

19.1 TELECOMMUNICATION FACILITY LEASE

Objective Reference:

Authorising Officer: Louise Rusan, General Manager Community & Customer Services

Responsible Officer: Graham Simpson, Group Manager Environment & Regulation

Report Author: Damien Jolley, Senior Property Officer

Attachments:

1. Locality Map
2. Proposed Lease Area

The Council is satisfied that, pursuant to Section 275(1) of the *Local Government Regulation 2012*, the information to be received, discussed or considered in relation to this agenda item is:

(e) *contracts proposed to be made by it.*

PURPOSE

To recommend that Council resolves to grant a lease for a telecommunication facility on part of Council owned freehold land.

BACKGROUND

The BMM Group, on behalf of Telstra, approached Council with a view to constructing a new telecommunications facility on part of the Pinklands Sporting Complex, being 190-262 Redland Bay Road Thornlands, described as Lot 2 on SL5716 (the Property).

ISSUES

The *Local Government Regulation 2012* describes land as a “Valuable Non-Current Asset” and disposal includes the disposal of all or any part of an interest in the asset such as a lease. Sale by tender or auction is the prescribed method of disposing of land, unless exceptions under the Regulation apply.

In particular, reference is made to sub paragraph 236(1)(c)(vi) of the *Local Government Regulation 2012* which states the following exception can apply:

The disposal is for the purpose of a lease for a telecommunication tower.

Accordingly, Council can dispose of the land by entering into a lease for a telecommunication tower/facility without the need to go to tender or auction.

In principle agreement has been given for the telecommunication facility to be constructed on the Property (see Attachment 1). The proposed lease area is 10m x 6m with a 32m high monopole and equipment shelter (see Attachment 2). The proposed term is for 1 x 10 year with no option.

The land is zoned Recreation and Open Space and a telecommunication facility is considered accepted development not requiring approval under the City Plan.

STRATEGIC IMPLICATIONS

Legislative Requirements

Disposal of land is regulated by the *Local Government Regulation 2012* and Council may resolve that certain exceptions apply.

Risk Management

Issues such as electromagnetic radiation will be addressed in the new lease documentation which requires the carriers to provide electromagnetic radiation testing as required under the *Telecommunications Act 1997*. In addition, the carriers will be required to maintain public liability insurance in relation to the facilities.

Financial

Council will not incur any costs with the proposed lease, excepting some administration costs, as the carriers will construct and/or maintain the facility and pay for lease preparation and registration in the Queensland Titles Registry.

People

There are no implications on human resource policies.

Environmental

Periodic electromagnetic radiation testing and compliance is the responsibility of the carriers and will be incorporated in new lease documentation. Regulation of electromagnetic radiation is undertaken by the Commonwealth Government.

Social

There are no social implications for this report.

Human Rights

There are no known human rights implications associated with this report.

Alignment with Council's Policy and Plans

The telecommunication lease supports Council's financial sustainability and digital connectivity objectives.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Service Manager City Sport and Venues	September 2019 and July 2020	Location for facility acceptable.
Councillor Paul Golle	22 July 2020	Location plan provided at Councillor's request – no further comments.
Strategic Property Manager	July 2020	Review of report.

OPTIONS

Option One

That Council resolves as follows:

1. To apply the exception to dispose of land or an interest in land, other than by tender or auction, under sub paragraph 236(1)(c)(vi) of the *Local Government Regulation 2012 Act*, for granting of a telecommunication lease for the subject Property.
2. To delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to negotiate, make, vary and discharge the telecommunication lease.
3. That this report and attachments remain confidential, until the lease is finalised, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

