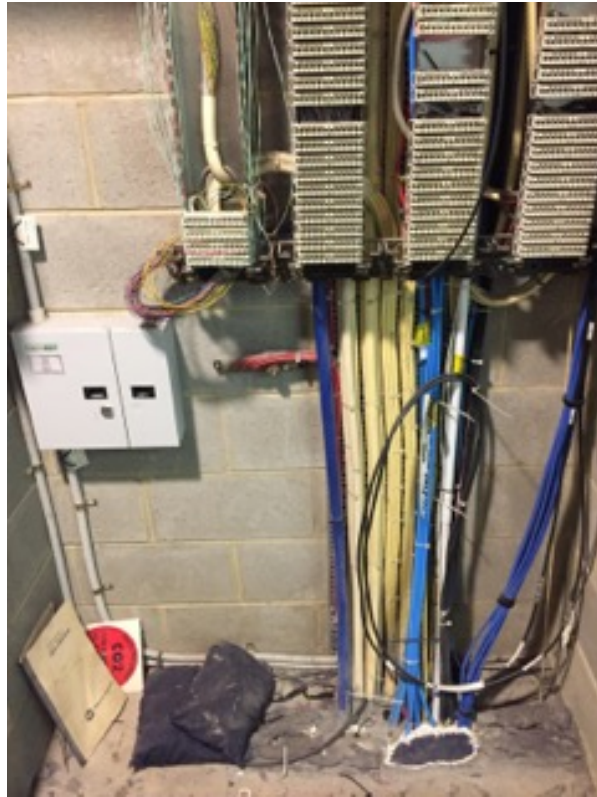
Riser L6



Riser L6



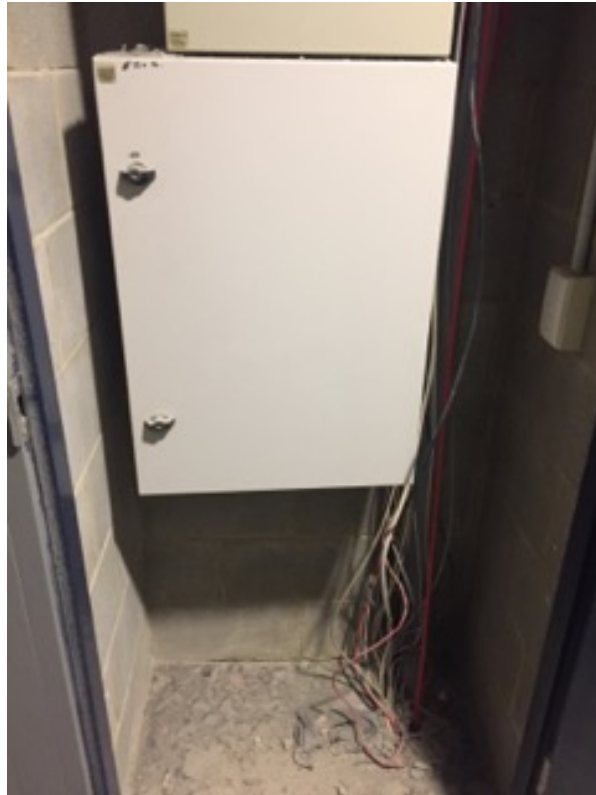
Riser L6



Riser L4 – rubbish, redundant cables



Riser L4 – Telstra cabinets

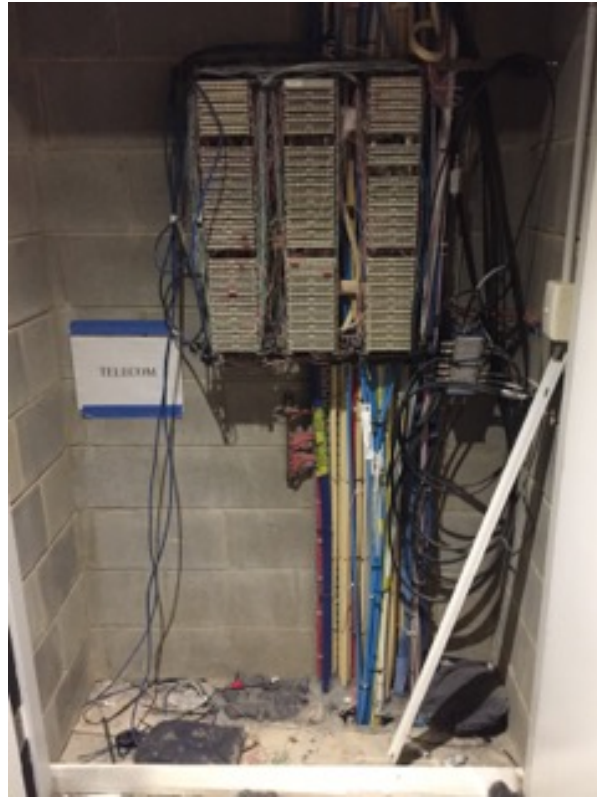


Riser L4



Riser L4 – missing fire stopping, redundant cables





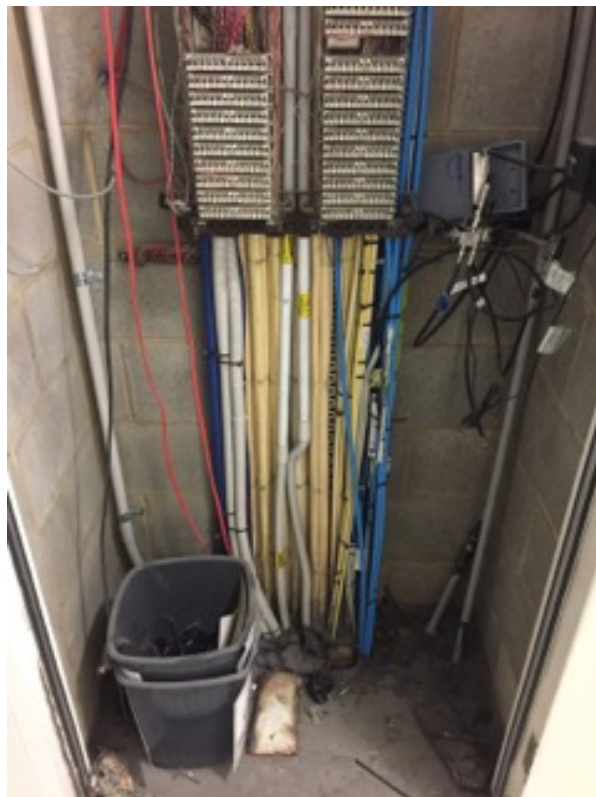
Riser L2



Riser L2 – rubbish, missing fire stopping



Riser L2 - missing fire stopping, redundant cables



Riser G - missing fire stopping, rubbish

Telecommunications Installation Audit Report  
(Physical Review)

**Mirvac Funds Limited**

**6 Riverside Quay, Southbank**



Prepared by

Total Site Solutions Pty Ltd (ABN 46 112 332 359)

(trading as siteXcell®)

PO Box 1516

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**28 May 2017**

**Report Prepared for: Mirvac Funds Limited**

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This Report is based on the Information and has been prepared during the Review Period. The purposes of this Report include (i) providing a detailed equipment register of the telecommunications installations present on the Site; (ii) identifying and reporting on Carriers' compliance with tenure documents; (iii) identifying and reporting on WH&S violations; and (iv) providing commentary on actual and potential market rental. In preparing this Report siteXcell has relied on the accuracy of the Information. siteXcell has not verified the Information and no warranty is given as to its accuracy nor is any warranty given or implied that the risks or issues identified in this Report are the only risks or issues existing in respect of the Site. Failure to comment on any matter that may constitute a risk does not imply that no such risk exists. This Report relates only to the matters specifically referred to in the Report. By way of exclusion, this Report does not address issues including welding integrity, structural design and capacity, construction details, electrical issues, building or fire codes and EME levels. This Report is not to be taken as giving any legal, accounting, financial or actuarial advice and such advice is to be sought and obtained from third parties as appropriate. This Report has been prepared on a specific and agreed basis and is not to be relied upon for any other purpose or by any other party other than the Manager or the Owner.

**Confidentiality Notice:**

*The information contained in this Report is confidential and intended solely for the benefit of and disclosure to the Manager and the Owner and may not be used, disclosed, distributed, reproduced, copied, disseminated or published in any form or by any means for any purpose without the prior written consent of Total Site Solutions Pty Ltd (trading as siteXcell®).*



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## Terms and Definitions

In this Report, unless the context clearly indicates otherwise, the following terms and definitions apply:

Term	Definition
ACMA	Australian Communications and Media Authority
Carrier(s)	mobile, fibre and wireless broadband communications telecommunications carrier(s), as defined by ACMA
DAS or IBC	Distributed Antenna System or In-Building Coverage
EME	electromagnetic emissions
EMEG	EME Guide (previously known as an RCSMB)
Information	the information, documents, drawings and other materials, supplied by or on behalf of the Manager and/or Owner during the Review Period, as detailed in Schedule 1
LAAN	Land Access and Activity Notice
Manager / Owner	Mirvac Funds Limited
MDF	main distribution frame
NSA	Mobile Carrier Forum National Site Archives
our Inspection	the physical inspection of the Site conducted by us on 11 <sup>th</sup> May 2017
Report	this audit report and analysis prepared by siteXcell
Review Period	the period from the date we were instructed to undertake a telecommunications audit of the Site up to the date of this Report
Site	6 Riverside Quay, Southbank in the State of Victoria
siteXcell, our, we or us	Total Site Solutions Pty Ltd (ABN 46 112 332 359) (trading as siteXcell®)

Tenancy Register	the schedule of that name prepared by siteXcell and set out in Schedule 3
Tenancy Schedule	the document so named, provided by the Manager
Tenure Documents	the leases, licenses and other agreements entered into between the Owner and Carriers documenting the terms and conditions governing the Carriers' occupation of the Site, as detailed in Schedule 2
WH&S	Work Health and Safety (previously known as OH&S)

## Executive Summary

The Site, situated at 6 Riverside Quay, Southbank in the State of Victoria is owned and managed by the Manager/Owner.

The Site is one of three individual buildings that together comprise the Riverside Quay office complex, located along Southbank's riverfront and directly across the Yarra River from Melbourne's central business district.

siteXcell has been commissioned to:

- (i) determine whether, based on our Inspection, the Carriers currently on the Site are visibly complying with the terms of their Tenure Documents (if any);
- (ii) determine whether, based on our Inspection, any Carriers are currently on the Site without being a party to formalised tenure arrangements;
- (iii) prepare an inventory of the larger components of telecommunications equipment and installations presently located on the Site (refer to Schedule 4);
- (iv) identify and report on any visible WH&S issues or violations in respect of the telecommunications installations identified on the Site;
- (v) formulate strategies to improve and/or maximise revenue and safety at the Site; and
- (vi) provide background on the regulatory/statutory framework governing telecommunications installations.

We conducted a physical inspection of the Site on 11<sup>th</sup> May 2017. A representative of the Manager / Owner was present during our Inspection.

As some areas of the Site have been locked off by Carriers, are otherwise inaccessible and/or Carriers have not been diligent in labelling their equipment and cables, some equipment and cabling, although visible, could not be accessed and/or properly inspected and/or could not be definitively attributed to any particular Carrier.<sup>1</sup>

Although legacy Telstra fibre was identified on our Inspection, as these are typically the base installation, we have not commented on Telstra fibre equipment as a separate installation or Carrier.

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<sup>1</sup> For the purposes of this Report, where equipment could not be attributed to a particular Carrier we have referred to this equipment as belonging to an unknown / unidentifiable Carrier.

**Exclusions**

Unless particular issues were identified on our Inspection, this Report does not comment on the legacy Telstra copper and fibre installations as these are typically considered to be the base installation, most of which would have been installed when the original building structure on the Site was completed.

In addition to the above, this Report does not address issues including welding integrity, structural design and capacity, construction details, electrical issues, building and fire codes, and EME levels. Our Inspection includes a visible review of the following Australian Standards only: AS 5070.1 and AS 1891.

Horizontal cabling and fireproofing are also outside the parameters of our review.

In addition to the above, we have not performed an audit of the Manager's internal records and processes/approvals in respect of the installations on this Site and are unable to comment in respect of these.

**Site Inspection Photographs**

Photographs taken during the course of our Inspection are set out in Schedule 6.

## Summary of Tenure and Rental Findings

### *Carriers sighted on our Inspection and Tenure Status*

Based on our Inspection and review of the Tenure Documents, in addition to the unknown / unidentifiable Carrier(s) sighted on our Inspection, there are four (4) separately identifiable Carriers on the Site, the tenure status of each being as follows:

Carriers Occupying the Site subject to <b>current</b> Tenure Documents	Carriers Occupying the Site subject to <b>expired</b> Tenure Documents	Carriers Occupying the Site <b>without</b> being subject to Tenure Documents
Nil	Uecomm Pty Limited / Uecomm Operations Pty Limited / UE Access Pty Limited ("UeComm") (fibre)	Pipe Networks Pty Limited ("PIPE") (fibre)
		Vocus Communications ("Vocus")
		Nextgen Networks Pty Limited (fibre)
		Optus Networks Pty Limited ("Optus") (fibre)
		Unknown / unidentified Carrier(s)

It is possible that some of the telecommunications equipment attributed to a Carrier without tenure may have been installed subject to the service of a LAAN. For the purposes of this Report however no documentation evidencing the service of LAANs was provided for review.

In addition to the above, it is possible that the some of the equipment sighted on the Roof and attributed to the unknown / unidentifiable Carrier(s), may in fact belong to a tenant within the building, however we are unable to confirm whether this is the case.

Our recommendations in respect of our tenure findings are detailed in the Major Findings and Recommendations section of this Report.

Our searches of the ACMA and NSA databases did not indicate that there are not any wireless Carriers registered as having equipment installed on the Site.

## Rental

Given that in addition to the unknown/unidentifiable Carrier(s) there are five (5) Carriers occupying the Site without being subject to formalised tenure arrangements and therefore without paying any rental, the Owner is clearly not benefiting from receipt of the potential rental that may be derived from these installations.

