



09th December 2025

Far North District Council
Private Bag 752
KAIKOHE 0405

Attention: Planning Team – Resource Consent Applications

Dear Sir or Madam:

RESOURCE MANAGEMENT ACT 1991 – RESOURCE CONSENT APPLICATION BY FORTYSOUTH, FOR THE UPGRADE & CONTINUED OPERATION OF A TELECOMMUNICATIONS FACILITY, POPLAR DOWNS, REMUERA SETTLEMENT ROAD

Enclosed for your further action is a copy of the above application.

The documentation in support of the application is as follows:

1. A description of the activity for which the consent is sought
2. An analysis of the provisions of the Plan, which are relevant to the application
3. An analysis of the National Environmental Standards for Telecommunications which are relevant to the application
5. Plans and elevations; and
6. Associated specialist reports.

The appropriate lodgement fee will be paid on lodgement. If you have any questions or queries, please contact me directly (021 02929905). We look forward to hearing from you in respect of this matter.

Yours faithfully
Fortysouth

Colin Clune
(021) 0292 9905
colin.clune@fortysouth.co.nz

Security Request

This application includes information concerning Police radio communications and for security reasons it is requested that all papers concerning and including this application are filed in a secure manner (and not electronically scanned) with staff access privileges for bona-fide purposes only and with no provision for public access (refer to s5 & s6 of the Local Government Official Information and Meetings Act 1987)

**APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88
OF THE RESOURCE MANAGEMENT ACT 1991**

Fortysouth applies for a resource consent as described below:

1. The names and addresses of the owner (other than the applicant) of any land to which the application relates are as follows:

Lynette Gay Young
Remuera Settlement Road
Kaikohe

2. The general location and legal description covered by this application is Private Property legally described as **Section 1S, Section 2S, Section 10S, Section 12S and Section 13S Te Pua Settlement and Section 43S and Section 44S Remuera Settlement held in CT NA35B/363** at the following location:

- Poplar Downs, Remuera Settlement Road, Kaikohe

3. The type of resource consent sought is land use consent for a Discretionary Activity under the Far North District Plan.

4. A description of the activity to which the application relates is:

The upgrade of a co-locatable telecommunications facility, previously established within an outstanding natural feature overlay.

The activity is more fully described in the attached annexure.

5. There is no additional resource consents required in relation to the proposed activity.
6. The attached annexure forms part of this application and provides a full description of any effects on the environment in accordance with the Fourth Schedule to the Resource Management Act 1991.
7. No other information is required by the District Plan or regulations.

Address for service of applicant:

Colin Clune
Fortysouth
Level 1, AA Building
46 Sale Steet
AUCKLAND 1142
Mobile: 021 0292 9905
colin.clune@fortysouth.co.nz

.....
Colin Clune on behalf of Fortysouth
Date:

Annexure: A description of the proposed activity in accordance with the Fourth Schedule to the Act.



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FORTYSOUTH LTD

Resource Consent Application:

The Upgrade of an Established Co-locatable Telecommunications Facility, Poplar Downs, Remuera Settlement Road, Kaikohe

**REFERENCE:
KAIKOHE (N1KKE)**

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1. Introduction

BACKGROUND

- 1.1 Aotearoa Towers Group (ATG) trading as Fortysouth is undertaking a project to modernise their network. This application pertains to the establishment of a new standalone telecommunication facility. Required for network modernisation and resilience.

NATIONAL ENVIRONMENTAL STANDARDS

- 1.2 The National Environmental Standards 2016 (NESTF) for telecommunication facilities came into force on the 1st of January 2017. These regulations substitute the previous NESTF 2008 and existing District Plan rules for telecommunications structures in the road reserve. Activities that do not qualify as regulated activities, under the regulations of the NESTF, are to be assessed through the relevant District Plan under the Resource Management Act 1991.
- 1.3 This report contains the following information:
- i. A description of the proposed activity
 - ii. A description of the site and surrounding locality
 - iii. An analysis of the provisions of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 which are relevant to the application
 - iv. An analysis of the provisions of the District Plan that are relevant to the application.

SALE BY VODAFONE NEW ZEALAND LIMITED OF MOBILE TOWER INFRASTRUCTURE TO AOTEAROA TOWERS GROUP LP

- 1.4 Vodafone (rebranded to One NZ on 1 April 2023) sold its passive mobile tower infrastructure business to Aotearoa Towers Group (ATG), trading as Fortysouth, an entity owned by funds managed by leading global investors InfraRed Capital Partners and Northleaf Capital Partners. The creation of ATG follows the establishment of numerous passive mobile tower infrastructure businesses or tower companies that have been seen around the world. One NZ is upgrading its infrastructure on this ATG asset.

2. Site and Location

- 2.1 The subject site is legally described as Section 25 Te Pua Settlement, consisting of pastoral land with an elevated topography. The subject site forms the southern rim of the “Te Pua Volcanic Crater”, a former active Volcano. The established One NZ telecommunication mast is located on an elevated section of subject site. Access to the site is provided via a metalled track measuring approximately 700m length. The subject site is characterised by fenced paddocks with stands of native bush and sporadic clusters of native trees and bush. Due to the historic volcanic activity within the area, large volcanic rocks are apparent in the surrounding area.
- 2.2 The existing telecommunications facility was first legally established in 1997. The facility consists of a 20m high monopole with a headframe and various attachment antennas, contained within an existing farm fence. Following the establishment of the original facility, there have been multiple resource consents granted for the further upgrade of the facility, providing for the attachment of additional of telecommunications equipment and the introduction of new telecommunications technology.

Figure 1: Kawakawa Site Location



3. The Proposal

- 3.1 The proposed facility will provide an important component of Kordia Tait Systems. Tait Systems NZ Ltd is currently working to establish a number of digital radio communication facilities in Northland to provide a new communications network for emergency services. The project is Government funded, with that funding being overseen by Next Generation Critical Communications (NGCC). NGCC, is the government's leading advisor on critical communications for public safety in New Zealand. More information regarding the rollout is available here: <https://www.ngcc.govt.nz/>
- 3.2 The purpose of the new network is to provide secure and reliable digital mobile radio coverage and multinetwork priority cellular broadband capability in the area and surrounds for New Zealand's First Responders.
- 3.3 Details of the upgrade are summarised in the following table and demonstrated in the application drawings within **Appendix 2**.

Table 1 Proposed Works	
Site	Proposal
Kaikohe (N1KKE): Poplar Downs Settlement Road, Kaikohe	<p>The following upgrade will be undertaken on the existing previously established pole measuring 20m in height (excluding the lightening rod) for the co-location of Kordia Tait antennas on a Fortysouth facility. The height of the pole will remain unchanged.</p> <ul style="list-style-type: none"> Proposed new dipole antennas – attached on a new mount at <u>an approximate height of 23.4m</u> Relocation of panel antenna – attached on an adjacent headframe arm, <u>maintaining the existing panel height of 21m</u> Proposed new 0.9mØ dish antenna – attached to an existing mount at <u>an approximate height of 15.7m</u> Proposed new replacement lightning rod, <u>increasing the max overall height of the facility from 23.4m to 25.3m</u>

	<ul style="list-style-type: none"> • The installation of a new side by side cabinet array, consisting of two cabinet bays measuring: <p><u>Bay 1</u> measures 1.36m length x 0.98m width x 2.1m height covering a total area of 1.33m². To be installed on the existing concrete pad (no earthworks involved or required).</p> <p><u>Bay 2</u> measures 0.65m length x 0.75m width x 2.1m height covering a total area of 0.49m². To be installed on the existing concrete pad (no earthworks involved or required).</p>
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4. National Environmental Standards for Telecommunication Facilities 2016

- 4.1 An assessment of the proposal against the relevant provisions of the National Environmental Standards for Telecommunication Facilities 2016 (NESTF) is attached as **Appendix 3**.
- 4.2 This NESTF assessment has demonstrated that the proposed upgrades comply with the following Subparts of the NESTF 2016.
- Subpart 5 – Application of District & Regional Rules
 - Subpart 7 – Radiofrequency Regulations
 - Subpart 2 – Antennas
- 4.3 The existing facility is located within an Outstanding Natural Feature Overlay and will not comply with Regulation 50(1) of the NESTF.
- 4.4 In order to determine the activity status of the application, the proposed facility must be assessed against the Far North District Plan, to determine the activity status of the application.

5. District Plan Provisions

- 5.1 The subject site is located on private land. The underlying zoning of the subject site is **Rural Production** in the District Plan Maps.
- 5.2 The subject site includes an Outstanding Natural Feature Overlay (Ref#87: Te Pua Volcanic Crater) in the District Plan.
- 5.3 The following table provides a compliance assessment of the proposal, against the relevant provisions of the District Plan.

Proposed District Plan – Operative in Part

RULE	STANDARDS	ACTIVITY STATUS
PART 2 – DISTRICT WIDE MATTERS		
Natural Environment Matters	<p>Natural Features and Landscapes Standards</p> <p>NFL-S1</p> <p>Within ONL and ONF</p> <ol style="list-style-type: none"> 1. The <u>maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula; and</u> 2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula. <p>Comment The proposal involves the upgrade of telecommunication antennas and above ground ancillary cabinets on a previously</p>	Discretionary

	established 20m tall co-locatable telecommunication mast, located in an outstanding natural feature overlay. Due to the above ground nature of the proposed upgrade, it will not comply with Rule NFL-S1.	
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- 5.4 It is considered that the remaining chapters of the District Plan are not relevant to the proposal.

6. *Assessment of Effects*

- 6.1 In assessing this application for a **Discretionary Activity**, Council must have consideration to the matters set out in Section 104 of the Resource Management Act. These matters must be considered pursuant to Part 2 of the Act.

Subject to Part 2 of the Act, section 104(1) sets out the range of matters to which Council shall have regard. The specific matters of relevance to this application are as follows:

- 104(1)(a) Any actual or potential effects on the environment of allowing the activity; and*
- 104(1)(b)(iv) Any relevant provisions of a plan or proposed plan*

- 6.2 The effects of the proposal on the environment have been evaluated as required by Section 88 of the Resource Management Act 1991. The proposal is considered an appropriate activity at this site and the following matters have been identified as being relevant to an evaluation of this proposal:

- i. **Visual Effects***
- ii. **Positive Effects***

6.3 **Visual & Landscape Effects**

The existing telecommunications facility consists of a 20m high monopole telecommunication structure, with a 4.5mØ headframe and variety of attachment panel and dish antennas. The existing facility was originally established in 1997 and has now become part of the current visual landscape.

Due to the activity status of telecommunication masts and associated antennas within the Outstanding Natural Feature, the proposed antenna and cabinet upgrade will add to the level of non-compliance. The proposed additional dipole antennas will be attached to the monopole structure at a maximum height of approximately 25.5m from ground level. The proposal will involve the attachment of an additional 0.9mØ, attached at a height of 15.7m from ground level. The proposed dipole antennas will result in a minor 4m height increase. The proposed antennas are yagi antennas that have a modest size when compared against the previously attached panel and dish antennas.

Once established the antennas will appear visually consistent with the existing facility, being of a similar scale and appearance to the existing telecommunication antennas.

Once attached, the proposed antennas will appear visually appropriate, being located alongside comparable utility equipment. When paralleled against the bulk of the monopole structure, the visual effects associated with the proposed antenna attachment will be less than minor.

The proposed antennas will be finished in a non-textured, recessive grey or non-finished metallic colour, with a low reflective nature. The colour will be consistent with the existing antennas and the remainder of the facility. Furthermore, the recessive colouring and low reflectivity ensure the antennas visual acceptance when viewed against the skyline from ground level.

The existing telecommunications facility has been established within a removed area of rural farmland, setback approximately 520m from Remuera Settlement Road. Located to the north of the facility. Once attached, it is very unlikely that the dish upgrade will be visually discernible when viewed from the nearest public place. As previously mentioned, the bulk of the existing structure will offset the associated visual effects, especially when taking into consideration the generous setback from the road reserve

Furthermore, the facility is removed from the nearest dwelling, being 592 Remuera Settlement Road. Located approximately 770m to the northwest of the site. Given the significant separation distances, it is considered that the proposed antenna upgrade and associated 4.5m height infringement, due to the new dipole antennas. Will be barely discernible within the existing rural environment. The dipoles will be attached below the lightning spike and are of a scale that they will appear visually minor when viewed from ground level. At the nearest property boundary, the facility will appear visually consistent with the existing, once the upgrade is completed.

Due to the above-mentioned mitigating factors, any potential visual effects generated by the proposal will be less than minor, with no persons considered to be adversely affected.

6.4 Positive Effects

The proposal will have significant benefits to the community as it forms a part of essential infrastructure providing enhanced telecommunication and wireless broadband services for the One NZ network and critical services for first responders via the Tait network. A modern and secure digital communication network for first responders will benefit the health and safety of communities. Mobile phone and broadband services provide social and

economic benefits by maintaining and improving mobile connectivity and data speeds for rural communities, thereby assisting businesses and households alike. The proposal will also provide additional radio links from other telecommunications facilities and connect this facility to a wider network which will support mobile phone broadband coverage for customers. Additionally, it will enhance disaster resilience by providing a more comprehensive and robust telecommunications network. Co-locating multiple operators on a single facility will provide the community with the additional services without the need for a new facility within this area.