Option Two

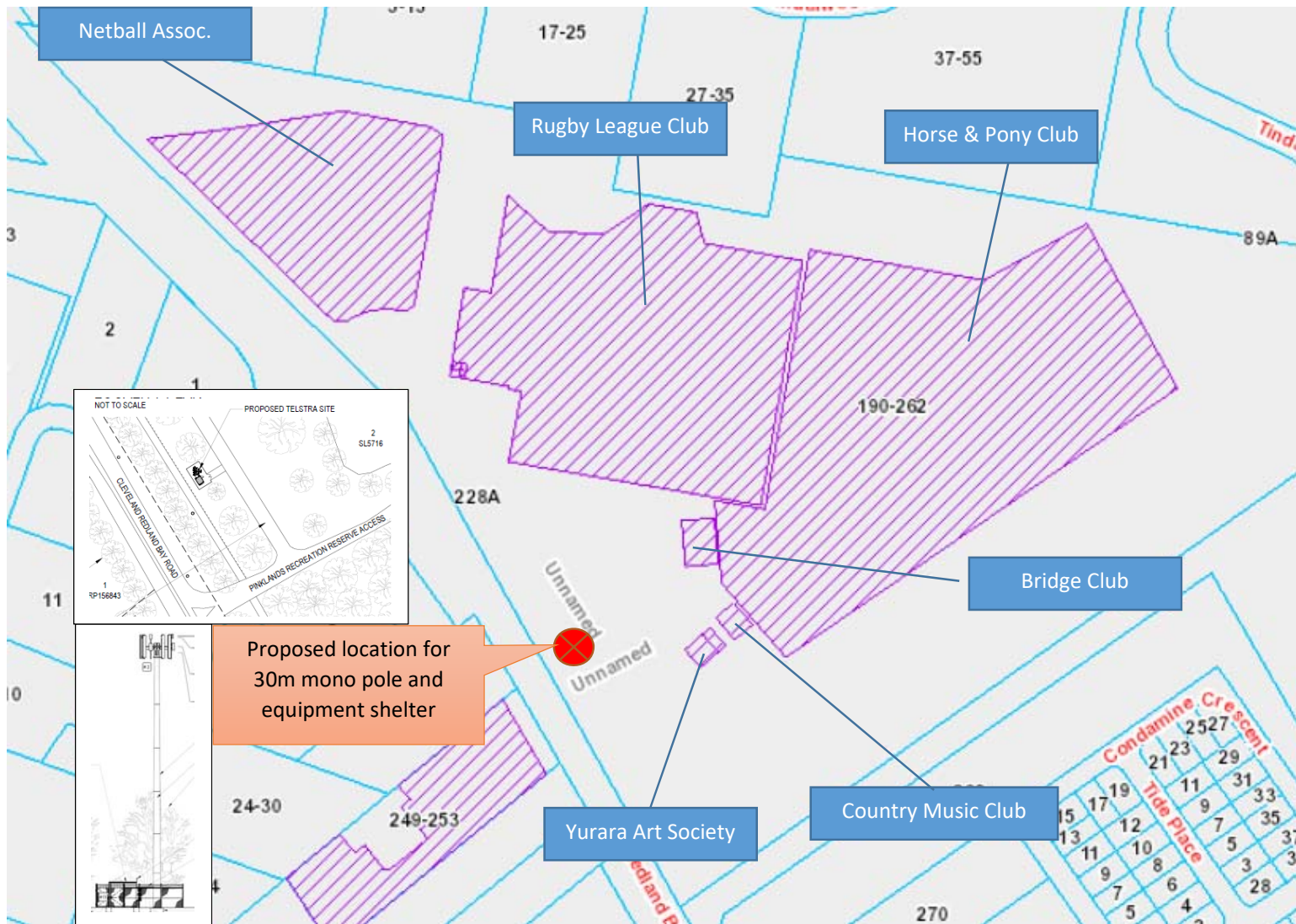
That Council resolves as follows:

1. That the exception under sub paragraph 236(1)(c)(vi) of the *Local Government Regulation 2012* should not apply.
2. That a lease is not granted.
3. That this report and attachments remain confidential, until the lease is finalised, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

