

Wānaka-Upper Clutha Community Board

20 February 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [3]

Department: Community Services

Title | Taitara: Communications Station Licence for Connexa within Forest Heights Reserve, Wānaka

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to consider recommending to Council to grant a new reserve licence to Connexa Ltd for a communications station within Forest Heights Reserve (the Reserve), Wānaka.

Recommendation | Kā Tūtohuka

That the Wānaka-Upper Clutha Community Board:

1. **Note** the contents of this report;
2. **Recommend to Council** to grant a licence in accordance with section 48(A) of the Reserves Act 1977 to Connexa Ltd over part of lot 721 deposited plan 399076 known as Forest Heights Reserve, Wānaka, subject to the following terms and conditions:

Commencement	Upon receiving resource consent
Term	6 years
Renewal	Two rights of renewal of 6 years each
Rent	Market rental to be assessed by valuation
Rent Reviews	Every 3 years

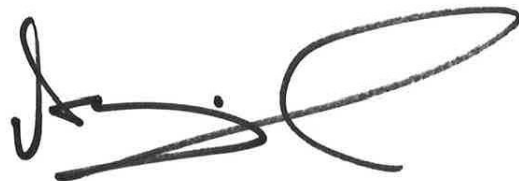
3. **Recommend to Council** to delegate remaining terms and conditions to the General Manager of Community Services.

Prepared by:



Name: Matthew Judd
Title: Parks Property Planner
29 January 2025

Reviewed and Authorised by:



Name: Kenneth Bailey
Title: General Manager Community Services
29 January 2025

Context | Horopaki

1. Connexa provides tower infrastructure to a range of telecommunications organisations; primarily Spark and 2 Degrees.
2. Connexa currently has a temporary mast and communications infrastructure located on private land adjacent to Forest Heights Reserve, known as Sticky Forest. This equipment has been at this location since 2017. During the summer of 2016-17 capacity was reached on existing infrastructure, resulting in interrupted services. Subsequently Connexa installed the temporary site to increase capacity. Connexa wish to upgrade this equipment for the purpose of providing improved coverage and capacity. In order to complete this upgrade Connexa require a site with security of tenure to enable the investment. They have now applied for a licence within Forest Heights Reserve adjacent to the current temporary location. The existing and proposed locations are shown in the plan at **Attachment A**.
3. The proposed upgrade includes installing a new larger tower (currently 9m high up to a proposed 12.7m) and associated equipment contained within a fenced compound. An image of the proposed tower and existing tower are at **Attachment B**.
4. This location within Forest Heights Reserve is strategic as it is a natural high point allowing mobile coverage to areas of Wānaka that are not covered by other towers. Specifically, Beacon Point, areas of Lake Wānaka and some of the western shorelines of Lake Wānaka, including Roys Peak. Connexa advised that without this strategic location, numerous additional towers would be required in residential neighbourhoods to achieve the same coverage.
5. Forest Heights Reserve is legally described as Lot 721 Deposited Plan 399076 contained within certificate of title 411545. The land is vested as recreation reserve and is subject to the Reserves Act 1977.
6. In accordance with section 48A of the Reserves Act, Council has the authority to grant a licence for a communications station over reserve land. Consent of the Minister is required to grant the lease, this being delegated to Council.
7. Section 48(4) of the Reserves Act 1977 requires a licence to be publicly notified if it is not in conformity with an approved management plan. Forest Heights Reserve does not have a management plan.
8. Council has granted leases & licences to a number of communications stations throughout the district. Locations include Wānaka Ardmore Street Carpark, Queenstown Hill, Deer Park Heights, Ben Lomond and numerous locations within road reserves throughout the district.

Analysis and Advice | Tatāritaka me kā Tohutohu

9. Connexa has applied for a 35 year (7 terms of 5 years) licence for this site. This is inconsistent with other agreements for existing communications stations within the district, being longer than

normal. The terms that have been proposed to be notified are based on existing agreements with communications providers on reserves mentioned above.