Based on the rental figures detailed in the Tenancy Schedule, we have assessed the rental payment obligations of each of the Carriers against the commercial rental expected to be achieved for comparable tenants and installations in comparable sites, and note the following:

Carriers <b>not paying</b> rental	Carriers <b>paying below</b> potential commercial rental	Carriers <b>paying within</b> potential commercial rental	Carriers <b>paying above</b> potential commercial rental
Optus Networks		Nil	UeComm <sup>2</sup>
PIPE			
Nextgen			
Vocus			
Unknown / unidentified Carrier(s)			

In the event that any of the Carriers with undocumented tenure have installed equipment pursuant to a LAAN, we note that a Carrier is not required to enter into formalised tenure and occupies a site pursuant to the Carrier's statutory rights as per the *Telecommunications Act 1997* (Cth) ("Act"). Where a LAAN has been served, whilst not required to pay rental, under the Act a Carrier must pay compensation to the Owner for expenses incurred by the Owner – including on account of the cost of power consumed by the Carrier's equipment. For the purposes of this Report we were not however provided with any documentation evidencing the service of LAANs nor were we provided with evidence that any Carrier has been invoiced reimbursement fees.

<sup>2</sup> We note that in this Site, a UeComm rack was evident in the MDF Room that serves all three buildings within the Riverside Quay Complex. Our Inspection of 1 Southbank Boulevard and 4 Riverside Quay indicates that in those buildings, cabling only was evident. For the purposes of our estimated potential commercial rental, we have assessed this taking into account UeComm's installation across the whole of the Riverside Quay Complex.



Our recommendations in respect of our rental findings are detailed in the Major Findings and Recommendations section of this Report.

## **Summary of Riser Findings**

### ***Riser Capacity***

Our Inspection findings indicate that remaining riser capacity is presently an issue at the Site with between 5 and 10% remaining capacity at the higher levels and the Ground Level riser being at capacity. From our Inspection it appears that the remaining riser capacity is as follows:

- (i) Level 6 riser – 10% remaining capacity;
- (ii) Level 4 riser – 5% remaining capacity;
- (iii) Level 2 riser – 5% remaining capacity; and
- (iv) Ground Level riser – 0% remaining capacity.

Our riser review is set out in Schedule 5.

## Major Findings and Recommendations

Major Findings	Recommendations
<b>Tenure Documents and Tenancy Issues</b>	
<p><b>Carriers without tenure:</b> The following identifiable Carriers appear to be occupying space on the Site without apparently any formal tenure arrangement (or without having served a LAAN) or being invoiced any rental:</p> <ul style="list-style-type: none"> <li>(i) Optus Networks;</li> <li>(ii) PIPE;</li> <li>(iii) Nextgen; and</li> <li>(iv) Vocus.</li> </ul> <p>In the case of PIPE, Nextgen and Vocus, it is noted that cabling only was evident in the risers and no items of telecommunications equipment were sighted on our Inspection.</p>	<p>Document the terms and conditions of any undocumented Carriers' occupancy and, to the extent practicable, pursue the payment of back rent from any Carrier occupying the Site without being invoiced any rental.</p> <p>Where back rent is pursued, the period for which payment should be sought is from the time that the Carrier first occupied the Site without paying rental (if known) to date.</p> <p>The information contained in Schedule 3 includes our estimate of the potential annual rental for each Carrier identified as occupying the Site.</p>
<p><b>Unknown / unidentified Carrier(s):</b> In addition to the Carrier(s) occupying the Site without tenure, unknown / unidentifiable Carrier(s) also appear to have installed telecommunications equipment on the Site without being the subject of formalised tenure.</p> <p>It is possible that some of this equipment belongs to tenants of the building however due to factors including labelling deficiencies, we were unable to confirm the identity of the entity (or entities) that have installed this equipment.</p>	<p>Confirmation of the identity (or identities) of the Carrier(s) responsible for the installation of the equipment and the basis / arrangements pursuant to which the equipment has been installed should be sought.</p> <p>Provided the responsible Carrier(s) can be identified, document the terms and conditions of the occupancy and, to the extent practicable, pursue the payment of back rent from any Carrier occupying the Site without any formal tenure arrangement and payment of rental.</p> <p>Australian Standards AS/NZS 5070.1 requires that all Carrier equipment is clearly labelled and identified, including</p>

<b>Major Findings</b>	<b>Recommendations</b>
	<p>cabling. Provided the responsible Carrier can be identified, the Carrier must be required to rectify any labelling deficiencies.</p> <p>If the equipment is found to in fact belong to a Carrier with tenure but has been installed in contravention of the Carrier's Tenure Documents, the violation will need to be addressed. Addressing the violation may require that the Tenure Document is amended, for example, by revising the rental to account for any increase in the installed equipment or any increase in the licensed area and/or by revising the licensed areas specified in the Tenure Document.</p> <p>Although in our view it is unlikely that Carriers will, if requested, return to the Site to label any unlabelled cables or equipment, if such a requirement is clearly stipulated in the Tenure Document it can and should be enforced as a tenure violation.</p>
<p><b>Expired Tenure:</b> The tenure term provided for in UeComm's Tenure Document (including any option provided for) expired on 30<sup>th</sup> September 2010 and despite being provided with a copy of a signed Heads of Agreement dated 22<sup>nd</sup> December 2015, no documentation or information was provided for our review to suggest any renewal or extension has been documented.</p>	<p>Pursue and enter into the appropriate renewal documentation so that the (current) terms and conditions of UeComm's occupation of the Site are documented.</p>

<b>Major Findings</b>	<b>Recommendations</b>
<b>Access</b>	
<p><b>Access Controls:</b> Improvements are required in respect of contractor and other third party access to the Site given the number of Carriers that have installed equipment on the Site without having formalised tenure and/or have installed equipment without the identity of the Carrier involved being known.</p>	<p>Implementation of additional measures to restrict access to areas housing telecommunications equipment from both a control and a WH&amp;S perspective is required.</p>
<b>Rental and Revenue Streams</b>	
<p><b>Electricity supply:</b> We encountered some difficulty in determining whether the electricity supply to each Carrier was separately metered and therefore whether Carriers were separately charged for electricity consumed or if they are utilising house power without paying for the electricity consumed by their equipment.</p> <p>Despite the above, it is assumed that any power consumed by those Carriers present without formalised tenure is being drawn from house power and is not being reimbursed by those Carriers.</p>	<p>Confirm the metering arrangements and ensure that all Carriers are responsible for payment of all electricity consumed by their equipment and pursues the requisite payment / contribution from Carriers where the obligation is not being complied with.</p>
<p><b>Use of house power:</b> The Tenure Document for UeComm provides that a separate electricity meter is to be installed and/or that the Carrier must pay for or reimburse the cost of the electricity used by their installation.</p>	<p>Enforce the requirement that all Carriers separately meter electricity consumption and pay for their own power usage.</p> <p>Where relevant, the appropriate reimbursement from any Carrier not meeting that obligation should be pursued.</p>

<b>Major Findings</b>	<b>Recommendations</b>
	<p>Where equipment has been installed pursuant to a LAAN, a Carrier is required, as per the <i>Telecommunications Act 1997</i> (Cth) ("Act"), to pay compensation to the Owner for expenses incurred by the Owner – including on account of the cost of power consumed by the Carrier's equipment. For the purposes of this Report we were not however provided with any documentation evidencing that any Carrier has been invoiced reimbursement fees.</p> <p>In addition to the above, in future, the Manager will need to ensure that all future tenure documents (new or renewed) require separate metering by Carriers and that the obligation is complied with.</p>
<p><b>Carriers not paying rental:</b> To the extent that the following Carriers appear to have installed equipment without formalised tenure arrangements and without paying any rental, the Owner is not benefiting from receipt of the rental that could potentially be derived from the Carriers' installations:</p> <ul style="list-style-type: none"> <li>(i) PIPE;</li> <li>(ii) Vocus;</li> <li>(iii) Nextgen;</li> <li>(iv) Optus Networks; and</li> <li>(v) unknown/unidentifiable</li> </ul>	<p>When documenting the Carriers' tenure in accordance with the recommendation made above, impose a rental payable for each Carrier that is within the estimated potential annual rental range set out in the Tenancy Register set out in Schedule 3.</p> <p>In the case of the unknown / unidentifiable Carrier(s), this is clearly subject to the Carriers' identity being confirmed in addition to confirming whether the equipment has been installed by tenants in accordance with their tenancies.</p>
<p><b>Carriers paying above rental range:</b> We</p>	<p>Although no recommendation applies,</p>

<b>Major Findings</b>	<b>Recommendations</b>
<p>note that three separate tenure arrangements appear to be in place in respect of UeComm's tenure in the three buildings that together make up the Riverside Quay Complex. In respect of this Site, only UeComm cabling was evident. A UeComm rack was however sighted in the MDF room of 6 Riverside Quay serving all three buildings within the Riverside Quay Complex.</p> <p>When assessing our estimated potential commercial rental, for the purposes of this Report, we have taken into account UeComm's installation across the whole of the Complex.</p> <p>When aggregated, the rental that UeComm appears to be paying in respect of the three Riverside Quay Complex buildings appears to be above the rental range expected for comparable tenants and installations in comparable sites.</p>	<p>we note that despite the rental payable being higher than our estimated potential rental, we would not endorse the Manager/Owner revising the rental downwards on any subsequent tenure negotiations as we base our estimates on current market conditions for newer tenure arrangements.</p>
<b>WH&amp;S Issues</b>	
<p><b>Unlocked cabinets:</b> The doors to wall cabinets belonging to Optus Networks were not locked.</p> <p>For details refer to the telecommunications equipment and installations asset register prepared based on our Inspection set out in Schedule 4.</p>	<p>Ensure enforcement of the requirement that all access doors are locked and accessible only by authorised personnel.</p> <p>When Carriers arrive on Site to do works, they should be reminded to ensure all access doors are locked prior to their departure from the Site.</p> <p>The Manager and/or the facilities management company should document and/or institute processes and operating procedures to adequately control access to the cable risers, communications room, roof and</p>

<b>Major Findings</b>	<b>Recommendations</b>
	<p>other installation areas. In addition to imposing controls on access, this will provide a paper trail to assist in determining who has installed what cabling, equipment and antennas in what areas.</p> <p>The above should be reinforced by engaging security personnel to ensure the proper monitoring of installation areas.</p>
<p><b>Labelling deficiencies:</b> Pieces of telecommunications equipment installed on the Site which has not been labelled and identified in accordance with Australian Standards requirements was sighted on our Inspection. Clearly this is the case in respect of the equipment for whom we are unable to identify the responsible Carrier(s) however, equipment belonging to identifiable Carriers was also inadequately labelled.</p> <p>It is possible that some of the equipment may have been installed by tenants however we are unable to confirm whether this is the case.</p> <p>For details refer to the telecommunications equipment and installations asset register prepared based on our Inspection set out in Schedule 4</p>	<p>Provided the responsible Carrier(s) can be identified, the Carrier(s) must be required to rectify any labelling and identification deficiencies.</p> <p>If once properly labelled the equipment and/or location is shown to be other than in accordance with any Carrier's Tenure Document (if any), then any tenure violations will also need to be addressed.</p> <p>Although in our view it is unlikely that Carriers will, if requested, return to the Site to label any unlabelled cables or equipment, if such a requirement is stipulated in the Tenure Document it can and should be enforced as a tenure violation.</p>
<p><b>Insufficient signage:</b> There is insufficient signage (including an absence of warning and danger signs) in respect of equipment installed on the Roof.</p> <p>For details refer to the</p>	<p>Require and enforce the installation of signage to comply with WH&amp;S and Australian Standards, including roof surface marking for exclusion zones where required.</p>

<b>Major Findings</b>	<b>Recommendations</b>
telecommunications equipment and installations asset register prepared based on our Inspection set out in Schedule 4.	
<b>Firestopping:</b> The firestopping is not properly installed in the risers.	The Carriers must be requested to rectify the installation of the firestopping.
<b>Rubbish / waste:</b> Rubbish / waste was found to have been left in a number of the risers inspected which constitutes both a WH&S concern and possibly indicates the areas may have been accessed by unauthorised persons.	The Carriers in these areas must be requested to remove all rubbish/waste and any concerns regarding unauthorised access need to be dealt with as a priority.
<p><b>Redundant / terminated cabling:</b> Redundant cabling appears to have been left in place in the Ground Level riser.</p> <p>For details refer to the telecommunications equipment and installations asset register prepared based on our Inspection set out in Schedule 4.</p>	<p>Given that it may be difficult and potentially hazardous to know with certainty if the cabling is "live" or simply abandoned, any abandoned or 'terminated' equipment or cabling should be carefully dealt with and only by those qualified to do so.</p> <p>Abandoned equipment, may, depending of the terms of the applicable Tenure Documents, also constitute a failure by the Carrier to make good and where this applies the Carrier should be requested to return, at its cost, to the Site to remove all abandoned equipment.</p>
<b>Inter-tenancy cabling:</b> Connected to the above point, there is a considerable amount of inter-tenancy cabling, including unapproved Carrier fibre that is taking up valuable space in the current risers.	<p>In accordance with the Telecommunications Code of Practice 1997, all new fibre installations should share existing Carriers' capacity. Where possible, compliance with this should be enforced.</p> <p>In respect of any new installations, a</p>



<b>Major Findings</b>	<b>Recommendations</b>
	requirement that any new fibre Carriers proposing to occupy the Site must utilise any vacant and available riser space to ensure the available space is maximised should be imposed.
<b>Unsafe equipment:</b> In the MDF Room, the side panel of the UeComm wall cabinet, on which the power supply is mounted, is not fixed to the cabinet, so that the exposed internal mains power supply is accessible.	UeComm should be requested to return to the Site to rectify the exposed power supply and ensure the installation complies with all building and electrical standards.
<b>Risers, Rooftops and Other Areas</b>	
<b>Full riser:</b> The Ground Level communications riser is at capacity.	Particular care ought to be taken when authorising any future Carriers using this riser.
<b>Terminated or Abandoned cabling:</b> Terminated or abandoned cabling appears to have been left in place in the risers with the effect that in addition to taking up valuable riser space, the excess cabling is reducing overall riser capacity.  For details refer to the riser review prepared based on our Inspection set out in Schedule 5.	Although not currently stipulated in Tenure Documents, consideration should be given to introducing a provision in all new or renewed tenancies requiring the payment of a bond or other protection covering cabling make good in the telecommunications risers.  In the absence of such a requirement, it may be difficult for the Owner to recover costs associated with the costly and time consuming exercise of determining if abandoned cabling is live or terminated.
<b>No EMEG:</b> An EMEG indicates where any hazardous areas on the roof or other areas in or on the building are and none appears to have been provided despite the installation of rooftop equipment.	An EME report should be requested and obtained from the Carrier(s).  The Manager should also insert clauses in all new or renewed tenure documents that require all wireless carriers to provide an EMEG and to

<b>Major Findings</b>	<b>Recommendations</b>
	update the EMEG on making any alterations to their installation and/or installing new equipment.