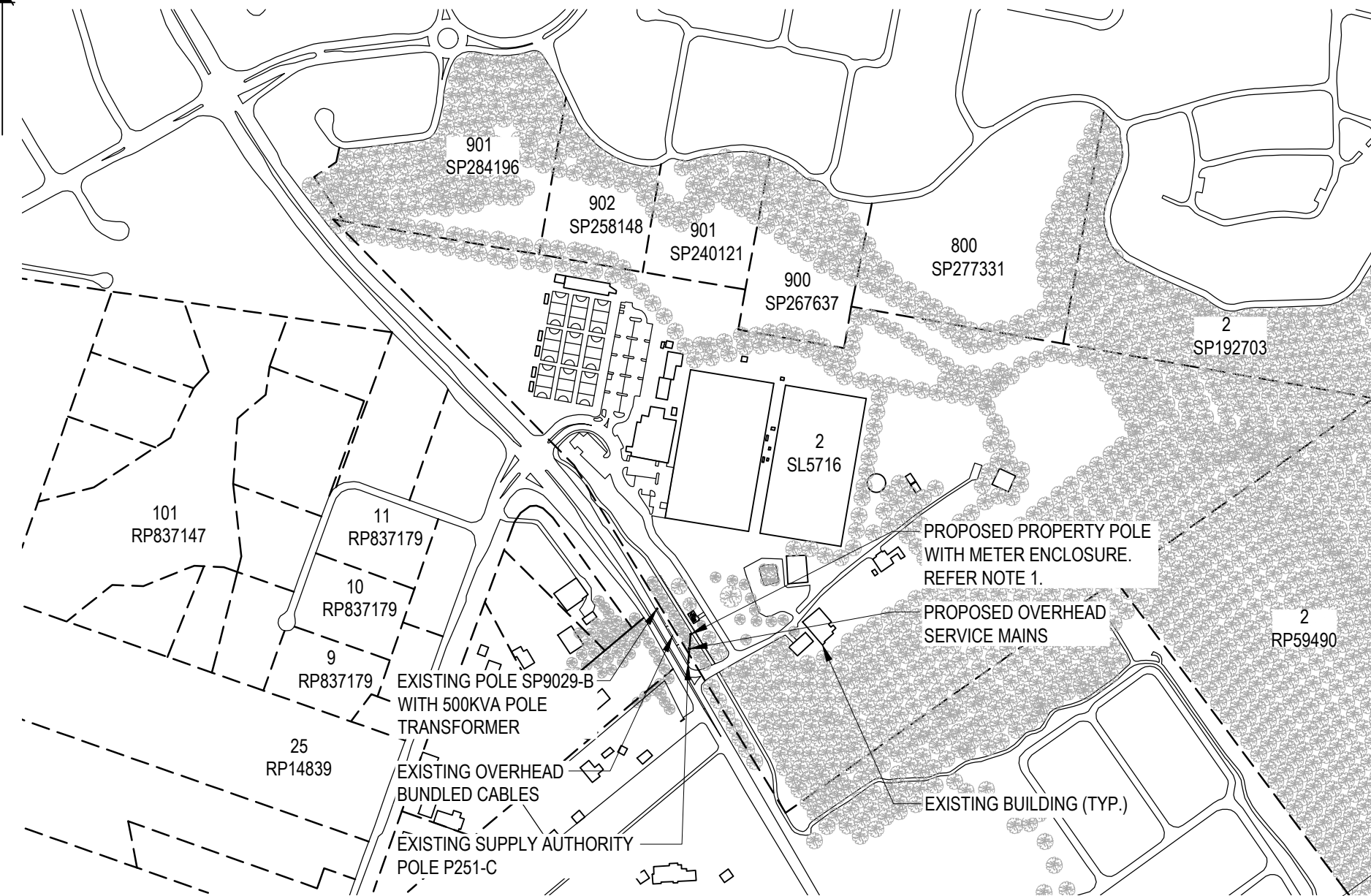
OFFICER'S RECOMMENDATION

That Council resolves as follows:

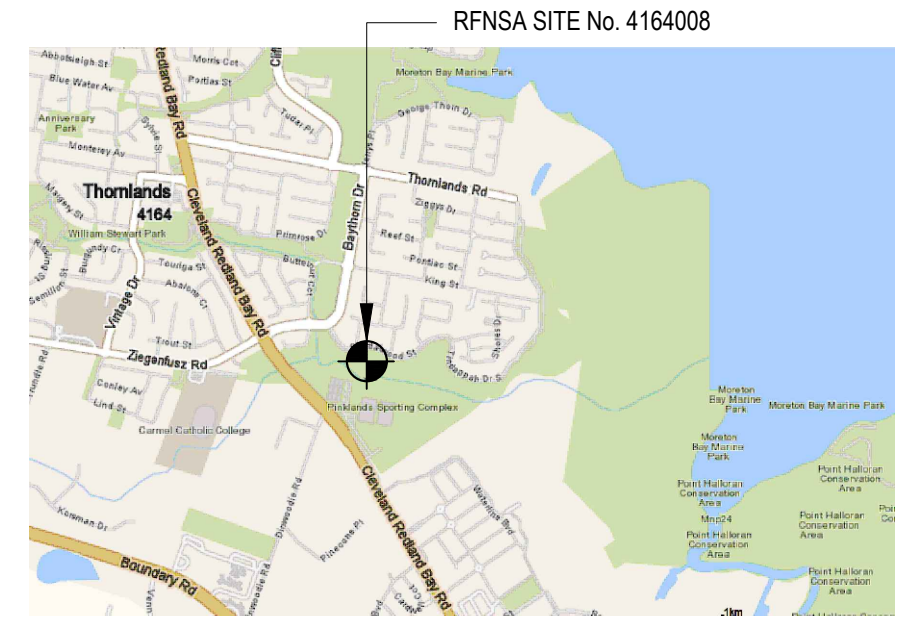
1. To apply the exception to dispose of land or an interest in land, other than by tender or auction, under sub paragraph 236(1)(c)(vi) of the *Local Government Regulation 2012 Act*, for granting of a telecommunication lease for the subject Property.
2. To delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009* to negotiate, make, vary and discharge the telecommunication lease.
3. That this report and attachments remain confidential, until the lease is finalised, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.



Attachment 2 - proposed lease area lot 2 on SL5716

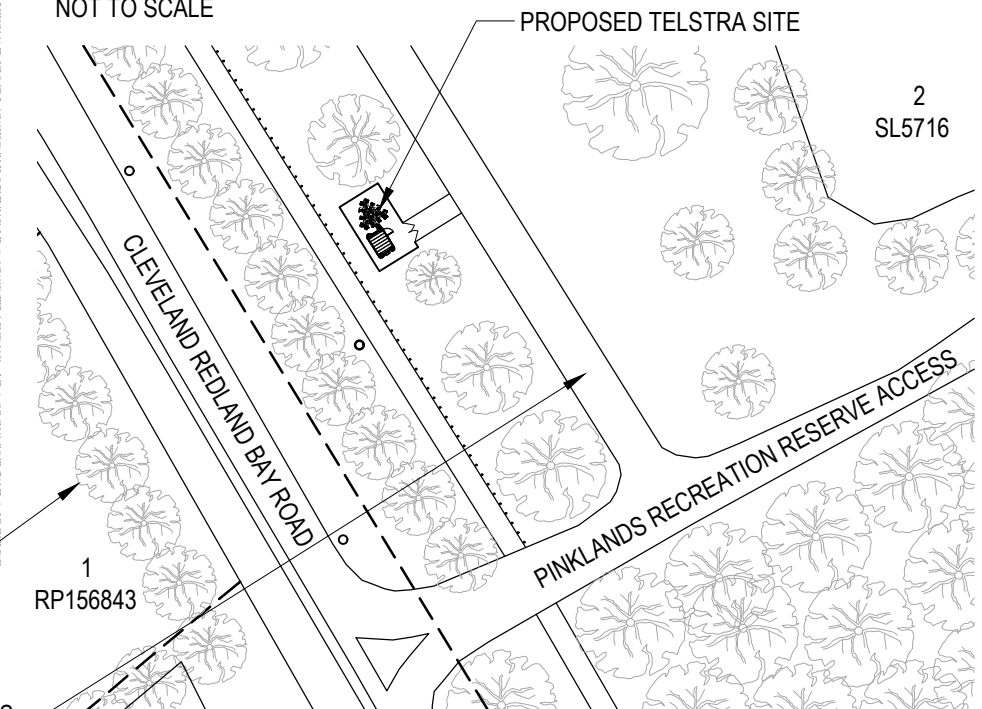


SITE MAP
50m 0 50m 100m 150m 200m 250m SCALE 1:5000



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LOCALITY PLAN
NOT TO SCALE



SITE ACCESS
10m 0 10m 20m 30m 40m 50m SCALE 1:1000

NOTES:

1. ALL EXTERNAL FEEDERS AND TAILS MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR EME SIGNS NOTATED (#X) REFER TO 005486 FOR DETAILS.
3. (#2) EME SIGN TO BE SECURED TO BASE OF EVERY ANTENNA AS PER 005486 DOCUMENT.
4. (#6) EME SIGN TO BE SECURED TO MONOPOLE AT 1.5m AGL.
5. (#13) EME SIGN TO BE SECURED TO TELSTRA COMPOUND GATE.
6. THIS DRAWING SET IS A PRELIMINARY DRAWING ONLY AND IS ISSUED FOR COMMENT. IT IS NOT A DETAILED STRUCTURAL DRAWING AND THEREFORE COULD BE SUBJECT TO CHANGE.

