




Heads of Terms Agreement

Tweed Shire Council
 PO Box 816
 Murwillumbah NSW 2484


Our Ref: Pottsville Beach - K

As the landowner/authorised representative, in-principle, I am accepting the design proposal and commercial arrangements as detailed within the attached letter dated 13 December 2012, *subject to Council approval* 

DATE: *13 December 2012*

SIGNED by

DAVID KEENAN
 Name


 Signature of Party

GENERAL MANAGER
 Authority of Party (Landowner, Director)
 TWEED SHIRE COUNCIL

Please return by Facsimile on (02) 9469 7601 or by email at nsw.sae@visionstream.com.au and mail the original copy utilising the return post envelope to PO Box 1125, Mascot NSW 1460.



PO Box 1125
Mascot NSW 1460
T: (02) 9434 3463
F: (02) 9469 7601

13 December 2012

Attn: Messrs Troy Green & Mark Tickle
Tweed Shire Council
PO Box 816
Murwillumbah NSW 2484

By email: tgreen@tweed.nsw.gov.au
MTickle@TWEED.nsw.gov.au

Our Ref: Pottsville Beach - K

Dear Messrs Green & Tickle,

Proposed NBN Network Base Station Facility – Heads of Terms Agreement

I am writing to you to express our interest in your property as a potential site for an NBN fixed wireless broadband facility. The NBN is a high speed broadband network that is intended to utilize a combination of optical fibre, fixed wireless and satellite technology to offer advanced broadband services to premises across Australia. As part of the progressive roll out, these improvements to broadband services will ultimately deliver benefits to various areas such as business, education, entertainment and health.

I would also like to re-iterate that Ericsson acts on behalf of NBN Co. as project manager to establish the infrastructure required to facilitate the fixed radio (wireless) component of the National Broadband Network.

Ericsson has in turn engaged Visionstream to undertake preliminary environmental, design and site acquisition investigations in relation to the establishment of the required radio base station infrastructure for the network. As part of these investigations the property in your ownership/management has been identified as a suitable candidate to establish a radio base station to enable and provide high quality wireless broadband services to the local community.

In moving forward we will seek confirmation of your in-principle support for the proposal on your property so NBN Co. can make a final assessment of the candidate to progress with. This is a non-binding agreement used to help us indicate your interest and allow NBN Co. to proceed with detailed design drawings, required planning approvals and formalising a tenure agreement with a degree of confidence.

In order to ensure there is mutual support for this proposal and to proceed to the next stage of our discussions, please find below an outline of our proposal for your consideration.

Installation Proposal

NBN Co. would propose to install on the property a radio network base station facility comprising of:

- A freestanding monopole of approximately 35m in height
- Ground equipment units at the base of the facility

Example drawings of the facility are attached for reference purposes. Detailed drawings will be provided for your formal approval.

The location of the facility on the property will be in accordance with our on-site discussions.

Construction of the facility will take 4-6 weeks of intermittent works and will be coordinated with you. Once installed the facility is remotely monitored and ongoing visits will be rare. NBN Co. will require 24 x 7 access however in the event of equipment failure in accordance with mutually agreed protocols.

NBN Co will look to establish a separately metered electricity supply for the facility as directed by the local power authority. In the unlikely event that a separate supply is not possible we would look to agree an appropriate reimbursement arrangement.

Commercial Arrangements

NBN Co. would look to enter into a formal tenure agreement with the landowner to protect both parties' interests. The essential terms of this agreement are proposed as follows for your consideration.

- Rent:** \$10,000 gross per annum (exclusive of GST). This is a gross rent and is inclusive of all rates, taxes, statutory and building outgoings.
- Term:** 4 x 5 years
- Rent Reviews:** 2.5% per annum
- Commencement:** The date the parties execute the tenure agreement or earlier by mutual agreement.
- Permitted Use:** NBN Co will use the Premises for the purpose of constructing, maintaining and operating a telecommunications network and telecommunications service. The Tenant may at any time during the Term install, remove, modify, vary, maintain, use and operate on the Premises such Equipment as is necessary for the use permitted by this Lease now and in the future

The rental offer is based on parameters provided by NBN Co. and is considered representative of typical commercial arrangements for similar communications installations in the region and fair compensation for the limited area of land being utilised. The NBN network is a commonwealth government initiative to provide an open access broadband service to local communities and is not being deployed by a commercial operator for direct financial gain. In this context NBN Co. has strict rental budgets and such operational costs will be a consideration in determining the candidate site to proceed with.

Note that entering into this proposal on the above terms and conditions is subject to:

1. Approval by NBN Co's financial delegate
2. Lessor's approval of plans
3. Obtaining the necessary Town Planning Approval
4. Lessor(s) to provide an active ABN#
5. ABN# must match the Lessor(s) on the Lease Agreement

NBN Co. has a standard form of lease which we propose be utilised as the basis for formal agreement. Once NBN Co. has confirmed its intent to proceed with the facility on your property a formal document will be issued for review and execution. This can naturally be referred to your legal advisor but please note that each party will be required to pay their own legal costs.