## Strategic Recommendations

In summary, strategically we recommend that:

- (i) **capital and maintenance works** - the Manager develops practices that ensure all maintenance and capital works approved by the Owner undertaken on or near the mobile communications antennas above or on ceiling areas, and roof areas (including the façade) have been inducted with specific emphasis on the RF EMR hazards. Further information in relation to this can be found in the Regulatory / Statutory section of this Report.
- (ii) **make good** - when tenants leave the Site, a thorough make good inspection should be conducted to ensure that the tenant has also arranged the removal of their telecommunications cabling and equipment to prevent the risers (and other areas) from becoming overcrowded.
- (iii) **electricity metering** - in relation to all existing and new Carrier installations (including the existing Telstra (fibre) installation), it should be confirmed that the Carriers are separately metered and paying for their own electricity usage or reimbursing the Owner for electricity consumption costs (as applicable). We also do not recommend that owners or managers agree to a set or fixed electricity usage figure given the rate at which electricity charges are escalating.
- (iv) **digital TV** - the Manager may wish to review the risers to satisfy themselves that work undertaken by digital TV operators (such as Foxtel) is completed to the Manager's satisfaction and that firestopping is being properly replaced as required.
- (v) **riser review** - a review of all risers and their condition is undertaken by management as our limited riser cabinet review indicated firestopping measures out of position or totally missing.

## Regulatory/Statutory

It is difficult to comment on regulatory matters without first providing some background on applicable legislation and codes.

Whilst siteXcell is not a regulatory expert nor do we provide any legal advice in respect of the interpretation or application of any legislation, we do have experience in dealing with the main pieces of legislation and regulatory bodies governing the telecommunications industry.

In particular, we are able to provide general commentary on the following:

- *Telecommunications Act 1997 (Cth)*;
- *Telecommunications Code of Practice*;
- *Australian Communications Industry Forum (ACIF) Code*; and
- *Australian Communications and Media Authority (ACMA)*, previously referred to as the *Australian Communications Authority (ACA)*.

The governing legislation is extensive and contains provisions which are not directly relevant to the Owner's installations. We have therefore included below extracts and information which in our view may provide the Owner with some background information.

For information purposes and in accordance with the *Telecommunications Act 1997 (Cth)*, the Owner's current installations are deemed Low-Impact.

The following is an extract of information prepared by the Mobile Communications Forum (MCF):

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### **MCF Outline**

#### **Chapter 2 - Regulatory Framework for Low-Impact Facilities**

There are several regulatory documents for low-impact telecommunications facilities that must be read in conjunction with one another. The outline provided in these guidelines is for general background.

Note that the information contained below does not constitute the giving of legal or professional advice, and reliance should not be placed upon it in the absence of such advice.

#### **Principle Legislation**

##### ***Telecommunications Act 1997 (Cth)***

The *Telecommunications Act 1997 (Cth)* (as amended), which is Commonwealth legislation, provides that telecommunications carriers have certain rights to engage in particular activities, together with certain

immunities from State, Territory and local government laws in relation to the conduct of those activities.

These activities include:

- \* the inspection of land to determine whether it is suitable for the carrier's purpose
- \* the installation of specified facilities, including low-impact facilities
- \* the maintenance of facilities.

In carrying out these activities, a carrier must comply with a number of requirements which include:

- \* do as little damage as practicable
- \* act in accordance with good engineering practice and comply with recognised industry standards
- \* take all reasonable steps to restore the land and to protect the environment
- \* give notice to the owner and occupier/s of the land.

The Act also specifies that, in carrying out these activities, carriers must comply with the Telecommunications Code of Practice.

## **Supporting Legislation**

### ***Telecommunications Code of Practice 1997***

Schedule 3 (Clause 15) of the Telecommunications Act 1997 (Cth) requires carriers to comply with a Ministerial Code of Practice.

Generally speaking, the Code places requirements on carriers to conduct their activities for which they are to exercise their statutory rights and immunities in a way that responds to the rights of individual landowners, affected utility service organisations and management authorities and to broader community concerns on environmental issues.

Those requirements include:

- \* Before commencing installation carriers must notify landowners (and occupiers if they are different from the owners), including a local council where it is the landowner or manager of public land.
- \* Carriers must do as little damage as practicable and act in accordance with good engineering practice.
- \* Carriers must comply with an objection and consultation process to resolve particular objections to their activities.
- \* When installing a low-impact facility between 10.00pm and 7.00am, carriers must make no more noise than is allowed under State or Territory law applying to similar activities.

- \* Carriers must take all reasonable steps to ensure that the land is restored to a condition similar to the condition before the activity began. This must start within 10 days of the facility being installed, unless otherwise agreed with the landowner/occupier.
- \* Before engaging in a low-impact facility activity, carriers must consider opportunities to co-locate.

***Telecommunications (Low-Impact Facilities) Determination 1997 (as amended)***

The Telecommunications (Low-impact Facilities) Determination 1997 (as amended) is a Ministerial determination made under Clause 6(3) of the Telecommunications Act.

***The Low-Impact Determination defines those new installations activities that are low-impact, by reference to WHAT facility is proposed and WHERE it is proposed to be installed.***

Chapter 4 of these guidelines deals with the WHAT part of the definition. It goes through, in some detail, those parts of the Low-impact Determination that are relevant to mobile carriers.

**The following is an explanation of the WHERE part of the definition.**

***WHERE a facility is located affects whether it is low-impact or not***

When assessing whether a facility is low-impact we must first establish the nature of the land use where the facility is proposed.

The Low-Impact Determination identifies five land use types or areas by reference to the Principal Designated Use.

**The areas have an order of importance, based on zoning under State or Territory law, so that an area only has its highest possible zoning.**

The order of priority is:

1. Environmental Significance areas
2. Residential areas
3. Commercial areas
4. Industrial areas
5. Rural areas

So, even though low-impact facilities are exempt from State and Territory planning law, it does have relevance in defining the "areas" referred to in the Low-impact Determination.

Where the land use/zoning objectives for the land relates to more than one area and there is no indication of the predominant, preferred or most likely use, the provisions relating to most sensitive area must be applied in determining the Principal Designated Use. For example, in the case of a mixed use designation which allows for residential, commercial and

industrial land uses, the site should be considered to have a residential Principal Designated Use.

Land that is in a built up area that cannot be otherwise described as a commercial, industrial or rural area, is to be considered a residential area.

Land that is not part of a built up area and cannot be otherwise described as a commercial, industrial or residential area, is to be considered a rural area.

*Example: A 1.8m dish is low-impact in industrial and rural areas, but in residential and commercial areas the dish must be no more than 1.2m in diameter to be low-impact.*

***A facility in an area of Environmental Significance is never low-impact.***

There are provisions in the Low-impact Determination which explain what is an area of Environmental Significance.

### **ACIF: C564: 2011 Mobile Phone Base Station Deployment Code**

From October 2002, all carriers must comply with the *C564:2011 Mobile Phone Base Station Deployment Industry Code*, also referred to as the "ACIF Code".

The ACIF Code requires carriers to notify and consult on certain types of low impact facilities. These notification and consultation provisions came in to place in April 2003.

The Code requires carriers to:

- \* have written procedures for site selection;
- \* improve notification and community consultation procedures;
- \* design and operate base stations with the objective of minimising electromagnetic emissions; and
- \* Provide electromagnetic radiation (EMR) emission reports as per the Federal Department of Health's requirements.

### **Roles and responsibilities of the regulators**

#### ***Department of Communications, Information Technology and the Arts***

The Department of Communications, Information Technology and the Arts provides strategic advice and professional support to the Australian Government on a wide range of policy areas including telecommunications, information technology and the information economy.

The Minister for Communications, Information Technology and the Arts is ultimately responsible for telecommunications regulation.

***Australian Communications and Media Authority (ACMA)***

The Australian Communications and Media Authority (ACMA) is responsible for regulating telecommunications and radio communications, including promoting industry self-regulation and managing the radio frequency spectrum. The ACMA also has significant consumer protection responsibilities.

Specifically, the ACMA is responsible for the following:

- \* issuing carrier licences
- \* regulating service providers
- \* reporting on the performance of service providers with reference to Consumer satisfaction and benefits, and quality of service
- \* registration (with safety-net style enforcement powers) of industry
- \* operations and technical codes of practice
- \* setting industry standards where codes fail or fail to be created
- \* regulating and enforcing carriers' powers and immunities
- \* handling public enquiries about certain matters related to telecommunications
- \* handling investigations of certain matters related to Telecommunications, in particular those related to breaches of the Act
- \* ensuring industry compliance with mandatory standards and codes

***Telecommunications Industry Ombudsman***

The Telecommunications Industry Ombudsman (TIO) is a formal and independent dispute resolution scheme. The TIO can investigate a complaint about failure to give notice or the manner in which a carrier has entered on to land. Carriers must comply with a direction issued by the TIO, pursuant to the TIO's constitution.

***Australian Communications Industry Forum***

The Australian Communications Industry Forum (ACIF) is an industry owned, resourced and operated company established by the telecommunications industry in 1997 to implement and manage communication self-regulation within Australia.

ACIF's role is to develop and administer technical and operating arrangements that promote both long term interests of end-users and the efficiency and international competitiveness of the Australian communications industry.

This primarily involves:



- \* developing Standards and Codes to support competition and protect consumers, driving widespread compliance
- \* facilitating resolution of strategic and operational industry issues

The following are excerpts from the ACIF Code:

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**ACIF Code Excerpt**

The ACIF Code in section 10.2 RF EMR Health and Safety Information, subset 10.2.2 states:

"For a specific site, a Carrier must provide, as soon as practicable and at no charge, the following information to members of the public on request:

- (a) a description of their radiofrequency infrastructure on the site;
- (b) the radio frequency bands as per the ARPANSA EME Report format;
- (c) a declaration that their infrastructure is in compliance with the ACMA mandatory limits for general public exposure to RF EMR;
- (d) details of any RF hazard areas associated with their infrastructure and management practices to restrict access to RF hazard areas;
- (e) the levels of exposure to EMR emissions in accordance with the ARPANSA report (see Appendix C – ARPANSA EME Report format); and
- (f) coverage information of the area."

**Appendix B – Additional Design Information (excerpt)**

1. *Standards Australia AS 5070.1*

Infrastructure should be designed and installed having regard to the requirements of AS 5070.1 Australian Standard "Siting and Operation of Radiocommunications Facilities".

2. *ACMA Guide – "Accessing & Installing Telecommunications Facilities – A Guide" October 1999*

Infrastructure should be designed & installed in compliance with the requirements of the ACMA guide - "Accessing and Installing Telecommunications Facilities - A Guide October 1999".

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In respect of the requirements set out in AS 5070.1, we note the following:

- 1. On-site radiation folders (also known as EMEGs) are required for mobile and wireless Carriers. These are typically placed in the Carrier's equipment shelters. We would however suggest that the Owner may wish to have a copy, which they are entitled to, for their own files.

2. There are a variety of other Australian Standards referred to in AS 5070.1 regarding design and construction in respect of which we are unable to comment as this is outside our immediate area of expertise. If requested by the Owner, siteXcell is able to assist in coordinating the engagement of a consultant specialising in design and construction.
3. Appropriate warning signs are required to warn of hazards on the Site.
4. OH&S legislation must be observed at all times by operational and maintenance staff.
5. Site management (i.e. the Owner) is accountable for the coordination of safety information from all users and must ensure that the requirements of AS 5070.1 are met.
6. Carriers must supply all relevant safety and radiation information required by the Manager and must ensure this information is up-to-date.
7. Carriers should assess the radiofrequency levels of equipment installed and recorded at the Site to ensure that the requirements of AS 5070.1 are met.
8. The site manager must ensure that the relevant areas of the Site are secured and warning signs are displayed in accordance with AS 5070.1.
9. The site technical manager (i.e. the Owner) must ensure that engineering and other steps are taken to keep exposure levels below occupational limits in areas where authorised staff are required to work.
10. Public access to any hazardous areas on the Site should be restricted through the installation of suitable physical barriers such as fencing and lockable access gates or doors. Suitable warning signs should be installed at key points around the perimeter of any existing hazards.

### **Summary of Regulatory Compliance**

Assuming that the Carriers' town planners correctly determined that the installations were considered low-impact and the relevant local council was properly consulted, in our view, the regulatory requirements for low-impact installations have been followed. We did not observe anything on Site that would indicate any violations of the matters prescribed by the *Telecommunications Act 1997 (Cth)* and *Telecommunications Code of Practice 1997* in respect of low-impact installations.

The applicable legislation and codes require wireless/mobile Carriers to provide EME information to the public or site manager if requested. As it is the Manager's responsibility to protect workers and other visitors on the Site, in our view, requesting EME information from all wireless/mobile Carriers (via an EMEG) is a critical step in recognising and protecting against hazardous areas and conditions.

We have not performed an audit of the Manager's internal records and processes/approvals in respect of the installations on this Site and are unable to comment on the compliance of the Carriers' other requirements, as provided for under the legislation.