10. The proposed licence terms allow for a market based commercial rental, reviewable every 3 years.
11. The area within the Forest Heights Reserve that has been proposed for the licence is away from the existing trail and not regularly used. It is elevated on a knoll above the trail and should not interfere with regular users of the Reserve.
12. The proposed mast height of 12.7 metres breaches the permitted height limit for this zone, as such resource consent is required. Our granting of the licence is conditional of resource consent being granted.
13. It is intended that the visual effects of the mast will be assessed within the resource consent application, however as the land owner, we will require additional planting around the compound to minimise the visual impact. If appropriate, we will also require the mast to be painted to blend in with the landscape as much as possible.
14. In accordance with the Reserves Act 1977 the intention to grant this licence has been publicly notified in local and regional newspapers. No submissions were received.
15. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.
16. Option 1 To recommend to Council to grant a licence to Connexa for a telecommunications station subject to the terms and conditions outlined above:

Advantages:

- Will allow for investment in communication infrastructure providing community resilience
- Will provide Council with a commercial rental for this activity

Disadvantages:

- Will restrict reserve users from this part of the reserve

17. Option 2 To recommend to Council to decline the licence to Connexa in Forest Heights Reserve.

Advantages:

- Will result in no impact to the users of Forest Heights Reserve.

Disadvantages:

- May result in reduced communications capabilities in some areas of Wānaka or more towers being required in residential areas.
- Loss of potential income to Queenstown Lakes District Council (QLDC).

18. This report recommends **Option 1** for addressing the matter because of the potential benefits of improved communications infrastructure and income for QLDC through this agreement. Adverse effects on the reserve users are minimal.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

19. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because it involves a QLDC reserve.
20. The persons who are affected by or interested in this matter are users of the Forest Heights Reserve and residents of adjacent suburbs who may be affected by coverage changes, increased towers in residential areas and the visual impact of the new infrastructure.
21. The Council has publicly notified the intention to grant this lease in accordance with the Reserves Act 1977. Notifications were contained within the Wānaka Sun and Otago Daily Times.

Māori Consultation | Iwi Rūnaka

22. The Council has not specifically consulted with Iwi regarding this proposed licence. The licence has gone through a public notification process and as the existing telecommunications infrastructure is only moving a few metres, overall impact is considered minimal.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

23. This matter relates to the Community & Wellbeing risk category. It is associated with RISK10023 Disruption event to facility or service within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.
24. The approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by terms and conditions within the licence document.

Financial Implications | Kā Riteka ā-Pūtea

25. The potential licence will provide income to QLDC, with all costs associated with the application to be met by the applicant.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

26. The following Council policies, strategies and bylaws were considered:
- This lease aligns with the principles of the Vision Beyond 2050. Specifically allowing upgrading communications infrastructure will assist with Disaster-defying resilience.
 - Community Facility and Funding Policy.
 - Parks & Open Spaces Strategy 2021.
 - Reserves Act 1977.
27. The recommended option is consistent with the principles set out in the named policies.
28. This matter is not included in the Long Term Plan/Annual Plan.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