ELECTRICAL NOTES:

1. PROPERTY POLE SHALL NOT BE MORE THAN 20 METERS AWAY FROM THE SUPPLY AUTHORITY CONNECTION POINT. VEGETATION CLEARANCE MIGHT BE REQUIRED TO SUIT.
2. PROPOSED POINT OF CONNECTION IS BASED ON ENQUIRY TO SUPPLY AUTHORITY. POWER APPLICATION WOULD BE REQUIRED.

PROPERTY DESCRIPTION

PART OF LOT 2 ON SL5716
LOCAL GOVERNMENT: REDLAND CITY COUNCIL
LOCALITY: THORNLANDS

SITE STRUCTURE CO-ORDINATES (GDA94)

GPS READING ACCURACY: ±10m CENTRE OF MONOPOLE	
LATITUDE	-27.56779° (GDA94)
LONGITUDE	153.27438° (GDA94)



ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
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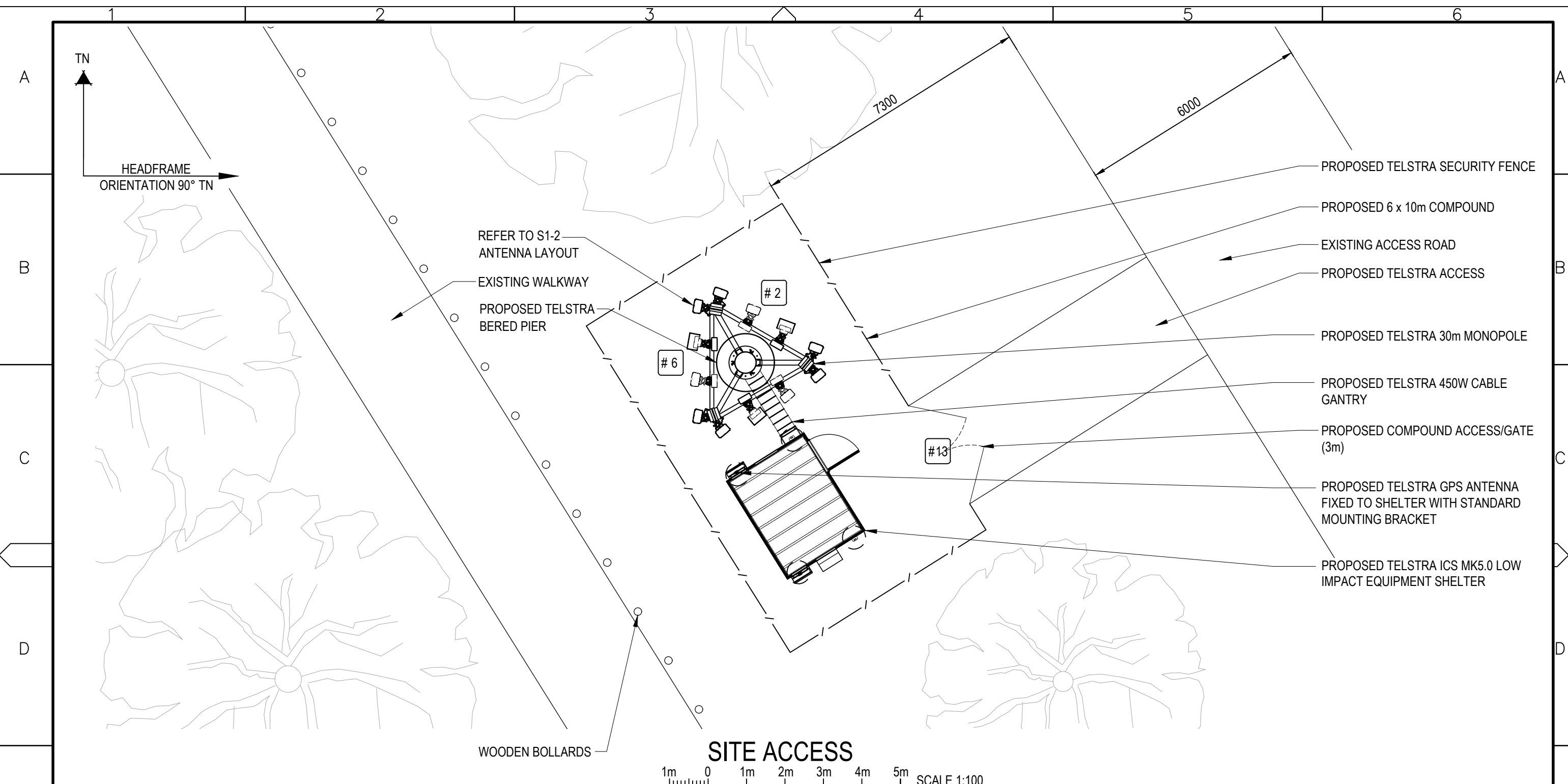
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PRELIMINARY



