

1. REVIEW OF CELL SITE PROTOCOL AND COMMITTEE DELEGATIONS

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Corporate Plan Output: Advice to Elected Members	

The purpose of this report is to submit a revised cell site protocol, together with proposed changes to the cell site selection process. The draft protocol and selection process were presented to a Council seminar on 25 January 2001.

BACKGROUND

The seminar was held to inform Councillors of the need to change the existing protocol and to invite discussion. The revised protocol (copy attached) is the product of review and amendment and reflects the fact that the Council is dealing with three types of cell sites which require different levels of notification and preparation. These are:

- 1. Micro sites on City Streets assets (applications to affix micro sites on Council assets).**
- 2. Use of Council land (not reserves) where public sensitivity is less of an issue e.g. transfer stations, works yards, pumping stations.**
- 3. Sites on reserves where the location can give rise to considerable public sensitivity.**

WHY THE COUNCIL IS INVOLVED

The Council has made a commitment to try and accommodate the needs of telecommunication companies to locate cell towers on Council land. This was done to help reduce the impact of locating cell towers in residential environments and, therefore, minimise effects on residential communities. The Liaison Office has been given the task of facilitating the identification of possible suitable locations on Council land and to guide formal applications through the agreed "landowner" protocol. By taking this initiative and offering its land for cell facilities, the Council gains a level of control and is in a position to place conditions on the activity, e.g. co-location of equipment, visual impacts etc. It is our responsibility to manage the balance between presenting ourselves as an attractive and viable alternative to telecommunication companies and fulfilling our responsibilities to ratepayers.

The demand from the public to use cell phones as the chosen communication instrument will continue to drive the need for more sites to accommodate cellular telephone base stations in residential areas.

As demand continues to increase and acceptable sites become scarce, it is considered more beneficial that the Council has the opportunity to provide more options for a solution, than to have no influence.

THE SEMINAR

The seminar was attended by 17 Councillors and presentations were made by three Council officers:

John de Zwart outlined the present situation relating to cell site installations, covering legal and environmental issues, the Council's role as landowner, the advantages of using Council land for cell sites and the proposed revised selection process. He emphasised that the Liaison Office is facilitating this process for the Council as land owners only and that resource consent conditions, taking into account effect and constraints, will apply later in the separate resource consent application process. He made the following specific points:

1. The demand for cell phones has and is still increasing at a great rate.
2. Telecommunication companies are legally entitled to install equipment to service the increasing demand.
3. Cell phone facilities do impact on residential communities:
 - Visually
 - Home saleability (likely to change when facilities are more common)
 - Stress when considering perceived health risks.
4. The vast majority of the community would prefer not to have a cell site facility in their backyard.

5. Christchurch has been identified by telecommunication companies as a difficult area to have cell facilities accepted by the public.
6. Some members of the community are still not convinced that the risk posed by cell facilities is acceptable. Other risks found acceptable include HT power lines etc.
7. Presently some areas of Christchurch experience very poor cell phone service owing to lack of coverage/facilities.
8. Given the demand for service, it is very unlikely that the telecommunication companies are going to give up on areas where sites are difficult to secure. They are more likely to settle for a less than optimum site, e.g. residential. In this scenario the Council has very little control over the activity, other than to impose limited conditions in a regulatory capacity (reactive).
9. The Council, by taking the initiative and offering its land for cell facilities gains a level of control, and in a position to place conditions on the activity e.g. co-location, visual appearance etc. (proactive).
10. We need to manage a balance between presenting as attractive to the telecommunications companies and fulfilling our responsibilities to ratepayers.

Isobel Stout briefed the meeting on the technical aspects of cell site installations, displayed illustrations of the different types of installations, and detailed the technical information sought from applicants to enable a site to be fully assessed

Weng Kei Chen updated the meeting on the current procedures for processing applications to install micro sites on street assets. These applications are currently dealt with by a subcommittee of the City Services Committee and are subsequently processed as non notified resource consent applications.

CURRENT RESOURCE CONSENT PROCESS FOR MICRO SITES ON CITY STREET ASSETS

Applications to place cell phone facilities on city street assets are currently being processed through the City Streets Unit with a standard lease and annual rental prepared by the Property Unit.

Resource consent applications for micro sites are treated as non-notified because the visual impact is minimal (sometimes nil) and the emission level is considerably less than macro sites. Identical equipment is already lawfully located on private land and all resource consent applications for the placement of these have so far been treated as non-notified. Decisions on notification are made in accordance with the criteria in Section 94 of the Resource Management Act 1991.

DISCUSSION ON REVISED SELECTION PROCESS

General support was given to the revised proposed selection process as presented by John de Zwart, subject to the inclusion of:

- Consultation with staff at any Council depot or works yard on health and safety issues relating to cell phone facilities
- A publicity leaflet for letterbox drops, similar to that used by the City Streets Unit for advising new street works, being designed for delivery to ratepayers in the vicinity informing them of proposed cell site locations.
- A media and education campaign being launched to change the widespread misconceptions about the safety of cell sites and also to explain the legal situation relating to the installation of cell sites, particularly the fact that the Council does not have the power to prevent installations. It was suggested that the Council make use of an outside agency, such as the National Radiation Laboratory or the Ministry for the Environment to assist with the education programme. City Scene was also suggested as another vehicle for educating the public on the legal and safety issues relating to cell sites.
- An additional opportunity being given to the Cell Sites Subcommittee to request public consultation if it could assist the Council to make a decision as landowner. This would only be considered in the unlikely event that the telecommunication companies had not requested that the application for a resource consent not be publicly notified.

RECOMMENDATIONS FROM SEMINAR

It was agreed that the Cell Sites Subcommittee be requested to discuss the issues raised at the seminar and report to the Strategy and Resources Committee. It was also agreed that:

- The Cell Sites Subcommittee should be given the power to approve all applications to install cell sites on Council land, with the exception of micro sites on city streets assets, and that the Subcommittee seek an appropriate delegation from the Council, through the Strategy and Resources Committee
- The Cell Sites Subcommittee be strengthened by the inclusion of additional members with the intention that it become a specialised subcommittee for the purpose of considering cell site facilities on Council land, in the same way that the Resource Management Subcommittee has evolved.

The current membership of the Subcommittee is Councillor Charles Manning (Chairman), Councillors Graham Condon, Anna Crighton, Denis O'Rourke, Gail Sheriff and Barbara Stewart. In addition, the protocol adopted by the Council at its May 2000 meeting provides for the relevant Community Board to request that a representative join the Subcommittee, with voting rights.

SUBCOMMITTEE'S COMMENT

The Cell Sites Subcommittee met on 23 February 2001 to consider the above recommendations.

While the Subcommittee would be happy for the Council to make the decision on applications for installations on sensitive sites, it is the members' unanimous belief that they are perfectly capable of dealing with all applications.

The Subcommittee also considers that in the interests of efficiency the applications for micro sites on city streets assets should be dealt with by the Cell Sites Subcommittee rather than a by separate subcommittee.

On the question of membership, the members were of the view that the present Subcommittee is large enough to handle this task.

- Recommendation:**
1. That the Cell Sites Subcommittee be delegated the power of the Council to approve all applications to install cell sites on Council land and infrastructure.
 2. That the membership of the Subcommittee, as it stands, be confirmed.