7. Objectives and Policies

- 7.1 The proposed facility requires assessment against the relevant objectives and policies of the Operative and Proposed District Plan are outlined below:

Proposed District Plan – Operative in Part

7.2 Part 2 District Wide Matters – Infrastructure

Objectives

I-01 The district has safe, efficient and resilient [infrastructure](#) that services the current and future needs of people and communities in the district.

I-02 The economic and community benefits of infrastructure are recognised and provided for, including the benefits of regionally significant infrastructure to enhance economic, cultural, environmental and social well-being in the district.

I-04 Adverse effects of infrastructure are managed through the design and location of infrastructure to minimise adverse effects on areas with historical and cultural values, natural values, and coastal values.

I-06 The location of infrastructure does not constrain the ability of tangata whenua to develop land in the Māori Purpose zone or the Treaty Settlement overlay.

Policies

I-P1 Provide for the continued operation, [maintenance](#), upgrading and replacement of existing [infrastructure](#).

I-P4 Provide for [infrastructure](#) where there are benefits such as:

- a. significant social, economic and cultural benefits associated with [regionally significant infrastructure](#)*
- b. improved:*
 - i. quality of life;*
 - ii. standard of living;*
 - iii. public health and safety;*
 - iv. access to latest technology, such as fibre and high-speed wireless internet;*
 - v. functioning of businesses; and*
 - vi. transportation of freight, goods, people.*

- c. growth and development of the district;
- d. a reduction in the operation and [maintenance](#) costs of [infrastructure](#);
- e. integration of [infrastructure](#) with [urban](#) development; and
- f. facilitating local, regional, national or international connectivity.

I-P6 Where practicable and appropriate for the type of [infrastructure](#), minimise the adverse visual [effects](#) of [infrastructure](#) by:

- a. co-location or multiple use;
- b. removing redundant facilities or [structures](#);
- c. using [landscaping](#) and/or recessive colours and finishes;
- d. encouraging innovative design to maintain the character and amenity of the surrounding area by integrating [infrastructure](#) within the [site](#) and utilising existing built form and landform; and
- e. requiring the undergrounding of services when locating [infrastructure](#) in the [coastal environment](#), a resource overlay, [heritage area](#) or an area with high [amenity value](#).

I-P8 Provide for resilient [infrastructure](#) that will meet the district's needs by considering:

- a. the impact on the network and levels of service if the work is not undertaken;
- b. the need for the [infrastructure](#) in the context of the wider network; and
- c. whether it is [regionally significant infrastructure](#).

I-P12 Recognise the benefits of new technology in [infrastructure](#) that:

- a. improve access to, and efficient use of, networks and services;
- b. increases resilience or reliability of networks and services;
- c. protects the on-going safety of the community and the integrity of the network; or
- d. results in environmental benefits or enhancements.

I-P13 Manage the adverse [effects](#) of [infrastructure](#) on the [environment](#) by:

- a. avoiding, remedying or mitigating the adverse [effects](#) of substantial upgrades to, or the development of new [infrastructure](#), including [effects](#) on:
 - i. [natural and physical resources](#);
 - ii. [amenity values](#);
 - iii. [sensitive activities](#);
 - iv. the safe and efficient operation of other [infrastructure](#);
 - v. the health, well-being and safety of people and communities.
- b. avoiding radio, electric and magnetic emissions that do not meet the recognised standards or guidelines;
- c. requiring the undergrounding of network utilities in [Urban](#) zones and the Settlement zone where it:
 - i. is technically feasible;

ii.is justified by the extent of adverse visual effects; and
iii.provides for the safety of the community.

- 7.3 The proposed upgrade is consistent with the above-mentioned objectives and policies. Potential visual effects associated with the facility have been mitigated as far as possible, through appropriate design, location and colouring. Furthermore, the proposed facility is co-locatable and will involve the attachment of more than one telco operator's antennas. The proposed facility is required to provide resilient mobile coverage levels and to provide for the introduction of emergency services. When compared to the positive effects associated with new mobile technologies and reliable wireless data, the effects associated with the proposed facility will be less than minor.
- 7.4 The proposal is considered consistent with the objectives and policies as follows:
- The proposal facility contributes towards a modern, robust, effective and regionally significant mobile telecommunications network.
 - The introduction of new mobile telecommunications technology, improving the efficiency of the mobile network and decreasing the latency of data streaming.
 - Adverse visual effects have been mitigated through appropriate site location and design.
 - The proposed facility will contribute to significant public benefit including social, economic, cultural, recreational and environmental.
 - The facility will contribute to public safety through the provision of a resilient lifeline utility.
 - The proposed facility allows for co-location and will have more than one operator antennas attached.
 - The proposed upgrade will provide continued resilient coverage to neighbouring State Highways.

8. Resource Management Act 1991

PART II ASSESSMENT

8.1 The purpose of the Act as set out in Section 5(1) is:

“to promote the sustainable management of natural and physical resources”

8.2 For Fortysouth and its mobile network operator tenants to continue to provide an effective and efficient nationwide mobile service, the reliability and increased coverage of the network need to be ensured. As telecommunication is becoming increasingly important to modern society it is essential that this resource is managed appropriately and is consistently provided. The proposed facility will provide new and improved mobile coverage within the surrounding environment without detracting from the qualities of the residential receiving environment.

8.3 SECTION 95

8.4 Section 95A of the Act identifies where public notification is necessary, or if the applicant agrees to public notification.

(1) The consent authority may, in its discretion, decide whether to publicly notify an application for resource consent for an activity.

(2) Despite subsection(1), a consent authority must publicly notify the application if-

(a) it decides under Section 95D that the activity will have or is likely to have adverse effects on the environment that are more than minor; or

(b) the applicant requests public notification of the application; or

(c) a rule or national environmental standard requires public notification of the application.

8.5 The proposal has been assessed as a **Discretionary Activity**. The actual or potential adverse effects are considered appropriate for the receiving environment. Fortysouth does not request that the application be notified nor are there any rules in the Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2016 that require the application to be notified.

- 8.6 Section 95D of the Act requires a consent authority to decide if adverse effects may be more than minor and states:

A consent authority that is deciding, for the purpose of Section 95A(2)(a), whether an activity's adverse effect on the environment may be more than minor –

- (a) must disregard any effects on persons who own or occupy –*
 - (i) the land in, on, or over which the activity will occur; or*
 - (ii) any land adjacent to that land; and*
- (e) must disregard any effect on a person who has given written approval to the relevant application.*

- 8.7 The effects on the environment arising from the proposal are less than minor, particularly considering the appropriate design and location. For these reasons, and those contained in Section 6 of this report, there are no potentially affected parties from which written approval is required.

- 8.8 Section 95E of the Act requires a consent authority to decide if any persons are affected by a proposal.

(1) a consent authority must decide that a person is an affected person, in relation to the activity, if the activity's adverse effects on the person are minor or more than minor (but are not less than minor).

(2) the consent authority, in making its decision –

- (a) must disregard any adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect; and*

(3) despite anything else in this section, the consent authority must decide that a person is not an affected person if –

- (a) the person has given written approval to the activity and has not withdrawn the approval in a written notice received by the authority before the authority had decided whether there are any affected persons; or*

- (b) it is unreasonable in the circumstances to seek the person's written approval.*

8.9 For the reasons discussed in Section 6 of this report, no one is considered affected.

8.10 Section 104

8.11 Pursuant to section 104 of the Act, when considering an application for resource consent, a consent authority must, subject to Part 2, have regard to:

- (a) Any actual and potential effects on the environment of allowing the activity; and*
- (b) Any relevant provisions of –*
 - (i) A national policy statement*
 - (ii) Other regulations*
 - (iii) A national policy statement*
 - (iv) A New Zealand Coastal Policy Statement*
 - (v) A regional policy statement or proposed regional policy statement*
 - (vi) A plan or proposed plan and*
- (c) Any other matters the consent authority considers relevant and reasonable necessary to determine the application.*

8.12 For the reasons outlined in Section 6 (assessment of effects) of this report, the actual and potential adverse effects of the proposed facility is considered appropriate in the context of the receiving environment, and consistent with the environmental results anticipated by the policy framework of the District Plan. It is considered the proposal satisfies the criteria of section 104, and that Council can proceed to process the application on a non-notified basis.

9. Conclusion

- 9.1 Fortysouth seeks resource consent to upgrade a previously established co-locatable telecommunications facility on private property within a removed rural setting of Kaikohe.
- 9.2 Based on the above assessment we consider that in terms of section 104(1)(a), the adverse effects of the proposal will be appropriate to the receiving environment. The proposal will increase the mobile coverage levels and provide capacity for future telecommunications technology. Thereby contributing significant positive effects to the receiving environment. The proposed telecommunications facility is consistent with the relevant objectives and policies of the District Plan.
- 9.3 In accordance with section 104C of the Act, it is considered appropriate for consent to be granted subject to fair and reasonable conditions.

Appendix 1

Certificate of Title



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **NA35B/363**
Land Registration District **North Auckland**
Date Issued 07 September 1976

Prior References
NA1B/520

Estate	Fee Simple
Area	143.5278 hectares more or less
Legal Description	Section 1S, Section 2S, Section 10S, Section 12S and Section 13S Te Pua Settlement and Section 43S and Section 44S Remuera Settlement

Registered Owners
Lynette Gay Young

Interests

Subject to a right of way over parts marked A and C and a right to convey underground power (in gross) over parts marked B and C on DP 192978 in favour of (now) Aotearoa Towers Group LP created by Transfer D562833.2 (affects Section 2S Te Pua Settlement)

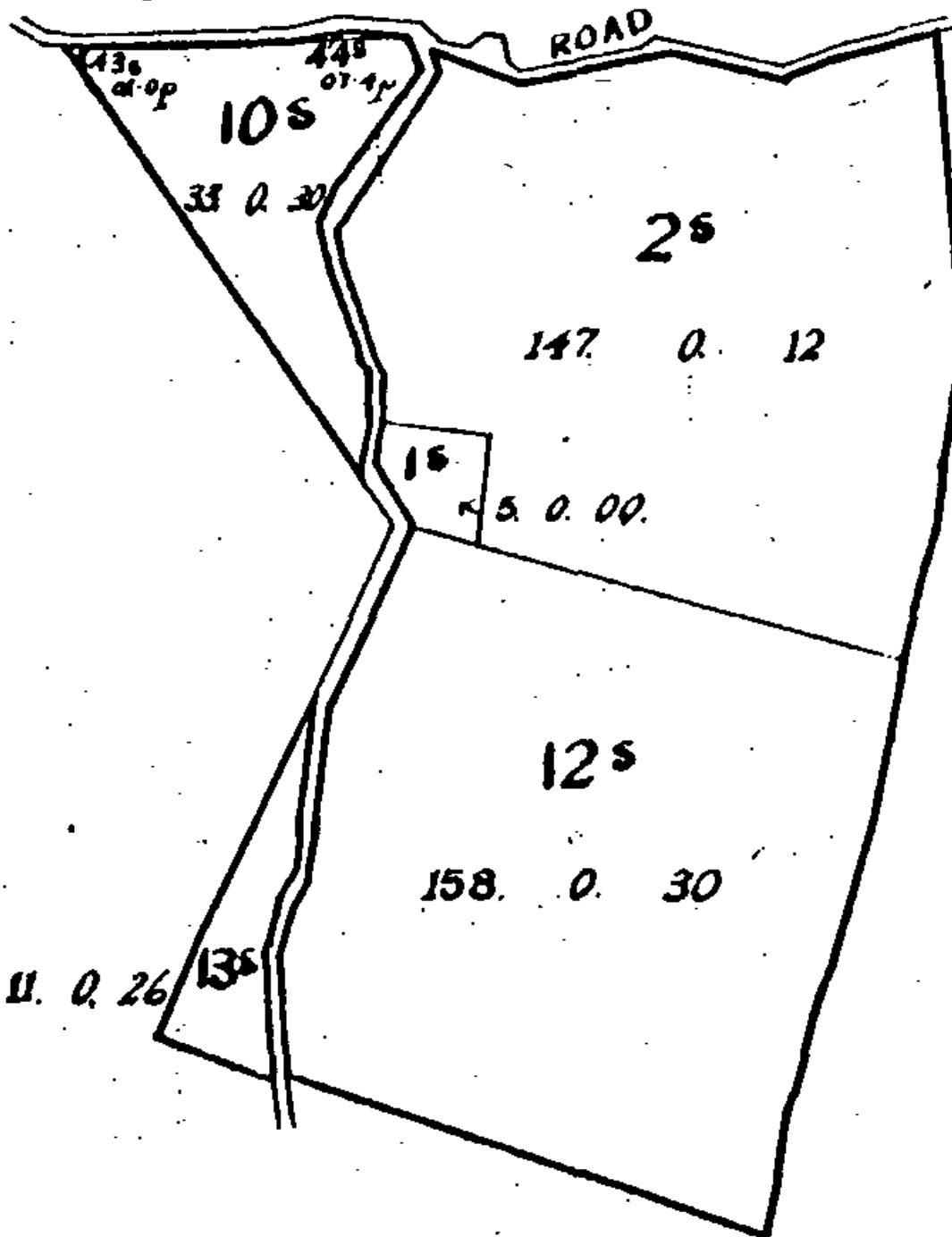
Subject to Section 206 Land Act 1924

Subject to a right (in gross) to convey electricity, telecommunications and computer media over parts marked E and F on DP 461476 in favour of Top Energy Limited created by Easement Instrument 9431944.2 - 15.5.2014 at 3:00 pm