Moving Forward:

We would kindly ask that you please confirm your acceptance of the installation design and commercial arrangements by signing and dating the last page of this Heads of Agreement and returning it to us either **by fax/email and the original by return post (please see details of the foot of page 3) or during our site visit in the coming week..**

If you have any further queries, please do not hesitate to contact me on 0418 758 616.

Yours sincerely



Jason Roberts BProp
Property Acquisition Officer

Encl: Example Drawings of the Facility

→ Fixed Wireless Fact Sheet

What is the National Broadband Network?

The National Broadband Network (NBN) is designed to provide high speed broadband access to 100 per cent of Australian premises. The NBN is a nation-building program with the potential to lift Australia's productivity and will provide a broadband network to serve Australia for decades to come.

To reach everyone in our vast country, the NBN will be delivered via an optimal mix of fibre optic cabling, fixed wireless and satellite technologies. These fixed wireless and satellite technologies represent a significant improvement over services currently available to many Australians living in regional and remote communities.

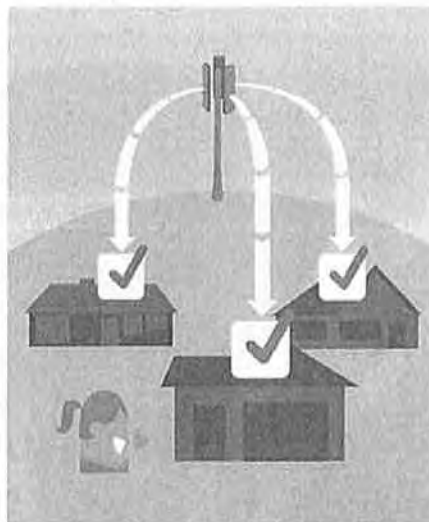
How does fixed wireless work?

Australians who receive NBN's fixed wireless will be among the first to experience the benefits of high speed broadband over the NBN. The fixed wireless network is expected to be completed by 2015, five years ahead of the expected completion of the fibre network, and it will serve around four per cent of the population or approximately 500,000 premises including farms, homes and businesses. People in fixed wireless areas are expected to be able to sign up with internet service providers to use the NBN from the middle of 2012.

→ NBN's fixed wireless network, which uses advanced technology commonly referred to as LTE or 4G, is engineered to deliver services to a fixed number of premises within each coverage area.

This means that the bandwidth per household is designed to be more consistent than mobile wireless, even in peak times of use.

Unlike a mobile wireless service where speeds can be affected by the number of people moving into and out of the area, the speed available in a fixed wireless network is designed to remain relatively steady.



Fixed Wireless

Single type of device with a fixed number of connections operating at a fixed cell boundary



Mobile Wireless

Variable numbers and types of devices, operating at variable cell boundaries

NBN Co's fixed wireless network is designed to offer internet service providers with wholesale access speeds of up to 12Mbps*. This is comparable, and in some cases better, than that available in many urban areas that currently receive ADSL 2+ services. 12Mbps is an initial speed level, and NBN Co is currently planning for faster speeds to become available over the fixed wireless service at a later stage.

While NBN Co's high-quality fixed wireless service is not a mobile service, it will use cellular technology to transmit signals to and from a small antenna fixed on the outside of a home or business, which is pointed directly towards the fixed wireless facility. NBN Co has designed each fixed wireless facility to serve a set number of premises, which permits greater consistency in the speed and quality of service that can be delivered to each home and business receiving the fixed wireless service. The actual speed and quality of that service will depend on factors including the in-premises connection and equipment, plans offered by internet service providers and how the internet service provider designs its network.

*NBN Co is designing the NBN to be capable of delivering high speeds to NBN Co's wholesale customers (telephone and internet service providers) via fibre, fixed wireless and satellite. Speeds actually achieved by retail customers (end users) will depend on a number of factors including the quality of their equipment and in-premises connection, the broadband plans offered by their retail service provider and how their retail service provider designs its network to cater for multiple end users.