MOBILE SITE NETWORK
THORNLANDS EAST
SITE LAYOUT AND ACCESS
CLEVELAND-REDLAND BAY ROAD THORNLANDS QLD 4164

DWG NO. **Q116185** SHT NO. **S1** INDEX



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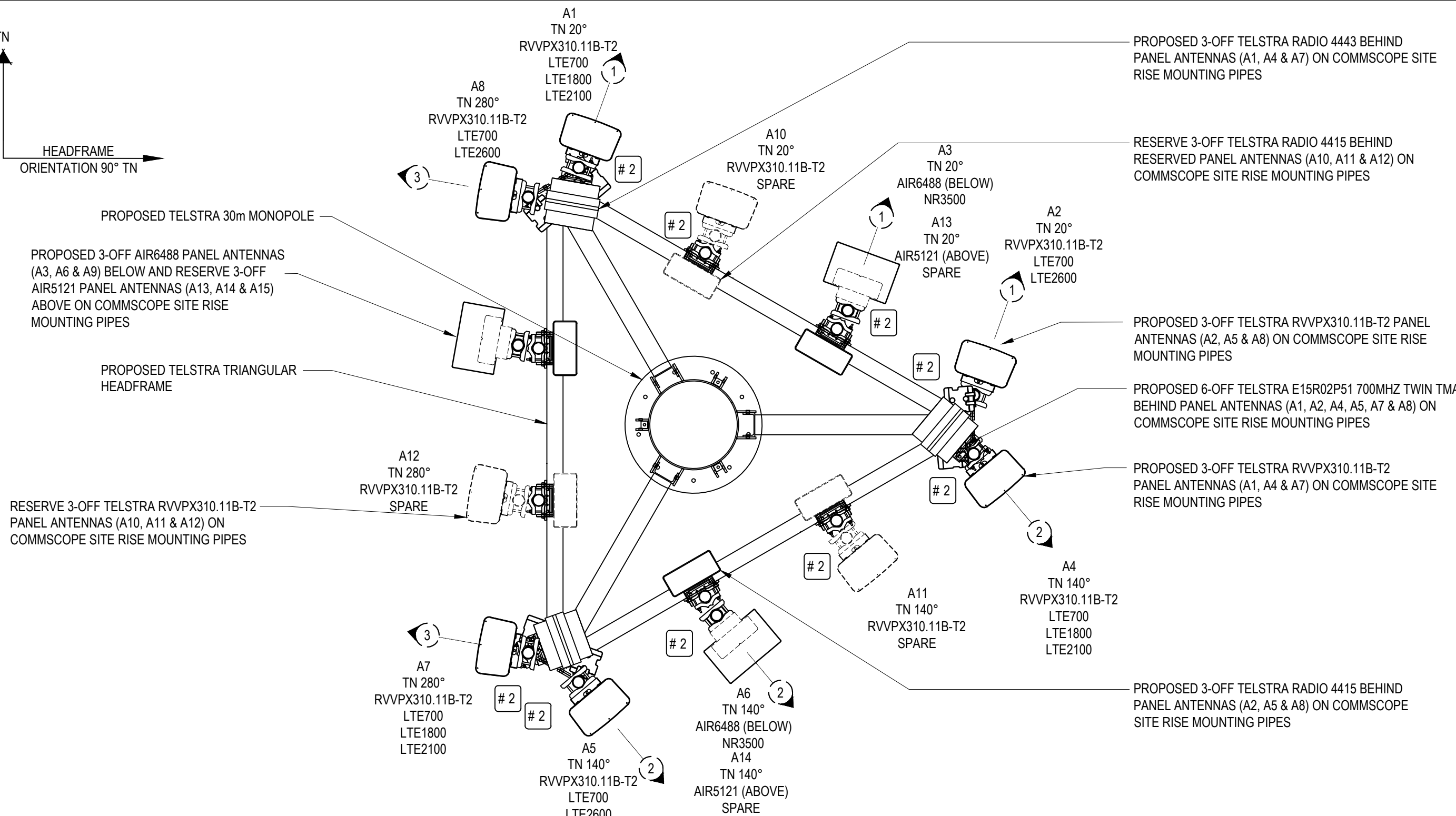
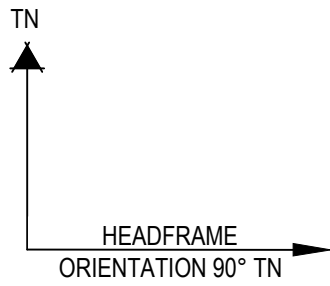
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**MOBILE SITE NETWORK
THORNLANDS EAST
SITE LAYOUT
CLEVELAND-REDLAND BAY ROAD THORNLANDS QLD 4164**