## **Schedule 1 – Schedule of Information**

In addition to the Tenure Documents listed in Schedule 2, the following was provided by or on behalf of the Manager for our review and consideration:

- Lease Proposal issued to Ue Comm dated 5 March 2012
- Lease Proposal issued to Ue Comm dated 11 January 2011
- Lease Proposal issued to Ue Comm dated 15 February 2006
- Letter from Minters to Mirvac dated 13 March 2012

**Schedule 2 – Tenure Documents Reviewed**

	<b>Document</b>	<b>Parties</b>	<b>Dated</b>
<b>1.</b>	Aerial Licence Agreement	Wonder Choice Properties Pty Limited and UE Access Pty Limited	10 October 2000

### Schedule 3 – Tenancy Register

Carrier Installation	Uecomm Pty Limited	Optus Networks Pty Limited	Pipe Networks Limited	Nextgen Networks Pty Limited	Vocus Communications
Tenure Document	Aerial Licence Agreement	No documented tenure	No documented tenure	No documented tenure	No documented tenure
Tenure Status (eg: current, expired, undocumented)	Expired	N/a	N/a	N/a	N/a
Tenure Term	01.10.2005 - 30.09.2010	N/a	N/a	N/a	N/a
Renewed / Original Tenure Commenced	Yes / Original Term: 01.10.2000 - 30.09.2005	N/a	N/a	N/a	N/a
Remaining Options	No	N/a	N/a	N/a	N/a
Commencing annual Rent (ex. GST)	\$9,358.92 on option (\$8,000 original term)	N/a	N/a	N/a	N/a
Escalation %	4%	N/a	N/a	N/a	N/a
Current annual rent (ex. GST) based on Tenure Documents	\$14,407.63 (applying escalation post-expiration. \$10,948.61 at expiration)	N/a	N/a	N/a	N/a
Rent currently invoiced?*	Tenancy Schedule: \$10,948.61 (effective 01.10.2009)	N/a	N/a	N/a	N/a
Separate metering required	Yes	N/a	N/a	N/a	N/a
Registered in ACMA?	N/a	N/a	N/a	N/a	N/a
Registered in NSA?	N/a	N/a	N/a	N/a	N/a
Tenure Comments (eg: No tenure; on holdover; upcoming expiry; upcoming review etc)	Signed Heads of Agreement dated 22.12.15. Rents of \$2,500 x 2 and \$7,500 x 1 escalating at 3%	No tenure	No tenure	No tenure	No tenure
Equipment sighted on Inspection	MDF Room: 1 x rack	MDF Room: 3 x wall cabinets	Cabling only in risers	Cabling only in risers	Cabling only in risers
Potential / Market rental**	\$5,000 - \$6,000 in respect of the whole Riverside Quay Complex	\$1,500	\$0 - 1,000	\$0 - 1,000	\$0 - 1,000

<b>Carrier Installation</b>	<b>Unknown / Unidentified Carrier</b>
Tenure Document	No documented tenure
Tenure Status (eg: current, expired, undocumented)	N/a
Tenure Term	N/a
Renewed / Original Tenure Commenced	N/a
Remaining Options	N/a
Commencing annual Rent (ex. GST)	N/a
Escalation %	N/a
Current annual rent (ex. GST) based on Tenure Documents	N/a
Rent currently invoiced?*	N/a
Separate metering required	N/a
Registered in ACMA?	N/a
Registered in NSA?	N/a
Tenure Comments (eg: No tenure; on holdover; upcoming expiry; upcoming review etc)	No tenure
Equipment sighted on Inspection	Roof: 1 x omni & 3 x yagi antennas
Potential / Market rental**	\$6,000

\* Per the information provided

\*\* Given these are existing installations & assuming Carriers did not exercise statutory access powers.

Note: The figures contained in this register do not include any back rent.

## Schedule 4 – Asset Registers

Installation Location	Carrier Name	Equipment Quantity	Equipment Type	Equipment Size	OH&S Issues	Description	Tenure Issues	Description
<b>MDF Room B</b>								
<b>East</b>	UeAccess	1	Rack	600x600mm	Yes	Equipment in unsafe condition	Yes	Tenure expired
<b>East</b>	Optus Networks	1	Wall Cabinet	300x600mm	No	N/A	Yes	No tenure for existing installation
<b>East</b>	Optus Networks	1	Wall Cabinet	300x450mm	Yes	Cabinet unlocked	Yes	No tenure for existing installation
<b>East</b>	Optus Networks	1	Wall Cabinet	450x450mm	Yes	Cabinet unlocked	Yes	No tenure for existing installation
<b>East</b>	Telstra Fibre	1	Rack	300x600mm	No	N/A	No	N/A
<b>South</b>	Telstra Fibre	2	Wall Cabinet	300x300mm	No	N/A	No	N/A
<b>South</b>	Telstra Fibre	2	Rack	300x600mm	No	N/A	No	N/A
<b>South</b>	Telstra Fibre	1	Rack	300x600mm	No	N/A	No	N/A
		<b>10</b>						



Installation Location	Carrier Name	Equipment Quantity	Equipment Type	Equipment Size	OH&S Issues	Description	Tenure Issues	Description
<b>Roof</b>								
General					No	N/A		
Upper Roof	Unknown	1	Omni Antenna	6m long	Yes	Insufficient labelling and warning signage	Yes	No tenure for existing installation
Upper Roof	Unknown (possibly tenant digital TV)	3	Yagi Antenna	1 mtr long	Yes	Insufficient labelling and warning signage	Yes	Possibly tenant equipment
Lower Roof	Foxtel	2	Satellite Dish	900 dia	No	Insufficient labelling	Yes	Possibly tenant equipment

## Schedule 5 – Riser Review

Install- ation Location	Side of Building	Carrier Name	Equip- ment Quantity	Equip- ment Type	Equip- ment Size	WH&S Issues	Descrip- tion	Tenure Issues	Descrip- tion	Remaining Capacity %
<b>Level</b>										
<b>6</b>	East	Telstra Fibre, UeComm, Optus Networks, Pipe Networks	0	Cables only	N/A	Yes	Fire stopping missing	No	N/A	10%
<b>4</b>	East	Telstra Fibre, UeComm, Optus Networks, Pipe Networks	1	Telstra Wall Cabinet	300x300m m	Yes	Fire stopping missing, rubbish left	No	N/A	5%
<b>2</b>	East	Telstra Fibre, UeComm, Optus Networks, Pipe Networks, Nextgen, Foxtel	0	Cables only	N/A	No	Fire stopping missing, rubbish left	No	N/A	5%
<b>G</b>	East	Telstra Fibre, UeComm, Optus Networks, Pipe Networks, Nextgen, Vocus, Foxtel	0	Cables only	N/A	No	Fire stopping missing, redunda nt cables	No	N/A	0%
			<b>1</b>							

## Schedule 6 – Photographs taken on Inspection



MDF Room



MDF Room



MDF Room – UeComm rack



MDF Room – UeComm rack, unsafe power supply



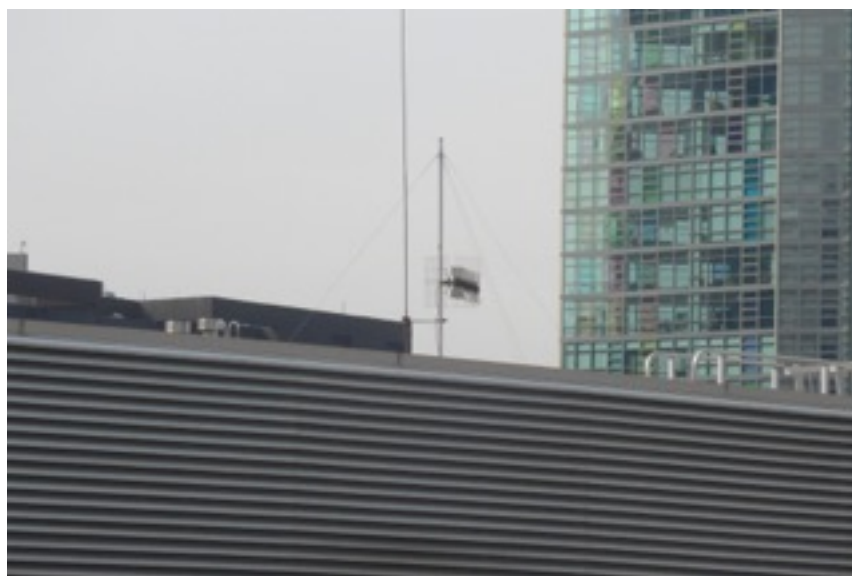
MDF Room – Optus Networks cabinets, Telstra racks



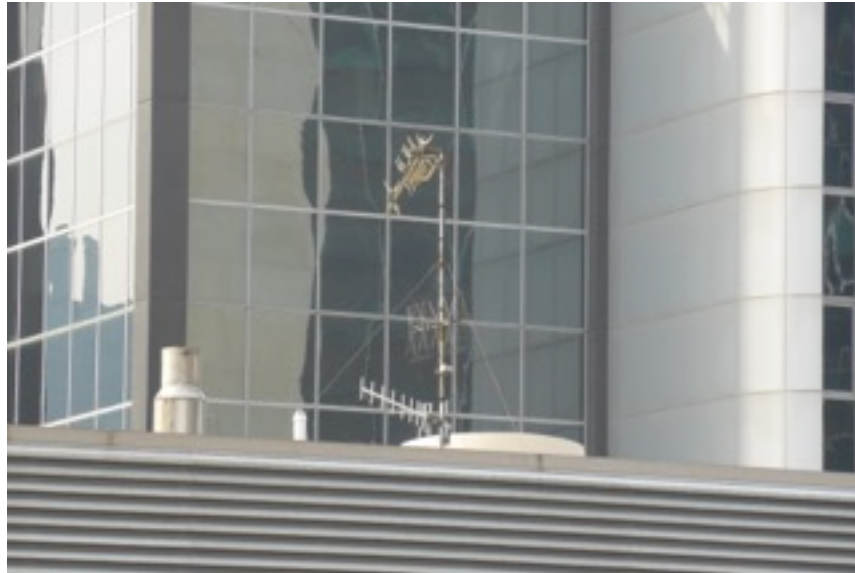
MDF Room – Telstra



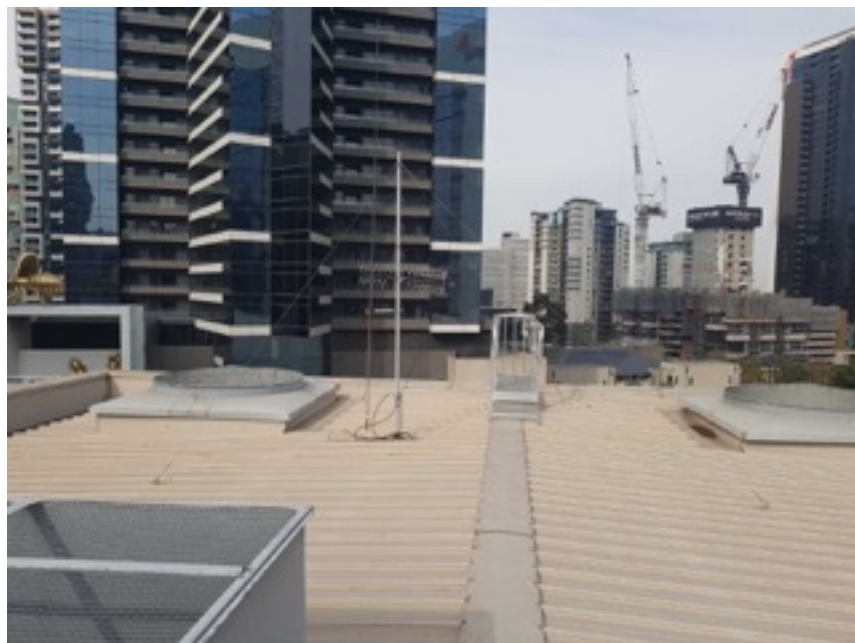
MDF Room – Telstra racks



Roof – Unknown omni and yagi/grid antennas



Roof – Unknown digital TV yagi antennas



Roof – Unknown omni and yagi/grid antennas





Roof – Unknown digital TV yagi antennas



Roof – Foxtel satellite dishes





Riser L6 – firestopping missing



Riser L6



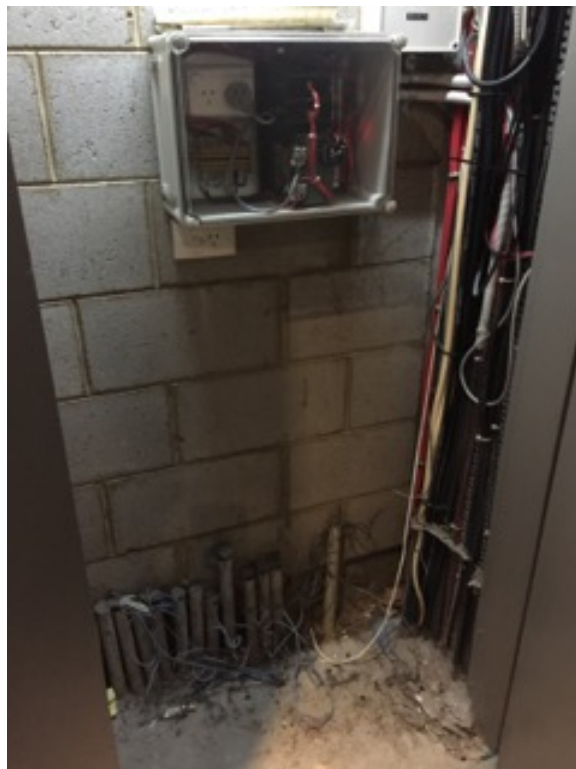
Riser L4 – rubbish, fire stopping missing



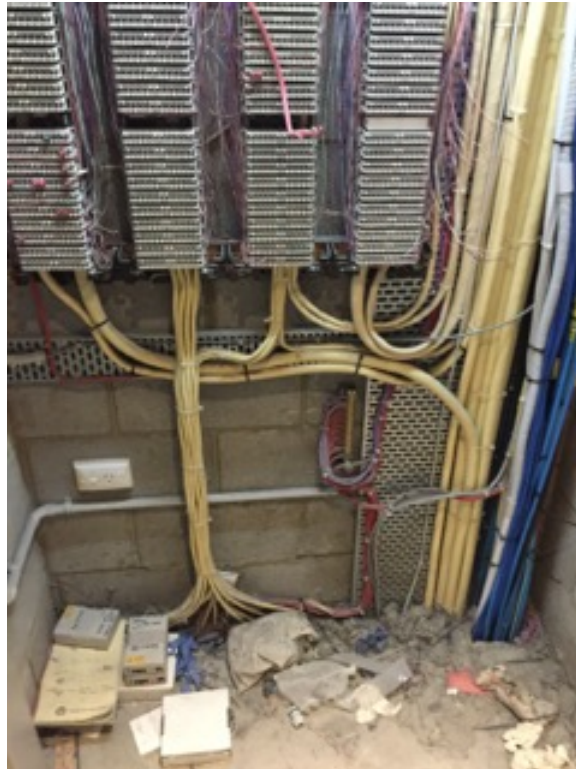
Riser L4 - rubbish, fire stopping missing