Building NBN Co's fixed wireless network

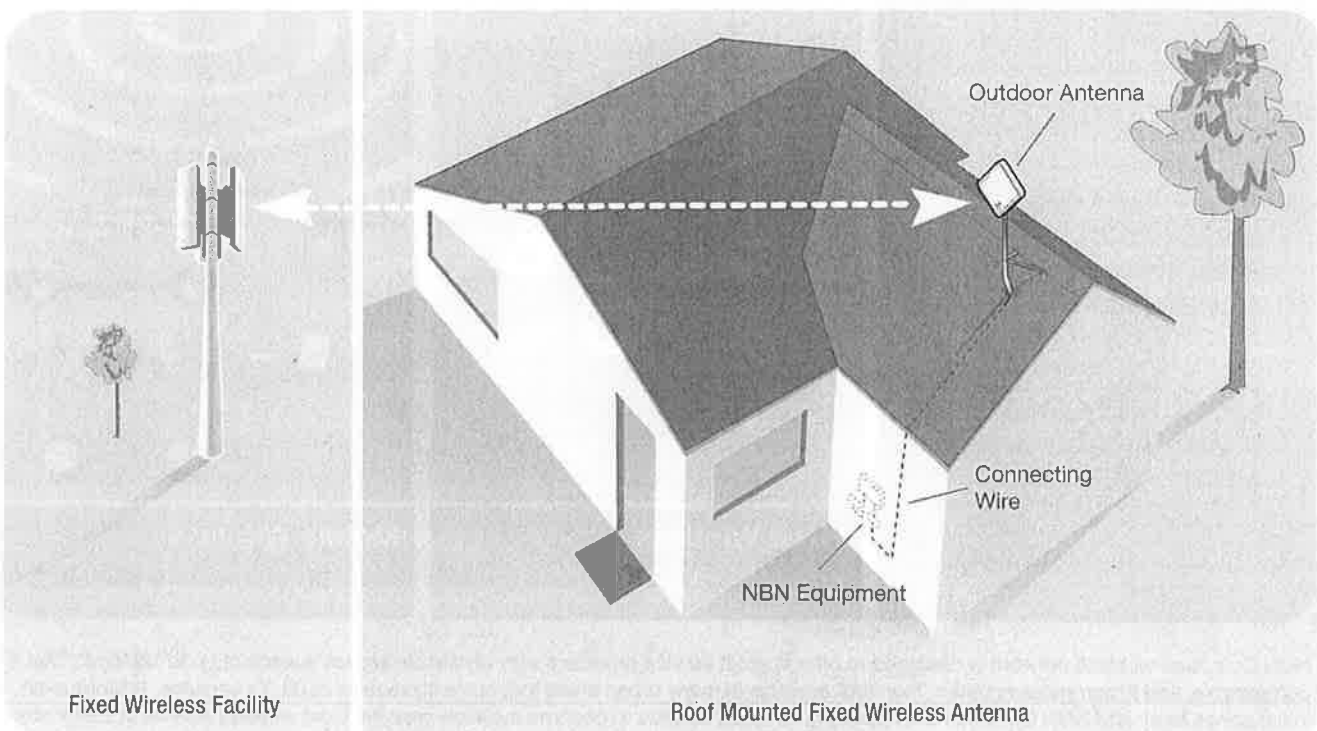
In order to provide access to reliable high speed broadband for all Australians, NBN Co works in consultation with local, state and federal governments to determine the most efficient and effective way to rollout the fixed wireless network. A key consideration in these decisions is the optimal network design to ensure all Australians have access to high speed broadband in the most prudent and cost effective way. NBN Co engineers take into account factors such as population density, geography and other network-specific considerations when defining roll out plans to ensure the NBN is delivered in the most sensible and practical manner.

Planning for the fixed wireless rollout is now underway and consultations have begun with local authorities and communities. To build the network, NBN Co will require the use of around 2300 sites nationwide with the priority on using existing telecommunications structures wherever possible. Only where there is a lack of suitable, available infrastructure, NBN Co will establish new sites to enable the delivery of consistent, high quality broadband. This would generally mean lodging a development application with the relevant authority and engaging with the local community.

