

## 10. NZ COMMUNICATIONS LIMITED – NEW TELECOMMUNICATION COMPANY

<b>General Manager responsible:</b>	General Manager Corporate Services DDI: 941 8540
<b>Officer responsible:</b>	Property Consultancy Manager
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### PURPOSE OF REPORT

1. To seek the approval of the Council for the Corporate Support Manager to enter into a Protocol/Licence agreement with NZ Communications Limited on the same basis as the other telecommunication companies and subsequently be authorised to approve individual sites on Council owned property.

### EXECUTIVE SUMMARY

2. NZ Communications Limited has approached the Council with a desire to establish approximately 50 cell sites in Christchurch on both Council owned land and privately owned land. It is expected that 25 sites will be on Council property mainly mounted on the Council's street lighting poles.
3. Currently the Council has a Protocol and Licence Agreement with Telecom, Vodafone and Woosh Wireless. The protocol outlines a process for obtaining consent to use Council owned land and sets out the base licence requirements for individual site agreements.
4. This process is working well, and sets out the requirements and obligations of both parties. We propose extending the same agreement to NZ Communications Limited in the interests of equality and consistency for all telecommunication companies.
5. Prior to consenting to the establishment of individual sites, NZ Communications Limited would be required to agree to the Protocol and the terms of a licence similar to those in place with Telecom, Vodafone and Woosh Wireless before any site agreements are issued.
6. The Corporate Support Manager has the delegation to approve individual cell sites on street assets that are less than 20m in height.

### FINANCIAL IMPLICATIONS

7. The company is to pay the Council's reasonable costs arising out of or in relation to the negotiation and completion of the Protocol/Licence agreement and any deed, including any renewals or variations entered pursuant to that agreement. The Protocol Agreement also records the annual licence fee due and payable for individual site agreements that will follow in due course.

### LEGAL AND PLANNING CONSIDERATIONS

8. The Council enters into this Protocol/Licence Agreement under the authority contained in the Telecommunications Act 2001 and pursuant to Sections 341 and 357 Local Government Act 1974.
9. Under the City Plan, cell towers of up to 20 metres in height are being erected with the issue of a Certificate of Compliance.

### ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. A similar cell site process to all other Telcos.

### Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

11. Same as other Telcos.

**ALIGNMENT WITH STRATEGIES**

12. N/A

**Do the recommendations align with the Council's strategies?**

13. N/A

**CONSULTATION FULFILMENT**

14. Not required.

**STAFF RECOMMENDATION**

It is recommended:

- (a) That the Corporate Support Manager be delegated authority to enter into a licence/protocol agreement with NZ Communications Limited on the same basis as the other telecommunication companies.
- (b) That the Corporate Support Manager be given authority to approve individual sites on Council owned property including street assets.