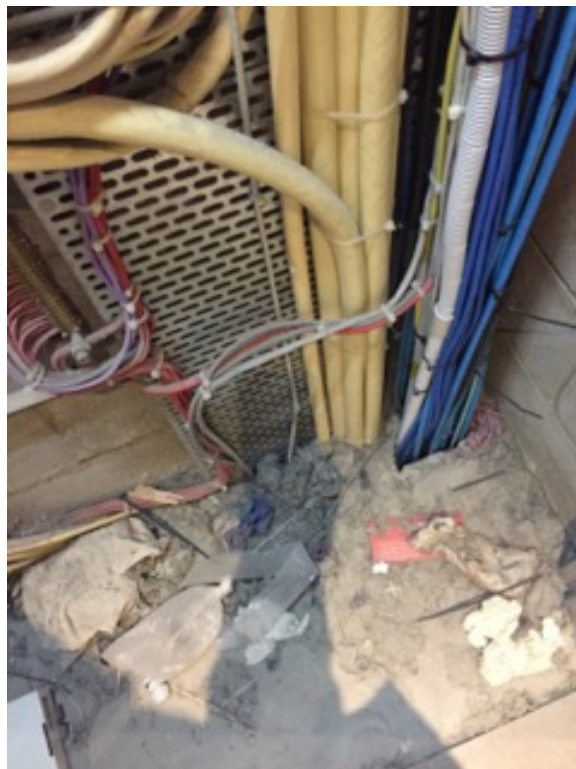
Riser L4 – Telstra cabinet



Riser L4

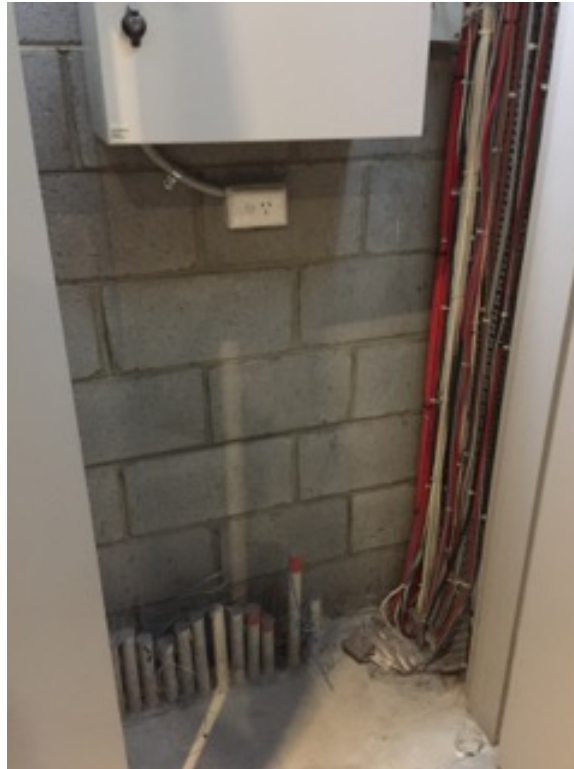


Riser L2 - rubbish, fire stopping missing

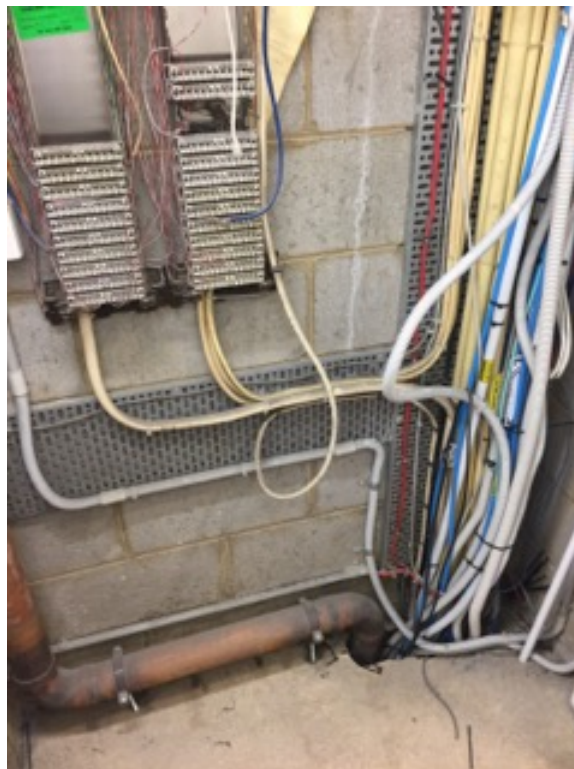


Riser L2 - rubbish, fire stopping missing

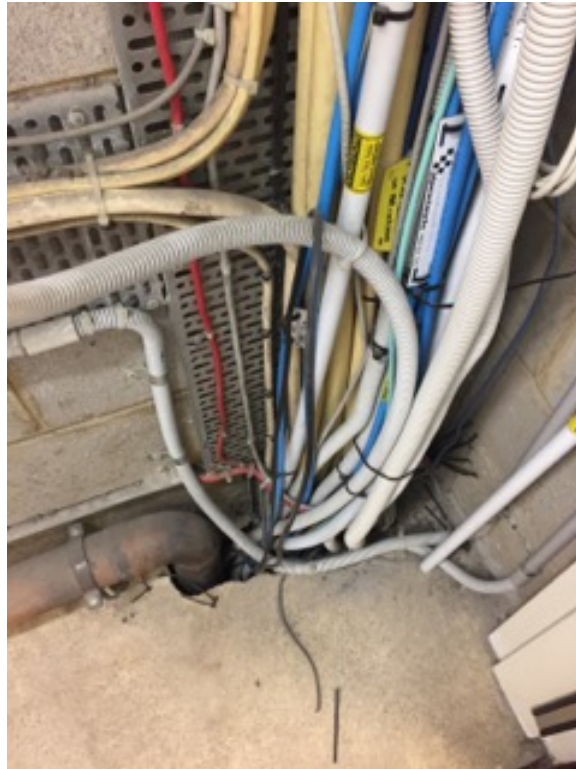




Riser L2



Riser G - fire stopping missing



Riser G - fire stopping missing



Riser G – redundant cabling, fire stopping missing

Telecommunications Installation Audit Report  
(Physical Review)

**Mirvac Funds Limited**

**1 Southbank Boulevard,  
Southbank**



Prepared by

Total Site Solutions Pty Ltd (ABN 46 112 332 359)

(trading as siteXcell®)

PO Box 1516

Crows Nest NSW 1585

**30 May 2017**

**Report Prepared for: Mirvac Funds Limited**

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This Report is based on the Information and has been prepared during the Review Period. The purposes of this Report include (i) providing a detailed equipment register of the telecommunications installations present on the Site; (ii) identifying and reporting on Carriers' compliance with tenure documents; (iii) identifying and reporting on WH&S violations; and (iv) providing commentary on actual and potential market rental. In preparing this Report siteXcell has relied on the accuracy of the Information. siteXcell has not verified the Information and no warranty is given as to its accuracy nor is any warranty given or implied that the risks or issues identified in this Report are the only risks or issues existing in respect of the Site. Failure to comment on any matter that may constitute a risk does not imply that no such risk exists. This Report relates only to the matters specifically referred to in the Report. By way of exclusion, this Report does not address issues including welding integrity, structural design and capacity, construction details, electrical issues, building or fire codes and EME levels. This Report is not to be taken as giving any legal, accounting, financial or actuarial advice and such advice is to be sought and obtained from third parties as appropriate. This Report has been prepared on a specific and agreed basis and is not to be relied upon for any other purpose or by any other party other than the Manager or the Owner.

**Confidentiality Notice:**

*The information contained in this Report is confidential and intended solely for the benefit of and disclosure to the Manager and the Owner and may not be used, disclosed, distributed, reproduced, copied, disseminated or published in any form or by any means for any purpose without the prior written consent of Total Site Solutions Pty Ltd (trading as siteXcell®).*



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## Terms and Definitions

In this Report, unless the context clearly indicates otherwise, the following terms and definitions apply:

Term	Definition
ACMA	Australian Communications and Media Authority
Carrier(s)	mobile, fibre and wireless broadband communications telecommunications carrier(s), as defined by ACMA
DAS or IBC	Distributed Antenna System or In-Building Coverage
EME	electromagnetic emissions
EMEG	EME Guide (previously known as an RCSMB)
Information	the information, documents, drawings and other materials, supplied by or on behalf of the Manager and/or Owner during the Review Period, as detailed in Schedule 1
LAAN	Land Access and Activity Notice
Manager / Owner	Mirvac Funds Limited
MDF	main distribution frame
NSA	Mobile Carrier Forum National Site Archives
our Inspection	the physical inspection of the Site conducted by us on 11 <sup>th</sup> May 2017
Report	this audit report and analysis prepared by siteXcell
Review Period	the period from the date we were instructed to undertake a telecommunications audit of the Site up to the date of this Report
Site	1 Southbank Boulevard, Southbank in the State of Victoria
siteXcell, our, we or us	Total Site Solutions Pty Ltd (ABN 46 112 332 359) (trading as siteXcell®)

Tenancy Register	the schedule of that name prepared by siteXcell and set out in Schedule 3
Tenancy Schedule	the document so named, provided by the Manager
Tenure Documents	the leases, licenses and other agreements entered into between the Owner and Carriers documenting the terms and conditions governing the Carriers' occupation of the Site, as detailed in Schedule 2
WH&S	Work Health and Safety (previously known as OH&S)

## Executive Summary

The Site, situated at 1 Southbank Boulevard, Southbank in the State of Victoria is owned and managed by the Manager/Owner.

The Site is one of three individual buildings that together comprise the Riverside Quay office complex, located along Southbank's riverfront and directly across the Yarra River from Melbourne's central business district. The other two facilities have been audited by siteXcell and separately reported.

siteXcell has been commissioned to:

- (i) determine whether, based on our Inspection, the Carriers currently on the Site are visibly complying with the terms of their Tenure Documents (if any);
- (ii) determine whether, based on our Inspection, any Carriers are currently on the Site without being a party to formalised tenure arrangements;
- (iii) prepare an inventory of the larger components of telecommunications equipment and installations presently located on the Site (refer to Schedule 4);
- (iv) identify and report on any visible WH&S issues or violations in respect of the telecommunications installations identified on the Site;
- (v) formulate strategies to improve and/or maximise revenue and safety at the Site; and
- (vi) provide background on the regulatory/statutory framework governing telecommunications installations.

We conducted a physical inspection of the Site on 11<sup>th</sup> May 2017. A representative of the Manager / Owner was present during our Inspection.

As some areas of the Site have been locked off by Carriers, are otherwise inaccessible and/or Carriers have not been diligent in labelling their equipment and cables, some equipment and cabling, although visible, could not be accessed and/or properly inspected and/or could not be definitively attributed to any particular Carrier.<sup>1</sup>

Although legacy Telstra fibre was identified on our Inspection, as these are typically the base installation, we have not commented on Telstra fibre equipment as a separate installation or Carrier.

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<sup>1</sup> For the purposes of this Report, where equipment could not be attributed to a particular Carrier we have referred to this equipment as belonging to an unknown / unidentifiable Carrier.

**Exclusions**

Unless particular issues were identified on our Inspection, this Report does not comment on the legacy Telstra copper and fibre installations as these are typically considered to be the base installation, most of which would have been installed when the original building structure on the Site was completed.

In addition to the above, this Report does not address issues including welding integrity, structural design and capacity, construction details, electrical issues, building and fire codes, and EME levels. Our Inspection includes a visible review of the following Australian Standards only: AS 5070.1 and AS 1891.

Horizontal cabling and fireproofing are also outside the parameters of our review.

In addition to the above, we have not performed an audit of the Manager's internal records and processes/approvals in respect of the installations on this Site and are unable to comment in respect of these.

**Site Inspection Photographs**

Photographs taken during the course of our Inspection are set out in Schedule 6.

## Summary of Tenure and Rental Findings

### *Carriers sighted on our Inspection and Tenure Status*

It is noted that on our Inspection, it was evident that there is no MDF room in this building and that the telecommunications equipment is effectively fed from the adjoining 4 and 6 Riverside Quay building MDF rooms via the carpark.

Based on our Inspection and review of the Tenure Documents, in addition to the unknown / unidentifiable Carrier(s) sighted on our Inspection, there are six (6) separately identifiable Carriers on the Site, the tenure status of each being as follows:

Carriers Occupying the Site subject to <b>current</b> Tenure Documents	Carriers Occupying the Site subject to <b>expired</b> Tenure Documents	Carriers Occupying the Site <b>without</b> being subject to Tenure Documents
Nil	Uecomm Pty Limited / Uecomm Operations Pty Limited / UE Access Pty Limited ("UeComm") (fibre)	Pipe Networks Pty Limited ("PIPE") (fibre) – occupying pursuant to the service of LAANs
		Vocus Communications ("Vocus") (fibre)
		AAPT Limited ("AAPT") (fibre)
		Optus Networks Pty Limited ("Optus") (fibre)
		Nextgen Networks Pty Limited (fibre)
		Unknown / unidentified Carrier(s)

It is possible that some of the telecommunications equipment attributed to a Carrier without tenure may have been installed subject to the service of a LAAN. For the purposes of this Report documentation evidencing the service of LAANs was however only available in respect of PIPE.

In the case of the equipment which has been installed and is attributed to the unknown/unidentified Carrier(s), including the yagi antennas that are possibly for free to air television and/or satellite/Foxtel dishes, it is possible that some of the

equipment may in fact belong to a tenant within the building, however we are unable to confirm whether this is the case.

Our recommendations in respect of our tenure findings are detailed in the Major Findings and Recommendations section of this Report.

Our searches of the ACMA and NSA databases did indicate that Telstra 3G Spectrum Holdings, Vodafone Hutchison Australia Pty Limited, Telstra and Vodafone are registered as having equipment installed on the Site despite no equipment belonging to the above Carriers being identified on our Inspection.

### **Rental**

Given that in addition to the unknown/unidentifiable Carrier(s) there are five (5) Carriers occupying the Site without being subject to formalised tenure arrangements and therefore without paying any rental, the Owner is not benefiting from receipt of the potential rental that may be derived from these installations.

Based on the rental figures detailed in the Tenancy Schedule, we have assessed the rental payment obligations of each of the Carriers against the commercial rental expected to be achieved for comparable tenants and installations in comparable sites, and note the following:

Carriers <b>not paying</b> rental	Carriers <b>paying below</b> potential commercial rental	Carriers <b>paying within</b> potential commercial rental	Carriers <b>paying above</b> potential commercial rental
AAPT		Nil	UeComm <sup>2</sup>
Optus Networks			
Nextgen			
Vocus			
Unknown / unidentified Carrier(s)			

<sup>2</sup> As noted above, in this Site, other than the rooftop equipment, cabling was only evident in the risers and no other telecommunications equipment was sighted. UeComm has a rack in the MDF room in 6 Riverside Quay that serves all three buildings within the Riverside Quay Complex. Accordingly, our estimated potential commercial rental takes into account UeComm's installation across the whole of the Complex.



PIPE (not obliged to pay rental as occupying pursuant to a LAAN)			
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In addition to PIPE, it is possible that some of the telecommunications installations attributed to a Carrier without tenure may have been installed subject to the service of a LAAN. Where equipment has been installed pursuant to a LAAN, a Carrier is not required to enter into formalised tenure and occupies a site pursuant to the Carrier's statutory rights as per the *Telecommunications Act 1997* (Cth) ("Act"). Where a LAAN has been served, whilst not required to pay rental, under the Act a Carrier must pay compensation to the Owner for expenses incurred by the Owner – including on account of the cost of power consumed by the Carrier's equipment. For the purposes of this Report we were not however provided with any documentation evidencing the service of LAANs nor were we provided with evidence that any Carrier has been invoiced reimbursement fees.