Subject to a right (in gross) to convey electricity over part Section 2S Te Pua Settlement marked A on DP 533695 in favour of Top Energy Limited created by Easement Instrument 11390449.1 - 29.3.2019 at 3:58 pm

12200837.1 CAVEAT BY TOP ENERGY LIMITED - 30.7.2021 at 11:02 am

12818421.1 CAVEAT BY AOTEAROA TOWERS GROUP LP - 31.8.2023 at 9:27 am



Appendix 2

Application Drawings

Appendix 3

NESTF Assessment

Appendix 4

Radiofrequency Statement of Compliance

Appendix 5

Resource Consent Decision

Appendix 6

Acoustic Report



KAIKOHE (N1KKE)
POPLAR DOWNS,
SETTLEMENT ROAD,
KAIKOHE

P-002244

EQUIPMENT LAYOUT

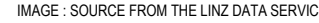
CONFIDENTIAL
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A person using Fortysouth drawings and other data accepts the risk of:

1. Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions;
2. Using the drawings or other data for any purpose not agreed to in writing by Fortysouth

Status		DRAFT	
Site Code N1KKE		Scale AS SHOWN	
Site Type GREENFIELD		Sheet Size A3	
Drawing No. S-010-SP		Rev. A	


- NOTES :
1. ACCESS TO SITE FROM EXISTING REMUERA SETTLEMENT ROAD AS SHOWN.
 2. LEGAL BOUNDARY SURVEY PREVIOUSLY COMPLETED AND INCORPORATED.
 3. ALL EXISTING SURFACES AND FEATURES SHALL BE FULLY REINSTATED TO THEIR ORIGINAL CONDITION.
 4. EXISTING SERVICES INFORMATION HAS BEEN OBTAINED AND PLOTTED FROM LOCAL AUTHORITY AND SERVICE PROVIDERS RECORDS. WHILE EVERY ENDEAVOUR HAS BEEN MADE TO INDICATE ALL KNOWN SERVICES ON PLANS, IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND PROTECT ALL EXISTING SERVICES IN THE VICINITY OF THE SITE. THESE SERVICES HAVE NOT BEEN CONFIRMED ON SITE. ANY DAMAGE TO EXISTING SERVICES SHALL BE MADE GOOD AT THE CONTRACTOR'S EXPENSE.
 5. ROUTE TO BE CONFIRMED FOR POWER AND TELECOMMUNICATION ROUTE.
 6. REFER TO FORTYSOUTH STANDARD SIGNS AS REQUIRED.
 7. THE WIDTH OF PROPOSED POWER, TELECOMMUNICATION AND ACCESS ROUTES SHOULD BE 3m WIDE.



SITE LAYOUT PLAN

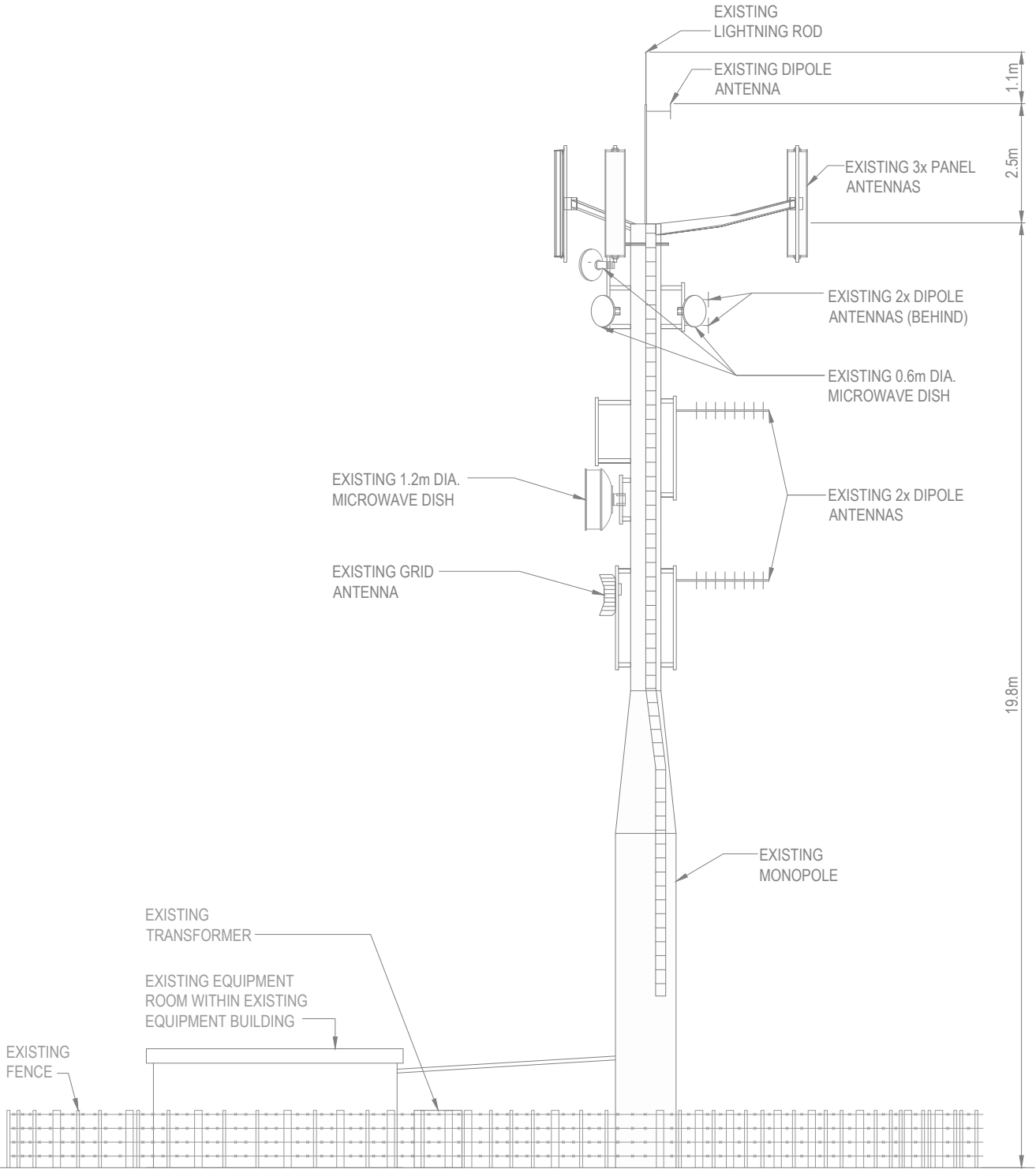
1: 2500

LEGEND

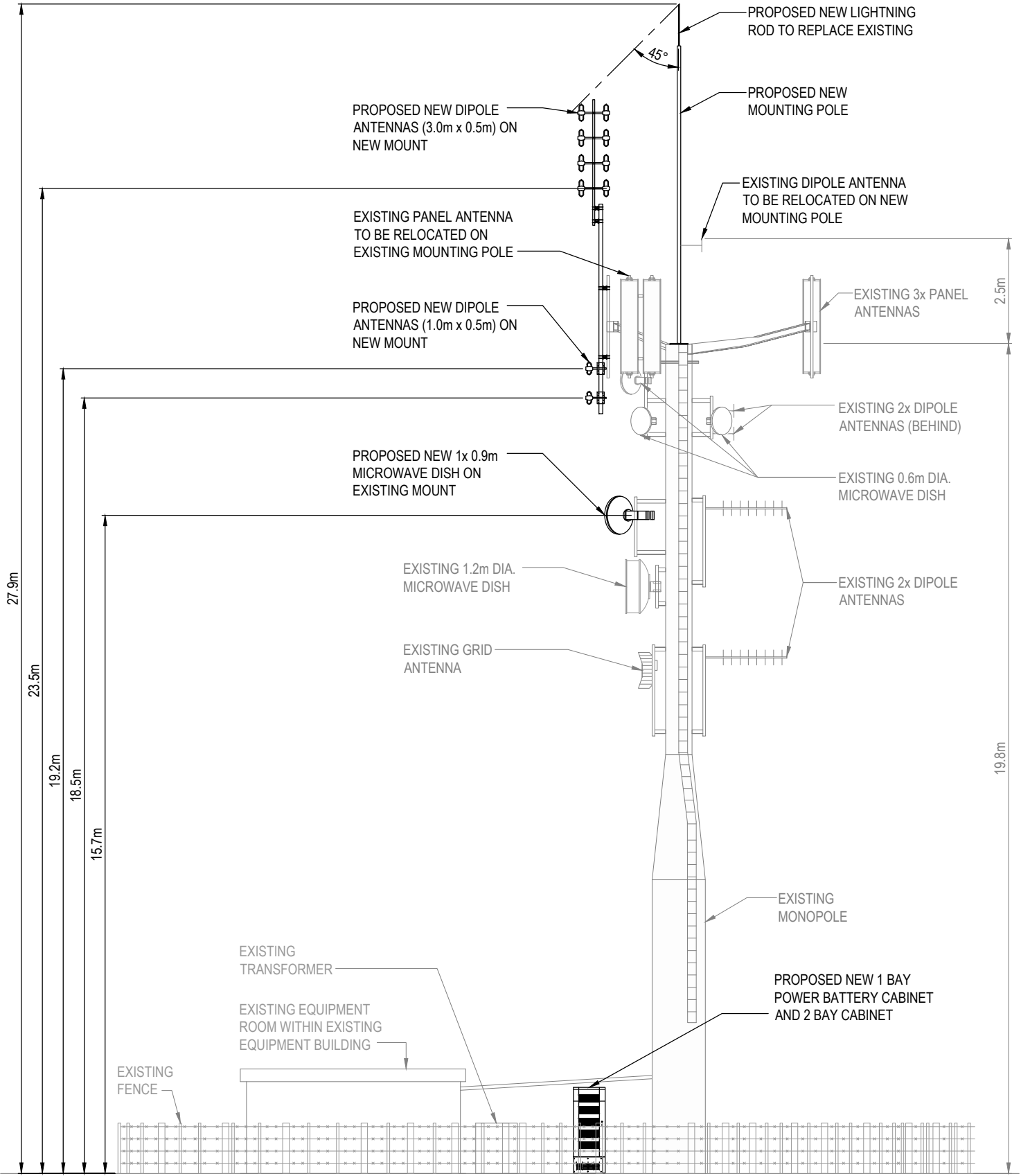
——— P ———	POWER
——— P/T ———	POWER AND TELECOMMUNICATIONS
——— T ———	TELECOMMUNICATIONS
——— T ———	TELECOMMUNICATION - CHORUS
——— G ———	GAS
——— W ———	WATER
——— E-UG ———	POWER - UNDER GROUND
——— Z ———	POWER - OVERHEAD
——— FO ———	FIBRE OPTIC
——— SW ———	STORMWATER
——— S ———	SEWER
——— ———	DRAINAGE
——— ———	FENCE
——— ———	ACCESS ROUTE
—————	LEGAL BOUNDARY
	MANHOLE

NOTES :

- REFER NOTES IN S-010-SP.
- ANTENNA HEIGHTS ARE MEASURED FROM GROUND LEVEL AND ARE APPROXIMATE ONLY.
- ANTENNAS TO BE ACCESSIBLE VIA CLIMBING LADDER.




EXISTING NORTH ELEVATION
SCALE 1:125



PROPOSED NORTH ELEVATION
SCALE 1:125



						Drawn	SP	Date	12.11.25	Project:	KAIKOHE (N1KKE) POPLAR DOWNS, SETTLEMENT ROAD, KAIKOHE P-002244	Drawing Title: ELEVATION	Status DRAFT				
						Designed	SB	Date	12.11.25				Site Code N1KKE	Scale AS SHOWN			
						Checked	JW	Date	12.11.25								
						Approved	JM	Date	12.11.25								
						Checked		Date									
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	A	DRAFT FOR APPROVAL			SP	12.11.25				Drawing No. S-011-SE			Rev. A				
	REF	REVISION DETAILS			BY	DATE											

Generic Radiofrequency Field Certificate for PSN UHF LMR Services

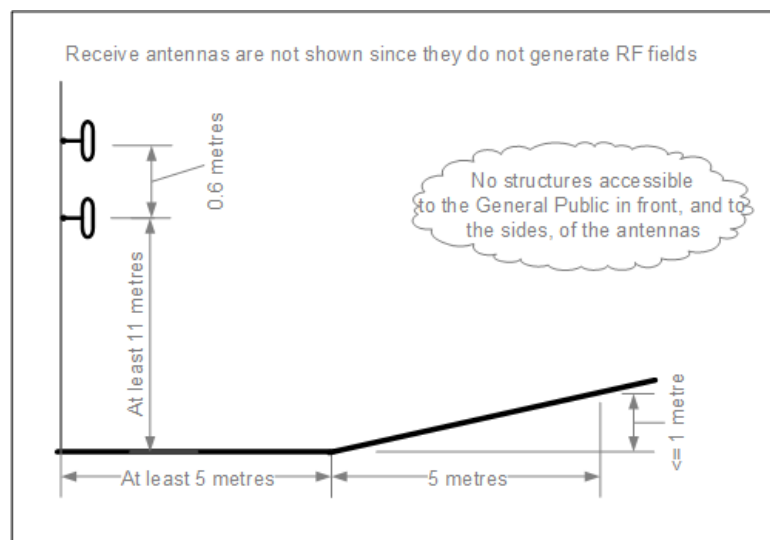
Introduction

This radiofrequency (RF) field certificate is a generic certificate that demonstrates compliance with RF hazard safety Regulations for a PSN UHF Land Mobile Radio (LMR) site.

