



<b>Office Use Only</b> Application Number:
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**APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT**

**(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA))**

**(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)**

*Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council’s web page.*

**1. Pre-Lodgement Meeting**

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement? Yes / No

**2. Type of Consent being applied for (more than one circle can be ticked):**

- Land Use
- Fast Track Land Use\*
- Subdivision
- Discharge
- Extension of time (s.125)
- Change of conditions (s.127)
- Change of Consent Notice (s.221(3))
- Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
- Other (please specify) \_\_\_\_\_

**\*The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.**

**3. Would you like to opt out of the Fast Track Process? Yes / No**

**4. Applicant Details:**

Name/s: The Rural Connectivity Group, Attention: Blair Jordan

Electronic Address for Service (E-mail): \_\_\_\_\_

Phone Numbers: Work: \_\_\_\_\_ Home: \_\_\_\_\_

Postal Address: \_\_\_\_\_  
(or alternative method of service under section 352 of the Act)

Post Code: \_\_\_\_\_

**5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).**

Name/s: SLR Consulting New Zealand, Attention: Jo Li

Electronic Address for Service (E-mail): jo.li@slrconsulting.com

Phone Numbers: V [REDACTED] Home: \_\_\_\_\_

Postal Address: 201 Victoria Street West, Auckland 1010

(or alternative method of service under section 352 of the Act)

Post Code: \_\_\_\_\_

**All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.**

**6. Details of Property Owner/s and Occupier/s: Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)**

Name/s: Harry Kapa, Hone Rapata Wiki, Ngatote Hemi Matiu, Matengaroa Wiki, Reewe Eru Ihaka, Raniera Henare, Witana Witana and Wiki Karena Wiki jointly, as Trustees

Property Address/  
Location \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**7. Application Site Details:**

Location and/or Property Street Address of the proposed activity:

Site Address/  
Location: Wakatehaua Camping Reserve, at Oromanga Road, Te Kao (Coordinates of the proposed facility: -34.684663999 Latitude, 172.898346874 Longitude).

Legal Description: Parengarenga 5B2A Block Val Number: \_\_\_\_\_

Certificate of Title: Attached with the application  
Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

**Site Visit Requirements:**

Is there a locked gate or security system restricting access by Council staff? Yes / No  
Is there a dog on the property? Yes / No

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. **This is important to avoid a wasted trip and having to re-arrange a second visit.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. Description of the Proposal:**

Please enter a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

To establish, operate, and maintain a telecommunication facility, involving establishment of a 15m high monopole with antennas attached, and installation of equipment cabinets, solar arrays, a generator and ancillary facilities.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s) or extension being sought, with reasons for requesting them.

**9. Would you like to request Public Notification**

Yes/No

**10. Other Consent required/being applied for under different legislation (more than one circle can be ticked):**

- Building Consent (BC ref # if known)                       Regional Council Consent (ref # if known)
- National Environmental Standard consent                       Other (please specify)

**11. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:**

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL)  yes  no  don't know

Is the proposed activity an activity covered by the NES? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle).  yes  no  don't know

- Subdividing land                       Changing the use of a piece of land
- Disturbing, removing or sampling soil                       Removing or replacing a fuel storage system

**12. Assessment of Environmental Effects:**

*Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties.*

**Please attach your AEE to this application.**

**13. Billing Details:**

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write all names in full) The Rural Connectivity Group, c-/ SLR Consulting New Zealand

Email: 


Postal Address: 

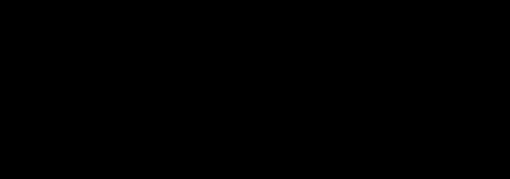
Post Code: \_\_\_\_\_

Phone Numbers: \_\_\_\_\_ Fax: \_\_\_\_\_

**Fees Information:** An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20<sup>th</sup> of the month following invoice date. You may also be required to make additional payments if your application requires notification.

**Declaration concerning Payment of Fees:** I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name:  (please print)

Signature:  (signature of bill payer – **mandatory**) Date: May 17, 2024



# Resource Consent Application

**Proposed Telecommunication Facility on  
Parengarenga 5B 2A Block, Oromanga Road, Te Kao**

**The Rural Connectivity Group**

Prepared by:

**SLR Consulting New Zealand**

SLR Project No.: 810.V15049.00001.1000

Client Reference No.: RNLNMB – Ninety Mile Beach

16 May 2024

Revision: Issued v1.0

## 14. Important Information:

### Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

### Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

### Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, [www.fndc.govt.nz](http://www.fndc.govt.nz). These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

**Declaration:** The information I have supplied with this application is true and complete to the best of my knowledge.

Name: Jo Li (on behalf of the applicant) (please print)

Signature:  (signature)

Date: May 17, 2024

(A signature is \_\_\_\_\_ the application is made by electronic means)

### Checklist (please tick if information is provided)

- Payment (cheques payable to Far North District Council)
- A current Certificate of Title (Search Copy not more than 6 months old)
- Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- Applicant / Agent / Property Owner / Bill Payer details provided
- Location of property and description of proposal
- Assessment of Environmental Effects
- Written Approvals / correspondence from consulted parties
- Reports from technical experts (if required)
- Copies of other relevant consents associated with this application
- Location and Site plans (land use) AND/OR
- Location and Scheme Plan (subdivision)
- Elevations / Floor plans
- Topographical / contour plans

*Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.*

**Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:**

**UNBOUND**

**SINGLE SIDED**

**NO LARGER THAN A3 in SIZE**

## Revision Record

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Prepared for: The Rural Connectivity Group

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Prepared by: Jo Li  
Planner



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Checked by: Shravan Miryala  
Principal Planning Consultant



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Authorised by: Shravan Miryala  
Principal Planning Consultant



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SLR Project No.: 810.V15049.00001.1000.100

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SLR Ref No.: RCA for RNLNMB Ninety Mile Beach\_v0.1

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Draft v0.1 6 May 2024

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Issued v1.0 16 May 2024

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## Basis of Report

This report has been prepared by SLR Consulting New Zealand (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with The Rural Connectivity Group (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.



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Appendix B	Application Plans
Appendix C	Rules Assessment - NES for Telecommunications Facilities 2016
Appendix D	Rules Assessment - Operative Far North District Plan (ODP) and Proposed Far North District Plan (PDP)
Appendix E	Radiofrequency Report
Appendix F	Acoustic Assessment - Cabinets
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Appendix I	RCG's Accidental Discovery Protocols





Appendix J	Consultation Letter Sent to Heritage New Zealand Pouhere Taonga (HNZPT)
Appendix K	Application Form



## Application details

Consent authority:	Far North District Council
Applicant:	The Rural Connectivity Group
Address for service:	SLR Consulting New Zealand 201 Victoria Street West, Auckland 1010 Attention: Jo Li
Address for fees:	The Rural Connectivity Group c-/ SLR Consulting New Zealand
Site:	Wakatehaua Camping Reserve, at Oromanga Road, Te Kao (Coordinates of the proposed facility: -34.684663999 Latitude, 172.898346874 Longitude).
Legal description:	Parengarenga 5B2A Block
Owner(s):	Harry Kapa, Hone Rapata Wiki, Ngatote Hemi Matiu, Matengaroa Wiki, Reewe Eru Ihaka, Raniera Henare, Witana Witana and Wiki Karena Wiki jointly, as Trustees
Site area:	37.8179 hectare (ha)
Plan(s):	Operative Far North District Plan (ODP)
Zone(s):	General Coastal
Designation(s):	N/A
Overlay(s) or control(s):	Sites of Cultural Significance to Māori
Other notation(s):	N/A
Proposed plan(s) or change(s):	Proposed Far North District Plan (PDP)
Proposed Zone(s):	Māori Purpose - Rural
Proposed designation(s):	N/A
Proposed overlay(s) or control(s):	<ul style="list-style-type: none"> <li>Coastal Environment;</li> <li>High Natural Character – 53: Oromanga Road &amp; stream area, excluding the introduced grasses (camping area)</li> <li>Sites and Areas of Significance to Māori – MS02-15: Wakatehaua Camping Reserve</li> <li>Te Oneroa-a-Tōhe Beach Management Area</li> </ul>
Brief description of the proposed activity:	To establish, operate, and maintain a telecommunication facility, involving establishment of a 15m high monopole with antennas attached, and installation of equipment cabinets, solar arrays, a generator and ancillary facilities.
Resource consent(s) required:	<u>National Environmental Standards for Telecommunication Facilities 2016 (NESTF):</u> The proposal is a discretionary activity under the NESTF.



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Operative Far North District Plan (ODP):

The proposal is a discretionary activity under the ODP.

Proposed Far North District Plan (PDP):

The proposal is a discretionary activity under the PDP.

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Status of the proposed activity:

Discretionary activity

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**Figure 1: Locality plan of the site (Source: Operative Far North District Plan)**



## 1.0 Information requirements

This resource consent application has been prepared in accordance with the requirements of Schedule 4 of the Resource Management Act 1991 (the Act or the RMA). It provides the information necessary for a full understanding of the proposed activity and any actual or potential effects that the proposed activity may have on the environment and is in such detail that corresponds with the scale and significance of the proposed activity.

## 2.0 Proposal

The Rural Connectivity Group (RCG) seeks to establish, operate and maintain a new telecommunication facility in Wakatehaua Camping Reserve, at Oromanga Road, Te Kao (Coordinates of the proposed facility: -34.684663999 Latitude, 172.898346874 Longitude). The location of the proposed facility is illustrated in Figure 1 above.

The proposal is shown in the concept plans in Appendix B. The key elements of the proposal involves the following:

- Installation of a 15m high pole;
- Installation of a headframe with three attached panel antennas, each with a width no greater than 0.7m, at the top of the pole;
- Installation of one Starlink satellite dish antenna with a 1.2m diameter at approximately 5.00m from ground level;
- Installation of equipment cabinets with a maximum area of 5m<sup>2</sup> and a maximum height of 2m;
- Installation of a group of solar arrays, measuring at 6.0m (l) x 2.5m (w) x 2.7m (h), to provide power for the proposed facility; The total height of the solar arrays during the operation will be no greater than 3.5m.
- Installation of one back up generator with a maximum area of 1.52m<sup>2</sup> and a maximum height of 1.8m;
- Power connections from the facility to the proposed solar arrays and generator;
- The potential future installation of antenna by a Wireless Internet Services Provider (WISP) in an area of a maximum of 1m<sup>2</sup> on the pole;
- Less than 50m<sup>3</sup> of earthworks for the installation of the pole, cabinets and ancillary equipment;
- Vegetation clearance of tussock grasses and small shrubs within the works area for the establishment of the concrete foundation pads for the proposed pole, equipment cabinets and back up generator (Figure 2).
- All site work will be managed under the RCG's Accidental Discovery Protocols (ADP, refer to Appendix I for details). This forms part of the application.
- The proposed telecommunication facility, solar arrays and back up generator will be situated on a RCG lease area measuring approximately 180m<sup>2</sup> in area enclosed by stock fence.

Access to the site will be via existing forest access track from Oromanga Road.



A radiofrequency assessment prepared by a radiofrequency engineer is attached at Appendix E. It addresses the cumulative effects of radio emissions to demonstrate compliance with regulation 55 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF) and the New Zealand Radiofrequency Radiation Standard NZS 2772.1:1999.

An Acoustic Report for the proposed cabinets is contained in Appendix F which confirms compliance with the noise requirements under the NESTF. An Acoustic Report for the proposed generator is contained in Appendix G which also confirms compliance with noise requirement under the district plan.

**Figure 2: Aerial photo of the location of the proposed facility (Source: RCG)**



## 3.0 Background

### 3.1 The Rural Connectivity Group

In August 2017, the RCG was appointed by the government to be the infrastructure provider to bring 4G mobile and wireless broadband coverage to rural New Zealand under the Rural Broadband Initiative 2, and the Mobile Black Spot fund. RCG is a gazetted Telecommunications network operator in accordance with the Telecommunications Act 2001.

RCG are contracted to build, operate and maintain the new rural network. Government and industry collaboration will see New Zealand as the first country in the world where all three mobile network operators (One NZ, Spark and 2degrees) will share radio access network equipment and one set of antennae on each facility built by the Rural Connectivity Group. This will enable mobile and broadband services from all three mobile companies and ensure competitive services to rural customers.



The RCG will build a minimum of 400 new mobile cell-sites, delivering high speed wireless broadband to at least 30,000 additional rural New Zealand households. This will deliver mobile calling and data service to a further potential 1000 kilometres of New Zealand's state highways and connectivity to at least 90 top New Zealand tourist destinations. It aims to provide high-speed broadband to the greatest possible number of rural users and improve mobile coverage on state highways and at key visitor destinations.

### 3.2 Wireless Service Internet Provider

A Wireless Service Internet Provider (WISP) is typically small businesses that supply internet services to a specific rural area within New Zealand (and are a technology used across the world). They usually fill the gap in areas where there is no telecommunication service from the main mobile network operators (Spark, One NZ or 2degrees). Importantly many of the WISP operators do not fall within the definition of a network operator under the Telecommunications Act 2001, and therefore they cannot utilise the National Environmental Standards for Telecommunication Facilities 2016. The majority of WISP providers use aerials, omni antennas and/or microwave dishes, in some cases they utilise small panel antennas (all equipment is fairly small in size). Coverage is usually provided by radio signals rather than cellular (unlike the main operators). As part of the Rural Connectivity Group agreement with the government they are required to enable WISPs to establish (co-locate) on their facility, however at the time of site acquisition and RMA consenting it is generally not known if a WISP wishes to co-locate on the facility.

Therefore, to provide for a WISP, the RCG have allowed, in terms of structural integrity and radio frequency compliance, a maximum area of 1m<sup>2</sup> for the WISP equipment which can include a microwave dish up to 0.6m in diameter. The radio frequency assessment also assesses the potential WISP and ensures that it will comply with the standards.

### 3.3 Functional and Operational Requirements of the Facility

The proposed location of the monopole has been determined by several key factors. The purpose of the proposed facility is to introduce new telecommunication services to provide efficient and effective mobile coverage and internet access to visitors along the Ninety Mile Beach and Maunganui Bluff reserve camping ground, as well as the current and future rural residents, workers and business in the wider Te Kao area. A number of functional and operational requirements were considered during site selection, as the proposed facility needs to:

- Provide coverage throughout the Ninety Mile Beach and the Maunganui Bluff Reserve Camping ground, as well as the wider Te Kao area, including providing telecommunications services to visitors travelling on the beach area and camp site, as well as rural residents in wider Te Kao area.
- Be connected to adjacent existing telecommunication facilities to ensure the coverage area can be maximised without interference.
- Be in a location that maximises the efficiency of the solar array to best support the continuous, reliable operation of the facility.
- Be in a location chosen to align with the desires of the landowner and in consultation with the local iwi group.

Taking into account the above factors, the proposed location has been identified as being the most suitable for the proposed facility to provide coverage for the Ninety Mile Beach, Maunganui Bluff reserve campsite and the wider Te Kao area.



In this instance, the site selected does not contain and is not close to any known New Zealand Archaeological Association (NZAA) archaeological sites (Figure 3).

**Figure 3: Recorded New Zealand Archaeological Association (NZAA) archaeological sites in the area (Source: ArchSite archaeological site recording scheme).**



### 3.4 Consultation

#### 3.4.1 Consultation with mana whenua

The site is located within an identified Sites and Areas of Significance to Māori (MS02-15) under both the Operative Far North District Plan (ODP) and Proposed Far North District Plan (PDP). It is noted that under the ODP, for all proposed activity that is considered affect sites of Cultural Significance to Māori, the requesting party and the relevant iwi authority are to be considered as an affected party.

