

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Telecommunications Act 1997

Subsection 81(1)

NOMINATED CARRIER DECLARATION

After considering an application dated 19 August 2014 made to the Australian Communications and Media Authority (**ACMA**) under section 77 of the *Telecommunications Act 1997* by Opticomm Co Pty Ltd (ACN: 117 414 776) (the **applicant**) in relation to network unit or units (the **network unit or units**) operated by the applicant and owned by:

- Lend Lease Communities (Stoneleigh Reserve) Pty Ltd (ACN: 010 920 653);
- Lend Lease Communities (Atherstone) Pty Ltd (ACN: 110 348 108);
- Lend Lease Communities (Gawler) Pty Ltd (ACN: 139 895 195);
- Lend Lease Communities (Australia) Ltd (ACN: 000 966 085);
- Lend Lease Communities (Springfield) Pty Ltd (ACN: 087 876 864);
- Trustee for VLL Richmond Trust (ABN: 96 017 704 895);
- Lend Lease Communities (Redbank Plains) Pty Ltd (ACN: 127 727 280);
- Lend Lease Development Pty Ltd (ACN: 000 311 277);
- Maryland Development Company Pty Ltd (ACN: 069 368 896);
- Lend Lease Communities (Blakeview) Pty Ltd (ACN: 131 672 403);
- Lend Lease Communities (Craigieburn) Pty Ltd (ACN: 081 607 801);
- Lend Lease Communities (Yarrabilba) Pty Ltd (ACN 103 578 436);
- Lend Lease Communities (Alkimos) Pty Ltd (ACN 145 185 468); or
- any Related Body Corporate (as that term is defined in the *Corporations Act 2001*) from time to time of any of the above network owners,

(each, a "**Lend Lease network owner**") and for which the applicant and the relevant Lend Lease network owner have entered into a nominated carrier agreement in substantially the same form as those submitted with the application dated 19 August 2014,

I, Bridget Smith, Section Manager, delegate of the ACMA, acting under subsection 81(1) of the *Telecommunications Act 1997*, being satisfied that:

- (a) if the applicant were declared to be the nominated carrier in relation to the network unit or units, it would be in a position to comply with all of the obligations imposed on the applicant in the applicant's capacity as the nominated carrier in relation to the network unit or units; and
- (b) the making of the declaration will not impede the efficient administration of:
 - (i) the *Telecommunications Act 1997*;
 - (ii) the *Telecommunications (Consumer Protection and Service Standards) Act 1999* and regulations under that Act; or
 - (iii) the *Telecommunications Universal Service Management Agency Act 2012*;

declare that the applicant is the nominated carrier in relation to all network units operated by the applicant and owned by any Lend Lease network owner.

Dated the 28th of October 2014

Signed *BCSmith*
Delegate of the Australian Communications and Media Authority