Applicable PSN UHF LMR Configurations

PSN UHF LMR services that meet all the following criteria are covered by this generic RF field certificate (refer also to the explanatory drawing below):

Frequency	478 to 502 MHz
Number of transmitters	Up to 8
Transmit power	Up to 50 W per transmitter (adjusted to meet EIRP limit)
System loss	Varies depending on the site
Antenna	Two separate pole-mounted quarter-wave dipoles operating independently with up to 4 transmitters per dipole (receive antennas are not considered since they do not generate RF fields)
EIRP	Maximum of 17 dBW EIRP per transmitter (RF channel)
Height	Centre of lower and upper transmit dipoles at least 11.0 and 11.6 metres above areas (typically ground level) reasonably accessible to the General Public.
Foreground clearance	The immediate foreground in front, and to the sides, of the antennas shall be clear of any structures reasonably accessible to the General Public (e.g. building roofs or buildings of more than one storey, streetlights, large trees).
Foreground terrain	The foreground in front, and to the sides, of the antennas reasonably accessible to the General Public shall be flat for at least the first 5 metres and may then rise at a gradient of 1 in 5 beyond that (one metre of height for every 5 metres of distance). Alternatively, the foreground can be flat or falling away.



Relevant Regulations

The *Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2016* (NES) prescribe the Standards that must be complied with for the purposes of the Resource Management Act 1991.

Regulation 13 states that a telecommunication facility is a permitted activity as far as radiofrequency field hazards are concerned if it is operated in accordance with Regulation 55. Regulation 55 requires that telecommunications facilities are installed and operated in accordance with *NZS 2772: Part 1:1999 "Radiofrequency Part 1 – Maximum Exposure Levels – 3kHz to 300GHz"*. In particular, this Regulation relates to the maximum levels the General Public may be exposed to in reasonably accessible areas.

Regulation 55 also requires that a pre-commencement report is prepared predicting whether the fields at places in the vicinity of the facility that are reasonably accessible to the General Public will comply with NZS 2772:1:1999. This report must be prepared in accordance with *AS/NZS 2772:2:2016 "Radiofrequency fields, Part 2: Principles and methods of measurement and computation — 3 kHz to 300 GHz"*. Additionally, if the radiofrequency fields are predicted to reach or exceed 25 % of the General Public exposure limits in NZS 2772:1:1999, the operator must submit a post-commencement report providing evidence that the actual radiofrequency field levels comply with NZS 2772:1:1999.

The exposure limits in NZS 2772:1:1999 vary with frequency. For the frequencies applicable to this RF Field Certificate the General Public exposure limit is 2.4 W/m².

RF Fields from the Proposed PSN LMR Service

UHF LMR dipoles provide broad communications coverage from the site, with reduced coverage behind the antenna.

Predictions of RF fields from the LMR antennas have been undertaken using a worst-case combination of the criteria stated above. RF fields up to 2 metres above ground level in any publicly accessible area around the antennas will be a maximum of 0.1 W/m² (4.5 % of the maximum General Public exposure level). However, this maximum RF field level only occurs in a localised area in front of the antenna and when all transmitters are operating, which will occur only very rarely. For the rest of the time, and in the majority of locations around the site, the RF Field levels will be less.

These calculations have been undertaken in accordance with AS/NZS 2772:2:2016.

Existing RF Fields & Cumulative Effects

In general, assessment of RF fields from a proposed service must also consider the cumulative effect of fields from existing RF services on the site or nearby. However, in the specific case of the LMR services described by the criteria above, the RF fields predicted in publicly accessible areas are small in comparison with the exposure limit, and will have minimal impact on compliance when considering any existing RF fields.

Conclusion

The RF fields in any publicly accessible area from the PSN LMR service that meets the above criteria will be a maximum of 4.5 % of the General Public exposure limit. However, this will occur only very rarely and for the rest of the time the RF Field levels will be less.

Whilst the cumulative RF fields from any existing RF services on the site or nearby have not been specifically considered, the RF field from the proposed PSN LMR service is small in comparison with the exposure limit and therefore will have minimal impact on compliance when considering any existing RF fields in publicly accessible areas.

A post-commencement report is not required.



Yafei Qu

Project Systems Engineer, Tait Communications

19 March 2025

Issue 1

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27 November 2023

SLR Ref No.: 820.030311-L01-v0.1 Kordia Cabinet Noise.docx

Attention: Jean-Baptiste Sauquet
Kordia Group Limited
Level 3, 162 Victoria Street West
Auckland 1010

SLR Project No.: 820.030311

**RE: Tait – Kordia Joint Venture
Telecommunications Cabinet Noise Measurements**

SLR has been commissioned by Kordia Group Limited (Kordia) to undertake noise measurements of a standard Kordia telecommunications cabinet.

This report serves to provide setback distances to assist with the consenting of future cabinet locations against relevant noise limits prescribed in the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF 2016) or any relevant District Plan standard or resource consent condition.

NESTF 2016 Noise Limits

NESTF 2016 Regulation 24 details noise limits for telecommunication cabinets located in a road reserve:

3. If the cabinet is located in a residential zone or on an adjoining road reserve, the noise limits for the cabinet are;
 - a. Between 7am and 10pm, 50 dB $L_{Aeq(5min)}$; and
 - b. Between 10pm and 7am, -
 - i. 40 dB $L_{Aeq(5min)}$; and
 - ii. 65 dB L_{AFMAX}
4. For any other cabinet, the noise limits for the cabinet are;
 - a. At any time, 60 dB $L_{Aeq(5min)}$; and
 - b. Between 10pm and 7am, 65 dB L_{AFMAX}

Per Regulation 24 (6) noise levels from cabinets must be measured and assessed:

- a. 1m from the side of the building (or on the vertical plane of the side of the building) if a building containing a habitable room is within 4m of the road reserve where the cabinet is located
- b. Or, in all other cases, at least 3m from the cabinet and within the boundaries of land adjoining the road reserve where the cabinet is located.

Regulation 24 (5) requires the measurement of cabinet noise must be:

- a. Made in accordance with NZS 6801:2008 Acoustics – Measurement of environmental sound; and
- b. Adjusted in accordance with NZS 6801 to a free field incident sound level; and
- c. Assessed in accordance with NZS 6802:2008 *Assessment of Environmental Sound*.

Regulation 25 (2) details noise limits for cabinets not in the road reserve.

2. This regulation is complied with if the cabinet is installed and operated in accordance with the district rules about noise from a facility at the place where the cabinet is located.

Cabinet Noise Measurements

The main noise source from the cabinet was determined to be the cooling fans which are variable depending on the internal temperature of the cabinet. Noise measurements have been taken at various internal cabinet temperatures to determine noise emissions of the cabinet at various fan speeds.

Measurements were taken outdoors at the Kordia Kimbell site between 11:00pm on the 7 November 2023 and 12:30am on the 8 November 2023, with clear, calm conditions and an ambient temperature of approximately 10°C. A nighttime measurement period was selected to minimise extraneous ambient noise sources unrelated to the cabinet. A photo of the tested cabinet during daytime is shown in **Figure 1**. Noise measurements were undertaken using a SVAN 957 sound level meter (serial number 20673). The calibration of the sound level meter was checked before and after the measurements and was found to be within an acceptable margin of the reference signal. The noise measurements were undertaken in accordance with the requirements of NZS 6801:2008 *Measurement of Sound* and assessed in accordance with the requirements of NZS 6802:2008 *Assessment of Environmental Sound*.



Figure 1 Tested cabinet (*image source: Kordia*)

The tested cabinet did not have a continuous adjustment of fan speed available, therefore an external heater was placed inside the cabinet to raise the internal temperature to simulate



what we understand to be a realistic worst-case warm weather operating condition for the cabinet cooling fans.

The cabinet was observed to have a steel exterior construction and internal lining of fibrous insulation. There were minimal openings in the construction and the doors to the cabinets interior had well fitting doors with compressible rubber seals.

Noise measurements were taken at the front, back and side of the cabinet to account for directionality, at distances of 1, 2, 5, 10 and 15 metres.

No tonal component was detected from measurements during wither temperature condition, either subjectively on site or objectively via assessment of the measurement as per NZS 6802:2008 *Assessment of Environmental Sound*.

Predicted Setback Distances for Compliance

Following noise measurements of the cabinet, analysis was carried out to determine the distance at which compliance can be achieved for the tested cabinet temperature conditions at the front, left, right and back of the cabinet, as demonstrated in **Figure 2**.

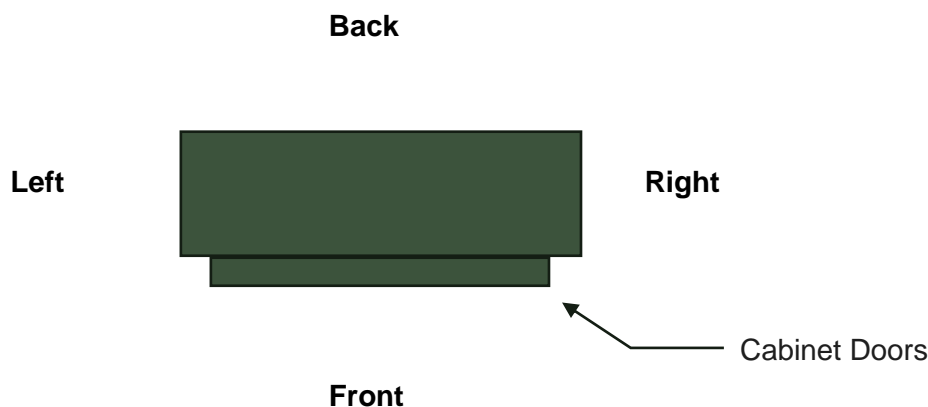


Figure 2 Cabinet Measurement Orientation (plan view)

Setback distances to enable compliance with a 40 dB $L_{Aeq(5min)}$ and a 35 dB $L_{Aeq(5min)}$ noise limit are shown in **Figures 3 and 4** and **Tables 1 and 2** respectively. A 35 dB L_{Aeq} noise limit has been assessed to account for potential situations where district plan provisions may be more restrictive than the NESTF 2016 Regulations.



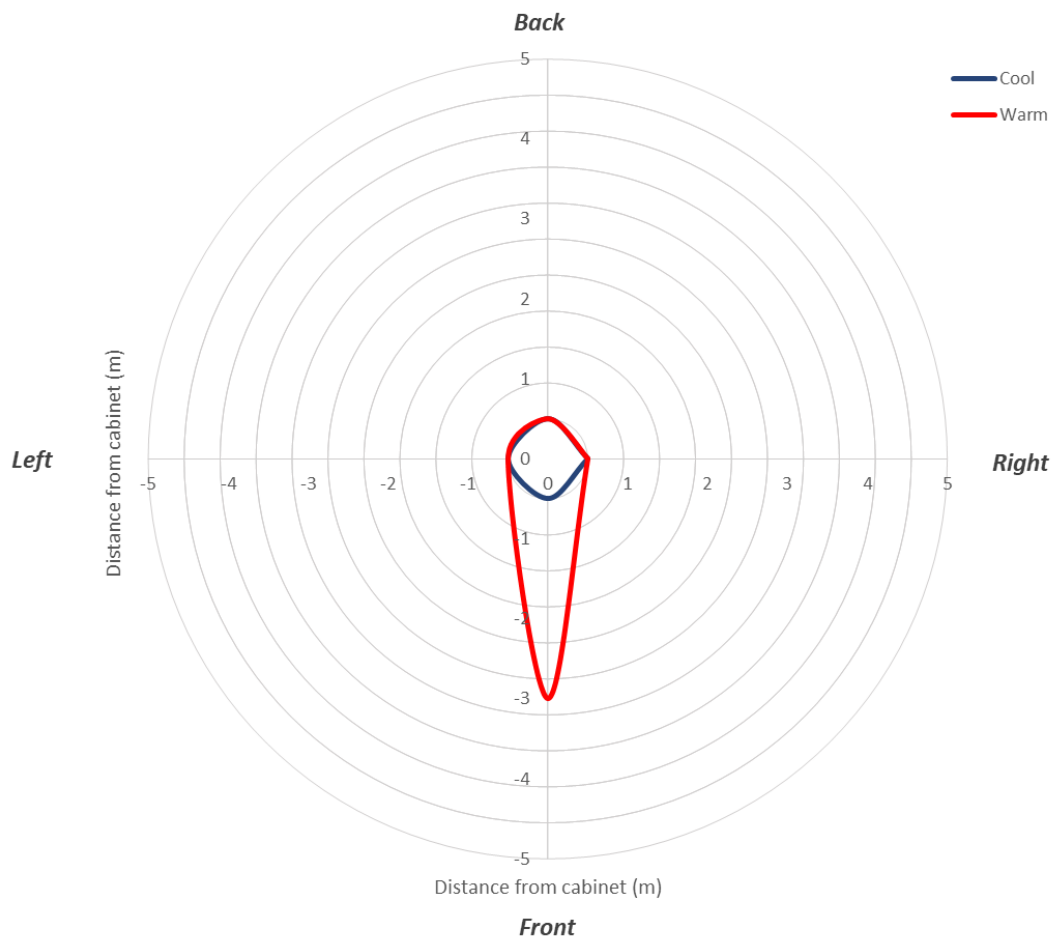


Figure 3 Plot of Setback distances from cabinet for compliance with 40 dB $L_{Aeq(5min)}$