The applicant has been advised by Te Runanga Nui O Te Aupouri they are the local iwi that are the only ones with an interest in the area. Email correspondence with Te Runanga Nui O Te Aupouri is included in Appendix H of the application. The applicant has engaged with and obtained written approval from mana whenua, Te Runanga Nui O Te Aupouri (refer to Appendix H for correspondence), prior to lodging the application. In addition, as noted above, all site work will be managed under the RCG's ADP and RCG will comply with any additional requirements of Far North District Council

#### 3.4.2 Consultation with Heritage New Zealand Pouhere Taonga

It is noted that under the ODP, for all proposed activities that is considered could affect sites of Cultural Significance to Māori, the New Zealand Historic Places Trust is to be considered an affected party.

As such, a consultation letter was sent to Heritage New Zealand Pouhere Taonga (HNZPT) on 4 March 2024, with follow-up correspondences on 18 March and 15 April 2024, with no response (details in Appendix J). The applicant requests the Council to initiate a consultation process with HNZPT if deemed necessary.



### 3.5 Permitted activities that form part of the proposal

Permitted activities that form part of the proposal are as follows. A detailed review of compliance is contained in Appendices C and D.

#### 3.5.1 National Environmental Standards for Telecommunication Facilities 2016

- The proposed antennas form part of an RFG facility and comply with regulation 55 of the NESTF.

#### 3.5.2 Operative Far North District Plan (ODP)

- The proposed cabinets and back-up generator comply with the noise requirements in the underlying zone provisions in Rule 10.6.5.1.10 of the ODP (Acoustic assessment in Appendix F and specification document in Appendix G).

#### 3.5.3 Proposed Far North District Plan (PDP)

- Indigenous vegetation including tussock grasses and potentially small shrubs will be removed to provide the concrete foundation pads for the pole, equipment cabinets, and back-up generator. This is a permitted activity under Rule ECO-R4 of the PDP.

## 4.0 Site and surrounding environment

The proposed telecommunication facility and associated structures will be located in the Maunganui Bluff Reserve camping ground, at Oromanga Road, Te Kao (Coordinates of the proposed facility: -34.684663999 Latitude, 172.898346874 Longitude). The site is legally described as Parengarenga 5B2A Block and none of the registered interests is relevant to the application. A copy of the Record of Title is provided in Appendix A.

The site is in a split-zoning between the General Coastal Zone and the Conservation Zone under the ODP and within an identified Sites of Cultural Significance to Māori Significance (Figures 3 and 4). The proposed telecommunication facility is located in the General Coastal zoning portion of the site. In the PDP, the site is zoned Māori Purpose – Rural zone (Figure 6) and the wider site is subject to a number of overlays, including Sites and Areas of Significance to Māori (SASM) overlay (MS02-15), Coastal Environment, High Natural Character, and Te Oneroa-a-Tōhe Beach Management Area (Figure 7). Note that only the rules with immediate legal effect in the PDP, i.e. rules in the SASM and Ecosystems and Indigenous Biodiversity chapters, have been considered in this application.

The majority of the site is vacant and contains some existing facilities, such as water tanks and sheds, to support the recreational use of the camping ground (Figures 8 and 9). The site is surrounded by a large parcel of Māori land and is zoned General Coastal under the ODP and Māori Purpose – Rural under the PDP. The Te Araroa Trail runs along the coast to the west of the site.

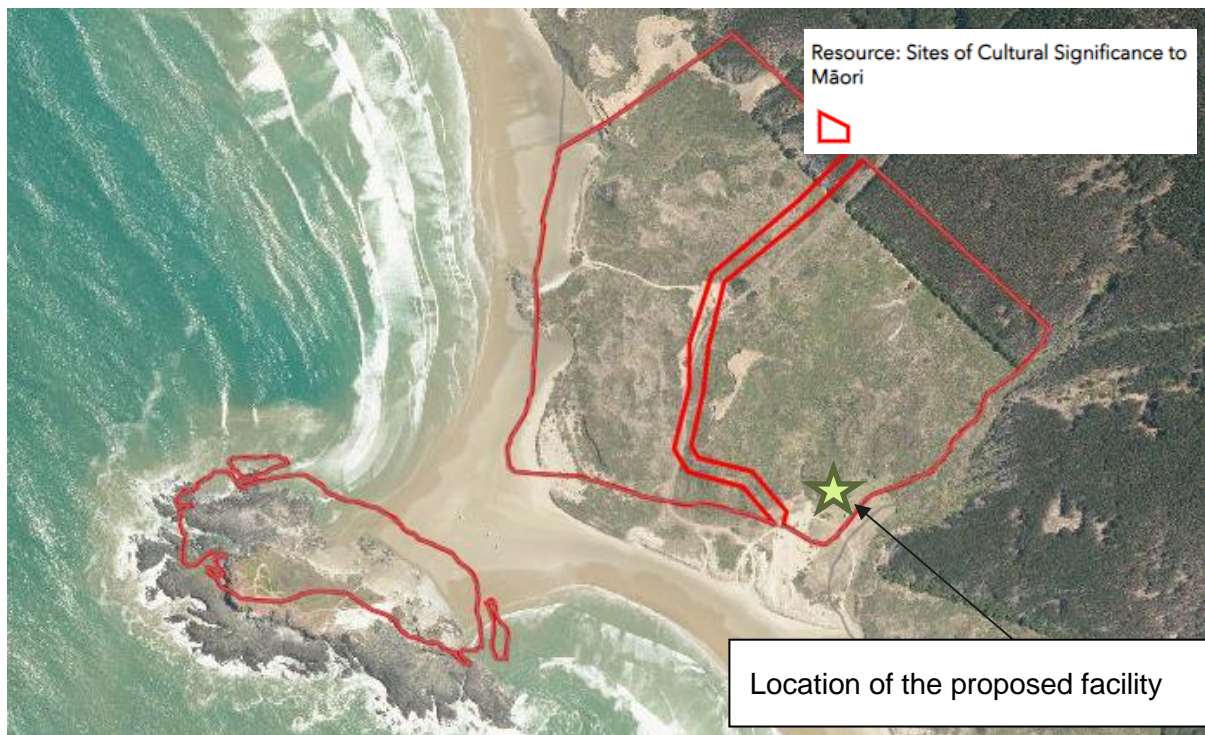




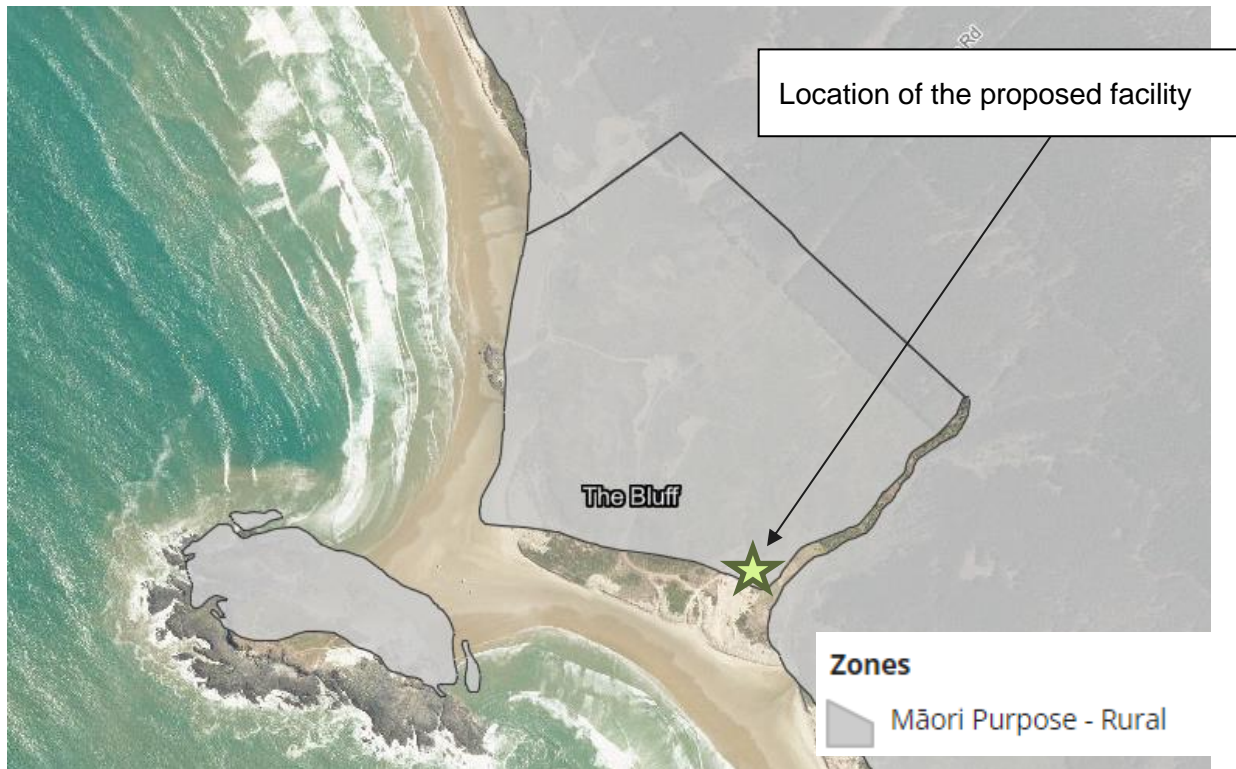
**Figure 4: Planning map showing zoning under the Operative Far North District Plan  
(Source: ODP Planning Maps)**



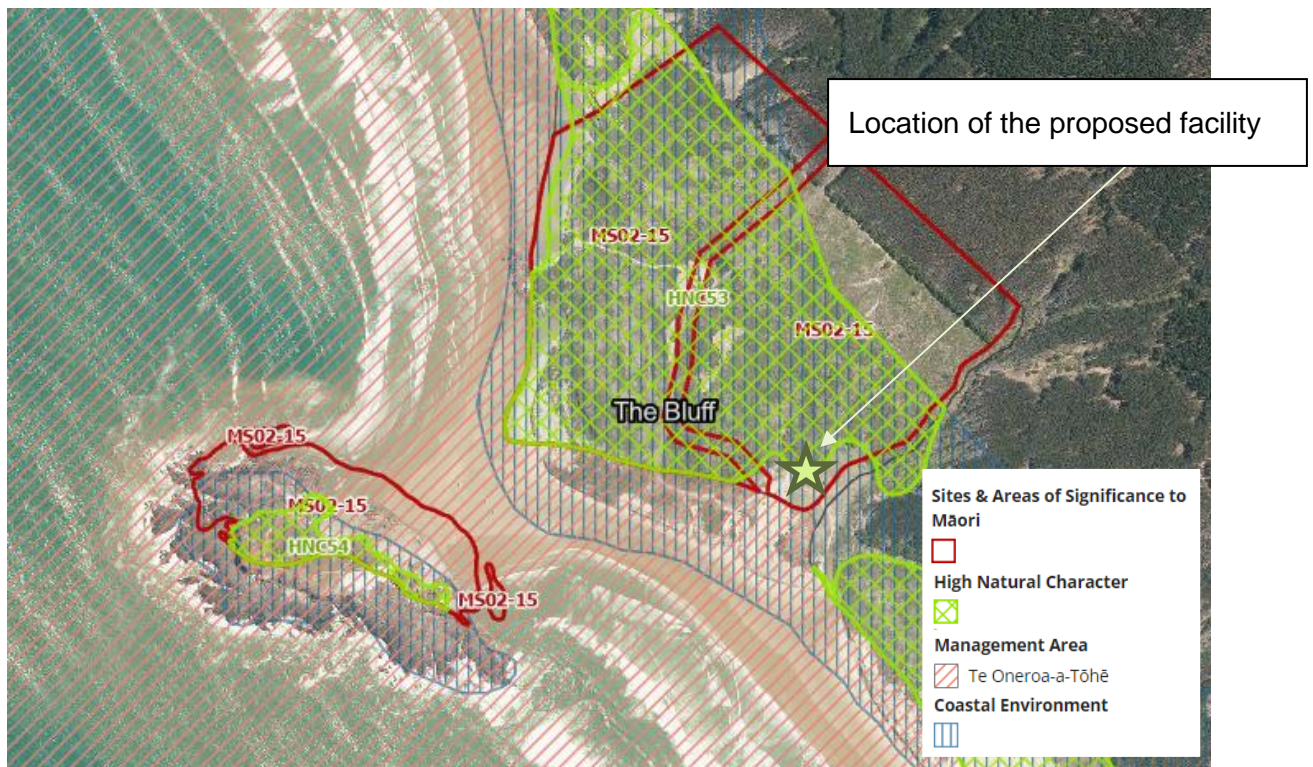
**Figure 5: Relevant overlays and planning limitations under the Operative Far North District Plan  
(Source: ODP Planning Maps)**



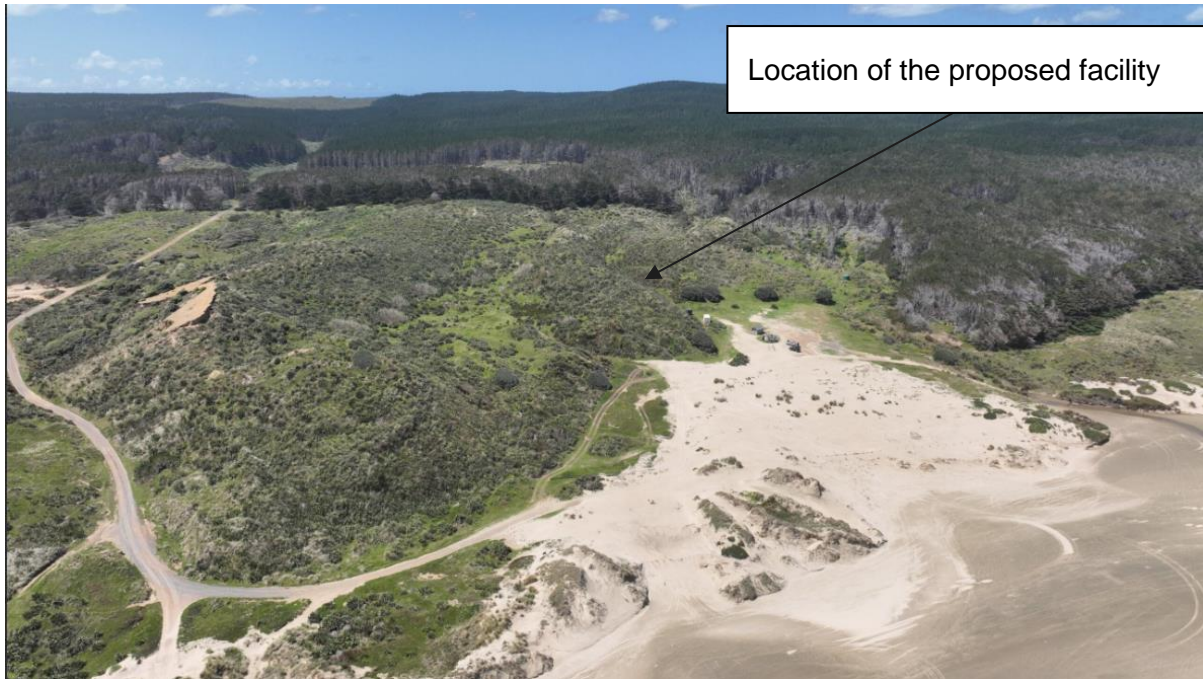
**Figure 6: Planning map showing zoning under the Proposed Far North District Plan  
(Source: PDP Planning Maps)**



**Figure 7: Relevant overlays and planning limitations under the Proposed Far North District Plan (Source: PDP Planning Maps)**



**Figure 8: Aerial photo of the location of the proposed facility and surrounding environment (Source: RCG)**



**Figure 9: Looking down the beach area from the location of the proposed facility (Source: RCG)**



## 5.0 Reasons for the application

An assessment of the proposal against the relevant statutory documents has been undertaken and the following reasons for consent have been identified. A detailed rules assessment is provided in Appendices C and D.

### 5.1 National Environmental Standards for Telecommunication Facilities

As assessed in Appendix C, the proposal requires resource consent for the following reasons:

- The proposal, as a regulated activity under regulation 34, does not comply with all relevant standards because the proposal will be carried out in identified Sites of Cultural significance to Māori (SCSM) in the ODP and within the overlay for Sites and Areas of Significance to Māori (SASM) in the PDP and is therefore subject to regulation 46. As the proposal is a restricted discretionary activity under the ODP and a discretionary activity under the PDP, the facility is a **discretionary activity** under the NESTF in accordance with regulation 16.