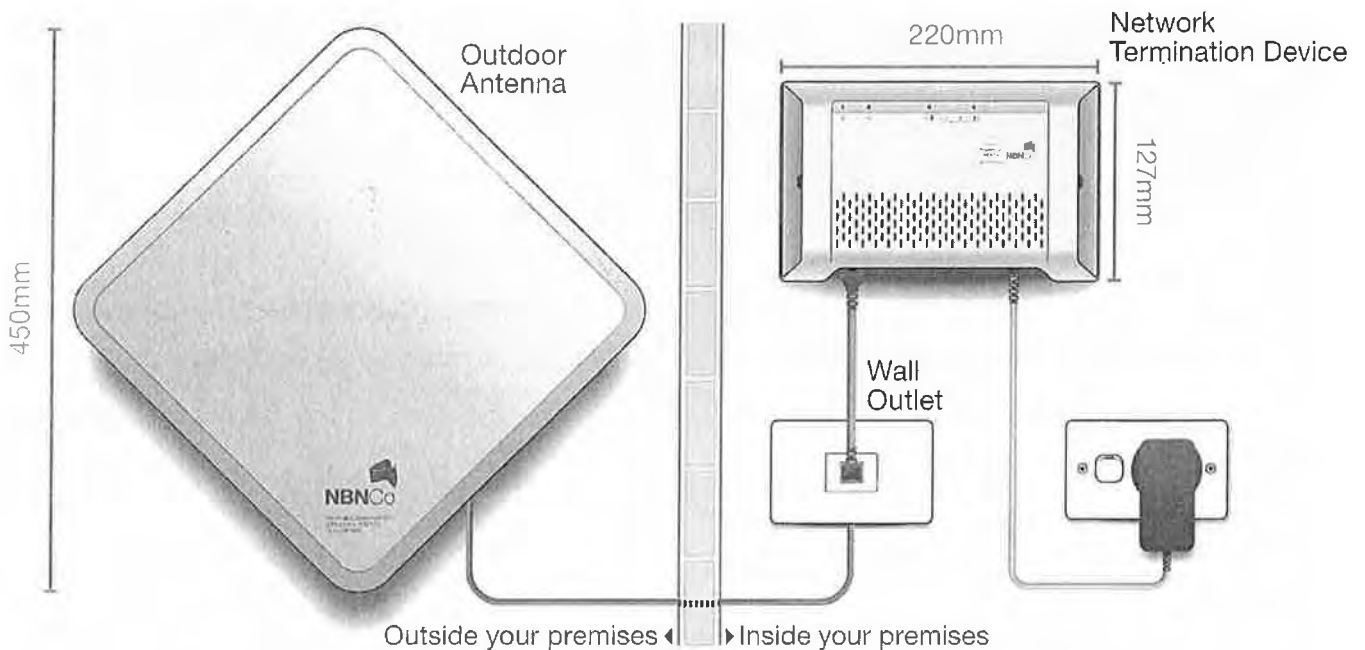
Fixed wireless to your premises

Our fixed wireless services are delivered by radio communications via antennas that transmit a signal direct to a small outdoor antenna attached to the premises.

The antenna on the outside of a home will be connected by a cable running through the wall to the Network Termination Device which will be located within the home. Generally your telecommunications or internet service provider will assist you on the best means of connecting your computer, TV or WiFi Router to our Network Termination Device. That device sits within the house, and is hardwired to the outdoor antenna pointed at a fixed wireless site.



Fixed wireless equipment



Getting Connected

NBN Co is a wholesale provider, which means that to connect a service you will need to go through a retail company such as an internet service provider. Once fixed wireless becomes available in your area, you are encouraged to contact your internet service provider to order a service. The internet service provider will organise the installation of network equipment at your premises, which NBN Co will provide free of charge. A standard installation of this equipment at your premises will be free of charge. For more information about standard and non-standard installations please visit our website at: www.nbnco.com.au

In fixed wireless areas, NBN Co will be providing a broadband service only. The copper phone line will remain in place to provide a telephone service, however internet service providers that sell the NBN Co fixed wireless service may choose to offer their customers voice-over-broadband products in those areas as an alternative to telephone services over the copper phone line.



NBN Co fixed wireless quick facts

- Approximately four per cent of Australian premises will have access to a fixed wireless service.
- Fixed wireless networks are designed to give more consistent broadband performance than mobile wireless.
- Our fixed wireless network uses advanced wireless technology commonly referred to as LTE.
- It will offer internet service providers wholesale access broadband speeds of up to 12Mbps* and NBN Co is currently planning for higher speeds to become available.
- If NBN Co can't deliver fixed wireless technology to your home or business, a wholesale service delivered via satellite technology will be offered. Interim satellite services are currently available to eligible residents, farms, small businesses and indigenous communities that don't have access to "metro comparable" broadband. More information is available at: www.nbnco.com.au/satellite
- Connecting to the NBN is simple. Just ring your internet service provider and they will arrange the installation of an NBN box in your home at no cost for a standard installation when coverage is available in your area.
- Retail prices will be set by each internet service provider.

For more information:

If you would like to find out more general information about connecting to the NBN and the fixed wireless service, please contact the NBN Co Contact Centre on **1800 881 816**.

If you want to order a service you will need to speak to your telecommunications or Internet Service Provider. Maps showing the current plans for the fibre and fixed wireless services areas, as well as further information about the NBN rollout plans are available on the NBN Co website at: www.nbnco.com.au