Table 1 Setback distances from cabinet for compliance with 40 dB $L_{Aeq(5min)}$

Temperature Condition	Setback distance required for compliance (m)			
	Front	Left	Right	Back
Cool	<0.5	<0.5	<0.5	<0.5
Warm (simulated summer)	3	0.5	<0.5	<0.5



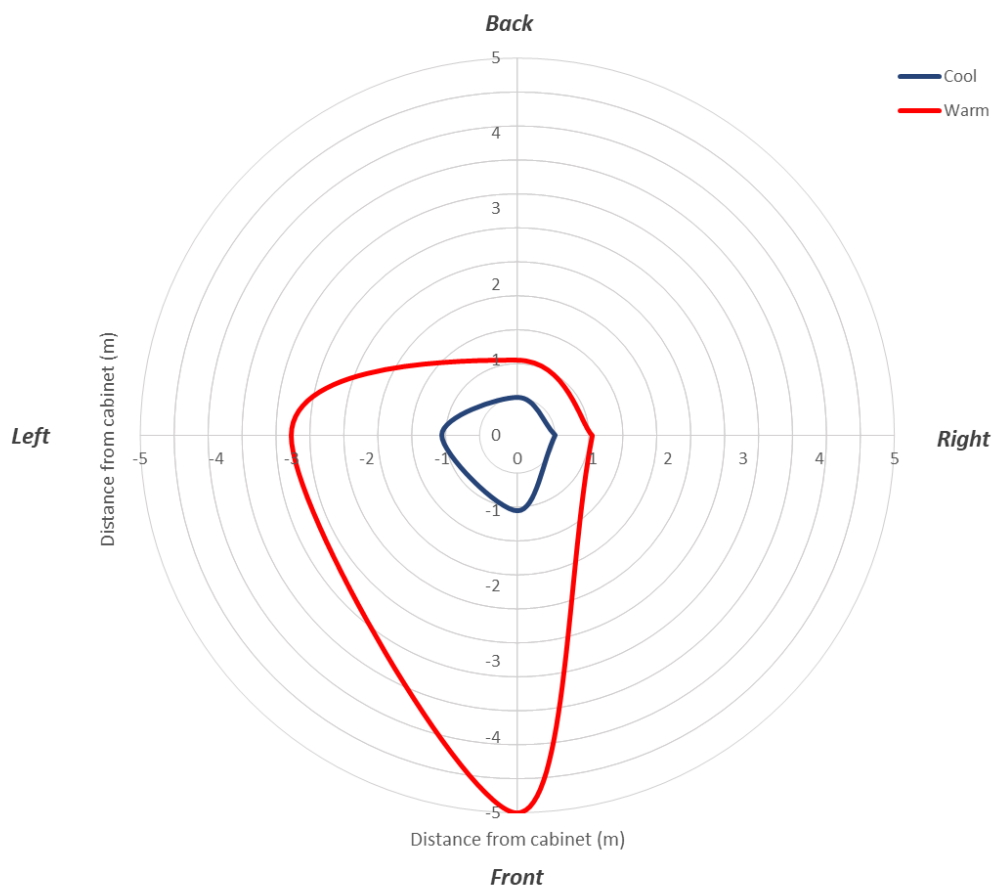


Figure 4 Plot of Setback distances from cabinet for compliance with 35 dB $L_{Aeq(5min)}$

Table 2 Setback distances from cabinet for compliance with 35 dB $L_{Aeq(5min)}$

Temperature Condition	Setback distance required for compliance (m)			
	Front	Left	Right	Back
Cool	1	1	0.5	0.5
Warm (simulated summer)	5	3	1	1

Regards,

SLR Holdings NZ

Sean Syman, B. Eng (Hons)
Associate Acoustic Consultant
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1. National Environmental Standards for Telecommunication Facilities 2016

- 1.1 The proposed facility is subject to the provisions of the National Environmental Standards for Telecommunication Facilities 2016 (NESTF). The NESTF regulations provide for the development of different telecommunication facilities, both within and outside the road reserve.

The NESTF regulations applying to this application have been assessed in a sequential order, applicable to the activity, land use, radio frequency and development as follows:

- Subpart 5 – Application of District & Regional Rules
- Subpart 7 – Radiofrequency Regulations
- Subpart 2 – Antennas
- Subpart 1 – Cabinets

Subpart 5 – Application of District & Regional Rules

- 1.2 Subpart 5 of the NESTF requires that all regulated telecommunication facilities comply with specific district wide controls for land use and with Regional Rules of relevance. The following provides an assessment of the proposed telecommunications facility upgrade in context with the applicable District & Regional Plan Rules.

Subpart 5 – Application of District and Regional Rules

Regulation 44: Trees and Vegetation in the Road Reserve

Conditions

(1) This regulation applies to a regulated activity if—

(a) the activity is carried out at a place that is in a road reserve and within the drip line of a tree or other vegetation; and

(b) In the absence of these regulations, the relevant district plan or proposed district plan would require the facility operator to obtain a resource consent for the regulated activity.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the district rules about the protection of trees and other vegetation that apply at that place.

Site Location

Poplar Downs, Remuera Settlement Road, Kaikohe

Comments

The existing pole is not located in the road reserve.

N/A

Subpart 5 – Application of District and Regional Rules

Regulation 45: Protection of Significant Trees

Conditions

(1) This regulation applies to a regulated activity if the activity is carried out at a place that—

(a) is not in a road reserve; and

(b) is within the dripline of a tree that is, or is in a group of trees that are, identified in the relevant district plan or proposed district plan as being subject to the tree protection rules.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the tree protection rules that apply in relation to that tree.

*In this regulation, **tree protection rules** means the district rules about the protection of trees that are identified in that plan as being of special significance.*

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The existing pole is not located within the dripline of any tree.
	N/A

Subpart 5 – Application of District and Regional Rules

Regulation 46: Historic heritage values

Conditions

(1) This regulation applies to a regulated activity if it is carried out at a place identified in a district plan or proposed district plan as being subject to the historic heritage rules.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the historic heritage rules that apply to that place.

(3) In this regulation, historic heritage rules means the district rules about the protection of historic heritage values .

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The proposed site location is not located within any listed or identified heritage place, item, site surround or extent of place setting.
	Complies

Subpart 5 – Application of District and Regional Rules

Regulation 47: Visual amenity landscapes

Conditions

(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to visual amenity landscape rules.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the visual amenity landscapes rules that apply to that place.

*(3) In this regulation, **visual amenity landscapes rules** means district rules about the protection of landscape features (such as view shafts or ridge lines) identified as having special visual amenity values.*

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The subject site is not located within any identified visual amenity landscape overlay or feature.
	Complies

Subpart 5 – Application of District and Regional Rules

Regulation 48: Significant habitats for indigenous vegetation

Conditions	
<p><u>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to the significant vegetation rules.</u></p> <p><i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the significant vegetation rules that apply at that place.</i></p> <p><i>(3) In this regulation, significant vegetation rules means the district rules about the protection of significant habitats for indigenous vegetation (however described).</i></p>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The proposed facility will not be located within any listed place or overlay. Identified as being subject to any vegetation (significant vegetation or otherwise) overlay or rules in the District Plan.</p> <p>Complies</p>

Subpart 5 – Application of District and Regional Rules	
Regulation 49: Significant habitats for indigenous fauna	
Conditions	
<p><u>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to the significant fauna rules.</u></p> <p><i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the significant fauna rules that apply to that place.</i></p>	

(3) In this regulation, significant fauna rules means district rules about the protection of significant habitats for indigenous fauna (however described).

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The proposed site location is not located within any listed place or overlay. Identified as being subject to District Plan rules/overlays for the protection of significant habitats for indigenous fauna.
	Complies

Subpart 5 – Application of District and Regional Rules

Regulation 50: Outstanding natural features or landscapes

Conditions

(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to the outstanding natural places rules.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the outstanding natural features or landscape rules that apply to that place.

(3) In this regulation, outstanding natural features or landscapes rules means the district rules about the protection of outstanding natural features or landscapes (however described).

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The subject site is in an identified Outstanding Natural Feature Overlay (ONF) reference# 87 – Te Pua Volcanic Crater.
	Proposed District Plan, Part 2 District Wide Matters, Natural Environment Values, Natural Features and Landscapes, Standard NFL-S1, states that in any ONF overlay, the max height

	<p>of any structure is 5m and any extension to any existing structure must not exceed the height of the nearest ridgeline.</p> <p>Comment</p> <p>The proposed antenna upgrade will be undertaken on an existing 20m pole to a max height of 25.5. The proposed upgrade will not comply with Standard NFL-S1 of the Proposed Plan and will require discretionary consent under the Proposed District Plan.</p> <p>Therefore, the proposed upgrade will not comply with Regulation 50.</p> <p>Will not comply</p>
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Subpart 5 – Application of District and Regional Rules	
Regulation 51: Places adjoining coastal marine area	
Conditions	
<p><i>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to coastal protection rules.</i></p> <p><i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the coastal protection rules that apply at that place.</i></p> <p><i>(3) In this regulation, coastal protection rules means district rules that regulate the carrying out of activities in places adjoining the coastal marine area for the purpose of protecting the coastal marine area.</i></p>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The proposed site is not located adjoining the coastal marine area or within any coastal protection setback or margin.

	Complies
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Subpart 5 – Application of District and Regional Rules	
Regulation 52: Rivers and lakes	
Conditions	
<i>(1) This regulation applies to a regulated activity if it is carried out over a river or lake (as referred to in regulation 8(2)).</i>	
<i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the applicable regional rules about carrying out that activity over the river or lake.</i>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The proposed site is not located adjoining any river or lake.
	Complies

- 1.3 An assessment of the NESTF Subpart 5 Regulations above has shown that the proposed upgrade **will not comply with Regulation 50**, due to being previously established within an Outstanding Natural Feature, where a rule in the District Plan does not provide a permitted activity status for telecommunication facilities.

Subpart 7 - Radiofrequency Fields

- 1.4 Subpart 7 of the NESTF provides the permitted standards for radiofrequency emissions, where the activity complies with the following conditions.

Subpart 7 - Radiofrequency fields

Conditions

(1) This Regulation applies to an RFG facility.

(2) This regulation is complied with if—

(a) The facility must be installed and operated in accordance with NZS 2772.1;and

(b) Before the facility becomes operational, the facility operator gives the local authority-

- (i) Written notice of the facility's location; and*
- (ii) A pre-commencement report that complies with subclause (3); and*

(c) either —

- (i) The facility operator gives the local authority a post-commencement report that complies with subclause (4) within 3 months after the facility becomes operational; or*
- (ii) Under subclause (5), the facility operator is not required to give a post-commencement report.*

(3) A pre-commencement report must—

- (a) be prepared in accordance with AS/NZS 2772.2; and*
- (b) take into account exposures arising from other telecommunication facilities in the vicinity of the facility; and*
- (c) predict whether the radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public will comply with NZS 2772.1.*

(4) A post-commencement report must—

- (a) be prepared in accordance with AS/NZS 2772.2; and*
- (b) provide evidence that the actual radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public comply with NZS 2772.1.*

(5) The facility operator is not required to give a post-commencement report if the prediction referred to in subclause (3)(c) was that the radiofrequency field levels will not reach 25% of the maximum level authorised by NZS 2772.1 for exposure of the general public.

(6) In this regulation, —

AS/NZS 2772.2 means AS/NZS 2772.2:2016 Radiofrequency fields - Part 2:
Principles and methods of measurement and computation - 3 kHz to 300 GHz

NZS 2772.1 means NZS 2772.1:1999 Radiofrequency fields - Maximum exposure levels - 3 kHz to 300 GHz.

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The bottom of the proposed antennas (dish) will be approx. 15.7m above ground level, clear of any area reasonable accessible by the general public. Therefore, NZS 2772.1 will not be exceeded at any point.</p> <p>Radio frequency exposures arising from all other telecommunication facilities in the immediate vicinity, have been taken into consideration in calculating the Radiofrequency statement of compliance reports.</p> <p>The radiofrequency field levels from the proposed antennas are not predicted to reach 25% of the maximum levels authorised by NZS 2772.2 at a point where the public can reasonably gain access.</p> <p>Confirmation of compliance with the radiofrequency standards are detailed in the Radiofrequency statement of compliance report, provided as Appendix 4 of this report.</p> <p>Complies</p>

Subpart 2 – Antennas

- 1.5 Subpart 2 of the NESTF provides for the replacement of antennas on existing poles outside the road reserve as a permitted activity, where the facility can comply with the following conditions.

SUBPART 2 – ANTENNAS

Subpart 2 Antennas - Antennas on existing poles with antennas not in road reserve and not in a residential zone

Regulation 32: Regulated activity and standard

(1) *The installation and operation of an antenna (**antenna D**) by a facility operator is a regulated activity if, —*

*(a) before work to install **antenna D** begins (**date D**), there is a pole (**pole D**) that—*

(i) is not in a road reserve; and

(ii) is not in a residential zone; and

*(iii) **has 1 or more antennas** (the **existing antennas**) attached to it (whether operated by the same or a different facility operator); And*

(b) the installation and operation of the existing antennas on pole D complies with the Act; and

(c) antenna D (alone or with 1 or more other antennas) is to be installed—

(i) on pole D in pole D's original location; or

(ii) on pole D after pole D is moved to a new location; or

(iii) on a new pole erected to replace pole D; and

*(d) the pole on which antenna D is to be installed (**the final pole**) is—*

(i) not in a road reserve; and

(ii) not in a residential zone.