### 5.2 Operative Far North District Plan

As assessed in Appendix D, resource consent is required under the ODP for the following reasons:

- Under Rule 12.5.6.2.2 of the ODP, building<sup>1</sup>, excavating, filling, planting of trees or clearance of vegetation within any identified Site of Cultural Significance to Māori is a restricted discretionary activity. The proposed telecommunication facility (pole, antennas and equipment cabinets) and associated earthworks and vegetation clearance, and proposed back-up generator are to be assessed as a **restricted discretionary activity** under the ODP.
- Under Rule 12.9.6.3 of the ODP, any activity related to the use and development of renewable energy that does not comply with relevant standards for permitted or restricted discretionary activities is a discretionary activity. The proposed solar arrays are to be assessed as a **discretionary activity** under the ODP.

### 5.3 Proposed Far North District Plan

As assessed in Appendix D, resource consent is required under the PDP for the following reasons:

- Under Rule SASM-R1 of the PDP, any new buildings or structures, earthworks or indigenous vegetation clearance to be carried out in a scheduled SASM but does not comply with relevant permitted activity standards is a restricted discretionary activity. The proposed telecommunication facility (pole, antennas and equipment cabinets)

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<sup>1</sup> According to the definition in the ODP, 'building' means "Any structure or part of a structure, whether temporary or permanent, movable or immovable, which would require a building consent under the Building Act 2004, including additions to buildings. Notwithstanding the provisions of Schedule 1 of the Building Act 2004, buildings also include: ... (e) any lighting pole, flagpole, mast, pole, aerial or telecommunications structure which exceeds 6m in height; ....". The proposed telecommunication pole and antennas meets the definition of 'building' in the ODP.



and associated earthworks and vegetation clearance are to be assessed as a **restricted discretionary activity** under the PDP.

## 5.4 Overall activity status

Overall, resource consent is required for a **discretionary activity**.

### 5.4.1 Sections 87A and 104B (Discretionary activities)

As a discretionary activity, there is no limitation in the matters that the consent authority can consider providing they are resource management related. The consent authority may grant resource consent with or without conditions, or, decline resource consent.

## 6.0 Assessment of effects on the environment

### 6.1 Introduction

Having reviewed the relevant plan provisions and taking into account the matters that must be addressed by an assessment of effects on the environment as outlined in clause 7 of Schedule 4 of the Act, the effects that warrant consideration as part of this application are listed below.

As this application is for a **discretionary activity**, the relevant effects that the consent authority can consider are not restricted. Notwithstanding the ability of the consent authority consider all effects, only the following effects are relevant:

- Visual and Coastal Amenity Effects;
- Cultural Effects;
- Construction Effects; and
- Positive Effects.

An assessment of these effects, that corresponds with the scale and significance of the effects that the proposed activity may have on the environment, is provided below. Clause 7(2) notes that the requirement to address matters in the assessment of effects on the environment is subject to the provisions of any policy statement or plan. The relevant documents are also assessed in this report.

#### 6.1.1 Permitted baseline

The “permitted baseline” is relevant to the assessments under sections 95A to 95G and 104 of the Act. Under these sections, the consent authority may disregard an adverse effect on the environment if a national environmental standard or the plan permits an activity with that effect. This is the permitted baseline. It is only the adverse effects over and above those forming a part of the baseline that are relevant when considering an application.

The purpose of the permitted baseline test is to isolate, and make irrelevant, the effects of activities on the environment that are permitted by the plan. When applying the baseline, such effects cannot then be taken into account when assessing the effects of a particular resource consent application. The baseline has been defined by case law as comprising the “existing environment” and non-fanciful (i.e., credible) activities that would be permitted as of right by the plan and/or national environmental standard in question.

In this instance, as identified in Section 3.5 above, apart from being subject to subpart 5 matters under the NESTF, the proposed cabinets, noise, antenna size and radiofrequency



levels comply with the NESTF. However, under the ODP and PDP, resource consent is required for a new network utility and associated earthworks and vegetation clearance in scheduled sites and areas of significance to Māori, which involves potential adverse cultural effects. As there is no relevant permitted baseline under both the ODP and PDP, we have not applied a permitted baseline to the effects assessment below.

### **6.1.2 Receiving environment**

In assessing the potential effects on the environment, the “receiving environment” for effects must be considered.

The receiving environment is a mandatory consideration that is defined by case law, and it is the environment beyond the site upon which a proposed activity might have effects. This includes the future state of the environment upon which effects will occur, including:

- the environment as it might be modified by the utilisation of rights to carry out permitted activities; and
- the environment as it might be modified by implementing resource consents that have been granted at the time a particular application is considered, where it appears likely that those resource consents will be implemented.

In this case, the receiving environment is as described in Section 4.0 of this report.

### **6.1.3 Other considerations**

Sections 95D(d) to 95D(e) and 104(3)(a) of the Act require that assessments must disregard:

- trade competition, or the effects of trade competition; and
- any effect on a person who has given written approval to this application.

Trade competition is not relevant to this application, but written approval is.

As noted in Section 3.3 above, the applicant has been advised the Te Runanga Nui O Te Aupouri are the iwi that have interest in the area and the written approval of the iwi has been obtained (see Appendix H):

Sections 95D(e) and 104(3)(a)(ii) are relevant because these persons have provided their written approval to the application. As directed by the Act, in considering whether the application will have or is likely to have adverse effects on the environment that are more than minor, our assessment has disregarded the effects on these persons.

## **6.2 Effects on Visual and Coastal Amenity**

The proposed facility will provide enhanced telecommunication coverage across the Ninety Mile Beach area and Maunganui Bluff Reserve camping ground to better service those travelling along the beach and using camping, as well as the wider Te Kao area and surrounds.

In terms of the pole and antennas, a height of 15m is deemed necessary to ensure adequate coverage, considering the topography of the surrounding landscape and the need to both achieve minimum radiofrequency levels and comply with radio frequency standards. Due to the height of the facility, the pole and antennas could be potentially visible from a wider distance when approaching the site and therefore, the location and design of the pole and antennas have been carefully considered to minimise visual effects. The location of the proposed facility was chosen to utilise relatively flat areas of land away from the most



visually sensitive ridgelines. The facility has been designed to be as unintrusive as possible by keeping both the pole and ancillary structure heights low while meeting the operational requirements, especially noting its proposed location is within a generally unmodified environment. The nature of the proposed facility is a slimline structure on the basis of ensuring the pole is sufficiently stable. The pole will be finished in galvanised grey steel, which is a standardised colour from the manufacturers, while the antennas will be in recessive grey colour with a low reflectance value as well. The design is considered to be a balanced outcome between being visually recessive and structurally stable and fit for purpose.

The proposed cabinets are necessary for the operation of the telecommunication network and therefore must be next to the pole and antennas. The proposed cabinets are relatively small (with a maximum area of 5m<sup>2</sup> and a maximum height of 2m) and will be screened by existing tussock grasses on the site.

Given the isolated location of the facility, it must also generate its own power. The generator and solar arrays are to provide power supply to the facility and therefore must be adjacent to the telecommunication pole. As noted in Section 2.0 above, the proposed utility structures include one generator (1.52m<sup>2</sup> x 1.8m) and a group of three solar arrays (6.0m x 2.5m x 2.7m) to provide power supply to the facility. The proposed generator and solar arrays are relatively low in height (max height of 3.5m). The height of the proposed solar arrays is determined by the ideal angle of the operation of the solar panels which is directly affected by the geographic location and the sun angle across seasons. The proposed maximum height of 3.5m is to maximise the operational capabilities of the solar arrays, as well as to reduce the likelihood of needing potential future upgrades. Furthermore, the solar arrays and generator will be located within the Māori land, accessed from the existing forest track at the end of Oromanga Road and surrounded by existing tussock grasses and shrubs. The existing grasses and shrubs will provide screening to ensure that the structures will not appear as a dominant feature in the surrounding environment. In addition, the location of the proposed facility has been selected to enable utilisation of the existing forest track to minimise the disturbance of soil and vegetation. Lastly, it is worth noting that, apart from being located in a SASM area, both the solar arrays and generator comply with the bulk and location requirements of the relevant standards in the ODP as utility structures and are therefore of a scale that is anticipated in the ODP.

As noted in section 4.0 above, the site and the surroundings consist of existing recreational uses including a camping ground and the northern end of Ninety Mile Beach. The proposed facility will be on a relatively flat and high ground area that is separated from the existing recreational facilities and therefore is not anticipated to have adverse effects on existing recreational use such as camping and beach.

Given the location of the proposed structure, existing screening, compliance with the development standards in terms of bulk and location, the small-scale and slimline nature of the proposal and the visually recessive design of the proposed facility and ancillary utility structures, it is considered that any actual or potential adverse effects on visual and coastal amenity will be less than minor.

### **6.3 Effects on Cultural Values**

The proposal seeks to construct the telecommunication facility and supporting utility structures within an identified area of significance to Māori in the ODP and PDP. This could have potentially adverse effects on cultural, spiritual and heritage values in the SASM area.



While the proposed location is not an ideal location with respect to potential adverse cultural effects, the proposed location of the facility has been determined by a range of factors as noted in Section 3.3 above. Given the site is a large piece of Māori Land of greater than 37ha in area, any practical alternative locations will be within the same SASM area.

Prior to lodging the application, the applicant has consulted and obtained written consent from Te Runanga Nui O Te Aupouri. Furthermore, as noted above in Section 2.0, all site works will be managed in accordance with the RCG's ADP. The ADP measures minimises the potential for adverse effects on cultural values in the SASM area during construction, and any risks in relation to accidental discovery will be appropriately managed.

Overall, based on the above, the potential adverse cultural effects are considered to be less than minor.

## 6.4 Noise Effects

It is not anticipated that the operation of solar arrays will generate any noise. An Acoustic Report for the proposed cabinets is contained in Appendix F. In terms of the generator, a product specification including operational noise levels is attached in Appendix G. Given the setbacks from all site boundaries, it is anticipated that any noise in relation to the operation of the cabinets and generator will comply with noise limits under the ODP at all times.

## 6.5 Construction Effects

The establishment of the proposed telecommunication facility (pole, antennas, cabinets and ancillary equipment), solar arrays and generator will take approximately 2-3 weeks and will comply with all relevant construction noise standards in the ODP. Given the site is located in a SASM area, all site work will be managed by RCG's ADP, which has been widely accepted by a range of district councils and applied on other RCG sites nationwide.

Overall, noting that all earthworks, soil disturbance, and work site traffic are temporary for a short duration of period, and the ground condition will be reinstated to the existing condition as far as practical, any construction effects will be temporary and less than minor.

## 6.6 Positive effects

The proposal will generate positive effects on the environment, being:

- Installing a new telecommunication facility will provide efficient and effective mobile coverage and internet access to the visitors through the Ninety Mile Beach and Wakatehaua Camping Reserve, and rural residents in the wider Te Kao area. This will have a positive effect on people, economic and social well-being.

## 6.7 Conclusion

Overall, based on the preceding assessment, the effects of the proposed activity on the environment will be less than minor.

## 7.0 Statutory assessment

Section 104(1) of the Act requires that, when considering a resource consent application, the consent authority must have regard to the matters set out in subsections (1)(a), (ab), (b) and (c). These matters are addressed below, and all are subject to Part 2.





## 7.1 Section 104(1)(a) (Actual and potential effects)

Section 104(1)(a) requires the consent authority to have regard to “any actual and potential effects on the environment of allowing the activity”.

As assessed in Section 6.0 of this report above, the proposal will have less than minor adverse effects in terms of visual and coastal amenity, cultural effects and noise, as well as positive effects including providing effective coverage for the Ninety Mile Beach and wider Te Kao area. Overall, it is considered that the actual and potential adverse effects of the proposal are acceptable.

## 7.2 Section 104(1)(ab) (Offsetting or compensation)

Section 104(1)(ab) requires that the consent authority to consider “any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity”.

In this case, the proposed activity is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment.

## 7.3 Section 104(1)(b) (Statutory documents)

Section 104(1)(b) requires the consent authority to have regard to any relevant provisions of the following:

- a national environmental standard;
- other regulations;
- a national policy statement;
- a New Zealand coastal policy statement;
- a regional policy statement or proposed regional policy statement; and
- a plan or proposed plan.

An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the proposed activity may have on the environment is provided below.

### 7.3.1 National Environmental Standards for Telecommunication Facilities

The NESTF sets environment standards to manage and protect our natural resources by providing benchmarks for the planning and operation of telecommunications facilities with regards to radiofrequency fields, installation of equipment cabinets, erection or replacement of poles and antennas, and associated noise generation.

The assessment against the relevant provisions of the NESTF confirms compliance with all relevant regulations in terms of the size, design and bulk of the facility. The proposed telecommunication facility (being the installation of a monopole, antennas and cabinets) meet the policy intent of the NESTF.

### 7.3.2 Operative Far North District Plan

The relevant objectives and policies in the ODP are as follows:



Objectives and Policies	Assessments
<b>Chapter 12 Natural and Physical Resources – Section 5 Heritage</b>	
<p><b>Objectives</b></p> <p>12.5.3.1 To protect and retain the heritage values of resources, such values to include those of an archaeological, architectural, cultural, historic, scientific, and technological nature.</p> <p>12.5.3.2 To protect waahi tapu and other sites of spiritual, cultural or historical significance to Maori from inappropriate use, development and subdivision.</p>	<p>The applicant has consulted with and obtained written approval from the local iwi group to support the proposal.</p> <p>Any risks in relation to accidental discovery will be appropriately managed in accordance with the RCG’s ADP, which minimises the potential for adverse effects on cultural values in the SASM area during construction.</p> <p>It is considered the proposal is consistent with the objectives and policies in the relevant chapter.</p>
<p><b>Policies</b></p> <p>12.5.4.4 That land use activities in the vicinity of Sites of Cultural Significance to Maori shall not compromise their spiritual, cultural or historical values and that the effect on cultural, spiritual and historical values is taken into account in the assessment of applications.</p>	
<b>Chapter 17 Designations and Utility Services – Section 2 Utility Services</b>	
<p><b>Objectives</b></p> <p>17.2.3.1 To provide for the efficient development, use, maintenance and upgrading of utility services to meet the reasonable needs of residents and businesses throughout the District while ensuring that significant adverse effects are avoided, remedied or mitigated.</p>	<p>The proposal is to establish new telecommunication facility to provide efficient and effective mobile coverage and internet access and meet growth demand. All RFG facilities in the proposal comply with all relevant standards in the NESTF and any adverse effects will be less than minor. The proposal will not prevent the site from continuing with the existing use.</p> <p>It is considered the proposal is consistent with the objectives and policies in the relevant chapter.</p>
<p><b>Policies</b></p> <p>17.2.4.1 That the maintenance and upgrading of utility services and radio communication facilities is provided for.</p> <p>17.2.4.2 That any significant adverse effects of proposed utility services and radio communications on amenity values is avoided, remedied or mitigated. 17.2.4.3 That provision be made to enable new/upgraded utility services to meet growth demand</p>	

Overall, the proposal is considered consistent with the relevant objectives and policies in the ODP.

