

AMPLITEL PTY LIMITED (PART OF THE TELSTRA GROUP) LEASE PROPOSAL

The Yorke Peninsula Council is seeking public feedback on a proposal for a new lease for Amplitel Proprietary Limited (Amplitel Pty Limited) (part of Telstra Group) for the telecommunication tower to be located at the Edithburgh Oval at Park Terrace, Edithburgh.



Under the Local Government Act 1999, Council is required to formally undertake community consultation for a lease or license over community land when the term is greater than five (5) years.

Background

Council received a formal request from Amplitel Pty Limited to establish a telecommunications facility at the Edithburgh Oval complex. The upgrade will provide local residents better coverage, faster data speeds and extra capacity. Additionally, there will be improved coverage along the foreshore, which has previously been highlighted as an important consideration by the local community. The proposed infrastructure is comprised of an 100 metre squared compound including a 30 metre Monopole, antennas/satellite dishes, equipment cabins and/or outdoor units on ground and associated cables.

The subject land is situated on Crown Land, under Councils' care, control and management, and has been under lease to the Edithburgh Football and Sporting Club Inc (the Club) for many years.

The Club have confirmed support for the establishment of a telecommunications facility at the Edithburgh Oval complex at 11 Park Terrace, Edithburgh (Attachment 1).

Lease Proposal

Lessee	Amplitel Proprietary Limited (part of Telstra Group) as trustee for the Towers Business Operating Trust.
Premises	Part of the land situated at Edithburgh Oval at Park Terrace, Edithburgh Crown Record Volume 5757 Folio 197
Term	For a period of five years, with further rights of renewal for three (3) by five (5) years, with an overall lease term of twenty (20) years Pending outcome of community engagement process
Rent	\$6,000.00 per annum plus GST
Payment of Rent	Yearly in advance by way of electronic funds transfer commencing on the Rent Commencement Date and thereafter on each anniversary of the Commencement Date
Review of Rent	The rent is to be increased by 3% uplift compounding on each anniversary of the Commencement Date during the Term

Have your say

The Yorke Peninsula Council welcomes your feedback on the proposed Amplitel Pty Limited Lease (Attachment 2)

To provide your feedback:

- By email – admin@yorke.sa.gov.au
- By Post – PO Box 57, Maitland, SA, 5573

All feedback must be returned by 5pm on 12 November 2024.

Please indicate in your submission if you wish to appear before Council in this matter.

Next Step

Following the public consultation period, all submissions received will be provided to Council for consideration.

More Information

Got a question about the Lease proposal?

Contact Council's Property Tenure Officer, Tasha Kearslake at admin@yorke.sa.gov.au or Ph: 8832 0000.

Attachment 1 - Proposed Lease area – outlined in red





Ms Sue Beech
c/o Yorke Peninsula Council
PO Box 57,
Maitland SA 5573

25 June 2024

Our Reference: Edithburgh Exchange SA100207

Dear Ms Beech,

Initial Terms Agreement for proposed Lease/Licence at Yorgetown Road, Edithburgh SA 5583

Amplitel has appointed Service Stream Mobile Communications Pty Ltd to act on its behalf and secure suitable sites for installation and operation of telecommunication and communications facilities.

Your property has been identified as a suitable location for a Facility. Amplitel offers to enter a Lease/Licence with you, the basic terms and conditions outlined herein. To proceed to the next stage of preparing plans and a lease for your review and consideration, we first require your approval of our basic commercial terms as set out below.

Lessee	Amplitel Pty Limited as trustee for the Towers Business Operating Trust ABN 75 357 171 746
Lessor	Yorke Peninsula Council PO Box 57, Maitland SA 5573
Land	SECTION 646 HUNDRED OF MELVILLE IN THE AREA NAMED EDITHBURGH
Type of Facility	The monopole (or similar) on the Premises that is owned by Amplitel.
Premises/Licensed Area	An area of approximately 100m2 compound incorporating 30m Monopole, antennas/satellite dishes, equipment cabins and/or outdoor units on ground and associated cables. The area m2 required can be reduced in some circumstances.
Access to Premises/Licensed Area	Amplitel, its subtenants and licensees will have unrestricted access 24 hours a day, 7 days a week.
Permitted Use	Use, inspection, construction, installation, replacement, operation, maintenance, alteration, repair, upgrade, access to and from and removal of the Facility for telecommunications, communications, and any other lawful purposes
Term	Twenty (20) years
Break Dates	Amplitel can terminate the Lease/Licence on any of the Break Dates on giving the Lessor/Licensor 3 months' notice. The Break Dates occur every 5 years during the Term.
Lease/Licence Commencement Date	The earlier of the date construction commences or the execution of the lease.
Rent/Licence Fee	\$6,000.00 per annum + GST The Rent/Licence Fee is a gross amount and includes all outgoings.



Rent/Licence Fee Review	2% uplift per annum compounding 3% MAA 25/9/2024
Rent/Licence Fee Commencement Date	When a valid planning permit with conditions acceptable to Amplitel is approved and Amplitel Pty Limited commences construction on site.
Legal Costs	Amplitel Pty Limited agrees to pay the Lessor's legal costs for the preparation, negotiation, and execution of the Lease/Licence to an amount not exceeding \$1,500.00 + GST.
Lease/Licence Documentation	Amplitel's standard Lease/Licence will apply to this transaction. Amplitel's lawyers will prepare the Lease/Licence, and this will be sent to you for your review shortly.
Subletting	Amplitel may sublease part of the Premises or grant a Licence of the whole or part of the Premises without the Lessor's consent.
Planning Authority Approvals	The Lessor/Licensor consents to Amplitel lodging all necessary applications and will provide all necessary assistance if required to facilitate obtaining of these approvals and consents.

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

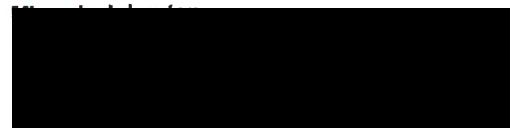
- Formal approval by Amplitel Pty Limited delegate
- Approval by Amplitel Pty Limited financial delegate
- Statutory Local Planning or other relevant authority Approval to enter the Lease/Licence and construct the Facility
- Lessor's/Licensor's approval of forthcoming plans of the facility and Lease/Licence



Yours faithfully


Greg Salamito
Commercial Manager

FOR AND ON BEHALF OF AMPLITEL PTY LTD AS TRUSTEE FOR THE TOWER BUSINESS





NOTICE OF ACCEPTANCE OF THE COMMERCIAL TERMS

I/We hereby agree to the commercial terms as set out above.

Signature	
Print Name	
Position/Title	
Telephone No & Email Address	
Date	

Signature	
Print Name	
Position/Title	
Telephone No & Email Address	
Date	



Examples of Types of Facilities (See “Type of Facility” section on the first page to determine what we are proposing on your land. The look and height may vary on a site-by-site basis)



Monopole