(2) The standard for the activity is that—

(a) regulation 33 must be complied with; and

- (b) each regulation in subpart 5, if it applies, must be complied with; and*
(c) if the activity includes earthworks, regulations 53 and 54 must be complied with; and
(d) if the antenna is an RFG facility, regulation 55 must be complied with.

Conditions	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The subject site is zoned Rural Production under the Proposed District Plan.</p> <p>The existing pole (pole D) measures 20m in height and has a headframe. The proposed antenna upgrade will result in a 2.4m overall height increase (from 21m to 23.4m) of the facility, due to the length of the new yagi antennas.</p> <p>The existing facility includes attachment antennas. The proposal involves the replacement and attachment of additional antennas.</p> <p>The width of the existing pole will remain the same.</p> <p>Complies</p>

Subpart 2 Antennas - Antennas on existing poles with antennas not in road reserve and not in a residential zone

Regulation 33: Antenna on existing pole with antenna not in road reserve and not in residential zone

(1) This regulation applies to the regulated activity described in regulation 32.

(2) This regulation is complied with if, at the time antenna D is installed, —

- (a) if pole D is moved or replaced, the location of the final pole —*
- (i) is not in a road reserve; and*
 - (ii) is not in a residential zone; and*

(iii) *is not more than 5 m from pole D's location on date D; and*

(b) if the antenna is a dish or panel antenna, the antenna size rules in subclause (3) are complied with; and

(c) the pole width rules in subclause (4) or (5) are complied with; and

(d) if the final pole has a headframe, the headframe width rules in subclause (6) are complied with; and

(e) the pole height rules in subclause (7) are complied with.

(3) The antenna size rules are that, —

(a) if antenna D is a panel antenna, the width of the panel must not be more than, —

*(i) if antenna D is a replacement for an existing panel antenna the width of which was more than 0.7 m, the width of the replaced antenna;
or*

(ii) otherwise, 0.7 m; or

(b) if antenna D is a dish antenna, the diameter of the dish must not be more than, —

(i) if antenna D is a replacement for an existing dish antenna the diameter of which was more than 1.2 m, the diameter of the replaced antenna; or

(ii) otherwise, 1.2 m.

(4) If the final pole is in a rural zone, the pole width rules are that the width of the final pole must not be more than, —

(a) if the width of pole D on date D was more than 6 m, that width; or

(b) otherwise, the lesser of—

(i) 6 m; and

(ii) the width of pole D on date D multiplied by, —

(A) if the number of antennas attached to the final pole is more than the number that were attached to pole D on date D, 2; or

(B) otherwise, 1.3.

(5) If the final pole is not in a rural zone, the pole width rules are that the width of the final pole must not be more than the width of the baseline pole on the baseline date multiplied by, —

(a) If the number of antenna attached to the final pole is more than the number that were attached to the baseline pole on the baseline date, 2; or

(b) otherwise, 1.3.

- (6) The **headframe width rules** are that the width of the headframe on the final pole must not be more than, —
- (a) if pole D had a headframe on date D the width of which was more than 6 m, the width of that headframe; or
 - (b) otherwise, 6 m.
- (7) The **pole height rules** are that the height of the final pole and all antennas must not be more than, —
- (a) if the pole was installed without a resource consent in reliance on regulation 34, the lesser of—
 - (i) the height of pole D and all antennas on date D plus the permitted height increase; and
 - (ii) 25 m; or
 - (b) otherwise, the height of the baseline pole and all antennas on the baseline date plus the permitted height increase.
- (8) In this regulation, the **permitted height increase** is,—
- (a) if the facility operator for antenna D is the facility operator for all antennas attached to the final pole, 3.5 m; or
 - (b) otherwise, 5 m

Conditions	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The subject site is zoned Rural Production under the District Plan.</p> <p>The antenna upgrade will be undertaken on Pole D, in its existing location.</p> <p>The proposed dish antenna will not exceed 1.0mØ.</p> <p>There will be no change to pole D, the width of the pole will remain the same.</p> <p>The existing pole has a headframe. There will be no alteration to the existing headframe.</p> <p>The existing telecommunication pole first was established in 1997. Additional resource consents have been acquired for upgrades over the life of the facility (attached as Appendix 5).</p>

	<p>The max height of the existing facility (21m) will have a 2.4m height increase, due to the slightly greater length of the new attachment dipole antennas.</p> <p>Summary The proposed upgrade and antenna attachments will be a permitted activity, complying with the max permitted dimensions in Regulation 33.</p> <p>Complies</p>
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Subpart 1 – Cabinets

- 1.6 Subpart 1 of the NESTF provides for telecommunications cabinets as a permitted activity, where the cabinets comply with the following conditions.

Subpart 1 Cabinets
Regulation 20: Cabinet not servicing antenna on building
Conditions
<p><i>(1) <u>This regulation applies to any cabinet other than one to which regulation 21 applies.</u></i></p> <p><i>(2) <u>This regulation is complied with if –</u></i></p> <p><i>(a) <u>The height, footprint, and grouping rules in subclause (3) are complied with; and</u></i></p> <p><i>(b) One of the following applies:</i></p> <p><i>(i) The cabinet’s equipment does not require power;</i></p>

(ii) Power for the cabinet's equipment is provided by a self-contained power unit;

(iii) **The power supply for the cabinet's equipment is connected under the ground or inside the cabinet.**

(3) The **height, footprint, and grouping rules** are as follows:

(a) If the cabinet is in a road reserve that is in, or adjoins, a residential zone, -

(i) The height of the cabinet must not be more than 1.8m; and

(ii) The footprint of the cabinet must not be more than 1.4m²; and

(iii) The group rules in regulation 22 must be complied with (subject to regulation 23):

(b) If the cabinet is in any other road reserve -

(i) The height of the cabinet must not be more than 2m; and

(ii) The footprint of the cabinet must not be more than 2m²; and

(iii) The group rules in regulation 22 must be complied with (subject to regulation 23):

(c) If the cabinet is not in a road reserve and is in a residential zone, -

(i) The height of the cabinet must not be more than 2m; and

(ii) The footprint of the cabinet must not be more than 2m²;

(d) **If the cabinet is not in a road reserve and is not in a residential zone, -**

(i) **The height of the cabinet must not be more than 2.5m; and**

(ii) **The footprint of the cabinet must not be more than 5m².**

<i>(4) In this regulation, part of a road reserve adjoins a residential zone if that part of the road reserve adjoins, and is on the same side of the road as, land that is in a residential zone.</i>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The proposed cabinet is located outside the road reserve on land zoned rural production.</p> <p>Installation of a new side by side cabinet array, consisting of two cabinet bays measuring:</p> <p>Bay 1 measures 1.36m length x 0.98m width x 2.1m height covering a total area of 1.33m². To be installed on the existing concrete pad (no earthworks involved or required).</p> <p>Bay 2 measures 0.65m length x 0.75m width x 2.1m height covering a total area of 0.49m². To be installed on the existing concrete pad (no earthworks involved or required).</p> <p>Complies</p>

Subpart 1 Cabinets	
Regulation 25: Noise limits for cabinet not in road reserve	
Conditions	
<p><i>(1) This regulation applies to a cabinet not located in a road reserve.</i></p> <p><i>(2) This regulation is complied with if the cabinet is installed and operated in accordance with the district rules about noise from a facility at the place where the cabinet is located.</i></p>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The subject site is located outside the road reserve on land zoned rural production.

	<p>Under Part 2 District Wide Matters, General District Wide Matters, Noise Standard S1, the following noise controls for the Rural Zone, measured at the notional boundary.</p> <p><i>Noise generated by any activity shall not exceed the following limits within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle or Māori Purpose zones:</i></p> <ul style="list-style-type: none"> <i>a. 7.00am to 10.00pm - 55 dB $L_{Aeq}(15min)$;</i> <i>b. 10.00pm to 7.00am - 40 dB $L_{Aeq}(15 min)$; and</i> <i>c. 10.00pm to 7.00am - 70 dB L_{AFmax}.</i> <p>A noise report for the proposed cabinet model has been attached as Appendix 6 of this application report. The proposed cabinets will comply with the noise controls above at 3m. The cabinets will be located over 100m from the nearest dwelling, being 592 Remuera Settlement Road. Located approximately 770m to the northwest. Therefore, the proposed cabinet will easily comply with the rural zone noise controls measured at the nearest notional boundary.</p> <p>Complies.</p>
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Subpart 6 – Earthworks

- 1.6 Subpart 6 of the NESTF provides for earthworks associated with telecommunication facilities as a permitted activity, where the facility can comply with the following conditions.

Subpart 6 – Earthworks

Regulation 54: Earthworks regional rules apply	
Conditions	
<p>(1) <i>This regulation applies to a regulated activity if it includes earthworks (as referred to in regulation 5(1)(d)).</i></p> <p>(2) <i>This regulation is complied with if the earthworks are carried out in accordance with any applicable regional rules about earthworks.</i></p>	
Site Location	Comments
McIntyre Road, Kawakawa	<p>The proposal involves the upgrade of the antennas and cabinets only. The replacement cabinet will be undertaken on the existing concrete pad and will not require any earthworks.</p> <p>Complies</p>

NESTF Regulation Assessment Summary

- 1.7 The NESTF assessment has demonstrated that the proposed upgrade will not comply with Regulation 50(1) of the NESTF Regulations. Given that the existing facility has been established on a Scheduled Outstanding Natural Feature.

1. National Environmental Standards for Telecommunication Facilities 2016

- 1.1 The proposed facility is subject to the provisions of the National Environmental Standards for Telecommunication Facilities 2016 (NESTF). The NESTF regulations provide for the development of different telecommunication facilities, both within and outside the road reserve.

The NESTF regulations applying to this application have been assessed in a sequential order, applicable to the activity, land use, radio frequency and development as follows:

- Subpart 5 – Application of District & Regional Rules
- Subpart 7 – Radiofrequency Regulations
- Subpart 2 – Antennas
- Subpart 1 – Cabinets

Subpart 5 – Application of District & Regional Rules

- 1.2 Subpart 5 of the NESTF requires that all regulated telecommunication facilities comply with specific district wide controls for land use and with Regional Rules of relevance. The following provides an assessment of the proposed telecommunications facility upgrade in context with the applicable District & Regional Plan Rules.

Subpart 5 – Application of District and Regional Rules

Regulation 44: Trees and Vegetation in the Road Reserve

Conditions

(1) This regulation applies to a regulated activity if—

(a) the activity is carried out at a place that is in a road reserve and within the drip line of a tree or other vegetation; and

(b) In the absence of these regulations, the relevant district plan or proposed district plan would require the facility operator to obtain a resource consent for the regulated activity.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the district rules about the protection of trees and other vegetation that apply at that place.

Site Location

Poplar Downs, Remuera Settlement Road, Kaikohe

Comments

The existing pole is not located in the road reserve.

N/A

Subpart 5 – Application of District and Regional Rules

Regulation 45: Protection of Significant Trees

Conditions

(1) This regulation applies to a regulated activity if the activity is carried out at a place that—

(a) is not in a road reserve; and

(b) is within the dripline of a tree that is, or is in a group of trees that are, identified in the relevant district plan or proposed district plan as being subject to the tree protection rules.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the tree protection rules that apply in relation to that tree.

In this regulation, tree protection rules means the district rules about the protection of trees that are identified in that plan as being of special significance.

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The existing pole is not located within the dripline of any tree.
	N/A

Subpart 5 – Application of District and Regional Rules

Regulation 46: Historic heritage values

Conditions

(1) This regulation applies to a regulated activity if it is carried out at a place identified in a district plan or proposed district plan as being subject to the historic heritage rules.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the historic heritage rules that apply to that place.

(3) In this regulation, historic heritage rules means the district rules about the protection of historic heritage values .

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The proposed site location is not located within any listed or identified heritage place, item, site surround or extent of place setting.
	Complies

Subpart 5 – Application of District and Regional Rules

Regulation 47: Visual amenity landscapes

Conditions

(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to visual amenity landscape rules.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the visual amenity landscapes rules that apply to that place.

*(3) In this regulation, **visual amenity landscapes rules** means district rules about the protection of landscape features (such as view shafts or ridge lines) identified as having special visual amenity values.*

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The subject site is not located within any identified visual amenity landscape overlay or feature.
	Complies

Subpart 5 – Application of District and Regional Rules

Regulation 48: Significant habitats for indigenous vegetation

Conditions	
<p><u>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to the significant vegetation rules.</u></p> <p><i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the significant vegetation rules that apply at that place.</i></p> <p><i>(3) In this regulation, significant vegetation rules means the district rules about the protection of significant habitats for indigenous vegetation (however described).</i></p>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The proposed facility will not be located within any listed place or overlay. Identified as being subject to any vegetation (significant vegetation or otherwise) overlay or rules in the District Plan.</p> <p>Complies</p>

Subpart 5 – Application of District and Regional Rules	
Regulation 49: Significant habitats for indigenous fauna	
Conditions	
<p><u>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to the significant fauna rules.</u></p> <p><i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the significant fauna rules that apply to that place.</i></p>	

(3) In this regulation, significant fauna rules means district rules about the protection of significant habitats for indigenous fauna (however described).

