



REPORT FOR:	Council		
MEETING DATE:	23 January 2024		
REPORT FROM:	Director City Services		
REPORT TITLE:	Commercial Lease – Portion of 25 Old Tarcoola Road		
FILE NAME:	F10/2357	RECORD NO:	AR23/70386

STRATEGIC DIRECTIONS

5	Governance and Financial Sustainability
5.4	We put the customer first and give each customer a great experience of Council's services.
5.5	We meet or exceed legislative and accreditation requirements for all relevant programs.

SUMMARY/ABSTRACT

The purpose of this report is to seek Council approval to issue a new lease for a portion of 25 Old Tarcoola Road (Westside Cemetery) to be used for the installation of a telecommunications tower.

RECOMMENDATION

Council:

1. Supports in principle a lease being issued for a portion of 25 Old Tarcoola Road, up to 100m², as identified in this report.
2. Undertakes community consultation to issue a lease for a period greater than five years.
3. Receives a further report following the community consultation process.

BACKGROUND

On 20 November 2023 Service Stream / Amplitel, on behalf of Telstra, contacted Council to request the permission to obtain an easement to install a 40m high telecommunications tower along the Old Tarcoola Road boundary of 25 Old Tarcoola Road (Westside Cemetery).

While this land is the site for the Port Augusta West Cemetery, the identified location does not interfere with the Cemetery operations in any capacity and will not inhibit any future expansion of the of the Cemetery.

DISCUSSION

Amplitel are seeking to lease up to 100m² for the installation of a 40m monopole, antenna, associated infrastructure and an outdoor equipment shelter. Amplitel would also require a non-exclusive licence to facilitate access to their leased portion of the site, via the Westside Cemetery, which is classified as community land.

Amplitel have indicated that they would like to lease the land for a period of 20 years, with the lease fee set at \$5,000 per annum with a 2% increase per annum.

Under Section 202 of the Local Government Act, Council must not issue a lease for community land, for a period exceeding 42 years, and any lease exceeding 5 years must be subject to public consultation.

If Council supports this proposal, a public consultation period of 21 days will be undertaken per Council's Public Consultation and Engagement Policy. Public consultation will be in relation to the proposed lease term, including specific correspondence with adjoining landowners and notification placed within the Cemetery. A further report will be presented to Council with the consultation outcomes, to facilitate a final decision.

The Fees and Charges register states that Council will negotiate a commercial rate for Commercial Leases, and it is proposed that a commercial rate will be negotiated with Amplitel.



CONFIDENTIALITY PROVISIONS

Not applicable.

RISK MANAGEMENT

1: Financial/Budget/Asset Management

The lease of a portion of this site would generate additional revenue for Council.

2: Legal/Policy

Under Section 202 of the Local Government Act, Council must not issue a lease for community land, for a period exceeding 42 years, and any lease exceeding 5 years must be subject to public consultation.

3: Environment/Planning

The installation of mobile and non-mobile powers are classified as essential infrastructure under Part 8 of the Planning, Development and Infrastructure Act 2016 and as such, do not require a development application or approval.

4: Community

The community will be provided an opportunity to provide feedback in relation to the proposed lease term via a formal community consultation process. The installation of infrastructure on this site will have a limited impact on visitors to the Westside Cemetery, and other surrounding landowners, but will provide improved telecommunications access for the Port Augusta Community.

Melissa Kretschmer

09/01/2024