Our recommendations in respect of our rental findings are detailed in the Major Findings and Recommendations section of this Report.

## Summary of Riser Findings

### **Riser Capacity**

Our Inspection findings indicate that remaining riser capacity is an issue at the Site, with the lower level risers now at approximately 0-15% remaining capacity. From our Inspection it appears that the remaining riser capacity is as follows:

- (i) Level 8 riser – 30% remaining capacity;
- (ii) Level 6 riser – 15% remaining capacity;
- (iii) Level 4 riser – 15% remaining capacity;
- (iv) Level 2 riser – 10% remaining capacity; and
- (v) Level G riser – 5% remaining capacity.

Our riser review is set out in Schedule 5.

## Major Findings and Recommendations

Major Findings	Recommendations
<b>Tenure Documents and Tenancy Issues</b>	
<p><b>Carriers without tenure:</b> The following identifiable Carriers appear to be occupying space on the Site without apparently any formal tenure arrangement (or without having served a LAAN as in the case of PIPE) or being invoiced any rental:</p> <ul style="list-style-type: none"> <li>(i) AAPT;</li> <li>(ii) Vocus;</li> <li>(iii) Optus Networks; and</li> <li>(iv) Nextgen.</li> </ul> <p>In the case of all of the above Carriers, it is noted that cabling only was evident in the risers and no items of telecommunications equipment were sighted on our Inspection.</p>	<p>Document the terms and conditions of any undocumented Carriers' occupancy and, to the extent practicable, pursue the payment of back rent from any Carrier occupying the Site without being invoiced any rental.</p> <p>Where back rent is pursued, the period for which payment should be sought is from the time that the Carrier first occupied the Site without paying rental (if known) to date.</p> <p>The information contained in Schedule 3 includes our estimate of the potential annual rental for each Carrier identified as occupying the Site.</p>
<p><b>Unknown / unidentified Carrier(s):</b> In addition to the Carrier(s) occupying the Site without tenure, unknown / unidentifiable Carrier(s) also appear to have installed telecommunications equipment on the Site without being the subject of formalised tenure.</p> <p>It is possible that some of this equipment belongs to tenants of the building however due to factors including labelling deficiencies, we were unable to confirm the identity of the entity (or entities) that have installed this equipment.</p>	<p>Confirmation of the identity (or identities) of the Carrier(s) responsible for the installation of the equipment and the basis / arrangements pursuant to which the equipment has been installed should be sought.</p> <p>Provided the responsible Carrier(s) can be identified, document the terms and conditions of the occupancy and, to the extent practicable, pursue the payment of back rent from any Carrier occupying the Site without any formal tenure arrangement and payment of rental.</p>

<b>Major Findings</b>	<b>Recommendations</b>
	<p>Australian Standards AS/NZS 5070.1 requires that all Carrier equipment is clearly labelled and identified, including cabling.</p> <p>Provided the responsible Carrier can be identified, the Carrier must be required to rectify any labelling deficiencies.</p> <p>Although in our view it is unlikely that Carriers will, if requested, return to the Site to label any unlabelled cables or equipment, if such a requirement is clearly stipulated in the Tenure Document it can and should be enforced as a tenure violation.</p>
<p><b>Expired Tenure:</b> The tenure term provided for in UeComm's Tenure Document (including any option provided for) expired on 30<sup>th</sup> September 2009 and despite being provided with a copy of lease proposals and a signed Heads of Agreement dated 22<sup>nd</sup> December 2015, no documentation or information was provided for our review to suggest any renewal or extension has been documented.</p>	<p>Pursue and enter into the appropriate renewal documentation so that the (current) terms and conditions of UeComm's occupation of the Site are documented.</p>
<b>Access</b>	
<p><b>Access Controls:</b> Improvements are required in respect of contractor and other third party access to the Site given the number of Carriers that have installed equipment on the Site without having formalised tenure and/or have installed equipment without the identity of the Carrier involved being known.</p>	<p>Implementation of additional measures to restrict access to areas housing telecommunications equipment from both a control and a WH&amp;S perspective is required.</p>

<b>Major Findings</b>	<b>Recommendations</b>
<b>Rental and Revenue Streams</b>	
<p><b>Electricity supply:</b> We encountered some difficulty in determining whether the electricity supply to each Carrier was separately metered and therefore whether Carriers were separately charged for electricity consumed or if they are utilising house power without paying for the electricity consumed by their equipment.</p> <p>Despite the above, it is assumed that any power consumed by those Carriers present without formalised tenure is being drawn from house power and is not being reimbursed by those Carriers.</p>	<p>Confirm the metering arrangements and ensure that all Carriers are responsible for payment of all electricity consumed by their equipment and pursues the requisite payment / contribution from Carriers where the obligation is not being complied with.</p>
<p><b>Use of house power:</b> The Tenure Document for UeComm provides that a separate electricity meter is to be installed and/or that the Carrier must pay for or reimburse the cost of the electricity used by their installation.</p>	<p>Enforce the requirement that all Carriers separately meter electricity consumption and pay for their own power usage.</p> <p>Where relevant, the appropriate reimbursement from any Carrier not meeting that obligation should be pursued.</p> <p>Where equipment has been installed pursuant to a LAAN, a Carrier is required, as per the <i>Telecommunications Act 1997</i> (Cth) ("Act"), to pay compensation to the Owner for expenses incurred by the Owner – including on account of the cost of power consumed by the Carrier's equipment. For the purposes of this Report we were not however provided with any documentation evidencing that any Carrier has been invoiced reimbursement fees.</p>

<b>Major Findings</b>	<b>Recommendations</b>
	In addition to the above, in future, the Manager will need to ensure that all future tenure documents (new or renewed) require separate metering by Carriers and that the obligation is complied with.
<p><b>Carriers not paying rental:</b> To the extent that the following Carriers appear to have installed equipment without formalised tenure arrangements and without paying any rental, the Owner is not benefiting from receipt of the rental that could potentially be derived from the Carriers' installations:</p> <ul style="list-style-type: none"> <li>(i) AAPT;</li> <li>(ii) Vocus;</li> <li>(iii) Nextgen;</li> <li>(iv) Optus Networks; and</li> <li>(v) unknown/unidentifiable</li> </ul> <p>In addition to the above, PIPE is occupying the Site pursuant to the service of LAANs and is therefore under no obligation to pay rental.</p>	<p>When documenting the Carriers' tenure in accordance with the recommendation made above, impose a rental payable for each Carrier that is within the estimated potential annual rental range set out in the Tenancy Register set out in Schedule 3.</p> <p>In the case of the unknown / unidentifiable Carrier(s), this is clearly subject to the Carriers' identity being confirmed in addition to confirming whether the equipment has been installed by tenants in accordance with their tenancies.</p>
<p><b>Carriers paying above rental range:</b> We note that three separate tenure arrangements appear to be in place in respect of UeComm's tenure in the three buildings that together make up the Riverside Quay Complex. In respect of this Site, only UeComm cabling was evident. A UeComm rack was however sighted in the MDF room of 6 Riverside Quay serving all three buildings within the Riverside Quay Complex.</p>	<p>Although no recommendation applies, we note that despite the rental payable being higher than our estimated potential rental, we would not endorse the Manager/Owner revising the rental downwards on any subsequent tenure negotiations as we base our estimates on current market conditions for newer tenure arrangements.</p>

<b>Major Findings</b>	<b>Recommendations</b>
<p>When assessing our estimated potential commercial rental, for the purposes of this Report, we have taken into account UeComm's installation across the whole of the Complex.</p> <p>When aggregated, the rental that UeComm appears to be paying in respect of the three Riverside Quay Complex buildings appears to be above the rental range expected for comparable tenants and installations in comparable sites, as does the rental referred to in the signed Heads of Agreement dated 22<sup>nd</sup> December 2015.</p>	
<b>WH&amp;S Issues</b>	
<p><b>Labelling deficiencies:</b> Other than the Foxtel satellite dishes on the roof, Most of the telecommunications equipment installed on the roof has not been labelled and identified in accordance with Australian Standards requirements. Clearly this is the case in respect of the equipment for whom we are unable to identify the responsible Carrier(s) however, equipment belonging to Foxtel was also inadequately labelled.</p> <p>It is possible that some of the rooftop equipment, in particular the yagi antennas and the Foxtel satellite dishes may have been installed by tenants however we are unable to confirm whether this is the case.</p> <p>For details refer to the telecommunications equipment and installations asset register prepared based on our Inspection set out in</p>	<p>Provided the responsible Carrier(s) can be identified, the Carrier(s) must be required to rectify any labelling and identification deficiencies.</p> <p>If once properly labelled the equipment and/or location is shown to be other than in accordance with any Carrier's Tenure Document (if any), then any tenure violations will also need to be addressed.</p> <p>Although in our view it is unlikely that Carriers will, if requested, return to the Site to label any unlabelled cables or equipment, if such a requirement is stipulated in the Tenure Document it can and should be enforced as a tenure violation.</p>

Major Findings	Recommendations
Schedule 4	
<p><b>Insufficient signage:</b> There is insufficient signage (including an absence of radiation warning and danger signs) in respect of equipment installed on the Roof.</p> <p>For details refer to the telecommunications equipment and installations asset register prepared based on our Inspection set out in Schedule 4.</p>	<p>Require and enforce the installation of signage to comply with WH&amp;S and Australian Standards, including roof surface marking for exclusion zones where required.</p>
<p><b>Unlocked ladder:</b> The roof access ladder was found to be unlocked thereby potentially exposing the rooftop to access by unauthorised parties.</p>	<p>Ensure enforcement of the requirement that the rooftop access ladder is locked and accessible only by authorised personnel.</p> <p>When Carriers arrive on Site to do works, they should be reminded to ensure all access doors are locked prior to their departure from the Site.</p>
<p><b>Firestopping:</b> The firestopping is not properly installed in the risers.</p>	<p>The Carriers must be requested to rectify the installation of the firestopping.</p>
<p><b>Rubbish / waste:</b> Rubbish / waste was found to have been left in a number of the risers inspected which constitutes both a WH&amp;S concern and possibly indicates the areas may have been accessed by unauthorised persons.</p>	<p>The Carriers in these areas must be requested to remove all rubbish/waste and any concerns regarding unauthorised access need to be dealt with as a priority.</p>
<b>Risers, Rooftops and Other Areas</b>	
<p><b>Redundant cabling:</b> Redundant cabling appears to have been left in place in the risers with the effect that in addition to taking up valuable riser space, the excess cabling is reducing overall riser</p>	<p>Although not currently stipulated in Tenure Documents, consideration should be given to introducing a provision in all new or renewed tenancies requiring the payment of a bond or other protection covering</p>

<b>Major Findings</b>	<b>Recommendations</b>
<p>capacity.</p> <p>For details refer to the riser review prepared based on our Inspection set out in Schedule 5.</p>	<p>cabling make good in the telecommunications risers.</p> <p>In the absence of such a requirement, it may be difficult for the Owner to recover costs associated with the costly and time consuming exercise of determining if redundant cabling is live or terminated.</p>
<p><b>No EMEG:</b> An EMEG indicates where any hazardous areas on the roof or other areas in or on the building are and none appears to have been provided despite the installation of rooftop equipment.</p>	<p>An EME report should be requested and obtained from the Carrier(s).</p> <p>The Manager should also insert clauses in all new or renewed tenure documents that require all wireless carriers to provide an EMEG and to update the EMEG on making any alterations to their installation and/or installing new equipment.</p>



## Strategic Recommendations

In summary, strategically we recommend that:

- (i) **capital and maintenance works** - the Manager develops practices that ensure all maintenance and capital works approved by the Owner undertaken on or near the mobile communications antennas above or on ceiling areas, and roof areas (including the façade) have been inducted with specific emphasis on the RF EMR hazards. Further information in relation to this can be found in the Regulatory / Statutory section of this Report.
- (ii) **make good** - when tenants leave the Site, a thorough make good inspection should be conducted to ensure that the tenant has also arranged the removal of their telecommunications cabling and equipment to prevent the risers (and other areas) from becoming overcrowded.
- (iii) **electricity metering** - in relation to all existing and new Carrier installations (including the existing Telstra (fibre) installation), it should be confirmed that the Carriers are separately metered and paying for their own electricity usage or reimbursing the Owner for electricity consumption costs (as applicable). We also do not recommend that owners or managers agree to a set or fixed electricity usage figure given the rate at which electricity charges are escalating.
- (iv) **digital TV** - the Manager may wish to review the risers to satisfy themselves that work undertaken by digital TV operators (such as Foxtel) is completed to the Manager's satisfaction and that firestopping is being properly replaced as required.
- (v) **riser review** - a review of all risers and their condition is undertaken by management.

## Regulatory/Statutory

It is difficult to comment on regulatory matters without first providing some background on applicable legislation and codes.

Whilst siteXcell is not a regulatory expert nor do we provide any legal advice in respect of the interpretation or application of any legislation, we do have experience in dealing with the main pieces of legislation and regulatory bodies governing the telecommunications industry.

In particular, we are able to provide general commentary on the following:

- *Telecommunications Act 1997 (Cth)*;
- *Telecommunications Code of Practice*;
- *Australian Communications Industry Forum (ACIF) Code*; and
- *Australian Communications and Media Authority (ACMA)*, previously referred to as the *Australian Communications Authority (ACA)*.

The governing legislation is extensive and contains provisions which are not directly relevant to the Owner's installations. We have therefore included below extracts and information which in our view may provide the Owner with some background information.

For information purposes and in accordance with the *Telecommunications Act 1997 (Cth)*, the Owner's current installations are deemed Low-Impact.

The following is an extract of information prepared by the Mobile Communications Forum (MCF):

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### **MCF Outline**

#### **Chapter 2 - Regulatory Framework for Low-Impact Facilities**

There are several regulatory documents for low-impact telecommunications facilities that must be read in conjunction with one another. The outline provided in these guidelines is for general background.

Note that the information contained below does not constitute the giving of legal or professional advice, and reliance should not be placed upon it in the absence of such advice.

#### **Principle Legislation**

##### ***Telecommunications Act 1997 (Cth)***

The *Telecommunications Act 1997 (Cth)* (as amended), which is Commonwealth legislation, provides that telecommunications carriers have certain rights to engage in particular activities, together with certain

immunities from State, Territory and local government laws in relation to the conduct of those activities.

These activities include:

- \* the inspection of land to determine whether it is suitable for the carrier's purpose
- \* the installation of specified facilities, including low-impact facilities
- \* the maintenance of facilities.