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The proposed site location is not located within any listed place or overlay. Identified as being subject to District Plan rules/overlays for the protection of significant habitats for indigenous fauna.
	Complies

Subpart 5 – Application of District and Regional Rules

Regulation 50: Outstanding natural features or landscapes

Conditions

(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to the outstanding natural places rules.

(2) This regulation is complied with if the regulated activity is carried out in accordance with the outstanding natural features or landscape rules that apply to that place.

(3) In this regulation, outstanding natural features or landscapes rules means the district rules about the protection of outstanding natural features or landscapes (however described).

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The subject site is in an identified Outstanding Natural Feature Overlay (ONF) reference# 87 – Te Pua Volcanic Crater.
	Proposed District Plan, Part 2 District Wide Matters, Natural Environment Values, Natural Features and Landscapes, Standard NFL-S1, states that in any ONF overlay, the max height

	<p>of any structure is 5m and any extension to any existing structure must not exceed the height of the nearest ridgeline.</p> <p>Comment</p> <p>The proposed antenna upgrade will be undertaken on an existing 20m pole to a max height of 25.5. The proposed upgrade will not comply with Standard NFL-S1 of the Proposed Plan and will require discretionary consent under the Proposed District Plan.</p> <p>Therefore, the proposed upgrade will not comply with Regulation 50.</p> <p>Will not comply</p>
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Subpart 5 – Application of District and Regional Rules	
Regulation 51: Places adjoining coastal marine area	
Conditions	
<p><i>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to coastal protection rules.</i></p> <p><i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the coastal protection rules that apply at that place.</i></p> <p><i>(3) In this regulation, coastal protection rules means district rules that regulate the carrying out of activities in places adjoining the coastal marine area for the purpose of protecting the coastal marine area.</i></p>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The proposed site is not located adjoining the coastal marine area or within any coastal protection setback or margin.

	Complies
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Subpart 5 – Application of District and Regional Rules	
Regulation 52: Rivers and lakes	
Conditions	
<i>(1) This regulation applies to a regulated activity if it is carried out over a river or lake (as referred to in regulation 8(2)).</i>	
<i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the applicable regional rules about carrying out that activity over the river or lake.</i>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The proposed site is not located adjoining any river or lake.
	Complies

- 1.3 An assessment of the NESTF Subpart 5 Regulations above has shown that the proposed upgrade **will not comply with Regulation 50**, due to being previously established within an Outstanding Natural Feature, where a rule in the District Plan does not provide a permitted activity status for telecommunication facilities.

Subpart 7 - Radiofrequency Fields

- 1.4 Subpart 7 of the NESTF provides the permitted standards for radiofrequency emissions, where the activity complies with the following conditions.

Subpart 7 - Radiofrequency fields

Conditions

(1) This Regulation applies to an RFG facility.

(2) This regulation is complied with if—

(a) The facility must be installed and operated in accordance with NZS 2772.1;and

(b) Before the facility becomes operational, the facility operator gives the local authority-

- (i) Written notice of the facility's location; and*
- (ii) A pre-commencement report that complies with subclause (3); and*

(c) either —

- (i) The facility operator gives the local authority a post-commencement report that complies with subclause (4) within 3 months after the facility becomes operational; or*
- (ii) Under subclause (5), the facility operator is not required to give a post-commencement report.*

(3) A pre-commencement report must—

- (a) be prepared in accordance with AS/NZS 2772.2; and*
- (b) take into account exposures arising from other telecommunication facilities in the vicinity of the facility; and*
- (c) predict whether the radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public will comply with NZS 2772.1.*

(4) A post-commencement report must—

- (a) be prepared in accordance with AS/NZS 2772.2; and*
- (b) provide evidence that the actual radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public comply with NZS 2772.1.*

(5) The facility operator is not required to give a post-commencement report if the prediction referred to in subclause (3)(c) was that the radiofrequency field levels will not reach 25% of the maximum level authorised by NZS 2772.1 for exposure of the general public.

(6) In this regulation, —

AS/NZS 2772.2 means AS/NZS 2772.2:2016 Radiofrequency fields - Part 2:
Principles and methods of measurement and computation - 3 kHz to 300 GHz

NZS 2772.1 means NZS 2772.1:1999 Radiofrequency fields - Maximum exposure levels - 3 kHz to 300 GHz.

Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The bottom of the proposed antennas (dish) will be approx. 15.7m above ground level, clear of any area reasonable accessible by the general public. Therefore, NZS 2772.1 will not be exceeded at any point.</p> <p>Radio frequency exposures arising from all other telecommunication facilities in the immediate vicinity, have been taken into consideration in calculating the Radiofrequency statement of compliance reports.</p> <p>The radiofrequency field levels from the proposed antennas are not predicted to reach 25% of the maximum levels authorised by NZS 2772.2 at a point where the public can reasonably gain access.</p> <p>Confirmation of compliance with the radiofrequency standards are detailed in the Radiofrequency statement of compliance report, provided as Appendix 4 of this report.</p> <p>Complies</p>

Subpart 2 – Antennas

- 1.5 Subpart 2 of the NESTF provides for the replacement of antennas on existing poles outside the road reserve as a permitted activity, where the facility can comply with the following conditions.

SUBPART 2 – ANTENNAS

Subpart 2 Antennas - Antennas on existing poles with antennas not in road reserve and not in a residential zone

Regulation 32: Regulated activity and standard

(1) *The installation and operation of an antenna (**antenna D**) by a facility operator is a regulated activity if, —*

*(a) before work to install **antenna D** begins (**date D**), there is a pole (**pole D**) that—*

(i) is not in a road reserve; and

(ii) is not in a residential zone; and

*(iii) **has 1 or more antennas** (the **existing antennas**) attached to it (whether operated by the same or a different facility operator); And*

(b) the installation and operation of the existing antennas on pole D complies with the Act; and

(c) antenna D (alone or with 1 or more other antennas) is to be installed—

(i) on pole D in pole D's original location; or

(ii) on pole D after pole D is moved to a new location; or

(iii) on a new pole erected to replace pole D; and

*(d) the pole on which antenna D is to be installed (**the final pole**) is—*

(i) not in a road reserve; and

(ii) not in a residential zone.

(2) The standard for the activity is that—

(a) regulation 33 must be complied with; and

- (b) each regulation in subpart 5, if it applies, must be complied with; and*
(c) if the activity includes earthworks, regulations 53 and 54 must be complied with; and
(d) if the antenna is an RFG facility, regulation 55 must be complied with.

Conditions	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The subject site is zoned Rural Production under the Proposed District Plan.</p> <p>The existing pole (pole D) measures 20m in height and has a headframe. The proposed antenna upgrade will result in a 2.4m overall height increase (from 21m to 23.4m) of the facility, due to the length of the new yagi antennas.</p> <p>The existing facility includes attachment antennas. The proposal involves the replacement and attachment of additional antennas.</p> <p>The width of the existing pole will remain the same.</p> <p>Complies</p>

Subpart 2 Antennas - Antennas on existing poles with antennas not in road reserve and not in a residential zone

Regulation 33: Antenna on existing pole with antenna not in road reserve and not in residential zone

(1) This regulation applies to the regulated activity described in regulation 32.

(2) This regulation is complied with if, at the time antenna D is installed, —

- (a) if pole D is moved or replaced, the location of the final pole —*
- (i) is not in a road reserve; and*
 - (ii) is not in a residential zone; and*

(iii) *is not more than 5 m from pole D's location on date D; and*

(b) *if the antenna is a dish or panel antenna, the antenna size rules in subclause (3) are complied with; and*

(c) *the pole width rules in subclause (4) or (5) are complied with; and*

(d) *if the final pole has a headframe, the headframe width rules in subclause (6) are complied with; and*

(e) *the pole height rules in subclause (7) are complied with.*

(3) *The **antenna size rules** are that, —*

(a) *if antenna D is a panel antenna, the width of the panel must not be more than, —*

(i) *if antenna D is a replacement for an existing panel antenna the width of which was more than 0.7 m, the width of the replaced antenna;
or*

(ii) *otherwise, 0.7 m; or*

(b) *if antenna D is a dish antenna, the diameter of the dish must not be more than, —*

(i) *if antenna D is a replacement for an existing dish antenna the diameter of which was more than 1.2 m, the diameter of the replaced antenna; or*

(ii) *otherwise, 1.2 m.*

(4) *If the final pole is in a rural zone, the **pole width rules** are that the width of the final pole must not be more than, —*

(a) *if the width of pole D on date D was more than 6 m, that width; or*

(b) *otherwise, the lesser of—*

(i) *6 m; and*

(ii) *the width of pole D on date D multiplied by, —*

(A) *if the number of antennas attached to the final pole is more than the number that were attached to pole D on date D, 2; or*

(B) *otherwise, 1.3.*

(5) *If the final pole is not in a rural zone, the **pole width** rules are that the width of the final pole must not be more than the width of the baseline pole on the baseline date multiplied by, —*

(a) *If the number of antenna attached to the final pole is more than the number that were attached to the baseline pole on the baseline date, 2; or*

(b) *otherwise, 1.3.*

- (6) The **headframe width rules** are that the width of the headframe on the final pole must not be more than, —
- (a) if pole D had a headframe on date D the width of which was more than 6 m, the width of that headframe; or
 - (b) otherwise, 6 m.
- (7) The **pole height rules** are that the height of the final pole and all antennas must not be more than, —
- (a) if the pole was installed without a resource consent in reliance on regulation 34, the lesser of—
 - (i) the height of pole D and all antennas on date D plus the permitted height increase; and
 - (ii) 25 m; or
 - (b) otherwise, the height of the baseline pole and all antennas on the baseline date plus the permitted height increase.
- (8) In this regulation, the **permitted height increase** is,—
- (a) if the facility operator for antenna D is the facility operator for all antennas attached to the final pole, 3.5 m; or
 - (b) otherwise, 5 m

Conditions	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The subject site is zoned Rural Production under the District Plan.</p> <p>The antenna upgrade will be undertaken on Pole D, in its existing location.</p> <p>The proposed dish antenna will not exceed 1.0mØ.</p> <p>There will be no change to pole D, the width of the pole will remain the same.</p> <p>The existing pole has a headframe. There will be no alteration to the existing headframe.</p> <p>The existing telecommunication pole first was established in 1997. Additional resource consents have been acquired for upgrades over the life of the facility (attached as Appendix 5).</p>

	<p>The max height of the existing facility (21m) will have a 2.4m height increase, due to the slightly greater length of the new attachment dipole antennas.</p> <p>Summary The proposed upgrade and antenna attachments will be a permitted activity, complying with the max permitted dimensions in Regulation 33.</p> <p>Complies</p>
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Subpart 1 – Cabinets

- 1.6 Subpart 1 of the NESTF provides for telecommunications cabinets as a permitted activity, where the cabinets comply with the following conditions.

Subpart 1 Cabinets
Regulation 20: Cabinet not servicing antenna on building
Conditions
<p><i>(1) <u>This regulation applies to any cabinet other than one to which regulation 21 applies.</u></i></p> <p><i>(2) <u>This regulation is complied with if –</u></i></p> <p><i>(a) <u>The height, footprint, and grouping rules in subclause (3) are complied with; and</u></i></p> <p><i>(b) One of the following applies:</i></p> <p><i>(i) The cabinet’s equipment does not require power;</i></p>

(ii) Power for the cabinet's equipment is provided by a self-contained power unit;

(iii) **The power supply for the cabinet's equipment is connected under the ground or inside the cabinet.**

(3) The **height, footprint, and grouping rules** are as follows:

(a) If the cabinet is in a road reserve that is in, or adjoins, a residential zone, -

(i) The height of the cabinet must not be more than 1.8m; and

(ii) The footprint of the cabinet must not be more than 1.4m²; and

(iii) The group rules in regulation 22 must be complied with (subject to regulation 23):

(b) If the cabinet is in any other road reserve -

(i) The height of the cabinet must not be more than 2m; and

(ii) The footprint of the cabinet must not be more than 2m²; and

(iii) The group rules in regulation 22 must be complied with (subject to regulation 23):

(c) If the cabinet is not in a road reserve and is in a residential zone, -

(i) The height of the cabinet must not be more than 2m; and

(ii) The footprint of the cabinet must not be more than 2m²;

(d) **If the cabinet is not in a road reserve and is not in a residential zone, -**

(i) **The height of the cabinet must not be more than 2.5m; and**

(ii) **The footprint of the cabinet must not be more than 5m².**

<i>(4) In this regulation, part of a road reserve adjoins a residential zone if that part of the road reserve adjoins, and is on the same side of the road as, land that is in a residential zone.</i>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	<p>The proposed cabinet is located outside the road reserve on land zoned rural production.</p> <p>Installation of a new side by side cabinet array, consisting of two cabinet bays measuring:</p> <p>Bay 1 measures 1.36m length x 0.98m width x 2.1m height covering a total area of 1.33m². To be installed on the existing concrete pad (no earthworks involved or required).</p> <p>Bay 2 measures 0.65m length x 0.75m width x 2.1m height covering a total area of 0.49m². To be installed on the existing concrete pad (no earthworks involved or required).</p> <p>Complies</p>

Subpart 1 Cabinets	
Regulation 25: Noise limits for cabinet not in road reserve	
Conditions	
<p><i>(1) This regulation applies to a cabinet not located in a road reserve.</i></p> <p><i>(2) This regulation is complied with if the cabinet is installed and operated in accordance with the district rules about noise from a facility at the place where the cabinet is located.</i></p>	
Site Location	Comments
Poplar Downs, Remuera Settlement Road, Kaikohe	The subject site is located outside the road reserve on land zoned rural production.