www.nbnco.com.au



Project
NATIONAL BROADBAND NETWORK

STANDARD DRAWINGS

FOR CONSTRUCTION

2 NBN NBN MARKING APPROVED
1 2011 FOR CONSTRUCTION

Rev Date Revision Detail

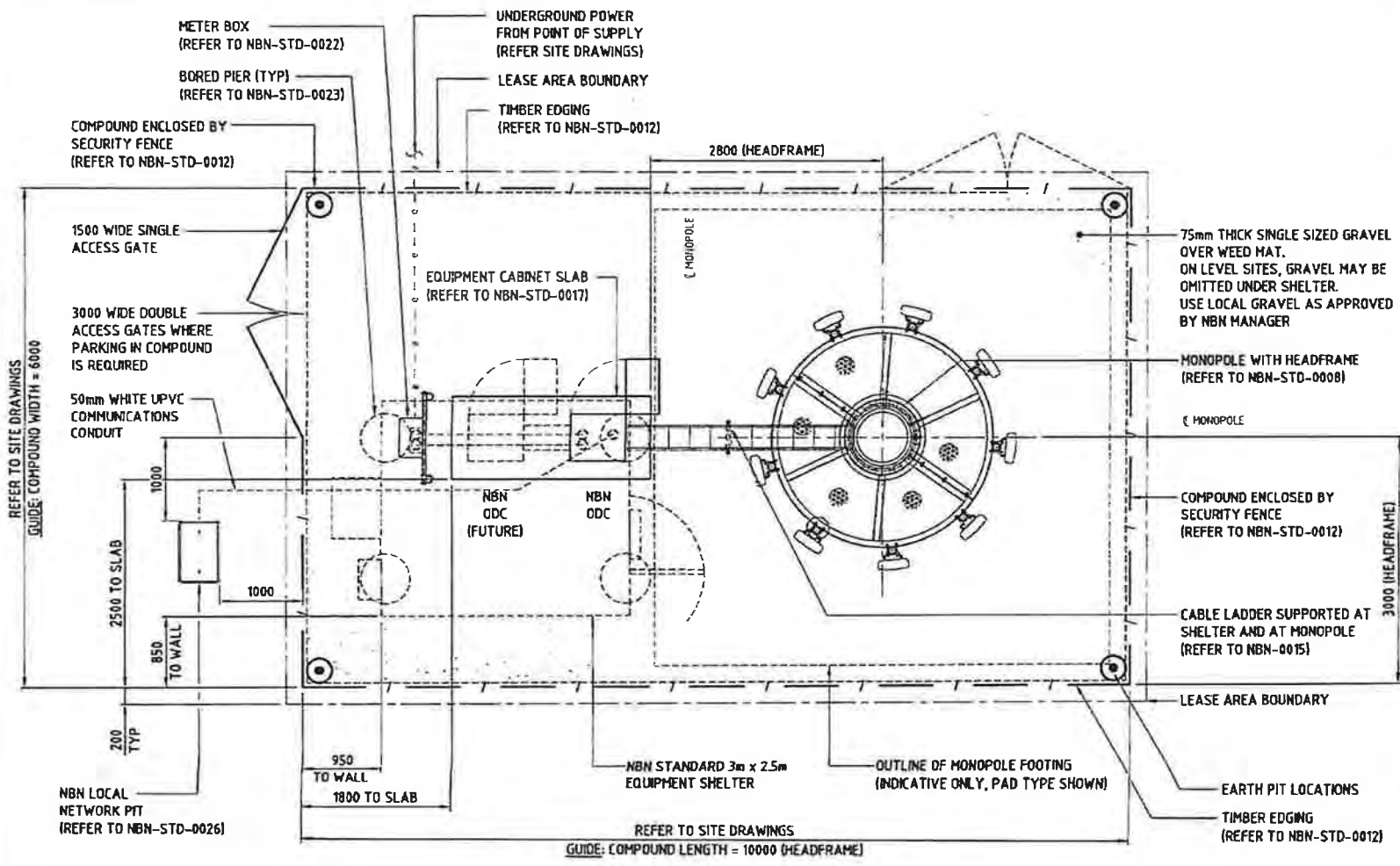
CAD: SK
CHECKED: MA
APPROVED: PA

Drawing Title:
STANDARD GROUND LAYOUT MONOPOLE

Drawing No:
NBN-STD-0002

Revision:
2

CAD File: P:_CT Projects\NBN\Standard Drawings\Standard Drawings\NBN-STD-0002.dwg Date: Thursday, November 17, 2011 11:31:26 AM Login: enb0000001



SITE PLAN
SCALE 1:50

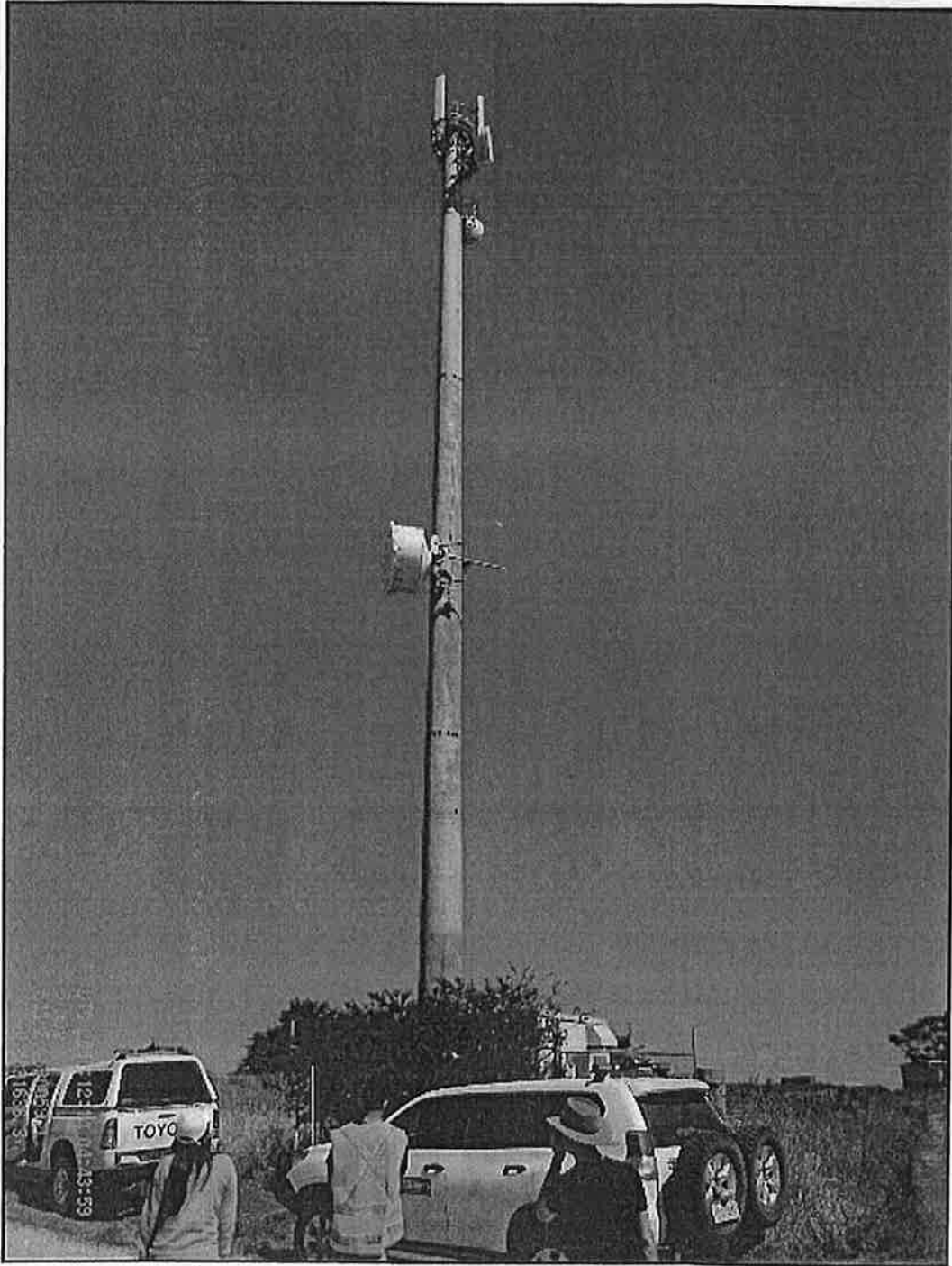
NOTE: FOR SMALLER COMPOUNDS ENSURE THAT ALL STRUCTURES INCLUDING HEADFRAME & ANTENNAS ARE WITHIN THE NBN LEASE AREA