### 7.3.3 Proposed Far North District Plan

The relevant objectives and policies in the PDP are as follows:



Objectives and Policies	Assessments
<b>PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / Sites and areas of significance to Māori</b>	
<p><b>Objectives</b></p> <p>SASM-O3 Sites and areas of significance to Māori are protected from inappropriate subdivision, use and development.</p> <p>SASM-O5 Te Oneroa-a-Tōhe is recognised as a culturally significant landscape and protected from inappropriate use and development for present and future generations.</p>	<p>The proposal is to establish a new telecommunication facility to provide efficient and effective mobile coverage and internet access and meet growth demand. Therefore, it is not inappropriate use and development.</p>
<p><b>Policies</b></p> <p>SASM-P7 Protect and preserve the culturally significant landscape of Te Oneroa-a-Tōhe/Ninety Mile Beach, from inappropriate land use, subdivision and development by:</p> <ol style="list-style-type: none"> <li>a. identifying the Te Oneroa-a-Tōhe Beach Management Area on planning maps;</li> <li>b. recognising and providing for the spiritual, cultural and historical relationship of Te Hiku o Te Ika Iwi/Hapū with the beach;</li> <li>c. requiring that resource consent applications within or adjacent to the Te Oneroa-a-Tōhe Beach Management Area:             <ol style="list-style-type: none"> <li>i. demonstrate that they have had regard to Te Rautaki o Te Oneroa-a-Tōhe/ Te Oneroa-a-Tōhe Beach Management Plan;</li> <li>ii. provide an assessment of consistency with the vision, objectives and desired outcomes outlined in the Beach Management Plan;</li> <li>iii. provide an assessment of effects on Te Oneroa-a-Tōhe; and</li> <li>iv. provide, where relevant, evidence of outcomes of consultation with and/or cultural advice provided by tangata whenua, including Te Hiku o Te Ika Iwi/Hapū or Te Oneroa-a-Tōhe Board.</li> </ol> </li> <li>d. considering the Te Oneroa-a-Tōhe Board as an affected person for any activity where the adverse effects on Te Oneroa-a-Tōhe are considered minor or more than minor.</li> </ol> <p>SASM-P8 Manage land use and subdivision involving sites and areas of significance to Māori to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ol style="list-style-type: none"> <li>a. the particular cultural, spiritual and/or historical values, interests or associations of importance to tangata whenua that are associated with the site which may be affected;</li> <li>b. the extent to which the activity may compromise the relationship tangata whenua have with their ancestral lands, water, sites, wāhi tapu and other taonga, and/or the ability to protect, maintain or enhance sites and areas of significance to tangata whenua;</li> </ol>	<p>Any risks in relation to accidental discovery will be appropriately managed in accordance with the RCG's ADP, which minimises the potential adverse effects on cultural values in the SASM area during construction.</p> <p>The applicant has consulted with and obtained approval from the local iwi group to support the proposal.</p> <p>As noted in Section 6.0 above, the location and design of the proposed facility has been carefully considered and the location of the proposed facility is outside of the Te Oneroa-a-Tōhe Management Area to protect the beach area.</p> <p>It is considered the proposal is consistent with the objectives and policies in the relevant chapter.</p>



Objectives and Policies	Assessments
<p>c. the responsibility of tangata whenua as kaitiaki;</p> <p>d. opportunities for the relationship of tangata whenua with the site or area to be maintained or strengthened on an ongoing or long term basis, including practical mechanisms to access, use and maintain the identified site;</p> <p>e. the outcomes of any consultation with and/or cultural advice provided by tangata whenua, in particular with respect to mitigation measures and/or the incorporation of mātauranga Māori principles into the design, development and/or operation of activities that may affect the site; and</p> <p>f. where the site is also an archaeological site, the relevant objectives and policies in the Historic Heritage chapter.</p>	
<p><b>PART 2 – DISTRICT-WIDE MATTERS / NATURAL ENVIRONMENT VALUES / Ecosystems and indigenous biodiversity</b></p>	
<p><b>Objectives</b></p> <p><i>IB-O2 Indigenous biodiversity is managed to maintain its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities.</i></p>	<p>The site does not contain any known Significant Natural Areas.</p> <p>Any potential indigenous vegetation including tussock grasses and potentially small shrubs to be disturbed or removed during the construction will be localized and minor and within the permitted activity thresholds under the PDP and therefore is considered consistent with the objectives and to meet the policy intent of the PDP.</p>
<p><b>Policies</b></p> <p><i>IB-P2 Within the coastal environment:</i></p> <p><i>avoid adverse effects of land use and subdivision on Significant Natural Areas; and avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems.</i></p>	

Overall, the proposal is considered consistent with the relevant objectives and policies in the PDP.

### 7.3.4 Weighting

An assessment of weighting is only relevant if the outcomes under the operative and proposed provisions are different. In this case, as the outcomes are the same, no weighting is required.

### 7.3.5 Conclusion

The above assessments demonstrate that the proposal is consistent with the relevant provisions of the relevant statutory documents.

## 7.4 Section 104(1)(c) (Other matters)

In addition to the matters of regard covered under subsections (1)(a), (ab) and (b), subsection (1)(c) states that consideration must be given to "any other matters that the



consent authority considers relevant and reasonably necessary to determine the application."

There are no other matters relevant to this application.

## 8.0 Other relevant sections of the Act

### 8.1 Section 108 (Proposed conditions of consent)

As identified in the preceding assessments, several conditions of consent are proposed to avoid, remedy or mitigate the potential adverse effects of the proposed activity on the environment. It is anticipated that the consent authority will adopt conditions relating to the following matters. These conditions are as follows:

- 1 All site work will be managed in accordance with the RCG's ADP.

It is requested that draft conditions of consent are shared with SLR in advance of a decision being made on the application.

### 8.2 Section 125 (Lapsing of consent)

Section 125 prescribes a standard consent period of five years in which all works must be undertaken, but this may be amended as deemed appropriate by the consent authority. It is requested that the standard five-year period be applied in this case.

### 8.3 Section 35 (Monitoring charges)

Under section 35, the consent authority is required to monitor the exercise of resource consents. Given the limited scale of the proposed activity, and because all mitigation measures are inherent within the application, it is considered that only a limited need for monitoring exists. The Applicant accepts a reasonable monitoring fee in accordance with the consent authority's monitoring fee system and that the consent authority may carry out its monitoring functions by way of inspections of the site during development of the proposal.

## 9.0 Notification assessment

### 9.1 Public notification assessment

Section 95A of the Act requires the consent authority to follow specific steps to determine whether to publicly notify an application. An assessment of the application against these steps is provided below.

#### 9.1.1 Step 1: Mandatory public notification in certain circumstances

An application must be publicly notified if it meets any of the criteria under section 95A(3):

- (3) (a) the applicant has requested that the application be publicly notified:
  - (b) public notification is required under section 95C:
  - (c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

The Applicant does not request public notification and the application is not made jointly with an application to exchange recreation reserve land.



Therefore, Step 1 does not apply, and Step 2 must be considered.

### 9.1.2 Step 2: Public notification precluded in certain circumstances

An application must not be publicly notified if it meets any of the criteria under section 95A(5):

- (5) (a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:
- (b) the application is for a resource consent for 1 or more of the following, but no other, activities:
  - (i) a controlled activity:
  - (iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity:

None of these criteria apply to the application.

Therefore, Step 2 does not apply, and Step 3 must be considered.

### 9.1.3 Step 3: Public notification required in certain circumstances

An application must be publicly notified if it meets any of the criteria under section 95A(8):

- (8) (a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:
- (b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

There is no rule or national environmental standard that requires public notification. However, an assessment of adverse effects on the environment is required.

#### 9.1.3.1 Adjacent land

As noted in Section 4.0 above, the site is surrounded by a large parcel (being 6240.83 ha) of Māori land legally described as Parengarenga A Block and owned by a Māori trust, 'The Proprietors of Parengarenga A Incorporation'.

The assessment of environmental effects undertaken in Section 6.0 of this report concluded that the proposed activity will have less than minor effects on the environment as a whole. When excluding adjacent land, positive effects and written approvals, and taking into account the receiving environment, the adverse effects of the proposed activity on the environment will be less than minor.

#### 9.1.3.2 Step 3 summary

With respect to section 95D, taking into the adjacent land (discussed above), permitted baseline (was considered but not applied) and written approvals as part of the assessment of environmental effects undertaken in Section 6.0 of this report, which found that the adverse effects on the environment will be less than minor.

Therefore, Step 3 does not apply, and Step 4 must be considered.



#### **9.1.4 Step 4: Public notification in special circumstances**

Under section 95A(9), an application must be publicly notified if the consent authority determines that “special circumstances” exist, notwithstanding that Steps 1 to 3 do not require or preclude public notification.

Special circumstances are not defined by the Act. Case law has, however, identified special circumstances as being “outside the common run of things which is exceptional, abnormal or unusual, but less than extraordinary or unique. A special circumstance would be one which makes notification desirable despite the general provisions excluding the need for notification.”<sup>2</sup> The consent authority should also be satisfied that public notification may elicit additional information on those aspects of the proposal which require resource consent.

However, special circumstances must be more than:

- where the consent authority has had an indication that people want to make submissions;
- the fact that a large development is proposed; or
- the fact that some persons have concerns about the proposal.

No special circumstances exist that require the application being publicly notified as telecommunication facilities and ancillary utility structures providing power supply to the operation of telecommunication facility to service tourist attraction sites and wider remote rural area are neither unusual nor exceptional.

#### **9.1.5 Public notification summary**

From the assessment above it is considered that the application does not need to be publicly notified, but an assessment of limited notification is required.

### **9.2 Limited notification assessment**

If the consent authority determines not to publicly notify an application, it must then follow the steps of section 95B of the Act to determine whether to give limited notification of the application. An assessment of the application against these steps is provided below.

#### **9.2.1 Step 1: Certain affected groups and affected persons must be notified**

An application must be limited notified to the relevant persons if it meets the criteria under sections 95B(2) to 95B(4):

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<sup>2</sup> *Far North District Council v Te Runanga-a-iwi o Ngati Kahu* [2013] NZCA 221 at [36] and [37].



- (2) (a) affected protected customary rights groups; or
- (b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).
- (3) (a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and
- (b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.
- (4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).

There are no protected customary rights groups or customary marine title groups or statutory acknowledgement areas that are relevant to this application.

Therefore, Step 1 does not apply, and Step 2 must be considered.

### 9.2.2 Step 2: Limited notification precluded in certain circumstances

An application must not be limited notified to any persons if it meets any of the criteria under section 95B(6):

- (6) (a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:
- (b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

None of these criteria apply to the application.

Therefore, Step 2 does not apply, and Step 3 must be considered.

### 9.2.3 Step 3: Certain other affected persons must be notified

Other affected persons must be notified in the following circumstances specified by section 95B(7) and (8):

- (7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.
- (8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

The proposal is not for a boundary activity.

In deciding whether a person is an affected person under section 95E, the consent authority under section 95E(2):





- (2) (a) may disregard an adverse effect of an activity on a person if a rule or national environmental standard permits an activity with that effect;
- (b) must disregard an adverse effect that does not relate to a matter for which a rule or environmental standard reserves control or restricts discretion; and
- (c) must have regard to every relevant statutory acknowledgement made in accordance with a statute set out in Schedule 11 of the Act.

The consent authority must not consider that a person is an affected person if they have given their written approval, or it is unreasonable in the circumstances to seek that person's written approval.

With respect to sections 95B(8) and 95E, the permitted baseline was considered (but not applied) as part of the assessment of environmental effects undertaken in Section 6.0 of this report, which found that the potential adverse effects on the environment will be less than minor.

It is noted that under the ODP, for activities to be undertaken on sites of Cultural Significance to Māori, the requesting party and the relevant iwi authority and the New Zealand Historic Places Trust are considered an affected party. The applicant has consulted with and obtained written approval from the relevant iwi group, Te Rūnanga Nui o Te Aupōuri, and therefore they are excluded from the affected persons in this application.

As noted above in Section 3.4.2, a consultation letter and follow-up correspondence has been sent to Heritage New Zealand Pouhere Taonga (HNZPT) prior to lodging the application, however no response has been received. A search on the NZAA archaeological sites recording scheme confirms that there is no known NZAA archaeological features close to the site. Te Runanga Nui O Te Aupouri have given their written approval and the RCG's ADP will ensure all site work will be appropriately managed to minimise any potential adverse effects on heritage values. As such, any adverse effects are considered to be less than minor; there will be no affected persons as a result of this activity.

#### **9.2.3.1 Statutory acknowledgements**

With respect to section 95E(2)(c), when deciding who is an affected person, the consent authority must have regard to every relevant statutory acknowledgement made in accordance with an Act that is specified under Schedule 11. Those named in that schedule are affected if the adverse effects are minor or more than minor.

There are no statutory acknowledgements that are relevant to this application.

#### **9.2.3.2 Step 3 summary**

Overall, there are no affected persons.

Therefore, Step 3 does not apply, and Step 4 must be considered.

#### **9.2.4 Step 4: Further notification in special circumstances**

As required by section 95B(10), the consent authority must determine the following:



(10) Determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons).

The proposal is for the installation and operation of a telecommunication facility with one generator and a group of solar arrays for power supply on Māori land. A consideration of adverse effects on any person has been undertaken under Step 3 where it was concluded that these are less than minor.

Therefore, there are no other persons who should be limited notified.

### 9.2.5 Limited notification assessment summary

Overall, from the assessment undertaken, it is recommended that HNZPT to be consulted with this application.

## 9.3 Notification assessment conclusion

Pursuant to sections 95A to 95G of the Act, it is recommended that the application is non-notified based on the following reasons:

- Step 1 of section 95A: Public notification is not mandatory.
- Step 2 of section 95A: Public notification is not precluded.
- Step 3 of section 95A: Public notification is not required as the specified circumstances do not apply, including that the adverse effects on the environment will not be more than minor.
- Step 4 of section 95A: No special circumstances exist that require public notification.
- Step 1 of section 95B: There are no certain affected groups or persons who must be limited notified.
- Step 2 of section 95B: Limited notification is not precluded.
- Step 3 of section 95B: There are no certain other affected persons who must be limited notified. In particular, written approval from Te Runanga Nui O Te Aupouri has been obtained for works to be carried out in SASM area, and the site does not contain or is not close to any known NZAA archaeological sites and features.
- Step 4 of section 95B: No special circumstances exist that require limited notification to any other persons.

## 10.0 Part 2 of the Act

Section 5 identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out several matters of national importance, including:



*(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

In this instance, the proposal will be carried out on a site identified as significant to Māori. The applicant has actively engaged with Te Runanga Nui O Te Aupouri and have obtained written approval in support the proposal. Accidental discovery protocols will be followed to mitigate any potential adverse effects on waahi tapu, and other taonga.

Section 7 identifies a number of "other matters" to be given particular regard to in the consideration of any assessment for resource consent, including:

*(c) the maintenance and enhancement of amenity values:*

Apart from the site being identified as significant to Māori under the ODP and PDP, the location, size and bulk of the proposed structure complies with all development standards for network utilities in the NESTF and underlying zoning provisions in the ODP; and the proposed structures will have less than minor adverse effects in regard to visual and coastal amenity.

Section 8 requires the consent authority to take into account the principles of the Treaty of Waitangi, and this has also informed our assessment under section 104.

Overall, the application is considered to be consistent with the relevant provisions of Part 2, as expressed through the objectives, policies and rules that we reviewed in earlier sections of this application. Given this consistency, it is concluded that the proposal achieves the purposes of sustainable management set under section 5.

## 11.0 Conclusion

The Applicant seeks resource consent to establish, operate and maintain a new telecommunication facility in Wakatehaua Camping Reserve, at Oromanga Road, Te Kao (Coordinates of the proposed facility: -34.684663999 Latitude, 172.898346874 Longitude).

In terms of section 104(1)(a) of the Act, the actual and potential effects of the proposed activity on the environment will be less than minor and acceptable as assessed and discussed in sections 6.0 and 7.0 of this report.

The proposed activity will also generate positive effects by providing mobile and internet coverage for visitors through the Ninety Mile Beach and Wakatehaua Camping Reserve, and rural residents in the wider Te Kao area, which will enhance the wellbeing and safety of the community.

In terms of section 104(1)(b) of the Act, the proposal is consistent with the intention of the NESTF and the objectives and policies of the Operative Far North District Plan and the Proposed Far North District Plan. It is also consistent with Part 2 of the Act.

It is also considered that the proposal will have less than minor adverse effects on the wider environment, no persons will be adversely affected by the proposal and no special circumstances exist. As such, the application does not need to publicly or limited notified.

In particular, written approval from Niki Conrad, the Poutakawaenga of Te Runanga Nui O Te Aupouri, has been obtained for works to be carried out in SASM area, and the site does not contain or is not close to any known NZAA archaeological sites and features that could be potentially affected by the proposal.