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ANTENNA LAYOUT AT 30m
 250 0 250 500 750 1000 1250 SCALE 1:25

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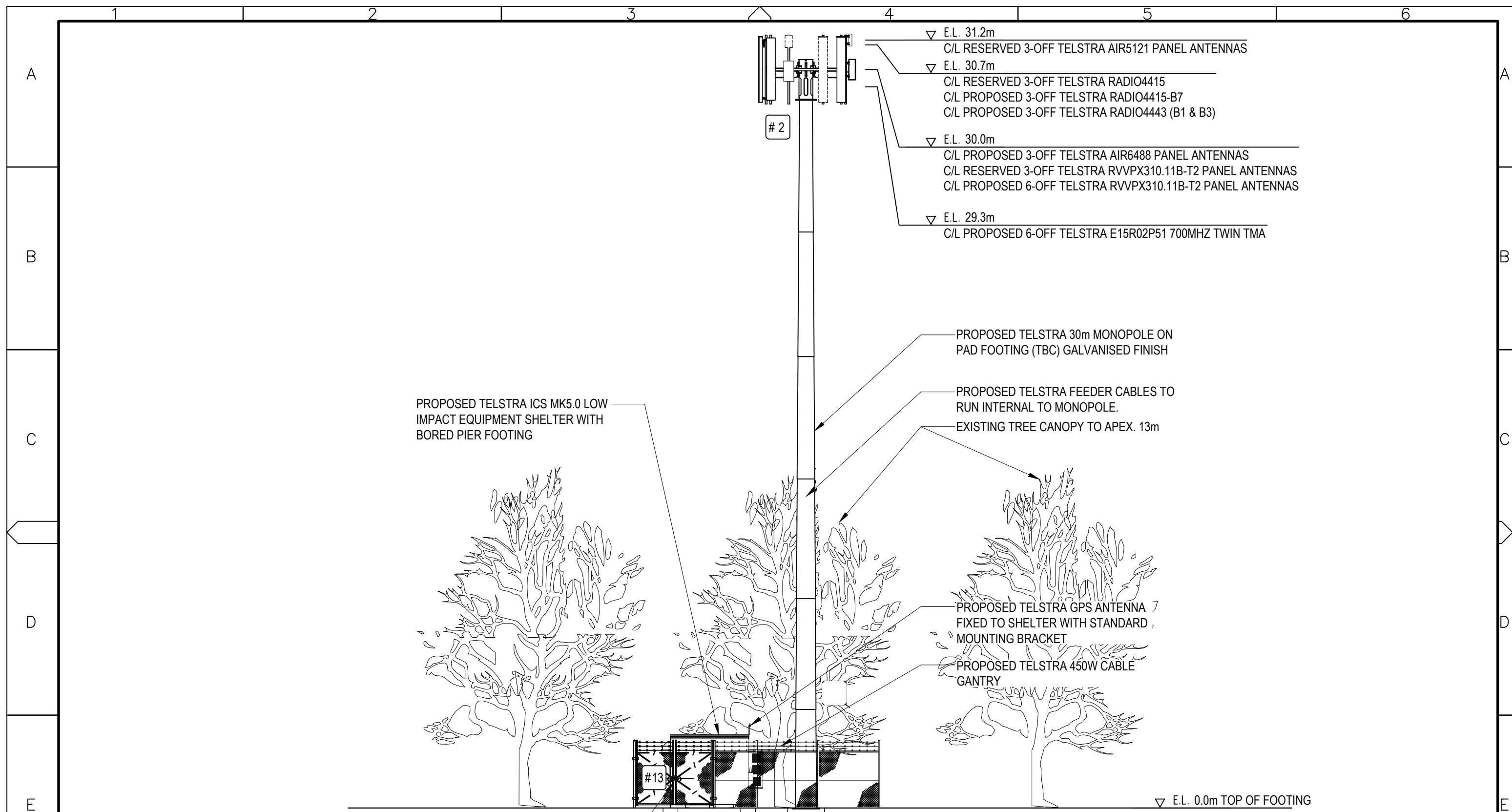
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MOBILE SITE NETWORK
 THORNLANDS EAST
 ANTENNA LAYOUT
 CLEVELAND-REDLAND BAY ROAD THORNLANDS QLD 4164

