

Date: 18/03/2015  
To: Miss Sandra Daniel  
Company:  
Address: 138-140 Elizabeth Drive  
Liverpool, NSW 2170

### ENQUIRY DETAILS

Location: Walshaw Street, Penrith, NSW 2750  
Sequence No.: 44483111  
DBYD Reference: 8957583

In relation to your enquiry of the above address, Optus advises as follows:

**The records of Optus disclose that there ARE underground FIBRE OPTIC TELECOMMUNICATIONS cables in the vicinity of the above enquiry as per the attached plan(s). This reply is valid for a period of 30 days from the date above.**

### IMPORTANT INFORMATION

Drawings and Plans provided by Optus are reference diagrams which were correct at the time the asset was built. Exact ground cover and alignments cannot be provided with any certainty as these may alter over time. Depths of Telecommunications plant vary considerably as do alignments. It is essential to uncover the asset and positively identify the assets exact location.

Optus plans are provided as a guide only and the completeness of the information cannot be guaranteed.

### “DUTY OF CARE”

When working in the vicinity of Telecommunications plant you have a legal “Duty of Care” that must be observed.

It is the responsibility of the owner and any consultant engaged by the owner, including an architect, consulting engineer, developer and head contractor to design for minimal impact to Optus plant. Optus will provide assistance at this design stage through the provision of plans and sketches or consultation.

It is the owner’s (or constructor’s) responsibility to:-

- a) Request plans of Optus plant for a particular location at a reasonable time before construction begins. If you have doubts about the presence of Optus assets we strongly recommend that you engage an Optus Accredited plant locator.
- b) Visually locate Optus plant by hand digging or using non-destructive water jet method where construction activities may damage or interfere with Optus plant
- c) Contact Optus Network Operations – Asset Analyst (details below) if Optus plant is wholly or partly located near construction activities

## **CRIMINAL CODE ACT 1995**

The following is an extract from the Criminal Code Act 1995 and is applicable to Optus plant

### **Chapter 10** National infrastructure

#### **Part 10.6** Telecommunications Services

#### **Division 474** Telecommunications offences

#### **Sect 474.6** Interference with facilities

- 1) A person is guilty of an offence if the person tampers with, or interferes with, a facility owned or operated by:
  - (a) a carrier; or
  - (b) a carriage service provider; or
  - (c) a nominated carrier.

Penalty: Imprisonment for 1 year.

- 2) For the purposes of an offence against subsection (1), absolute liability applies to the physical element of circumstance of the offence, that the facility is owned or operated by a carrier, a carriage service provider or a nominated carrier.
- 3) A person is guilty of an offence if:
  - (a) the person tampers with, or interferes with, a facility owned or operated by:
    - i.a carrier; or
    - ii.a carriage service provider; or
    - iii.a nominated carrier; and
  - (b) this conduct results in hindering the normal operation of a carriage service supplied by a carriage service provider.

Penalty: Imprisonment for 2 years.

- 4) For the purposes of an offence against subsection (3), absolute liability applies to the following physical elements of circumstance of the offence:
  - (a) that the facility is owned or operated by a carrier, a carriage service provider or a nominated carrier;
  - (b) that the carriage service is supplied by a carriage service provider.
- 5) A person is guilty of an offence if:
  - (a) the person uses or operates any apparatus or device (whether or not it is comprised in, connected to or used in connection with a telecommunications network); and
  - (b) this conduct results in hindering the normal operation of a carriage service supplied by a carriage service provider.

Penalty: Imprisonment for 2 years.

## **DAMAGE**

### **ANY DAMAGE TO OPTUS NETWORK MUST BE REPORTED TO 1800 500 253 IMMEDIATELY**

The owner is responsible for all plant damage when works commence prior to obtaining Optus Drawings, or failure to follow instructions.

Optus reserves the right to recover compensation for loss or damage to its cable network and other property including consequential loss

## **ASSET RELOCATIONS**

You are not permitted to relocate or alter any Optus assets or network under any circumstance.