In carrying out these activities, a carrier must comply with a number of requirements which include:

- \* do as little damage as practicable
- \* act in accordance with good engineering practice and comply with recognised industry standards
- \* take all reasonable steps to restore the land and to protect the environment
- \* give notice to the owner and occupier/s of the land.

The Act also specifies that, in carrying out these activities, carriers must comply with the Telecommunications Code of Practice.

## **Supporting Legislation**

### ***Telecommunications Code of Practice 1997***

Schedule 3 (Clause 15) of the Telecommunications Act 1997 (Cth) requires carriers to comply with a Ministerial Code of Practice.

Generally speaking, the Code places requirements on carriers to conduct their activities for which they are to exercise their statutory rights and immunities in a way that responds to the rights of individual landowners, affected utility service organisations and management authorities and to broader community concerns on environmental issues.

Those requirements include:

- \* Before commencing installation carriers must notify landowners (and occupiers if they are different from the owners), including a local council where it is the landowner or manager of public land.
- \* Carriers must do as little damage as practicable and act in accordance with good engineering practice.
- \* Carriers must comply with an objection and consultation process to resolve particular objections to their activities.
- \* When installing a low-impact facility between 10.00pm and 7.00am, carriers must make no more noise than is allowed under State or Territory law applying to similar activities.

- \* Carriers must take all reasonable steps to ensure that the land is restored to a condition similar to the condition before the activity began. This must start within 10 days of the facility being installed, unless otherwise agreed with the landowner/occupier.
- \* Before engaging in a low-impact facility activity, carriers must consider opportunities to co-locate.

***Telecommunications (Low-Impact Facilities) Determination 1997 (as amended)***

The Telecommunications (Low-impact Facilities) Determination 1997 (as amended) is a Ministerial determination made under Clause 6(3) of the Telecommunications Act.

***The Low-Impact Determination defines those new installations activities that are low-impact, by reference to WHAT facility is proposed and WHERE it is proposed to be installed.***

Chapter 4 of these guidelines deals with the WHAT part of the definition. It goes through, in some detail, those parts of the Low-impact Determination that are relevant to mobile carriers.

**The following is an explanation of the WHERE part of the definition.**

***WHERE a facility is located affects whether it is low-impact or not***

When assessing whether a facility is low-impact we must first establish the nature of the land use where the facility is proposed.

The Low-Impact Determination identifies five land use types or areas by reference to the Principal Designated Use.

**The areas have an order of importance, based on zoning under State or Territory law, so that an area only has its highest possible zoning.**

The order of priority is:

1. Environmental Significance areas
2. Residential areas
3. Commercial areas
4. Industrial areas
5. Rural areas

So, even though low-impact facilities are exempt from State and Territory planning law, it does have relevance in defining the "areas" referred to in the Low-impact Determination.

Where the land use/zoning objectives for the land relates to more than one area and there is no indication of the predominant, preferred or most likely use, the provisions relating to most sensitive area must be applied in determining the Principal Designated Use. For example, in the case of a mixed use designation which allows for residential, commercial and

industrial land uses, the site should be considered to have a residential Principal Designated Use.

Land that is in a built up area that cannot be otherwise described as a commercial, industrial or rural area, is to be considered a residential area.

Land that is not part of a built up area and cannot be otherwise described as a commercial, industrial or residential area, is to be considered a rural area.

*Example: A 1.8m dish is low-impact in industrial and rural areas, but in residential and commercial areas the dish must be no more than 1.2m in diameter to be low-impact.*

***A facility in an area of Environmental Significance is never low-impact.***

There are provisions in the Low-impact Determination which explain what is an area of Environmental Significance.

### **ACIF: C564: 2011 Mobile Phone Base Station Deployment Code**

From October 2002, all carriers must comply with the *C564:2011 Mobile Phone Base Station Deployment Industry Code*, also referred to as the "ACIF Code".

The ACIF Code requires carriers to notify and consult on certain types of low impact facilities. These notification and consultation provisions came in to place in April 2003.

The Code requires carriers to:

- \* have written procedures for site selection;
- \* improve notification and community consultation procedures;
- \* design and operate base stations with the objective of minimising electromagnetic emissions; and
- \* Provide electromagnetic radiation (EMR) emission reports as per the Federal Department of Health's requirements.

### **Roles and responsibilities of the regulators**

#### ***Department of Communications, Information Technology and the Arts***

The Department of Communications, Information Technology and the Arts provides strategic advice and professional support to the Australian Government on a wide range of policy areas including telecommunications, information technology and the information economy.

The Minister for Communications, Information Technology and the Arts is ultimately responsible for telecommunications regulation.

***Australian Communications and Media Authority (ACMA)***

The Australian Communications and Media Authority (ACMA) is responsible for regulating telecommunications and radio communications, including promoting industry self-regulation and managing the radio frequency spectrum. The ACMA also has significant consumer protection responsibilities.

Specifically, the ACMA is responsible for the following:

- \* issuing carrier licences
- \* regulating service providers
- \* reporting on the performance of service providers with reference to Consumer satisfaction and benefits, and quality of service
- \* registration (with safety-net style enforcement powers) of industry
- \* operations and technical codes of practice
- \* setting industry standards where codes fail or fail to be created
- \* regulating and enforcing carriers' powers and immunities
- \* handling public enquiries about certain matters related to telecommunications
- \* handling investigations of certain matters related to Telecommunications, in particular those related to breaches of the Act
- \* ensuring industry compliance with mandatory standards and codes

***Telecommunications Industry Ombudsman***

The Telecommunications Industry Ombudsman (TIO) is a formal and independent dispute resolution scheme. The TIO can investigate a complaint about failure to give notice or the manner in which a carrier has entered on to land. Carriers must comply with a direction issued by the TIO, pursuant to the TIO's constitution.

***Australian Communications Industry Forum***

The Australian Communications Industry Forum (ACIF) is an industry owned, resourced and operated company established by the telecommunications industry in 1997 to implement and manage communication self-regulation within Australia.

ACIF's role is to develop and administer technical and operating arrangements that promote both long term interests of end-users and the efficiency and international competitiveness of the Australian communications industry.

This primarily involves:

- \* developing Standards and Codes to support competition and protect consumers, driving widespread compliance
- \* facilitating resolution of strategic and operational industry issues

The following are excerpts from the ACIF Code:

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**ACIF Code Excerpt**

The ACIF Code in section 10.2 RF EMR Health and Safety Information, subset 10.2.2 states:

"For a specific site, a Carrier must provide, as soon as practicable and at no charge, the following information to members of the public on request:

- (a) a description of their radiofrequency infrastructure on the site;
- (b) the radio frequency bands as per the ARPANSA EME Report format;
- (c) a declaration that their infrastructure is in compliance with the ACMA mandatory limits for general public exposure to RF EMR;
- (d) details of any RF hazard areas associated with their infrastructure and management practices to restrict access to RF hazard areas;
- (e) the levels of exposure to EMR emissions in accordance with the ARPANSA report (see Appendix C – ARPANSA EME Report format); and
- (f) coverage information of the area."

**Appendix B – Additional Design Information (excerpt)**

1. *Standards Australia AS 5070.1*

Infrastructure should be designed and installed having regard to the requirements of AS 5070.1 Australian Standard "Siting and Operation of Radiocommunications Facilities".

2. *ACMA Guide – "Accessing & Installing Telecommunications Facilities – A Guide" October 1999*

Infrastructure should be designed & installed in compliance with the requirements of the ACMA guide - "Accessing and Installing Telecommunications Facilities - A Guide October 1999".

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In respect of the requirements set out in AS 5070.1, we note the following:

- 1. On-site radiation folders (also known as EMEGs) are required for mobile and wireless Carriers. These are typically placed in the Carrier's equipment shelters. We would however suggest that the Owner may wish to have a copy, which they are entitled to, for their own files.

2. There are a variety of other Australian Standards referred to in AS 5070.1 regarding design and construction in respect of which we are unable to comment as this is outside our immediate area of expertise. If requested by the Owner, siteXcell is able to assist in coordinating the engagement of a consultant specialising in design and construction.
3. Appropriate warning signs are required to warn of hazards on the Site.
4. OH&S legislation must be observed at all times by operational and maintenance staff.
5. Site management (i.e. the Owner) is accountable for the coordination of safety information from all users and must ensure that the requirements of AS 5070.1 are met.
6. Carriers must supply all relevant safety and radiation information required by the Manager and must ensure this information is up-to-date.
7. Carriers should assess the radiofrequency levels of equipment installed and recorded at the Site to ensure that the requirements of AS 5070.1 are met.
8. The site manager must ensure that the relevant areas of the Site are secured and warning signs are displayed in accordance with AS 5070.1.
9. The site technical manager (i.e. the Owner) must ensure that engineering and other steps are taken to keep exposure levels below occupational limits in areas where authorised staff are required to work.
10. Public access to any hazardous areas on the Site should be restricted through the installation of suitable physical barriers such as fencing and lockable access gates or doors. Suitable warning signs should be installed at key points around the perimeter of any existing hazards.

### **Summary of Regulatory Compliance**

Assuming that the Carriers' town planners correctly determined that the installations were considered low-impact and the relevant local council was properly consulted, in our view, the regulatory requirements for low-impact installations have been followed. We did not observe anything on Site that would indicate any violations of the matters prescribed by the *Telecommunications Act 1997 (Cth)* and *Telecommunications Code of Practice 1997* in respect of low-impact installations.

The applicable legislation and codes require wireless/mobile Carriers to provide EME information to the public or site manager if requested. As it is the Manager's responsibility to protect workers and other visitors on the Site, in our view, requesting EME information from all wireless/mobile Carriers (via an EMEG) is a critical step in recognising and protecting against hazardous areas and conditions.



We have not performed an audit of the Manager's internal records and processes/approvals in respect of the installations on this Site and are unable to comment on the compliance of the Carriers' other requirements, as provided for under the legislation.

## **Schedule 1 – Schedule of Information**

In addition to the Tenure Documents listed in Schedule 2, the following was provided by or on behalf of the Manager for our review and consideration:

- Lease Proposal issued to UeComm dated 9 February 2012
- Lease Proposal issued to UeComm dated 11 January 2011

**Schedule 2 – Tenure Documents Reviewed**

	<b>Document</b>	<b>Parties</b>	<b>Dated</b>
<b>1.</b>	LAAN	Pipe Networks Pty Limited	13 March 2013
<b>2.</b>	LAAN	Pipe Networks Pty Limited	19 April 2012
<b>3.</b>	Aerial Licence Agreement	Clever Choice Properties Pty Limited and UE Access Pty Limited	10 October 2000

### Schedule 3 – Tenancy Register

Carrier Installation	Pipe Networks Pty Limited	Uecomm Pty Limited (fibre)	AAPT Limited	Vocus Communications (fibre)	Nextgen Networks Pty Limited
Tenure Document	LAAN(s)	Aerial Licence Agreement	No documented tenure	No documented tenure	No documented tenure
Tenure Status (eg: current, expired, undocumented)	Subject to statutory rights	<b>Expired</b>	N/a	N/a	N/a
Tenure Term	N/a	01.10.2000 - 30.09.2005	N/a	N/a	N/a
Renewed / Original tenure commenced	N/a		N/a	N/a	N/a
Remaining Options	N/a		N/a	N/a	N/a
Commencing annual Rent (ex. GST)	N/a	\$8,000	N/a	N/a	N/a
Escalation %	N/a	4%	N/a	N/a	N/a
Current annual rent (ex. GST) based on Tenure Documents	N/a	\$14,983.85 (applying escalation post-expiration)	N/a	N/a	N/a
Rent currently invoiced?*	N/a	Tenancy Schedule: \$1,000 (term 01.10.2005 - 30.09.2010)	N/a	N/a	N/a
Separate metering required	N/a	Yes	N/a	N/a	N/a
Registered in ACMA?	N/a	N/a	N/a	N/a	N/a
Registered in NSA?	N/a	N/a	N/a	N/a	N/a
Tenure Comments (eg: No tenure; on holdover; upcoming expiry; upcoming review etc)	LAAN 13.03.2013 - Basement carpark and basement to Lv 6; LAAN 19.04.2012 - MDF Room, carpark and Lv 2	Lease Proposals dated 11.01.2011 & 09.02.2012 (both \$12,000 @ 5% 01.10.2010 - 30.09.2015)	No tenure	No tenure	No tenure
Equipment sighted on inspection	Cabling only in risers	Cabling only in risers	Cabling only in risers	Cabling only in risers	Cabling only in risers
Potential / Market rental**	Not applicable	\$5,000 - \$6,000 in respect of the whole Riverside Quay Complex	\$0 - 1,000	\$0 - 1,000	\$0 - 1,000

<b>Carrier Installation</b>	<b>Optus Networks Pty Limited</b>	<b>Unknown / unidentified Carrier(s)</b>
Tenure Document	No documented tenure	No documented tenure
Tenure Status (eg: current, expired, undocumented)	N/a	N/a
Tenure Term	N/a	N/a
Renewed / Original tenure commenced	N/a	N/a
Remaining Options	N/a	N/a
Commencing annual Rent (ex. GST)	N/a	N/a
Escalation %	N/a	N/a
Current annual rent (ex. GST) based on Tenure Documents	N/a	N/a
Rent currently invoiced?*	N/a	N/a
Separate metering required	N/a	N/a
Registered in ACMA?	N/a	N/a
Registered in NSA?	N/a	N/a
Tenure Comments (eg: No tenure; on holdover; upcoming expiry; upcoming review etc)	No tenure	No tenure
Equipment sighted on inspection	Cabling only in risers	Roof: 4 x yagi antennas; 1 x flat microwave & 4 Foxtel dishes
Potential / Market rental**	\$0 - 1,000	\$9,000 - \$14,000

\* Per the information provided

\*\* Given these are existing installations & assuming Carriers did not exercise statutory access powers.

Note: The figures contained in this register do not include any back rent.