Hence, in accordance with section 104B in relation to discretionary activities, it is considered appropriate for consent to be granted on a non-notified basis.



# Appendix A Record of Title

## Resource Consent Application

Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao

The Rural Connectivity Group

SLR Project No.: 810.V15049.00001.1000

16 May 2024



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** 309310  
**Land Registration District** North Auckland  
**Date Issued** 08 September 2006

**Prior References**  
309309

---

**Estate** Fee Simple  
**Area** 37.8179 hectares more or less  
**Legal Description** Parengarenga 5B 2A Block  
**Purpose** Set apart as a Maori Reservation for the purpose of a camping ground and place of scenic interest for the common use and benefit of the Maori people of Te Kao

**Registered Owners**

Harry Kapa, Hone Rapata Wiki, Ngatote Hemi Matiu, Matengaroa Wiki, Reewe Eru Ihaka, Raniera Henare, Witana Witana and Wiki Karena Wiki jointly, as Trustees

---

**Interests**

7023074.5 Status Order determining the status of the within land to be Maori Freehold Land - 8.9.2006 at 9:00 am

Title Diagram 309309

Copy - 01/01, Pgs - 001, 16/09/06, 10:09



DocID: 312668897



Tasman Sea





**Report on Maori Land details for the following Record(s) of Title**



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**Record(s) of Title**

309310

Identified as potentially Maori Freehold Land

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**\*\*\* End of Report \*\*\***



# Appendix B Application Plans

## Resource Consent Application

Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao

The Rural Connectivity Group

SLR Project No.: 810.V15049.00001.1000

16 May 2024





**PROPOSED RCG SITE LOCATION**  
 SITE ID: RNLNMB  
 SITE NAME: NINETY MILE BEACH  
 ADDRESS: OROMANGA ROAD, TE KAO  
 COORDINATES:  
 LAT: -34.684663999  
 LONG: 172.898346874

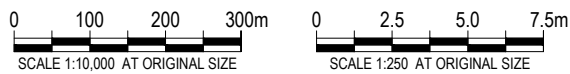
**LOCALITY PLAN**  
 SCALE 1:10,000

**NOTES**

1. PROPOSED RCG ACCESS ROUTE FROM OROMANGA ROAD TO THE PROPOSED SITE VIA FOREST ACCESS TRACK.
2. PROPOSED RCG POWER ROUTE - TO BE CONFIRMED ONSITE BY BUILD CONTRACTOR, OWNER AND/OR LOCAL AUTHORITY. SUPPLIED OFF GRID FROM PROPOSED SOLAR ARRAY AND GENERATOR.
3. COORDINATES: WORLD GEODETIC SYSTEM 1984 (G1762).
4. RCG PROJECT MANAGER TO CONFIRM IF A BOUNDARY SURVEY IS REQUIRED PRIOR TO CONSTRUCTION.
5. ANTENNA HEIGHTS ARE ABOVE GROUND LEVEL (APPROX.)
6. IN ADDITION TO ANY EQUIPMENT SHOWN ON THE DRAWINGS OR PERMITTED BY THE NES-TF, ANTENNAS AND EQUIPMENT UP TO 1m<sup>2</sup> IN SURFACE AREA MAY BE ADDED IN THE FUTURE.

**EXISTING SERVICES LEGEND**

- |                 |                 |   |               |
|-----------------|-----------------|---|---------------|
| -sw - - -       | STORMWATER      | ⊙ | STORMWATER MH |
| -s - - -        | SEWER           | ⊞ | SUMP          |
| -w - - -        | WATER           | ● | SEWER MH      |
| -g - - -        | GAS             | ⊕ | SURVEY PEG    |
| -E(OH) - - -    | OVERHEAD POWER  |   |               |
| -E - - -        | POWER           |   |               |
| -T - - -        | FIBRE           |   |               |
| - - - - ? - - - | UNKNOWN SERVICE |   |               |

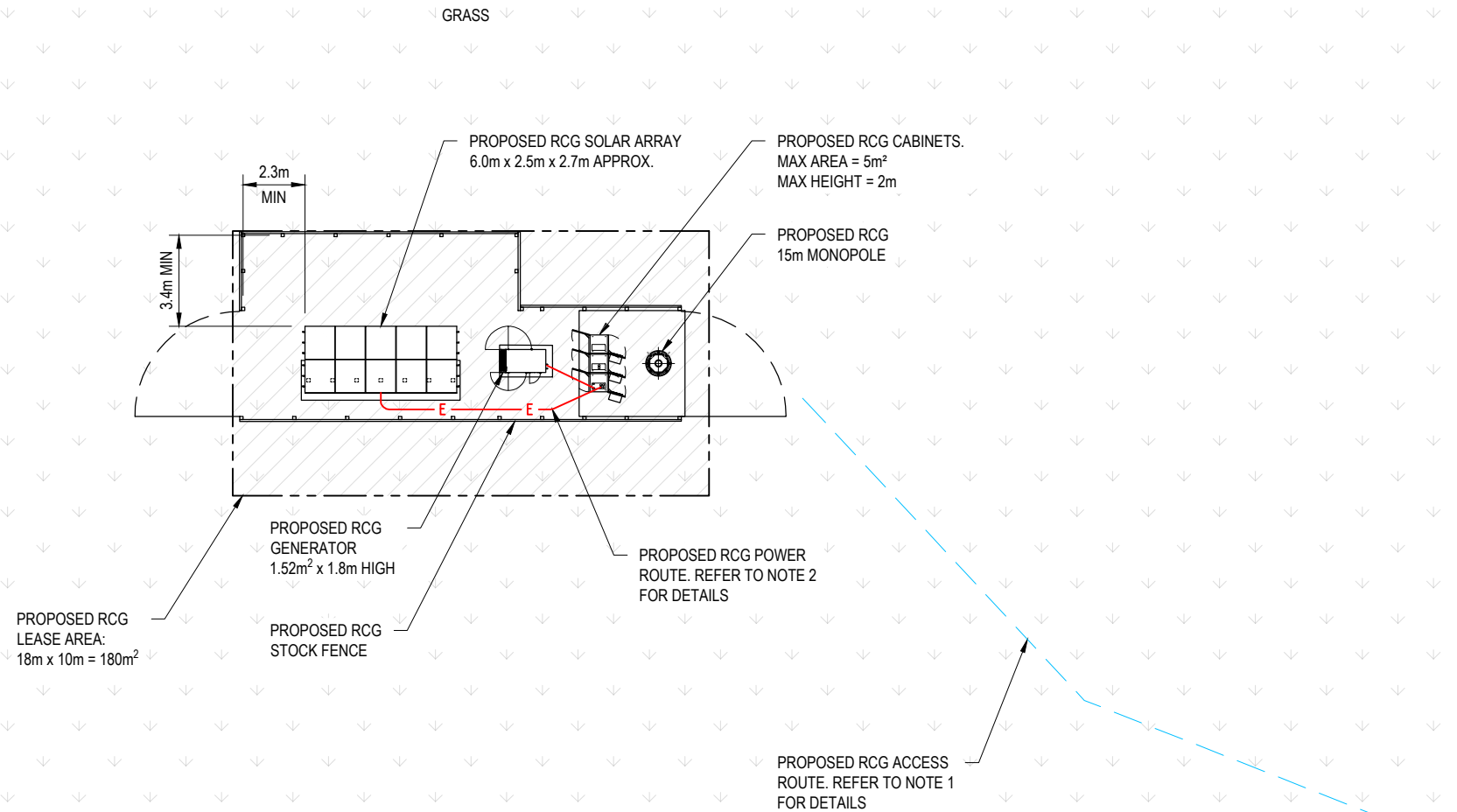
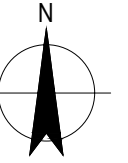


**IMPORTANT SERVICES NOTE**

THE SERVICES SHOWN SHOULD BE CONSIDERED INDICATIVE ONLY AND ARE BASED ON RECORDS SUPPLIED BY THE UTILITY COMPANIES. PRIVATE SERVICES AND CONNECTIONS ARE NOT SHOWN.  
 THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL SERVICES ARE LOCATED/MARKED BY THE APPROPRIATE SERVICE AUTHORITY, OR THEIR OWN STAFF, PRIOR TO ANY SITE WORKS, AND FOR PROTECTING THESE SERVICES FOR THE DURATION OF THE SITE CONTRACT.

**ELECTRONIC COPYRIGHT STATEMENT**

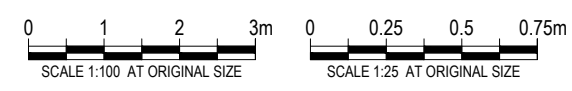
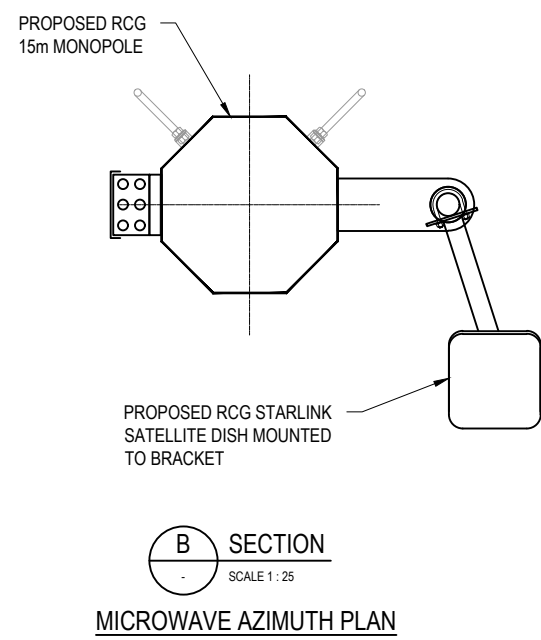
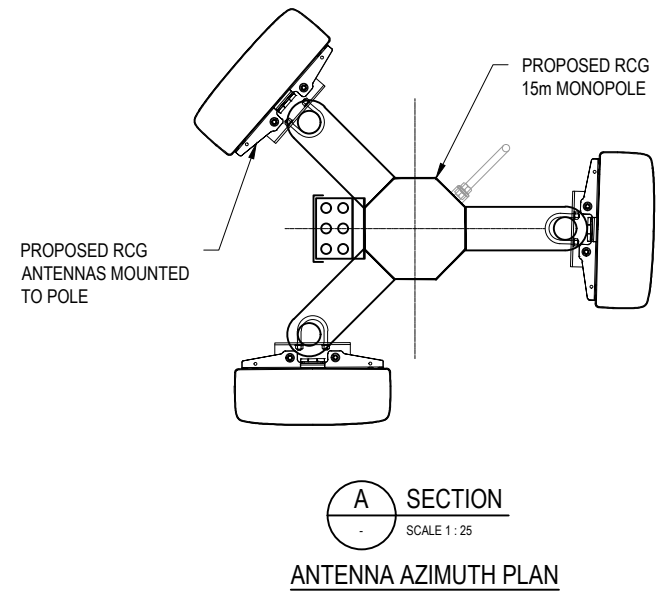
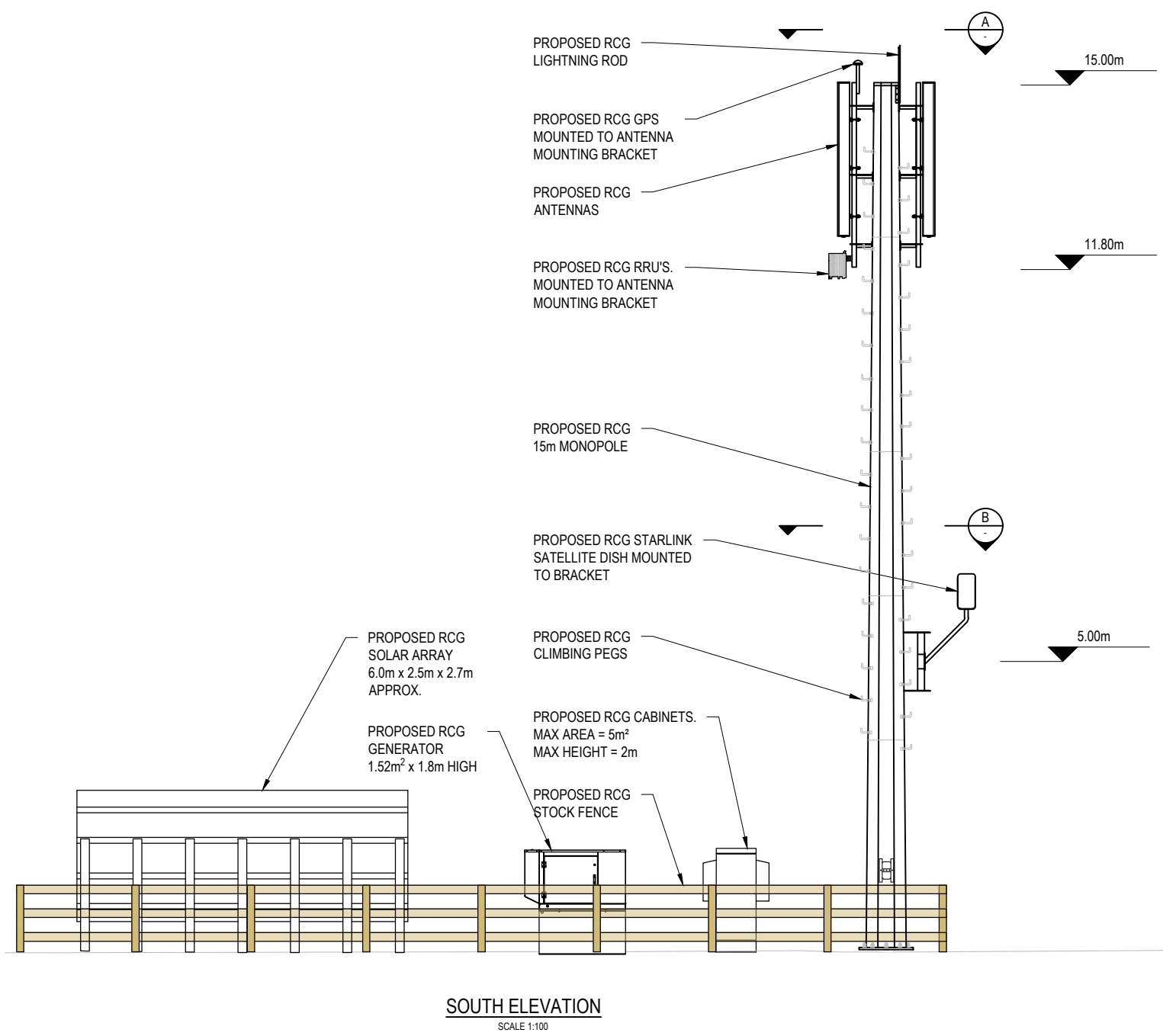
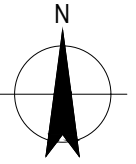
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**SITE PLAN**  
 SCALE 1:250

				<b>COPYRIGHT</b> THIS DRAWING REMAINS THE PROPERTY OF TOTAL GROUND ENGINEERING LIMITED. ALL RIGHTS RESERVED. UNAUTHORIZED USE OF THIS DOCUMENT IS PROHIBITED.		CLIENT:		DESIGNER: OFFICE - 2 / UNIT C 27C WAIPAREIRA AVENUE, HENDERSON, AUCKLAND 0160 PH: 027 557 7234 E: njacka@tge.co.nz		PROJECT TITLE: RURAL CONNECTIVITY GROUP		DRAWN BY: D.MACIVER	DESIGNED BY: RCG	CHECKED BY: RCG	SCALE: AS SHOWN
				<b>DO NOT SCALE DRAWING</b>						DRAWING TITLE: RNLNMB-NINETY MILE BEACH-PD LOCALITY AND SITE PLAN		JOB NO.: J00546	DRAWING NO.: RNLNMB-PD-001		DATE: 22.11.23
REV NO.	DATE	REVISION STATUS		DB	CB							ISSUE STATUS: CONSENT		PAPER: A3	REVISION ISSUE: 1

EQUIPMENT ACCESSED VIA CLIMBING RUNGS AND SAFETY SYSTEM.