29. Council must follow the provisions of the Reserves Act 1977 when granting leases / licences over Reserve land.

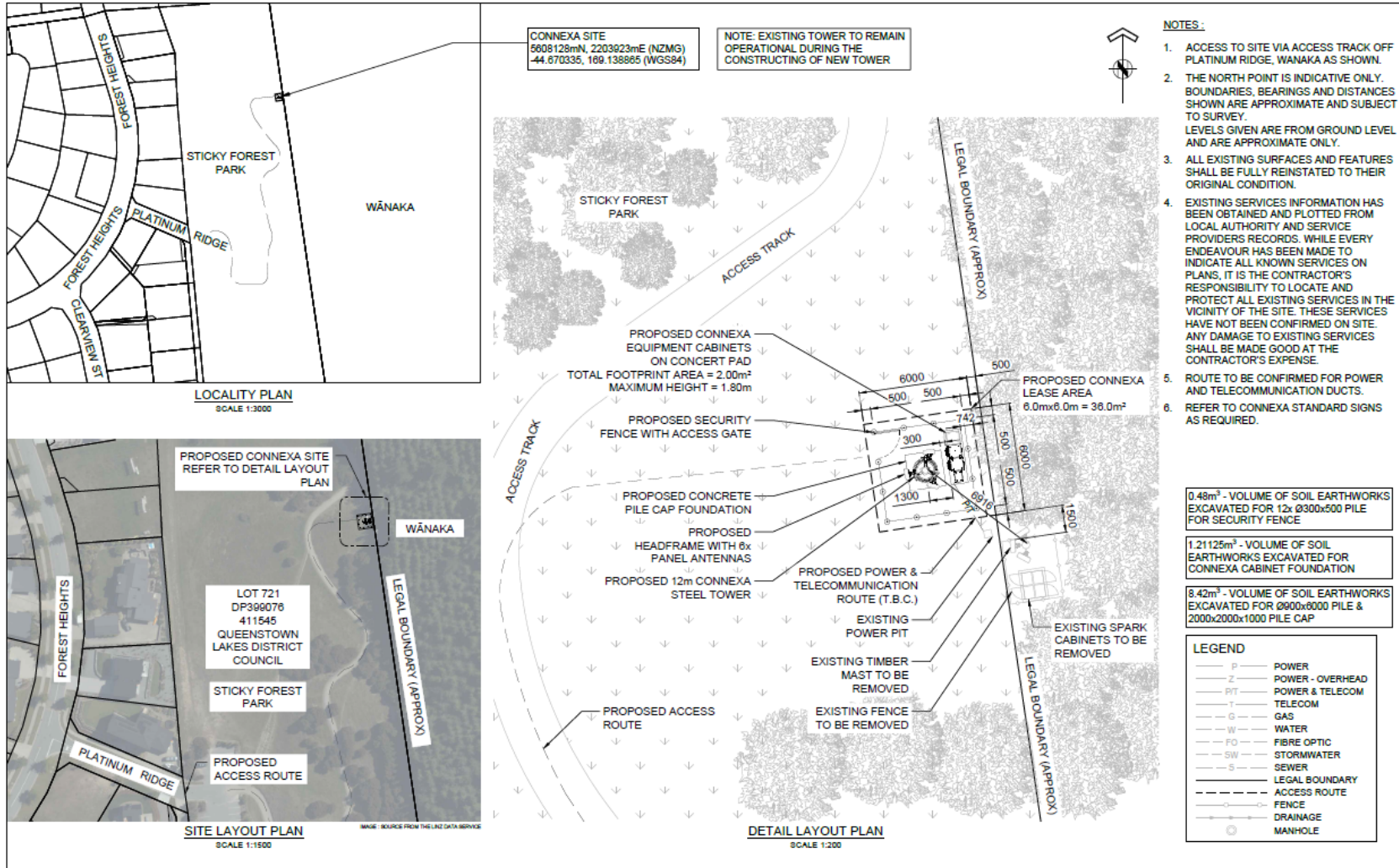
Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

30. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. This proposed licence will aid social and economic well-being by making the communications network more resilient and increasing coverage and capacity in some areas. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.
31. The recommended option:
- Can be implemented through current funding under the Long Term Plan and Annual Plan;
 - Is consistent with the Council's plans and policies; and
 - Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	Plan of proposed licence area within Forest Heights Reserve
B	Diagram of proposed new facility compared to existing

Attachment A – Plan of proposed licence area within Forest Heights Reserve



All services shown based on service maps and other data available to the date of issue. 1. Using the drawings and other data available to the date of issue. 2. Using the drawings and other data available to the date of issue. 3. Using the drawings and other data available to the date of issue.

Drawn	IG	Date	13.08.24
Designed		Date	
Checked		Date	
Approved		Date	
IG	03.10.24	Checked	Date
IG	01.10.24	Approved	Date
IG	05.08.24		
IG	05.08.24		
BY	DATE		



Project: QTNBCN BEACON POINT STICKY FOREST, PLATINUM RIDGE QUEENSTOWN

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Drawing Title:	SITE & EQUIPMENT LAYOUT
Co-location Site Codes:	SBCN

Drawing Status:	DRAFT SITE & LAND
Site Code:	QTNBCN
Scale:	AS SHOWN
Site Type:	GREENFIELD
Site Size:	A3
Drawing No.:	S-010
Rev.:	1

Attachment B – Diagram of proposed new facility compared to existing