For all enquiries relating to the relocation of Optus assets please email [Fibre.Locations@optus.net.au](mailto:Fibre.Locations@optus.net.au)

## ESSENTIAL PRECAUTIONS AND APPROACH DISTANCES

**Note: If the following clearances cannot be maintained, please contact Optus Network Operations Asset Analysis Team for advice on how to resolve the situation.**

1. On receipt of plans and before commencing excavation work or similar activities near Optus plant, carefully locate the plant first to avoid damage. Engage an Optus accredited locator to undertake exposure of the Optus plant when working within the following approach distances.

Where Optus plant is in an area where road and footpaths are well defined by kerbs or other features a minimum clear distance of 1.0m must be maintained from where it could be reasonably presumed that plant would reside.

In non established or unformed reserves this distance must be at least 3 metres.

In country or rural areas which may have wider variations in reasonably presumed plant presence, the following minimum approach distance applies:

- a) Parallel to plant: 5 metres

**Note: Indicated depths may vary significantly and pot-holing needs to be undertaken within extreme care, commonsense and using techniques least likely to damage cables. Potholing is only to be undertaken by an Optus accredited plant location contractor.**

If construction work is parallel to Optus plant, then careful hand digging or using non destructive water jet method (pot holing) at least every 5m is required to establish the location of the plant, confirming the location of the plant prior to work commencing.

Under no circumstances is crossing of Optus plant to be performed without first exposing the Optus plant and having an Optus representative present onsite.

2. Maintain the following minimum clearance between construction activity and the actual location of Optus plant.

<b>Jackhammers / Pneumatic Breakers</b>	Not within 1.0m of actual location
<b>Vibrating Plate or Wacker Packer Compactor</b>	Not within 0.5m of actual location  300mm compact clearance before compactor can be used across Optus ducts  750mm compact clearance cover before compactor can be used across Optus <i>Direct Buried</i> cable
<b>Boring Equipment (in-line, horizontal and vertical)</b>	Not within 5.0m of actual location without Optus representative onsite  Constructor to hand dig or non-destructive water jet method (pot holing) and expose the Optus plant  Not to cross the Optus plant without first exposing the plant at the crossing point and without Optus representative onsite
<b>Heavy vehicle Traffic (over 3 tonnes)</b>	Not to be driven across Optus ducts or plant with less than 600mm of cover  Depth to be verified via hand digging
<b>Mechanical Excavators, Farm ploughing, Boring, Tree removal, fencing</b>	Not within 1.0m of actual location  Constructor to hand dig or use non-destructive water jet method (pot holing) and expose plant

All Optus pits and manholes should be a minimum of 1.0m in from the back of kerb or within 15m of street intersection after the completion of your work.

All Optus conduit should have the following minimum depth of cover **after the completion of your work:-**

- **Footway                      600mm**
- **Roadway                1000mm at drain invert and at road centre crown**

In cases where it is considered that these clearances cannot be maintained at the completion of works advice is to be sought from the Optus Damages and Relocations Team

### FURTHER ASSISTANCE

Assistance can be obtained by contacting Optus Network Operations Asset Analysis on **1800 505 777**

Where an on-site location is provided, the owner is responsible for all costs associated with hand digging or use of non-destructive water jet method (pot holing) to visually locate and expose Optus plant.

If plant location drawings or visual location of Optus plant by digging reveals that the location of Optus plant is situated wholly or partly where the owner plans to work, then Optus Damages and Relocates Team must be contacted through Optus Network Operations Asset Locations to discuss possible engineering solutions.

### PRIVATE RESIDENTIAL LANDOWNERS and RURAL LANDOWNERS

Where Optus owned cable crosses private residential property or agricultural land, Optus may provide a once off free onsite electronic cable location. Optus Network Operations Asset Analyst will provide assistance in determining whether a free on-site location is required.

Please note:

- The exact location, including depth of cables can only be verified by pot holing which is not covered under this service
- This service is only available to assist private residential land owners and rural land owners
- The service covers one hour onsite only. Additional time will be charged at the current nominal rate.

### OPTUS ENGINEERING DRAWING SYMBOLS