<p><b>COPYRIGHT</b> THIS DRAWING REMAINS THE PROPERTY OF TOTAL GROUND ENGINEERING LIMITED. ALL RIGHTS RESERVED. UNAUTHORIZED USE OF THIS DOCUMENT IS PROHIBITED.</p>					<p>CLIENT: </p>		<p>DESIGNER: <b>TOTAL GROUND ENGINEERING</b> OFFICE - 2 / UNIT C 27C WAIPAREIRA AVENUE, HENDERSON, AUCKLAND 0160 PH: 027 557 7234 E: njacka@tge.co.nz</p>		<p>PROJECT TITLE: RURAL CONNECTIVITY GROUP</p>		<p>DRAWN BY: D.MACIVER</p>	<p>DESIGNED BY: RCG</p>	<p>CHECKED BY: RCG</p>	<p>SCALE: AS SHOWN</p>
<p><b>DO NOT SCALE DRAWING</b></p>					<p></p>		<p><b>TOTAL GROUND ENGINEERING</b></p>		<p>DRAWING TITLE: RNLNMB-NINETY MILE BEACH-PD ELEVATION AND DETAILS</p>		<p>JOB NO.: J00546</p>	<p>DRAWING NO.: RNLNMB-PD-002</p>	<p>DATE: 22.11.23</p>	
<p>REV NO.</p>	<p>DATE</p>	<p>REVISION STATUS</p>	<p>DM</p>	<p>RCG</p>	<p>CLIENT: </p>		<p>DESIGNER: <b>TOTAL GROUND ENGINEERING</b></p>		<p>PROJECT TITLE: RURAL CONNECTIVITY GROUP</p>		<p>DRAWN BY: D.MACIVER</p>	<p>DESIGNED BY: RCG</p>	<p>CHECKED BY: RCG</p>	<p>SCALE: AS SHOWN</p>
<p>1</p>	<p>03.04.24</p>	<p>CONSENT - APPROVED</p>	<p>DM</p>	<p>RCG</p>	<p>CLIENT: </p>		<p>DESIGNER: <b>TOTAL GROUND ENGINEERING</b></p>		<p>PROJECT TITLE: RURAL CONNECTIVITY GROUP</p>		<p>DRAWN BY: D.MACIVER</p>	<p>DESIGNED BY: RCG</p>	<p>CHECKED BY: RCG</p>	<p>SCALE: AS SHOWN</p>
<p>0</p>	<p>22.11.23</p>	<p>CONSENT - APPROVED</p>	<p>DM</p>	<p>RCG</p>	<p>CLIENT: </p>		<p>DESIGNER: <b>TOTAL GROUND ENGINEERING</b></p>		<p>PROJECT TITLE: RURAL CONNECTIVITY GROUP</p>		<p>DRAWN BY: D.MACIVER</p>	<p>DESIGNED BY: RCG</p>	<p>CHECKED BY: RCG</p>	<p>SCALE: AS SHOWN</p>
<p>ISSUE STATUS:</p>	<p>CONSENT</p>	<p>PAPER: A3</p>	<p>REVISION ISSUE: 1</p>	<p>DATE: 22.11.23</p>	<p>CLIENT: </p>		<p>DESIGNER: <b>TOTAL GROUND ENGINEERING</b></p>		<p>PROJECT TITLE: RURAL CONNECTIVITY GROUP</p>		<p>DRAWN BY: D.MACIVER</p>	<p>DESIGNED BY: RCG</p>	<p>CHECKED BY: RCG</p>	<p>SCALE: AS SHOWN</p>



# **Appendix C   Rules Assessment - NES for Telecommunications Facilities 2016**

## **Resource Consent Application**

**Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao**

**The Rural Connectivity Group**

SLR Project No.: 810.V15049.00001.1000

16 May 2024

## Rules assessment

The following rules assessment has determined that resource consent is required for a **discretionary activity** under the NESTF.

Note that only those rules and standards which are relevant to this application have been addressed.

Regulation	Compliance	Non-compliance
<i>Part 2 - Carrying out of regulated activities</i>		
<p><i>Regulation 11 – Activity complying with standard is permitted activity</i></p> <p><i>A regulated activity is a permitted activity if it is carried out in accordance with the standard.</i></p>		<p><b>Does not comply.</b> The proposal is subject to subpart 5 matters and will not be carried out in accordance with the standards in the relevant district plan. As such, the activity status is determined in the assessment below.</p>
<p><i>Regulation 12 – Status if not permitted activity</i></p> <p><i>If a regulated activity is not a permitted activity under regulation 11,—</i></p> <p><i>(a) if the facility is an RFG facility, the status of the activity is to be determined under regulation 13; or</i></p> <p><i>(b) otherwise, the status of the activity is to be determined under regulations 14 to 18.</i></p>	<p>The proposed antenna is an RFG facility and therefore the status is determined under regulation 13.</p>	
<p><i>Regulation 13 – RFG facilities: status in respect of generation of radiofrequency fields</i></p> <p><i>(1) This regulation applies to a regulated activity</i></p> <p><i>if—</i></p> <p><i>(a) the facility is an RFG facility; and</i></p> <p><i>(b) the activity is not a permitted activity under regulation 11.</i></p>	<p>Applies. The activity is not a permitted activity under regulation 11.</p>	
<p><i>(2) If regulation 55 is complied with,—</i></p> <p><i>(a) in respect of the generation of radiofrequency fields, the activity is a permitted activity; and</i></p> <p><i>(b) in all other respects, the status of the activity is to be determined in accordance with regulations 14 to 18.</i></p>	<p>Met. The proposal will meet regulation 55, as assessed below. The status of the activity is determined by regulations 14 to 18.</p>	

Regulation	Compliance	Non-compliance
<p><i>Regulation 16 – Discretionary activities</i></p> <p><i>A regulated activity is a discretionary activity if—</i></p> <p><i>(a) it is carried out not in accordance with the standard; and</i></p> <p><i>(b) under the relevant district plan or proposed district plan, the activity—</i></p> <p><i>(i) is a discretionary activity; or</i></p> <p><i>(ii) is not classified as a controlled, restricted discretionary, discretionary, non-complying, or prohibited activity.</i></p>		<p><b>Consent required.</b></p> <p>The proposal will be carried out on a site identified as Sites and Areas of Significance to Māori (SASM, ref: MS02-15) in both the operative and proposed Far North District Plan.</p> <p>Resource consent is required for network utility facilities in a SASM area under the ODP and PDP. Therefore, the proposal is a discretionary activity under the NESTF.</p>
<p><i>Part 3 - Regulated activities and standards</i></p> <p><i>Subpart 1 - Cabinets</i></p>		
<p><i>Regulation 19 – Regulated activity and standard</i></p> <p><i>(1) The installation and operation of a cabinet by a facility operator is a regulated activity.</i></p> <p><i>(2) The standard for the activity is that—</i></p> <p><i>(a) regulation 20 or 21, as applicable, must be complied with; and</i></p> <p><i>(b) if the cabinet is in a road reserve,—</i></p> <p><i>(i) regulation 22 must be complied with (subject to regulation 23); and</i></p> <p><i>(ii) regulation 24 must be complied with; and</i></p> <p><i>(c) if the cabinet is not in a road reserve, regulation 25 must be complied with; and</i></p> <p><i>(d) each regulation in subpart 5, if it applies, must be complied with; and</i></p>	<p>Applies – The proposal involves the installation of cabinets by a facility operator.</p> <p>Met. As assessed below regulation 20 is complied with.</p> <p>Met. As assessed below.</p> <p>N/A – the cabinets are located in road reserve.</p>	<p><b>Does not comply.</b> The proposal does not comply with regulation 46 in subpart 5, as assessed below.</p>

Regulation	Compliance	Non-compliance
<p>(e) if the activity includes earthworks, regulation 54 must be complied with; and</p> <p>(f) if the cabinet is an RFG facility, regulation 55 must be complied with.</p>	<p>Met. As assessed below regulation 54 is complied with.</p> <p>Met. As assessed below regulation 55 is complied with.</p>	
<p><i>Regulation 20 – Cabinet not servicing antenna on building</i></p> <p>(1) This regulation applies to any cabinet other than one to which regulation 21 applies.</p> <p>(2) This regulation is complied with if-</p> <p>(a) the height, footprint, and grouping rules in subclause (3) are complied with; and</p> <p>(b) one of the following applies:</p> <p>(i) the cabinet’s equipment does not require power:</p> <p>(ii) power for the cabinet’s equipment is provided by a self- contained power unit:</p> <p>(iii) the power supply for the cabinet’s equipment is connected under the ground or inside the cabinet</p> <p>(3) The height, footprint, and grouping rules are as follows:</p> <p>(a) if the cabinet is in any other road reserve -</p> <p>(b) if the cabinet is not in a road reserve and is in a residential zone, -</p> <p>(c) if the cabinet is not in a road reserve and is not in a residential zone, -</p> <p>(i) the height of the cabinet must not be more than 2.5m; and</p> <p>(ii) the footprint of the cabinet must not be more than 5m<sup>2</sup>.</p> <p>(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.</p>	<p>This regulation applies.</p> <p>Met. As assessed below subclause (3) is complied with.</p> <p>Met. Power for the cabinets will be provided by the solar arrays.</p> <p>Met. Emergency power to the cabinets will be provided by the proposed generator.</p> <p>N/A – the cabinets are not located in the road reserve.</p> <p>N/A – the cabinets are located in road reserve and not in residential zone</p> <p>Met. The footprint of the proposed cabinet is no more than 5m<sup>2</sup> in area and no more than 2.5m in height.</p> <p>N/A – the cabinets do not adjoin a residential zone</p>	

Regulation	Compliance	Non-compliance				
<i>Regulation 21 – Cabinet servicing antenna on building</i>	N/A – the cabinets will not service antennas on a building.					
<i>Regulation 22 – Group rules for cabinets in road reserves(2) Two or more cabinets are in a group if the distance between each cabinet and the one nearest to it is not more than 0.5 m.</i>	N/A. The proposed cabinets are not in road reserve.					
<i>Regulation 23 – Temporary contravention of group rules</i>	N/A – the cabinets will not replace existing cabinets.					
<i>Regulation 24 – Noise limits for cabinet in road reserve</i>	N/A – the cabinets will not replace existing cabinets.					
<p><i>Regulation 25 – Noise limits for cabinet not in road reserve</i></p> <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> <p><u>Operative Far North District Plan</u></p> <p>Chapter 10 - COASTAL ENVIRONMENT Section 6 – General Coastal Zone</p> <p>10.6.5.1.10 NOISE</p> <p><i>All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits at or within the boundary of any other site in this zone, or at any site zoned Residential, Russell Township or Coastal Residential, or at or within the notional boundary of any dwelling in any other rural or coastal zone:</i></p> <table border="1"> <tbody> <tr> <td>0700 to 2200 hours</td> <td>55 dBA L10</td> </tr> <tr> <td>2200 to 0700 hours</td> <td>45 dBA L10 and 70 dBA Lmax</td> </tr> </tbody> </table> <p><b>Exemptions:</b> <i>The foregoing limits shall not apply to activities of a limited duration required by normal farming and plantation forestry activities provided</i></p>	0700 to 2200 hours	55 dBA L10	2200 to 0700 hours	45 dBA L10 and 70 dBA Lmax	<p>Met – As assessed below, the assessment in the Acoustic Report for cabinets (Appendix F) confirms that the noise level will not exceed 45dBA outside 3.5m from the cabinets.</p> <p>The proposed telecommunication facility is separated from all boundaries of the site and there are no dwellings within 100m of the site.</p>	
0700 to 2200 hours	55 dBA L10					
2200 to 0700 hours	45 dBA L10 and 70 dBA Lmax					

Regulation	Compliance	Non-compliance
<p>that the activity shall comply with the requirements of s16 of the Act.</p> <p><b>Noise Measurement and Assessment:</b> Sound levels shall be measured in accordance with NZS 6801:1991 "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". The notional boundary is defined in NZS 6802:1991 "Assessment of Environmental Sound" as a line 20m from any part of any dwelling, or the legal boundary where this is closer to the dwelling.</p> <p><b>Construction Noise:</b> Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with NZS 6803P:1984 "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".</p>		
<b>Subpart 2 – Antennas</b>		
Regulation 26 – Antennas on existing poles in road reserve - Regulated activity and standard	N/A – the proposal does not involve existing poles.	
Regulation 27 – Antenna on existing pole in road reserve	N/A – the proposal does not involve existing poles.	
Regulation 28 – Antennas on new poles in road reserve - Regulated activity and standard	N/A – the proposal is not in road reserve.	
Regulation 29 - Antenna on new pole in road reserve	N/A – the proposal is not in road reserve.	
Regulation 30 – Antennas on existing poles with antennas not in road reserve and in residential zone - Regulated activity and standard	N/A – the proposal does not involve an existing pole.	
Regulation 31 – Antenna on existing pole with antenna not in road reserve and in residential zone	N/A – the proposal does not involve an existing pole.	
Regulation 32 – Antennas on existing poles with antennas not in road reserve and not in residential zone - Regulated activity and standard	N/A – the proposal does not involve an existing pole.	



Regulation	Compliance	Non-compliance
<i>Regulation 33 – Antenna on existing pole with antenna not in road reserve and not in residential zone</i>	N/A – the proposal does not involve an existing pole.	
<p><i>Regulation 34 - Antennas on new poles not in road reserve and in rural zone – Regulated activity and standard</i></p> <p><i>(1) The installation and operation of an antenna (antenna E) by a facility operator is a regulated activity if,—</i></p> <p><i>(a) before work to install antenna E begins, a pole (pole E) is to be erected—</i></p> <p><i>(i) at a location that—</i></p> <p><i>(A) is not in a road reserve; and</i></p> <p><i>(B) is in a rural zone; and</i></p> <p><i>(ii) for the purpose of installing antenna E (whether alone or with 1 or more other antennas) on pole E; and</i></p> <p><i>(b) the new pole is not a replacement for an existing pole.</i></p>	<p>The proposal is regulated by regulation 34 as assessed below.</p> <p>Met. The proposed pole will be erected on a rural zoned land for the purpose of installing new antennas onto it.</p> <p>N/A – the pole is not a replacement pole.</p>	
<p><i>(c) if the activity includes earthworks, regulations 53 and 54 must be complied with; and</i></p> <p><i>(d) if the antenna is an RFG facility,</i></p>	<b>Regulation 54 is met</b> , as assessed below.	<b>Does not comply with regulation 53.</b> Consent required for earthworks in sites and areas of significance to Maori under the district plan.
<p><i>regulation 55 must be complied with.</i></p> <p><i>(2) The standard for the activity is that—</i></p> <p><i>(a) regulation 35 must be complied with; and</i></p> <p><i>(b) each regulation in subpart 5, if it applies, must be complied with; and</i></p>	<p>Met. Regulation 55 can be complied with as assessed below.</p> <p>Met as assessed below.</p>	<b>Does not comply.</b> The proposal does not comply with regulation 46 in subpart 5, as assessed below
<p><i>Regulation 35 – Antenna on new pole not in road reserve and in rural zone</i></p> <p><i>(1) This regulation applies to the regulated activity described in regulation 34.</i></p>	Applies. The proposal is a regulated activity under Regulation 34.	