	<p>Under Part 2 District Wide Matters, General District Wide Matters, Noise Standard S1, the following noise controls for the Rural Zone, measured at the notional boundary.</p> <p><i>Noise generated by any activity shall not exceed the following limits within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle or Māori Purpose zones:</i></p> <ul style="list-style-type: none"> <i>a. 7.00am to 10.00pm - 55 dB $L_{Aeq}(15min)$;</i> <i>b. 10.00pm to 7.00am - 40 dB $L_{Aeq}(15 min)$; and</i> <i>c. 10.00pm to 7.00am - 70 dB L_{AFmax}.</i> <p>A noise report for the proposed cabinet model has been attached as Appendix 6 of this application report. The proposed cabinets will comply with the noise controls above at 3m. The cabinets will be located over 100m from the nearest dwelling, being 592 Remuera Settlement Road. Located approximately 770m to the northwest. Therefore, the proposed cabinet will easily comply with the rural zone noise controls measured at the nearest notional boundary.</p> <p>Complies.</p>
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Subpart 6 – Earthworks

- 1.6 Subpart 6 of the NESTF provides for earthworks associated with telecommunication facilities as a permitted activity, where the facility can comply with the following conditions.

Subpart 6 – Earthworks

Regulation 54: Earthworks regional rules apply	
Conditions	
<p>(1) <i>This regulation applies to a regulated activity if it includes earthworks (as referred to in regulation 5(1)(d)).</i></p> <p>(2) <i>This regulation is complied with if the earthworks are carried out in accordance with any applicable regional rules about earthworks.</i></p>	
Site Location	Comments
McIntyre Road, Kawakawa	<p>The proposal involves the upgrade of the antennas and cabinets only. The replacement cabinet will be undertaken on the existing concrete pad and will not require any earthworks.</p> <p>Complies</p>

NESTF Regulation Assessment Summary

- 1.7 The NESTF assessment has demonstrated that the proposed upgrade will not comply with Regulation 50(1) of the NESTF Regulations. Given that the existing facility has been established on a Scheduled Outstanding Natural Feature.

FAR NORTH DISTRICT COUNCIL

**FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (LANDUSE)**

Resource Consent Number: 2190563-RMALUC

Pursuant to section 104B of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

Vodafone NZ Ltd

The activity to which this decision relates: the upgrade of existing Vodafone telecommunication facility previously established within an outstanding natural feature overlay in a Rural Production Zone

Subject Site Details

Address:	122 Wallis Road, Kaikohe 0472
Legal Description:	SECS 1S 2S 10S 12S 13S TE PUA SETT 44S REMUERA SETT BLKS XII XV XVI OMPAERE SD-SUBJ TO & INT IN EASE
Certificate of Title reference:	NA-35B/363

Pursuant to Section 108 of the Act, this consent is issued subject to the following condition:

1. The activity shall be carried out in accordance with the approved plans prepared by Vodafone, referenced Site Plan P01 – P03, dated 22 January 2019, and attached to this consent with the Council's "Approved Stamp" affixed to them.

Advice Notes

1. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more

than minor and that there are no affected persons or affected customary rights group or customary marine title group.

2. District Plan Rules Breached:

12.1.6.1.1 Protection of Outstanding Landscape Features

3. Principal Issue[s] in Contention and Main Findings on those Issues:

Under s104(1)(a) the positive and potential effects of the proposal are:

Structure within an outstanding natural feature

Positive effects of the proposal:

Enhanced quality of a valuable district network utility, which may be considered as enhancing economic and community wellbeing

Objectives and policies of the District Plan:

The following objectives and policies of the District Plan have been considered:

Objectives: 17.2.3.1.

Policy: 17.2.4.1, 17.2.4.2, 17.2.4.3 & 17.2.4.4,

The proposal is not contrary to the relevant objectives and policies of the District Plan.

4. In accordance with an assessment under s104(1)(b) of the Act the proposal is consistent with the relevant statutory documents. [delete or fill in as appropriate]

a. The Northland Regional Policy Statement 2018

b. Regional plans (including proposed)

5. In accordance with an assessment under s104(1)(c) of the Act - No non – statutory documents were considered relevant in making this decision.

6. Part 2 Matters

The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.

7. In summary it is considered that the activity is consistent with the sustainable management purpose of the Act.

Approval

This resource consent has been prepared by Trish Routley, Intermediate Resource Planner and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Pat Killalea, Principal Planner

Date: 23rd May 2019

Right of Objection

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision.

The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing Of Consent

Pursuant to section 125 of the Resource Management Act 1991, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.

DECISION ON LAND USE CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** land use resource consent for a Discretionary activity, subject to the condition listed below to:

Council Reference:	2230288-RMALUC
Applicant:	Vodafone NZ Limited
Property Address:	122 Wallis Road, Kaikohe, 0472
Legal Description:	SECS 1S 2S 10S 12S 13S TE PUA SETT SECS 43S 44S REMUERA SETT

The activities to which this decision relates are listed below:

To upgrade an existing telecommunication facility previously established within an Outstanding Natural Feature overlay in the Rural Production Zone breaching Landscape and Natural Features.

Conditions

Pursuant to sections 108 of the Act, this consent is granted subject to the following condition:

1. The activity shall be carried out in accordance with the approved plans prepared by Aurecon, referenced '*VODAFONE NZ LTD KAIKOHE (N1KKE) POPLAR DOWNS, SETTLEMENT ROAD, KAIKOHE*', drawing no. S-010-SP, rev. 3, dated 01/01/2021, and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. Prior to the issue of a Code Compliance Certificate for the hereby approved dish antennas, the consent holder shall provide evidence to the satisfaction of Council's duly delegated officer that the dish antennas are painted in a recessive grey colour, similar to the colour of the existing monopole, with a reflectance value of 30% or less. The approved schedule shall be adhered to for the duration of this consent.

Advice Notes

Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;
 - a) The consent is given effect to; or
 - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

Right of Objection

2. If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Archaeological Sites

3. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons, and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed in section 12.1.7 of the Operative District Plan are of particular relevance.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - a. The dish antennas do not increase the overall height of the existing telecommunications facility. The dishes will be painted a recessive grey colour to minimise the degree of its intrusion into the landscape and it's visibility at a distance when viewed against the skyline from ground level. In addition, there are no heritage buildings, places or other such cultural items listed in the District Plan that would be affected by the proposed installation.
 - b. The proposal will also result in positive effects, including providing for social and economic benefits by maintaining and improving mobile connectivity and data speeds for rural communities, thereby assisting businesses and households alike. Additionally, it will enhance disaster resilience by providing a more comprehensive and robust telecommunications network within the area.
4. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
 - a. National Environmental Standards Telecommunication Facilities 2016,
 - b. Operative Far North District Plan 2009,

c. Proposed Far North District Plan 2022

The activity is consistent with **National Environmental Standards Telecommunication Facilities** for the reasons set out in pages 4 to 6 of the Assessment of Environmental Effects submitted with the application. In particular, no cabinets are being installed or replaced as part of the proposal. In addition, there is already a pole installed on the site, which is not in a road reserve and is not in a residential zone. Furthermore, the antennas, which will not exceed a 1.2m diameter, will be installed on the original pole, which will not be relocated. No new panel antennas are proposed. In terms of radiofrequency fields, the facility is to be operated in accordance with NZS 2772.1. The provided radiofrequency exposures from the proposed dish antennas confirm that it will comply with this standard. The radio frequency assessment provided in the application also meets the requirements for a pre-commencement report, as required in Regulation 55(2)(b)(ii).

The activity is also consistent with *Chapter 12.1 Landscape and Natural Features* of the **Operative Far North District Plan**.

Objectives: 12.1.3.1 | 12.1.3.2 | 12.1.3.3 | 12.1.3.4

Policies: 12.1.4.1 | 12.1.4.2 | 12.1.4.3 | 12.1.4.4 | 12.1.4.5 | 12.1.4.6 | 12.1.4.7 | 12.1.4.8 | 12.1.4.9 | 12.1.4.10

In particular, the proposal does not detract from the values of the site as an outstanding natural landscape or feature. It provides for the social and economic wellbeing of the local community through supporting the provision of improved telecommunications and wireless broadband coverage to the rural areas. Any visual change as a result of the proposal is less than minor and negligible. The dish antennas will have recessive colour, which minimises visual intrusion from a considerable distance. Hence, degradation of landscapes or deterioration of landscape values is not anticipated.

The activity is also consistent with the following objectives, and policies of *Part 2 – Natural Features and Landscapes* of the **Proposed Far North District Plan**:

Objectives: NFL-O1 | NFL-O2 | NFL-O3

Policies: NFL-P1 | NFL-P2 | NFL-P3 | NFL-P4 | NFL-P5 | NFL-P6 | NFL-P7 | NFL-P8

In particular, the addition of the dish antennas are not significant that it would warrant compromising the characteristics and qualities of the Te Pua Volcanic Crater (Outstanding Natural Feature). The proposal are only minor changes to an existing telecommunications facility that avoids the need to construct a separate facility within a special visual and aesthetic locality. The facility will be painted a recessive grey colour to minimise its visibility. The extension of mobile/wireless broadband coverage will meet the public's growth and demand, thus, improving upon the quality of life and standard of living of people. Overall, the adverse effects on the Outstanding Natural Feature

For this resource consent application, the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

As the outcomes sought are the same under the operative and the proposed plan frameworks, no weighting is necessary.

6. In regard to section 104(1)(c) of the Act there are no other matters relevant to the application
7. Based on the assessment above the activity will be consistent with Part 2 of the Act.

The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity will not raise any issues in regard to Te Tiriti o Waitangi.
8. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Gio Alagao, Consents Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



Name: Pat Killalea

Date: 15th February 2023

Title: Principal Planner



FAR NORTH DISTRICT COUNCIL

**FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (LANDUSE)**

Resource Consent Number: 2300394-RMALUC

Pursuant to section 104B of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

Vodafone NZ Limited

The activity to which this decision relates:

The upgrade of existing Vodafone telecommunication facility previously established within an outstanding natural feature overlay in a Rural Production Zone.

Subject Site Details

Address:	122 Wallis Road, Kaikohe 0472
Legal Description:	SECS 1S 2S 10S 12S 13S TE PUA SETT 44S REMUERA SETT BLKS XII XV XVI OMPAERE SD-SUBJ TO & INT IN EASE
Certificate of Title reference:	NA-35B/363

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

1. The activity shall be carried out in general accordance with the approved plans prepared by Aurecon Group, referenced Vodafone NZ Ltd, Kaikohe (N1KKE) Equipment Layout and Elevation, both dated 07/01/2021, and attached to this consent with the Council's "Approved Stamp" affixed to them.

Advice Notes

1. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected customary rights group or customary marine title group.

2. **District Plan Rules Breached:**

- 12.1.6.1.1 - Buildings within Outstanding Landscape Features

3. **Principal Issue[s] in Contention and Main Findings on those Issues:**

The existing telecommunications facility consists of a lawfully established 25m monopole mast with associated panel and dish antennas that has been in operation for over 20 years. Therefore, existing use rights are in effect and Council can only consider those effects associated with the addition of the microwave dish and higher location of the grid antenna.

Under s104(1)(a) the positive and potential effects of the proposal are:

Positive effects of the proposal:

Enhanced quality of a valuable district network utility, which may be considered as enhancing economic and community wellbeing.

Objectives and policies of the District Plan:

The following objectives and policies of the District Plan have been considered:

- The objectives and policies of Landscape & Natural Features (Chapter 12.1 section 12.1.3, and 12.1.4)
- The objectives and policies of Utilities (Chapter 17.2 section 17.2.3, and 17.2.4)

The application is considered to be consistent with the purpose of both Chapters 12 – Landscape & Natural Features and Chapter 17 – Utilities in that the minor upgrade of the telecommunication facility provides for residents and businesses throughout the district by delivering stronger broadband services to the area.

The overall change in the facility is minimal and will not have an impact on the amenity values of the outstanding natural feature.

The proposal is not contrary to the relevant objectives and policies of the District Plan.

4. In accordance with an assessment under s104(1)(b) of the Act the proposal is consistent with the relevant statutory documents

- The Northland Regional Policy Statement 2018
- The Northland Regional Plan 2019

5. No non – statutory documents were considered relevant in making this decision.

6. No other matters were considered relevant in making this decision

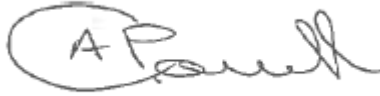
7. Part 2 Matters

The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.

8. In summary it is considered that the activity is consistent with the sustainable management purpose of the Act.

Approval

This resource consent has been prepared by Jolene Graham, Resource Planner and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:

A handwritten signature in black ink, appearing to read 'AP Powell', enclosed within a hand-drawn oval.

Esther Powell, Team Leader – Resource Consents

Date: 3 March 2021

Right of Objection

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing of Consent

Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.