



Australian
Communications
and Media Authority

Formal Warning under subsection 122(2) of the *Telecommunications Act 1997*

TO: Optus Mobile Pty Limited (ACN 054 365 696)

OF: 1 Lyonpark Road,
Macquarie Park NSW 2113

I, [REDACTED], delegate of the Australian Communications and Media Authority (the **ACMA**), being satisfied that Optus Mobile Pty Limited, ACN 054 365 696, (**Optus**), has contravened the following provisions of the industry code C654:2020: Mobile Phone Base Station Deployment Code (the **2020 Deployment Code**) in relation to its site at 227 Victoria Street, Darlinghurst, NSW:

Clause 4.3.1:

The carrier must operate its Mobile Phone Radiocommunications Infrastructure in a manner consistent with the objectives in clause 4.2.3 of the Deployment Code.

Clause 4.3.2:

The carrier must be able to demonstrate compliance with the ACMA regulations regarding maximum human exposure limits for radiofrequency fields.

Clause 4.3.3:

The carrier must take appropriate measures to restrict general public access to RF hazard areas.

Clause 4.3.4:

For each RF hazard area, the carrier must ensure warning signs are in place in an appropriate location and manner so that they are clearly visible.

HEREBY issue a formal warning to Optus under subsection 122(2) of the *Telecommunications Act 1997* (**the Act**).

Details of the contraventions

1. Optus is a carrier holding licence number 3.
2. At the time the infrastructure was installed (upgraded) and operated, the 2020 Deployment Code was registered under Part 6 of the Act.
3. As a licensed telecommunications carrier that installs and operates mobile phone radiocommunications infrastructure, which is used, intended to be used, or capable of being used to supply public mobile telephone services, Optus was a participant in a section of the telecommunications industry to which the 2020 Deployment Code applied.
4. On 21 October 2025, the ACMA opened an investigation into Optus's compliance with the 2020 Deployment Code in relation to installations at 227 Victoria Street, Darlinghurst, NSW, 2010.
5. Upon completion of the investigation, the ACMA was satisfied that Optus contravened clauses 4.3.1, 4.3.2, 4.3.3 and 4.3.4 of the 2020 Deployment Code.
6. Subsection 122(2) of the Act provides that the ACMA may issue a formal warning if the person contravenes an industry code registered under Part 6 of the Act.

7. Subsection 122(4) of the Act provides that if at a time when an industry code (the **original code**) was registered under Part 6 of the Act, a formal warning could have been given to a person under subsection 122(2) in respect of the original code; and the original code has been replaced by another code that is registered under that Part (the **replacement code**); and the person could have been given a formal warning under subsection 122(2) in respect of the replacement code, if the conduct concerned had occurred after the replacement code was registered; then, during the period when the replacement code is registered under Part 6, the person may be given a formal warning under subsection 122(2) in respect of the replacement code.
8. The 2020 Deployment Code, the original code, has been replaced by the industry code C564:2025 Mobile Base Station Deployment Code (the **2025 Deployment Code**), the replacement code which is now registered under Part 6 of the Act.
9. I am satisfied that subsection 122(4) of the Act applies. I consider that by not restricting public access to areas where the public exposure limits may be exceeded and not installing adequate warning signs, Optus' conduct which contravened the provisions of the 2020 Deployment Code above, would also have contravened clause 4.2.4 of the 2025 Deployment Code [for each RF hazard area, the carrier must comply with section 5.6 Protection of the general public (a) – (c) of the EME Safety Standard] and clause 4.2.3 of the 2025 Deployment Code [carrier must be able to demonstrate compliance with the ACMA Regulations].

Dated this 31st day of July 2026



Signature Executive Manager