Regulation	Compliance	Non-compliance
<p>(2) This regulation is complied with if, at the time antenna E is installed,—</p> <p>(a) the height of pole E and all antennas is not more than 25 m; and</p> <p>(b) the width of pole E is not more than 6 m; and</p> <p>(c) if pole E has a headframe, the width of the headframe is not more than 6 m; and</p> <p>(d) pole E is at least 50 m away from any building used for residential or educational purposes; and</p> <p>(e) if antenna E is a panel antenna, the width of the panel is not more than 0.7 m; and</p> <p>(f) if antenna E is a dish antenna, the diameter of the dish is not more than 1.2 m.</p>	<p>Met. The new pole in the proposal is 15m in height.</p> <p>Met. The proposed pole is less than 6m in width.</p> <p>Met. The width of the headframe is less than 6m.</p> <p>Met. There are no residential or educational buildings within a 50m radius of the proposed location of the new pole.</p> <p>Met. The width of each of the proposed antennas is no more than 0.7m.</p> <p>Met. The proposed dish antenna is not more than 1.2m.</p>	
Regulation 36 – Antennas on buildings - Regulated activity and standard	N/A – the proposal does not involve antennas on buildings.	
Regulation 37 – Antenna on building	N/A – the proposal does not involve antennas on buildings.	
Subpart 3 – Small cell units		
Regulation 38 – Regulated activity and standard	N/A – the proposal does not require the installation and operation of small cell units.	
Subpart 4 – Telecommunication lines		
Regulation 39 – Customer connection lines - Regulated activity and standard	N/A – the proposal does not include the installation and operation of customer connection lines.	
Regulation 40 – Customer connection line	N/A – the proposal does not include the installation and operation of customer connection lines.	
Regulation 41 – Aerial telecommunication lines along same	N/A – the proposal does not include the installation of	


Regulation	Compliance	Non-compliance
<i>routes as existing telecommunication or power lines - Regulated activity and standard</i>	aerial telecommunication lines along the same routes as existing telecommunication or power lines.	
<i>Regulation 42 – Aerial telecommunication line along same route as existing telecommunication or power line</i>	N/A – the proposal does not include the installation of aerial telecommunication lines along the same routes as existing telecommunication or power lines.	
<i>Regulation 43 - Underground telecommunication lines – Regulated activity and standard.</i>	N/A – No underground telecommunication lines proposed in this application.	
<i>Subpart 5 – Application of district and regional rules</i>		
<i>Regulation 44 – Trees and vegetation in road reserve</i>	N/A – no vegetation is proposed to be removed within the road reserve and no works are proposed within the dripline of any vegetation protected under the district plan.	
<i>Regulation 45 – Significant trees</i>	N/A – there are no significant trees on the site listed under the District Plan.	
<i>Regulation 46 – Historic heritage values</i>		<b>Consent required.</b> The proposal will be carried out on a site identified as Sites and Areas of Significance to Māori (MS02-15) in both the ODP and PDP. Resource consent is required for a new network facility in a SASM area under the ODP and PDD.
<i>Regulation 47 – Visual amenity landscapes</i>	N/A – the proposed location is not subject to any District Plan overlays that relate to visual amenity landscapes.	
<i>Regulation 48 – Significant habitats for indigenous vegetation</i>	N/A – the proposal is not located within a significant habitat for indigenous vegetation.	

Regulation	Compliance	Non-compliance
<i>Regulation 49 – Significant habitats for indigenous fauna</i>	N/A – the proposal is not located within a significant habitat for indigenous fauna.	
<i>Regulation 50 – Outstanding natural features or landscapes</i>	N/A – the proposal is not located within an outstanding natural feature or landscape.	
<i>Regulation 51 – Places adjoining coastal marine area</i>	N/A – the proposal does not adjoin the coastal marine area.	
<i>Regulation 52 – Rivers and lakes</i>	N/A – the proposal will not be carried out over a river or lake.	
<b>Subpart 6 – Earthworks</b>		
<p><i>Regulation 53 – Earthworks associated with certain antennas</i></p> <p><i>(1) This regulation applies to a regulated activity if it—</i></p> <p><i>(a) is a regulated activity under regulation 30, 32, or 34; and</i></p> <p><i>(b) includes earthworks (as referred to in regulation 5(1)(d)).</i></p> <p><i>(2) This regulation is complied with if—</i></p> <p><i>(a) all special place earthworks are carried out in accordance with the district rules about earthworks that apply to earthworks carried out at that place; and</i></p> <p><i>(b) each time rural earthworks are carried out in relation to the facility,—</i></p> <p><i>(i) the volume of the earthworks is not more than 450 m<sup>3</sup>; and</i></p> <p><i>(ii) the management plan requirements in subclause (3) are complied with.</i></p>	<p>Applies. The proposal is a regulated activity under regulation 34 and includes earthworks</p> <p>Met. The earthworks in relation to regulated activity (established the pole, cabinets, and underground cable) are of a small scale. In terms of the establishment of the solar arrays and generator, and associated earthworks to upgrade the existing farm track, these are specifically excluded from the NESTF and are assessed under the district plan.</p>	<p><b>Does not comply.</b></p> <p>Consent required for earthworks in sites and areas of significance to Maori under the district plan.</p>

Regulation	Compliance	Non-compliance														
<p>(3) <i>The management plan requirements are that—</i></p> <p>(a) <i>before commencing the earthworks, the facility operator must prepare a management plan in accordance with subclauses (4) and (5); and</i></p> <p>(b) <i>the earthworks must be carried out in accordance with that management plan; and</i></p> <p>(c) <i>the facility operator must give a copy of the management plan to the local authority if requested by the local authority at any time before the expiry of 6 months from the completion of the earthworks.</i></p>	<p>A management plan in accordance with subclauses (4) and (5) will be prepared prior to works commencing and will be available to Council on request.</p>															
<p><i>Regulation 54 – Earthworks: regional rules apply</i></p> <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> <p><b><u>Proposed Regional Plan - February 2024</u></b></p> <p><b>C.8.3 Earthworks</b></p> <table border="1" data-bbox="204 1301 687 1957"> <thead> <tr> <th data-bbox="204 1301 443 1346">Location</th> <th data-bbox="443 1301 687 1346">Earthworks thresholds</th> </tr> </thead> <tbody> <tr> <td data-bbox="204 1346 443 1485"><i>Within 10m of a natural wetland, the bed of a continually or intermittently flowing river or lake</i></td> <td data-bbox="443 1346 687 1485"><i>200m<sup>2</sup> of exposed earth at any time, and 50m<sup>3</sup> of moved or placed earth in any 12-month period.</i></td> </tr> <tr> <td data-bbox="204 1485 443 1624"><i>Within 10m of an ūnanga spawning site</i></td> <td data-bbox="443 1485 687 1624"><i>200m<sup>2</sup> of exposed earth at any time, and 50m<sup>3</sup> of moved or placed earth in any 12-month period</i></td> </tr> <tr> <td data-bbox="204 1624 443 1688"><i>Catchment of an Outstanding Lake</i></td> <td data-bbox="443 1624 687 1688"><i>2,500m<sup>2</sup> of exposed earth at any time.</i></td> </tr> <tr> <td data-bbox="204 1688 443 1753"><i>Erosion-prone Land</i></td> <td data-bbox="443 1688 687 1753"><i>2,500m<sup>2</sup> of exposed earth at any time</i></td> </tr> <tr> <td data-bbox="204 1753 443 1848"><i>High-risk flood hazard area</i></td> <td data-bbox="443 1753 687 1848"><i>50m<sup>3</sup> of moved or placed earth in any 12-month period.</i></td> </tr> <tr> <td data-bbox="204 1848 443 1957"><i>Coastal riparian and foredune management area</i></td> <td data-bbox="443 1848 687 1957"><i>Excluding for coastal dune restoration, 200m<sup>2</sup> of exposed earth at any time.</i></td> </tr> </tbody> </table>	Location	Earthworks thresholds	<i>Within 10m of a natural wetland, the bed of a continually or intermittently flowing river or lake</i>	<i>200m<sup>2</sup> of exposed earth at any time, and 50m<sup>3</sup> of moved or placed earth in any 12-month period.</i>	<i>Within 10m of an ūnanga spawning site</i>	<i>200m<sup>2</sup> of exposed earth at any time, and 50m<sup>3</sup> of moved or placed earth in any 12-month period</i>	<i>Catchment of an Outstanding Lake</i>	<i>2,500m<sup>2</sup> of exposed earth at any time.</i>	<i>Erosion-prone Land</i>	<i>2,500m<sup>2</sup> of exposed earth at any time</i>	<i>High-risk flood hazard area</i>	<i>50m<sup>3</sup> of moved or placed earth in any 12-month period.</i>	<i>Coastal riparian and foredune management area</i>	<i>Excluding for coastal dune restoration, 200m<sup>2</sup> of exposed earth at any time.</i>	<p>Met. The Proposed Regional Plan (PRP) provides a permitted activity threshold for up to 5,000m<sup>2</sup> of exposed earth at any time.</p> <p>The earthworks in relation to regulated activity are of limited scale of less than 50m<sup>3</sup>, within a small area and setback from the marine environment or within other locations listed in the PRP.</p>	
Location	Earthworks thresholds															
<i>Within 10m of a natural wetland, the bed of a continually or intermittently flowing river or lake</i>	<i>200m<sup>2</sup> of exposed earth at any time, and 50m<sup>3</sup> of moved or placed earth in any 12-month period.</i>															
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<i>Coastal riparian and foredune management area</i>	<i>Excluding for coastal dune restoration, 200m<sup>2</sup> of exposed earth at any time.</i>															

Regulation		Compliance	Non-compliance
Flood hazard area	100 m <sup>3</sup> of moved or placed earth in any 12-month period.		
Other areas	5,000m <sup>2</sup> of exposed earth at any time.		
<b>Subpart 7 – Radiofrequency fields</b>			
<p><b>Regulation 55 – Radiofrequency fields</b></p> <p>(1) <i>This regulation applies to an RFG facility.</i></p> <p>(2) <i>This regulation is complied with if-</i></p> <p>(a) <i>the facility is installed and operated in accordance with NZS 2772.1; and</i></p> <p>(b) <i>before the facility becomes operational, the facility operator gives the local authority—</i></p> <p>(i) <i>written or electronic notice of the facility’s location; and</i></p> <p>(ii) <i>a pre-commencement report that complies with subclause (3); and</i></p> <p>(c) <i>either—</i></p> <p>(i) <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</i></p> <p>(ii) <i>under subclause (5), the facility operator is not required to give a post-commencement report</i></p> <p>(3) <i>A pre-commencement report must-</i></p> <p>(a) <i>be prepared in accordance with AS/NZS 2772.2; and</i></p> <p>(b) <i>take into account exposures arising from other telecommunication facilities in the vicinity of the facility; and</i></p> <p>(c) <i>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</i></p> <p>(4) <i>A post-commencement report must—</i></p>		<p>The proposal is an RFG facility, therefore this regulation applies.</p> <p>Met. The radiofrequency report (details in Appendix E) confirms compliance with NZS 2772.1.</p>	

Regulation	Compliance	Non-compliance
<p>(a) <i>be prepared in accordance with AS/NZS 2772.2; and</i></p> <p>(b) <i>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</i></p> <p>(5) <i>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.</i></p>	<p>Met. As per the radiofrequency report and application plans, the radiofrequency plume will exceed 100% and 25% of the standard and is not an area where the public could be reasonably exposed given the position of the antennas at a minimum of 11.8m from the ground. As such, there is no non-compliance with the standard and no need for further monitoring.</p>	



# **Appendix D Rules Assessment - Operative Far North District Plan (ODP) and Proposed Far North District Plan (PDP)**

## **Resource Consent Application**

**Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao**

**The Rural Connectivity Group**

SLR Project No.: 810.V15049.00001.1000

16 May 2024



## Rules assessment

The following rules assessment has determined that resource consent is required for a **discretionary activity** under the ODP and PDP.

Note that only those rules and standards which are relevant to this application have been addressed.

### D.1.1 Operative Far North District Plan (ODP)

Rule	Compliance Comments
<b>Chapter 12 - NATURAL AND PHYSICAL RESOURCES</b>	
<i>Section 5 – Heritage</i>	
<p><b>12.5.6.2 RESTRICTED DISCRETIONARY ACTIVITIES</b></p> <p><i>An activity is a restricted discretionary activity if:</i></p> <p><i>(a) it complies with Rules 12.5.6.1.1 Notable Trees; 12.5.6.1.2 Alterations to/and Maintenance of Historic Sites, Buildings and Objects and 12.5.6.1.3 Registered Archaeological Sites for permitted activities above; and</i></p> <p><i>(b) it complies with Rule 12.5.6.2.1 Heritage Resources – Permanent Protection and/or 12.5.6.2.2 Activities Which Could Affect Sites of Cultural Significance to Maori below; and</i></p> <p><i>(c) it complies with the relevant standards for permitted, controlled or restricted discretionary activities in the zone in which it is located, set out in Part 2 of the Plan - Environment Provisions; and</i></p> <p><i>(d) it complies with the other relevant standards for permitted, controlled or restricted discretionary activities set out in Part 3 of the Plan - District Wide Provisions.</i></p> <p><i>The Council may approve or refuse an application for a restricted discretionary activity, and it may impose conditions on any consent. In assessing an application for a restricted discretionary activity, the Council will restrict the exercise of its discretion to the matters specified in the relevant rule. The Council will, where appropriate, take account of the Assessment Criteria applicable in the relevant zone and in Section 12.5.7.</i></p> <p><b>12.5.6.2.2 ACTIVITIES WHICH COULD AFFECT SITES OF CULTURAL SIGNIFICANCE TO MAORI</b></p>	<p><b>Consent required.</b></p> <p>N/A – the site does not contain the listed features.</p> <p>The proposed telecommunication facility (pole, antennas, cabinets and ancillary equipment) complies with Rule 12.5.6.2.2 Activities Which Could Affect Sites of Cultural Significance to Māori,</p> <p>N/A – the utility does not required assessment of the zone provisions.</p> <p>As utility, the proposed telecommunication facility (pole, antennas, cabinets and ancillary equipment) and backup generator comply with permitted activity standards in Chapter 17 – Designations and Utility Services, as assessed below.</p> <p>The site is within a listed Site of Cultural Significance to Māori (MS02-15) and is not proposed by the requesting party.</p>

Rule	Compliance Comments
<p><i>Building, excavating, filling, planting of trees or clearance of vegetation within any Site of Cultural Significance to Maori, as listed in Appendix 1F and shown on the Resource Maps, is a restricted discretionary activity, unless the activity is proposed by the requesting party, in which case this rule does not apply.</i></p> <p><i>The Council will restrict the exercise of its discretion to:</i></p> <p><i>(a) the extent to which the activity may adversely affect cultural and spiritual values; and</i></p> <p><i>(b) whether the activity will have an adverse effect on any historic site, building or object, notable tree, or archaeological site; and</i></p> <p><i>(c) the means by which any adverse effects on cultural, spiritual and heritage values can be avoided, remedied or mitigated.</i></p> <p><i>Where an application is made in terms of this rule, the requesting party and the relevant iwi authority and the New Zealand Historic Places Trust shall be considered an affected party.</i></p>	<p>The proposal and associated earthworks and vegetation clearances telecommunication facility and therefore a <b>restricted discretionary activity</b> under the ODP.</p> <p>It is noted that written consents from Te Runanga Nui O Te Aupouri has been obtained prior to the lodging the application (details in Appendix H).</p> <p>Consultation letter and follow up correspondences have been sent to Heritage New Zealand Pouhere Taonga (HNZPT) prior to lodging the application, however without a response (details in Appendix J). The applicant requests the Council to initiate consultation with HNZPT if deemed necessary.</p>
<p><u>Section 9 – Renewable Energy and Energy Efficiency</u></p>	
<p><b>12.9.6.1 PERMITTED ACTIVITIES</b></p> <p><b>12.9.6.1.4 INSTALLATION, MAINTENANCE, OPERATION AND UPGRADE OF FREE STANDING RENEWABLE ENERGY DEVICES AND ASSOCIATED STRUCTURES EXCLUDING THOSE ASSOCIATED WITH IN-STREAM HYDRO OR OCEAN INVESTIGATION OR ELECTRICITY GENERATION</b></p> <p><i>The installation, maintenance, operation and upgrade of free standing renewable energy devices supplying at least 50% of the energy produced to activities occurring within the site on which it is located, and including access and transmission, is a permitted activity if:</i></p> <p><i>(a) it is in the Rural Production, Rural Living, General Coastal or Coastal Living Zone; and</i></p> <p><i>(b) no structure, including any attachments or turbine blades, exceeds the permitted building height for the underlying zone plus 3m; and</i></p> <p><i>(c) all structures occupy no more than a total of 50m<sup>2</sup> where the lot size is 3000m<sup>2</sup> or less, or 100m<sup>2</sup> where the lot size is greater than 3000m<sup>2</sup>; and</i></p>	<p><b>Does not comply.</b></p> <p>The proposed solar arrays are a renewable energy facility as defined by the ODP. The proposed solar arrays will supply power for the operation of the proposed telecommunication facility.</p> <p>Complies, the site is in the General Coastal Zone.</p> <p>Complies. The proposed solar arrays will not exceed the permitted height in the underlying zone provisions, as assessed below.</p> <p>Complies. The proposed arrays will not exceed 50m<sup>2</sup> in area.</p>