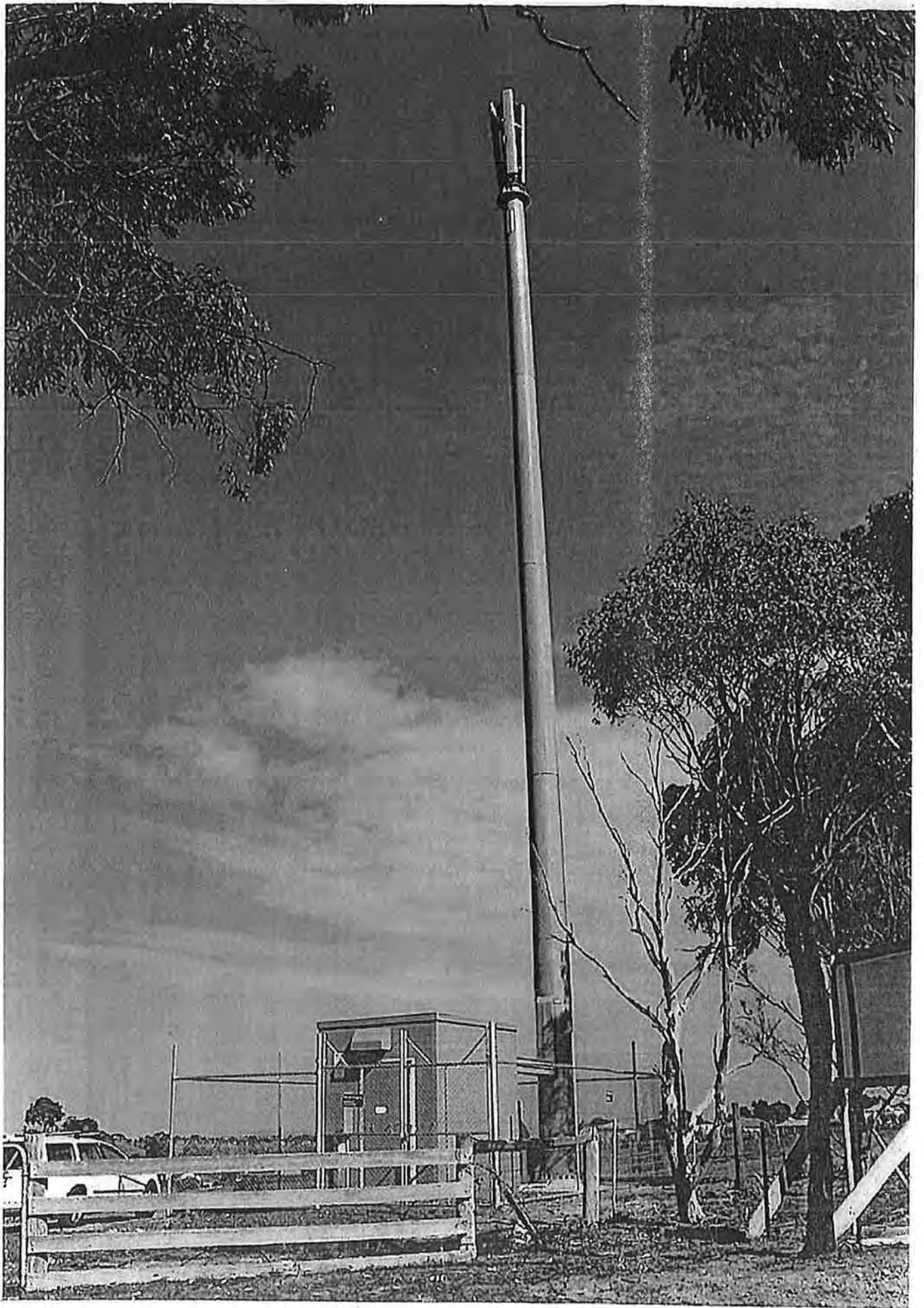
- NOTES:**
1. THIS DRAWING AND STANDARD DRAWING NBN-STD-0003 SHOW VARIOUS GROUND SITE OPTIONS AVAILABLE FOR NBN MOBILE INSTALLATIONS. LAYOUTS SHOW NOMINAL SETOUT DIMENSIONS AND ARE INDICATIVE ONLY.
 2. REFER TO DESIGN AND CONSTRUCTION MANUAL AND SITE DRAWINGS FOR FURTHER DETAILS.
 3. MONOPOLE SHALL BE NOT LESS THAN 1000mm FROM THE SITE COMPOUND FENCE.
 4. NO PART OF THE INSTALLATION, INCLUDING FOUNDATION AND HEADFRAME (INCLUDING ANTENNAS), SHALL EXTEND BEYOND LEASE AREA BOUNDARY.
 5. PROPOSED ODC TO BE INSTALLED CLOSEST TO STRUCTURE.
 6. REFER TO NBN-STD-017 FOR ODC SUPPORT SLAB AND CONDUIT INSTALLATION.
 7. REFER TO LEBLANC DWG MP-FND-2-2 FOR FOOTING DETAILS.