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NORTH EAST ELEVATION

1m 0 1m 2m 3m 4m 5m 6m 7m 8m SCALE 1:150

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MOBILE SITE NETWORK
 THORNLANDS EAST
 NORTH EAST ELEVATION
 CLEVELAND-REDLAND BAY ROAD THORNLANDS QLD 4164

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TELSTRA ANTENNA CONFIGURATION TABLE

ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	ANTENNA BEARING (x°T)	SECTOR NO. & TECHNOLOGY
A1	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	20°	S1: LTE700 S1: LTE700
					S1: LTE1800/LTE2100 S1: LTE1800/LTE2100
					S1: LTE1800/LTE2100 S1: LTE1800/LTE2100
A2	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	20°	S1: LTE700 S1: LTE700
					S1: LTE2600 S1: LTE2600
					S1: LTE2600 S1: LTE2600
A4	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	140°	S2: LTE700 S2: LTE700
					S2: LTE1800/LTE2100 S2: LTE1800/LTE2100
					S2: LTE1800/LTE2100 S2: LTE1800/LTE2100
A5	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	140°	S2: LTE700 S2: LTE700
					S2: LTE2600 S2: LTE2600
					S2: LTE2600 S2: LTE2600
A7	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	280°	S3: LTE700 S3: LTE700
					S3: LTE1800/LTE2100 S3: LTE1800/LTE2100
					S3: LTE1800/LTE2100 S3: LTE1800/LTE2100
A8	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	280°	S3: LTE700 S3: LTE700
					S3: LTE2600 S3: LTE2600
					S3: LTE2600 S3: LTE2600

TELSTRA ANTENNA CONFIGURATION TABLE

ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	ANTENNA BEARING (x°T)	SECTOR NO. & TECHNOLOGY
A3	ERICSSON AIR6488 PANEL 827 x 415 x 263mm	PROPOSED	30.0m	20°	S1: NR3500 S1: NR3500
A6	ERICSSON AIR6488 PANEL 827 x 415 x 263mm	PROPOSED	30.0m	140°	S2: NR3500 S2: NR3500
A9	ERICSSON AIR6488 PANEL 827 x 415 x 263mm	PROPOSED	30.0m	280°	S3: NR3500 S3: NR3500
A10	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	RESERVED	30.0m	20°	SPARE
A11	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	RESERVED	30.0m	140°	SPARE
A12	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	RESERVED	30.0m	280°	SPARE
A13	ERICSSON AIR5121 PANEL 500 x 300 x 100mm	RESERVED	31.2m	20°	SPARE
A14	ERICSSON AIR5121 PANEL 500 x 300 x 100mm	RESERVED	31.2m	140°	SPARE
A15	ERICSSON AIR5121 PANEL 500 x 300 x 100mm	RESERVED	31.2m	280°	SPARE
A200	ERICSSON GPS ANTENNA	INSTALL	3.0m	0°	LTE700

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