

AMENDED OFFICER RECOMMENDATION

4.7: NEW LEASE – TELSTRA CORPORATION LIMITED – PORTION OF RESERVE 44720, MT CLARENCE

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VOTING REQUIREMENT: SIMPLE MAJORITY

RECOMMENDATION :

THAT Council APPROVE the request from Telstra Corporation Limited for a new lease over portion of Crown Reserve 44720 and being Lot 1377 on Plan 7800, Mt Clarence subject to:

3. Lease rental being \$12,000.00 plus GST per annum.

Officer's Reason (Executive Director Corporate Services):

Following the Agenda Briefing Meeting the proponent, Telstra Corporation Limited has queried the market valuation provided by the Independent Certified Practising Valuer, Opteon Property Advisors (Albany & Great Southern WA) being \$17,500.00 plus GST per annum.

The City acknowledges the difficulty in providing a market rental valuation for a telecommunication facility lease. Telstra have disputed the proposed market rental.

Negotiations between the Valuer and Telstra have broken down. Telstra provided sufficient rental evidence of similar telecommunication facilities to support a lower rental valuation than that established by the Valuer.

It is noted that the *Telecommunications Act 1997* provides statutory powers to licensed carriers to enter property and install telecommunications equipment for a low impact facility, if agreement cannot be reached with the landowner.

The City recommends, in agreement with Telstra, a compromise rental amount of \$12,000.00 plus GST per annum.