

**Licensor:** The District Council of Mount Remarkable

**Licence fee:** \$1 p.a. if requested

**Term:** 20 years

**Licence Fee Reviews:** 2.5% p.a

**Licence Commencement:** On Licensee's execution of the licence

**Access:** Access is required 24 hours a day 7 days a week subject to providing the Licensor with 24 hours prior notice, except in cases of emergency, for which no prior notice is required.

**Insurance:** nbn has public liability insurance policy to the value of at least \$20m for any one occurrence.

The Lessor must have its own public liability insurance policy to the value of at least \$10m for any one occurrence.

**Contamination:** **nbn** requires the Lessor to warrant that, at the Date of Commencement, the Land does not contain substances hazardous to health or safety.

**Legal Costs:** Each party is responsible for its own legal and other costs, charges and expenses in relation to the preparation, negotiation, completion and registration of the Lease

**Special Conditions:** Nil.

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

- Approval by **nbn**'s financial delegate
- Lessor's approval of plans
- Lessor to provide an active ABN
- ABN must match the Lessor (s) on the Lease Agreement

Please confirm Council's agreement to enter into a licence for the installation of power cabling and we will prepare a licence for consideration.

If you have any further queries, please do not hesitate to contact me on phone 08 8431 3644 or mobile 0414804487.

Yours Sincerely



**Tanya Robinson**  
**Property Consultant**  
**On behalf of Ericsson and Aurecon**

Our Ref: Wilmington

13 November 2019

The Chief Executive Officer  
The District Council of Mount Remarkable  
PO Box 94  
Melrose SA 5483

Attention: Wayne Hart

Email: [ceo@mtr.sa.gov.au](mailto:ceo@mtr.sa.gov.au)

Dear Wayne,

**NBN Co Limited Proposed Licence over part Wilmington Showgrounds, Horrocks Highway, Wilmington (Section 565 Hundred of Willochra)**

As advised to Council in letter dated 15 November 2017, **nbn** has entered into a lease with the Owner of land known as Lot 91 Government Road, Wilmington (Allotment 91 Filed Plan 207980, Hundred of Willochra) and a Development Approval granted on 10<sup>th</sup> November 2017 for the proposed **nbn** fixed wireless facility.

SA Power Networks determined the point of supply to power the facility would be from the existing power pole located on the abovementioned land (Section 565) being the Wilmington Showgrounds as shown on the attached image. The parcel is owned by Crown under custodianship of The District Council of Mount Remarkable. It is understood SAPN has completed these works and the infrastructure is owned by **nbn**.

Consent was provided by Council, as custodians of the Crown Land, for **nbn** to submit an application for a power easement from Department for Environment and Water (DEW). DEW has recently deemed Council to be the appropriate entity to grant formal consent rather than permit an easement.

This Heads of Agreement letter proposes a Licence to document the power cabling route from the existing pole within the Showgrounds land to the public road which will provide **nbn** access rights and ongoing maintenance of the power supply as required.

**Heads of Agreement**

- Licensed area:** The power route as identified in the attached plan on Crown Record Volume 5755 Folio 808 known as Wilmington Showgrounds.
- Permitted Use:** An unrestricted right at all times to pass and repass with or without vehicles, plant, equipment or materials over and along the Licensed Area for the purpose of access to the Licensed Land.  
To install, erect, construct, dismantle, maintain, repair, replace, vary, add and use below ground cabling to and from the Licensed area and any other installations of NBN Co and to connect to adjoining roads or services.
- Deed of Access:** The standard **nbn** Access Licence (to be provided)
- Licensee:** NBN Co Ltd