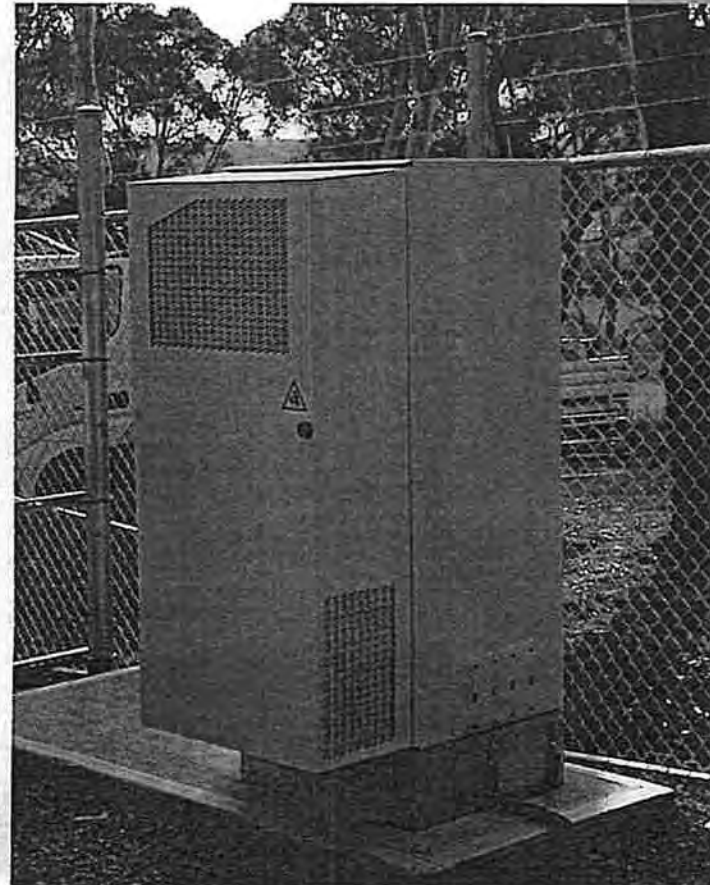
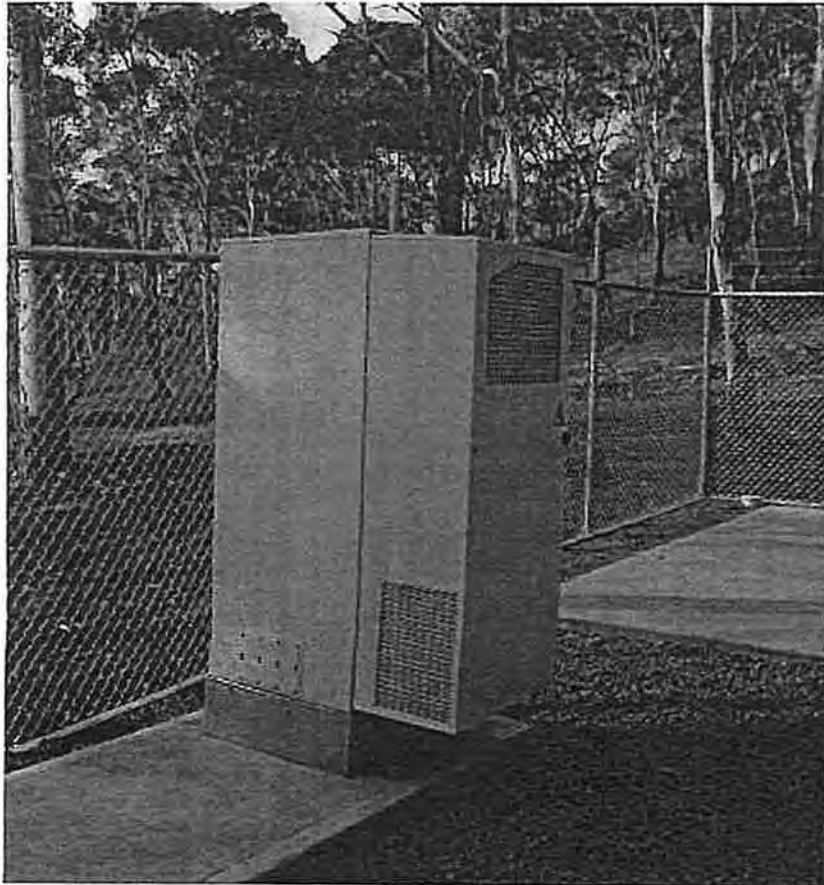