## Schedule 4 – Asset Registers

Installation Location	Carrier Name	Equipment Quantity	Equipment Type	Equipment Size	OH&S Issues	Description	Tenure Issues	Description
No MDF Rooms in this building - Shared with 4 and 6 Riverside Quay								
		0						

### Roof

Installation Location	Carrier Name	Equipment Quantity	Equipment Type	Equipment Size	OH&S Issues	Description	Tenure Issues	Description
Roof								
General					Yes	Roof access ladder not locked		
Lower Roof	Unknown (possibly tenant digital TV)	3	Yagi Antenna	1 mtr long	Yes	Insufficient labelling	Yes	Possibly tenant equipment
Lower Roof	Unknown	1	Flat microwave	300x300mm	Yes	Warning Signage and labelling not sufficient	Yes	No tenure for existing installation
Lower Roof	Foxtel	4	Satellite Dish	900 dia	Yes	Insufficient labelling	Yes	Possibly tenant equipment

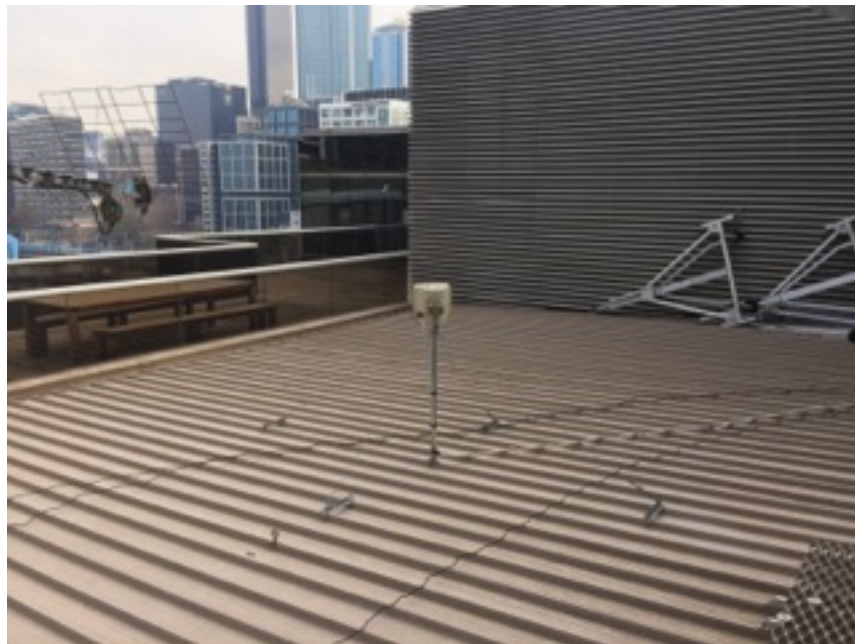
## Schedule 5 – Riser Review

Installation Location	Side of Building	Carrier Name	Equipment Quantity	Equipment Type	Equipment Size	WH&S Issues	Description	Tenure Issues	Description	Remaining Capacity %
Level										
8	East	Telstra Fibre, Optus Networks, Vocus, Pipe Networks, Nextgen	0	Cables only	N/A	Yes	Rubbish left, redundant cabling	No	N/A	30%
6	East	Telstra Fibre, Optus Networks, Vocus, Pipe Networks, Nextgen, UeComm, AAPT	0	Cables only	N/A	Yes	Rubbish left, redundant cabling, firestopping missing	No	N/A	15%
4	East	Telstra Fibre, Optus Networks, Vocus, Pipe Networks, Nextgen, UeComm, AAPT	2	Telstra Wall Cabinet	300x300mm	Yes	Fire stopping missing, rubbish left	No	N/A	15%
2	East	Telstra Fibre, Optus Networks, Vocus, Pipe Networks, Nextgen, UeComm, AAPT	2	Optus Networks Wall Cabinet	300x300mm	Yes	Rubbish left, redundant cabling, firestopping missing	Yes	No tenure for existing installation	10%
G	East	Telstra Fibre, Optus Networks, Vocus, Pipe Networks, Nextgen, UeComm, AAPT	0	Cables only	N/A	Yes	Fire stopping missing, rubbish left	No	N/A	5%
B	East	Telstra Fibre, Optus Networks, Vocus, Pipe Networks, Nextgen	0	Cables only	N/A	Yes	Rubbish left, redundant cabling	No	N/A	
			4							

## Schedule 6 – Photographs taken on Inspection



Roof – unknown digital TV yagi antennas



Roof – unknown flat microwave antenna

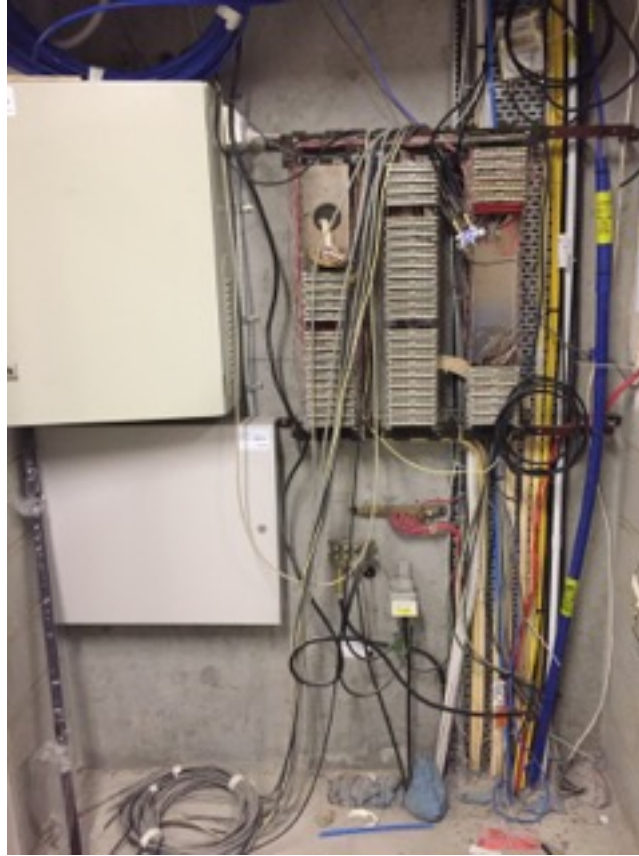




Roof – Foxtel satellite dishes



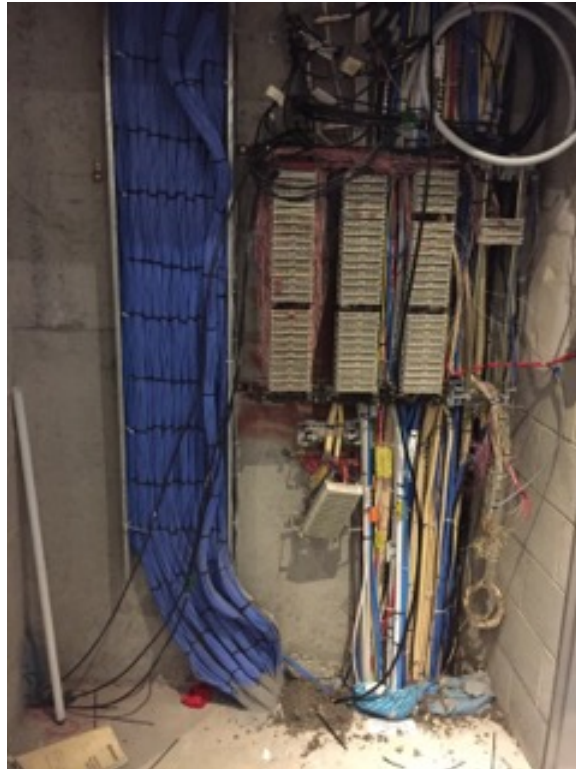
Roof – access door signage



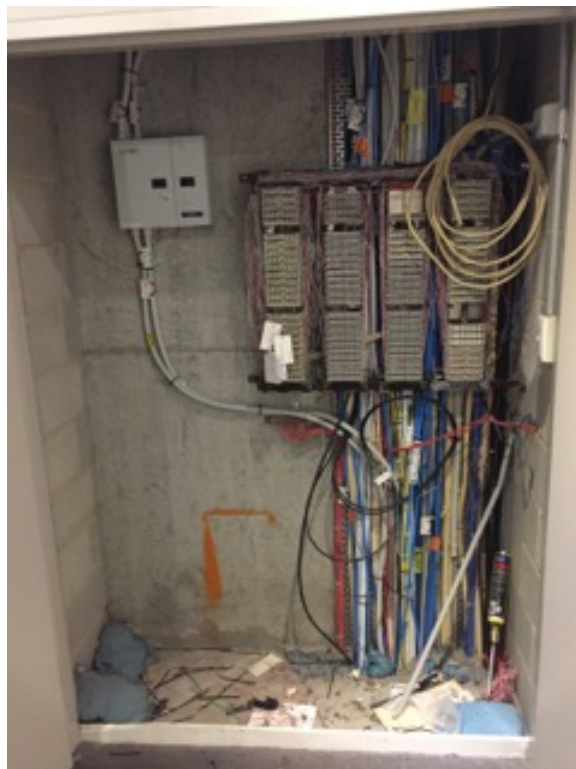
Riser L8 – redundant cabling



Riser L8 – missing fire stopping



Riser L6 – redundant cabling



Riser L4 – rubbish, redundant cabling, missing fire stopping

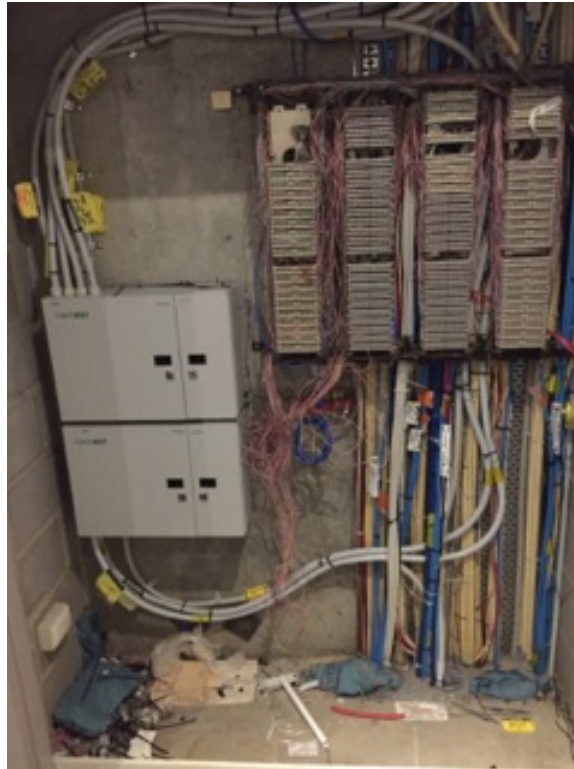


Riser L4 – redundant cabling

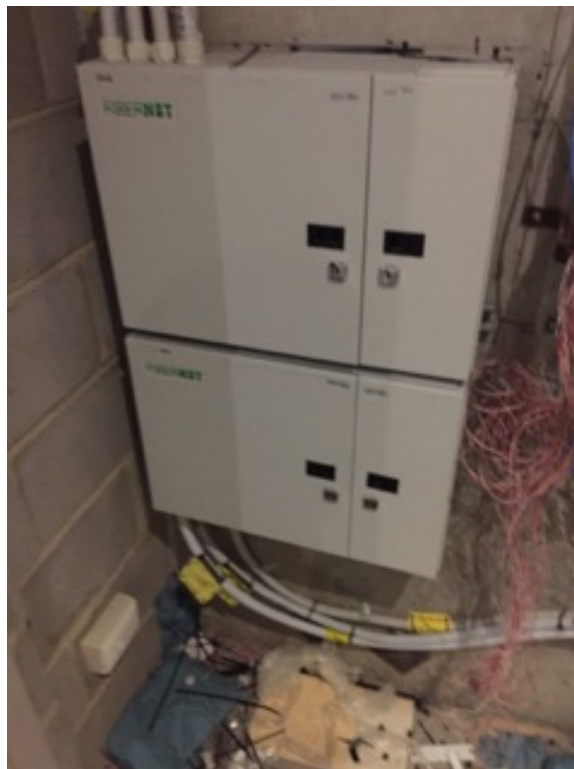


Riser L4 – Telstra cabinet

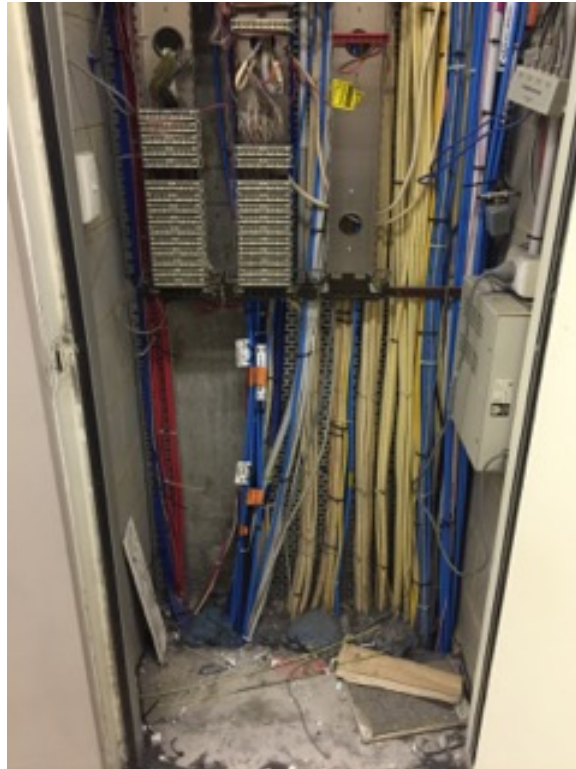




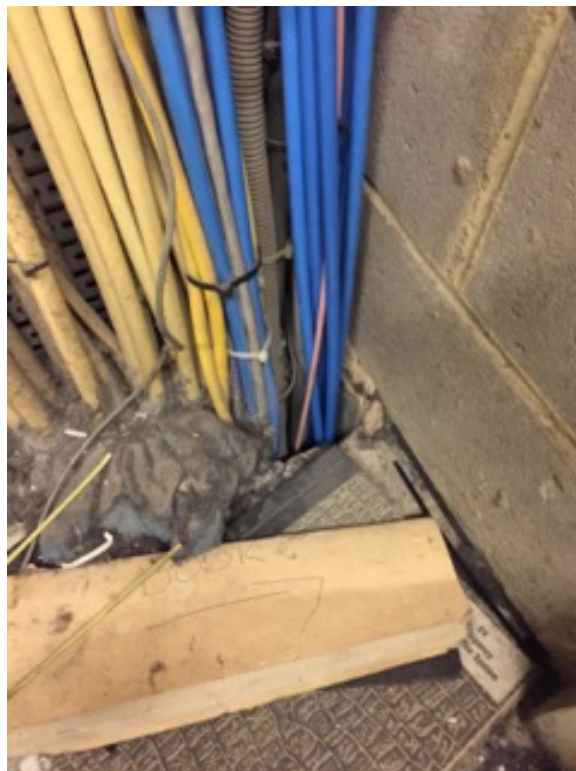
Riser L2 – rubbish, redundant cabling



Riser L2 – Optus Networks cabinets



Riser G - rubbish



Riser G – missing fire stopping