Standard Monopole





Ground Equipment Unit





National Broadband Network Fixed Wireless Base Stations and Health

National Broadband Network (NBN) base stations use electromagnetic radiation to provide high speed broadband services to the community. The highest values of the radiofrequency electromagnetic energy (RF EME) that the public would be exposed to from the NBN base stations that are currently planned are less than 1/100 of the Australian public exposure limit. This means that the highest exposures are well below the levels at which any harmful effects are known to occur.

The NBN makes use of *fixed wireless* communications links to provide high-speed broadband in areas beyond the reach of the fibre network. Typically, this is where residential blocks are large and widely spaced.

The fixed wireless links use RF electromagnetic radiation (EMR), also called electromagnetic energy (EME), in the 2.3 GHz band to communicate between *NBN base stations* and small rooftop installations on residences and business premises.

Wireless devices and base stations used for communications purposes, such as the NBN fixed wireless systems, are regulated by the Australian Communications and Media Authority (ACMA). The exposures to members of the public must comply with the ACMA Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003. This ACMA standard makes mandatory the limits in the ARPANSA RF Standard for human exposure to RF fields from all sources, including mobile phone and NBN base stations.

The ARPANSA RF Standard is based on scientific research that shows the levels at which harmful effects occur and it sets limits, based on international guidelines, well below these harmful levels. It is the assessment of ARPANSA and other national and international health authorities, including the World Health Organization (WHO), that there are no

established adverse health effects below current exposure limits. The standard is intended to protect people of all ages and health status.

The maximum levels of exposure of RF EME from the NBN base stations may be calculated from details of the equipment installed. These calculations are made available in the ARPANSA EME reports provided by the telecommunications companies on the Radio Frequency National Site Archive (RFNSA) website, www.rfnsa.com.au. The NBN sites may be located by searching by postcode or town.

For a typical 40 m high NBN base station, the highest exposure levels at ground level in the surrounding area are approximately 0.0004 watt/m² (0.04 µW/cm²) or less than 1/25,000 of the ARPANSA public exposure limit. This means that the highest exposure levels at ground level in the surrounding area are well below the known safe exposure limits of the ARPANSA RF Standard. There are no established health effects from these very low levels of RF EMR.

Where NBN base station antennas are mounted on the same structure as mobile phone base station antennas, the ARPANSA EME reports provide the overall exposures from the different technologies combined. For more information on mobile phone base station antennas please see our *Useful Links* at the end of this fact sheet.

Summary

NBN base stations use electromagnetic radiation to provide high speed broadband services to the community. The base stations use similar technology to 4G mobile phones and produce very low exposures to EMR (or EME) in the surrounding area, even very close to the installation. There are no established health effects from these very low levels of RF EMR.

Useful Links

- ARPANSA Factsheets on RF EMR and EME
www.arpansa.gov.au/radiationprotection/FactSheets/is_antenna.cfm
- ARPANSA EME Reports
www.arpansa.gov.au/emereports/index.cfm
- ARPANSA RF Exposure Standard
www.arpansa.gov.au/publications/Codes/rps3.cfm
- NBN Co Limited
www.nbnco.com.au
- Frequency National Site Archive
www.rfnsa.com.au
- World Health Organization Factsheet on Wireless Technologies
www.who.int/mediacentre/factsheets/fs304/en/index.html

More information is available from the ARPANSA website
www.arpansa.gov.au.

High speed broadband for all Australians

NBN Co is designing, building
and operating the National
Broadband Network



Enquiries call the NBN Co Contact Centre:

1800 881 816

General enquiries
www.nbnco.com.au
info@nbnco.com.au

New development enquiries
www.nbnco.com.au/newdevelopments
newdevelopments@nbnco.com.au

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