Rule	Compliance Comments
<p><i>(d) any structure is setback at least three times the height of the generating structure from the boundary of any other site and is not within the notional boundary of any other site; and</i></p> <p><i>(e) the setback from a public road or above ground communication or electrical lines is at least three times the height of the generating structure or 20m, whichever is the greater distance; and</i></p> <p><i>(f) the activity is not within an Outstanding Natural Feature or Outstanding Landscape Feature or an Outstanding Landscape listed in Appendices 1A and 1B and identified on the Resource Maps; and</i></p> <p><i>(g) the activity is not within a Heritage Precinct, an Archaeological Site, Historic Building, Site or Object, Site of Cultural Significance to Maori listed in Appendices 1E, 1F and 1G or shown on the Plan Maps; and</i></p> <p><i>(h) construction noise complies with the limits recommended in NZS 6803:1999 Acoustics – Construction Noise or any subsequent similar standard; and</i></p> <p><i>(i) operational noise of any structure complies with the relevant noise standard for the zone in which it is located, set out in Part 2 of the Plan - Environment Provisions; and</i></p>	<p>Complies. The proposed arrays will be separated from all boundaries.</p> <p>Complies. The proposed solar arrays will be set back from the public road.</p> <p>Complies. The proposed solar arrays are not within a site listed in Appendices 1A and 1B of the ODP.</p> <p><b>Does not comply.</b> The proposed solar arrays will be on a Site of Cultural Significance to Māori listed in Appendix 1F of the ODP and therefore cannot comply with subclause (g).</p> <p>Complies. Construction noise will comply with relevant standards in NZS 6803:1999.</p> <p>Complies. Operational noise will comply with relevant rules in the underlying zone provisions as assessed below.</p>
<p><b>12.9.6.2 RESTRICTED DISCRETIONARY ACTIVITIES</b></p> <p><b>12.9.6.2.1 DOMESTIC SCALE RENEWABLE ENERGY DEVICE(S)</b></p> <p><b>12.9.6.2.2 IN-STREAM HYDRO OR OCEAN ENERGY INVESTIGATION OR ELECTRICITY GENERATION</b></p> <p><b>12.9.6.2.3 INSTALLATION, ACCESS TO, MAINTENANCE, OPERATION AND UPGRADE OF TEMPORARY MONITORING MASTS</b></p> <p><b>12.9.6.2.4 INSTALLATION, MAINTENANCE, OPERATION AND UPGRADE OF FREE STANDING RENEWABLE ENERGY DEVICES AND ASSOCIATED STRUCTURES</b></p> <p><i>In assessing a breach of Rule 12.9.6.1.4 the Council will restrict the exercise of its discretion over the following matters:</i></p> <p><i>(a) In considering a breach of (b) or (c) Council will consider any adverse effects resulting from the increase in the scale of the proposed activity,</i></p>	<p>N/A – the proposed solar array is not for the listed activity.</p> <p>N/A – the proposed solar array is not for the listed activity.</p> <p>N/A – the proposed solar array is not for the listed activity.</p> <p><b>N/A.</b> The proposed solar array breaches Rule 12.9.6.1.4(g) as assessed above and is not listed as restricted discretionary activity under the ODP.</p>

Rule	Compliance Comments
<p><i>including any effects on the natural character of the coastal environment; and</i></p> <p><i>(b) In considering a breach of 12.9.6.1.4(d) or (e) Council will consider the effects on neighbouring properties, existing structures, facilities or public roads, including shadow flicker and glare; and</i></p> <p><i>(c) In considering a breach of 12.9.6.1.4(h) or (i) Council will consider the character, level and duration of noise received at the boundary or notional boundary of another site; and</i></p> <p><i>(d) In considering a breach of 12.9.6.1.4(j) Council will consider the relevant Restricted Discretionary Activity Standards set out in Chapter 12 – Natural and Physical Resources; and</i></p> <p><i>(e) Council will consider the extent to which any adverse effects can be avoided or mitigated by the following:</i></p> <ul style="list-style-type: none"> <li><i>(i) alternative siting of the structure(s) including any ancillary structure(s); and</i></li> <li><i>(ii) alternative design of the structure(s) including any ancillary structure(s); and</i></li> <li><i>(iii) alternative colour of the structure(s) including any ancillary structure(s).</i></li> </ul> <p><b>12.9.6.2.5 CONSTRUCTION, OPERATION, MAINTENANCE AND UPGRADE OF COMMUNITY SCALE RENEWABLE ELECTRICITY GENERATION DEVICES AND ASSOCIATED STRUCTURES</b></p>	<p>N/A – the proposed solar array is not for the listed activity.</p>
<p><b>12.9.6.3 DISCRETIONARY ACTIVITIES</b></p> <p><i>An activity related to the use and development of renewable energy is a discretionary activity if:</i></p> <p><i>(a) it complies with Rules 12.9.6.3.1 Any Wind Energy Facility (Wind Farm) and/or 12.9.6.3.2 Any Other Renewable Energy Generation Activity below;</i></p> <p><i>(b) it does not comply with one or more of the other standards for permitted or restricted discretionary activities as set out under Rules 12.9.6.1 and 12.9.6.2 above.</i></p> <p><i>The Council may impose conditions of consent on a discretionary activity or it may refuse consent to the application. When considering a discretionary activity application, the Council may take into account any matter considered</i></p>	<p><b>Consent required.</b></p> <p>As assessed above, the proposed solar array does not comply with the permitted activity standards and the restricted discretionary activity standards are not applicable in this instance, therefore resource consent is required for <b>discretionary activity</b>.</p>

Rule	Compliance Comments
<p><i>relevant. As a guide to applicants Council may have regard to the following matters:</i></p> <p><i>(i) the matters set out in s104 and Part 2 of the Act; and</i></p> <p><i>(ii) the objectives and policies for the underlying zone; and (iii) the assessment criteria set out under Chapter 11.</i></p> <p><i>(iv) the assessment criteria set out under Part 3 of the Plan - District Wide Provisions The Council may impose, as a condition of consent to any application that a bond be paid, to be refunded when the Council is satisfied that the conditions attached to that consent have been complied with (refer 4.3.4 Bonds).</i></p> <p><i>Note: Where mitigation is proposed which involves protection or enhancement of any feature or item listed in Appendices 1A, 1B, 1E or 1F and identified on the Plan Maps the Council will require that a covenant or other legal instrument be registered against the Certificate of Title to record the commitment to protection, re-vegetation, or enhancement.</i></p>	
<b>Chapter 17 – DESIGNATIONS AND UTILITY SERVICES</b>	
<p><b>17.2.6.1 PERMITTED ACTIVITIES</b></p> <p><i>An activity is a permitted activity if:</i></p> <p><i>(a) it complies with the standards set out in Rules 17.2.6.1.1 to 17.2.6.1.7; and</i></p> <p><i>(b) it complies with the relevant standards for permitted activities in the zone in which it is located, set out in Part 2 of the Plan - Environment Provisions, except where these standards overlap (refer 17.2.6 above); and</i></p> <p><i>(c) it complies with the relevant standards for permitted activities set out in Part 3 of the Plan - District Wide Provisions or the relevant National Environmental Standards except where any such provision allows for the activity affected by this section to be a “permitted activity” or where in any case the maintenance, replacement and upgrading of an existing use is specifically excluded from the operation of any rule.</i></p> <p><i>Note 1: Activities which comply with the provisions of 17.2.6.1.3 and 17.2.6.1.7 are not required to comply with the zone standards in Part 2 – Environmental Provisions.</i></p>	<p><b>Does not comply.</b></p> <p>The site is located in a Site of Cultural Significance to Māori and subject to assessment of Chapter 12 – Natural and Physical Resources. As assessed above, the proposal cannot comply with all relevant rules in Chapter 12.</p>

Rule	Compliance Comments
<p><i>Note 2: The formation and/or upgrading of roads is not included as a permitted activity under this rule and is therefore a discretionary activity.</i></p> <p><i>Note 3: Earthworks rules relating to development near the National Grid as set out in Part 3 of the Plan - District Wide Provisions.</i></p>	
<p><b>17.2.6.1.1 UTILITY SERVICES SITUATED BELOW GROUND IN ALL ZONES</b></p> <p><i>All underground or in ground utility services with the exception of high pressure gas lines with a gauge pressure of more than 2,000 kilopascals; provided that:</i></p> <p><i>(a) closed system structures for the conveyance of water or sewage, and incidental equipment including connections; and/or</i></p> <p><i>(b) closed system pipes and fittings for the distribution or transmission of water, whether treated or untreated, for supply, including irrigation may be located above ground level where necessary for stream crossings and areas where gravity flow requires otherwise.</i></p> <p><i>Note 1: Underground means that the utility service has been placed underneath the ground and is covered.</i></p> <p><i>Note 2: Inground means that the utility service is placed in the ground but is not necessarily entirely covered over. For example it could be placed in a pit.</i></p>	<p>The underground power line connecting the power supplier (i.e., the proposed solar arrays and generator) to the proposed telecommunication facility complies with all relevant rules in the Utility chapter.</p> <p>N/A – the underground power line is not for conveyance of water or sewage and is not for high pressure gas lines.</p>
<p><b>17.2.6.1.4 TELECOMMUNICATIONS AND RADIO COMMUNICATIONS FACILITIES EXCEPT IN THE RUSSELL TOWNSHIP ZONE</b></p> <p><i>Telecommunications lines, telecommunications links and radio-communications are permitted activities in all zones except the Russell Township Zone; provided that:</i></p> <p><i>(a) the maximum height of any support structure including antennae, shall be 20m unless the antenna is attached to a building in which case the height of the support structure and the associated antennae or microwave dishes shall not exceed 25m or the maximum height for the particular zone plus 7m, whichever is the greater; and</i></p> <p><i>(b) the maximum diameter of microwave dishes shall be 2m; and</i></p> <p><i>(c) if the facility is accessible to the public, it is designed and operated in accordance with NZS 2722 1:1999 “Radiofrequency Fields: Part 1: Maximum Exposure Levels: 3 kHz – 300 GHz”</i></p>	<p>The proposed telecommunication facility (pole, antennas and cabinets) complies with all relevant rules in the Utility chapter.</p> <p>The site is not in Russel Township Zone.</p> <p>The proposed pole is less than 20m in height.</p> <p>N/A – no microwave dish antenna is proposed.</p> <p>Complies. The radiofrequency assessment in Appendix E confirms compliance can be achieve.</p>

Rule	Compliance Comments
<p><i>and with NZS 6609.2:1990 “Radiofrequency Radiation: Part 2: Principles and Methods of Measurement: 300 kHz – 100 GHz”.</i></p> <p><i>(d) telecommunication facilities located in road reserve comply with the National Environmental Standard for Telecommunication Facilities</i></p>	<p>N/A – the proposal is not in road reserve.</p>
<p><b>17.2.6.1.6 ANY OTHER UTILITY SERVICES SITUATED ABOVE GROUND, NOT WITHIN THE URBAN ENVIRONMENT</b></p> <p><i>Any other above ground utility service not within an urban environment zone or the Coastal Residential or Russell Township Zones, or in any road reserve within or adjoining an urban environment zone, except for those provided for in Rule 17.2.6.1.3, Rule 17.2.6.2 and Rule 17.2.6.3 in relation to ‘New lines or additions to lines for conveying electricity at a voltage up to and including 110 kV’ is a permitted activity, provided that the structures:</i></p> <p><i>(a) have a ground coverage of less than 50m<sup>2</sup>; and</i></p> <p><i>(b) have a height not exceeding 12m; and</i></p> <p><i>(c) are on a site of less than 200m<sup>2</sup> in area; and</i></p> <p><i>(d) are attached to existing buildings or support structures such as bridges.</i></p>	<p>The site is not within an urban environment zone or the Coastal Residential or Russell Township Zones, and is not in any road reserve within or adjoining an urban environment zone.</p> <p>The proposed back-up generator is an above ground utility structure. The proposed generator will have a ground area of less than 50m<sup>2</sup> and will be less than 12m in height.</p>
<p><b>17.2.6.3 RESTRICTED DISCRETIONARY ACTIVITIES</b></p> <p><i>An activity is a restricted discretionary activity if:</i></p> <p><i>(a) it does not comply with one or more of the standards for permitted activities set out in Rules 17.2.6.1.1 to 17.2.6.1.7; and</i></p> <p><i>(b) it is a lighthouse, meteorological facility, navigation aid or a beacon; and</i></p> <p><i>(c) it is a new line or addition to lines for conveying electricity at a voltage up to and including 110 kV, including all support structures for those lines in the Coastal Living and South Kerikeri Inlet Zones; and</i></p> <p><i>(d) it complies with the relevant standards for permitted, controlled or restricted discretionary activities in the zone in which it is located, set out in Part 2 of the Plan – Environment Provisions; and</i></p> <p><i>(e) it complies with the relevant standards for permitted, controlled or restricted discretionary activities set out in Part 3 of the Plan – District Wide Provisions.</i></p>	<p>As assessed above, the site is within a Site of Cultural Significance to Māori and assessments of Chapter 12 confirms the proposed telecommunication facility and associated earthworks are <b>restricted discretionary activities</b> under the ODP.</p>

Rule	Compliance Comments				
<p><i>In assessing an application for a restricted discretionary activity under Rule 17.2.6.3 the Council will restrict the exercise of its discretion to:</i></p> <p><i>(i) the visual impact of the proposed facility, (ii) the extent to which mitigation of any adverse visual effects is possible; and</i></p> <p><i>(iii) the potential for minimising effects by location and/or by grouping facilities.</i></p>					
<p><b>Chapter 10 - COASTAL ENVIRONMENT</b></p> <p><u>Section 6 – General Coastal Zone</u></p>					
<p>10.6.5.1.4 BUILDING HEIGHT</p> <p><i>The maximum height of any building shall be 8m</i></p>	<p>As assessed above, the proposed solar arrays will be less than 8m in height and therefore comply with the underlying zoning provisions</p>				
<p>10.6.5.1.7 SETBACK FROM BOUNDARIES</p> <p><i>(a) no building shall be erected within 10m of any site boundary, except that on any site with an area of less than 5,000m<sup>2</sup>, this setback shall be 3m from any site boundary;</i></p> <p><i>(b) no building for residential purposes shall be erected closer than 100m from the boundary of the Minerals Zone.</i></p>	<p>As assessed above, the proposed solar arrays will be separated from all site boundaries for more than 10m and therefore comply with the underlying zoning provisions.</p>				
<p>10.6.5.1.10 NOISE</p> <p><i>All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits at or within the boundary of any other site in this zone, or at any site zoned Residential, Russell Township or Coastal Residential, or at or within the notional boundary of any dwelling in any other rural or coastal zone:</i></p> <table border="1" data-bbox="201 1462 788 1653"> <tbody> <tr> <td data-bbox="201 1462 443 1554">0700 to 2200 hours</td> <td data-bbox="445 1462 788 1554">55 dBA L10</td> </tr> <tr> <td data-bbox="201 1556 443 1653">2200 to 0700 hours</td> <td data-bbox="445 1556 788 1653">45 dBA L10 and 70 dBA Lmax</td> </tr> </tbody> </table> <p><b>Exemptions:</b> <i>The foregoing limits shall not apply to activities of a limited duration required by normal farming and plantation forestry activities provided that the activity shall comply with the requirements of s16 of the Act.</i></p> <p><b>Noise Measurement and Assessment:</b> <i>Sound levels shall be measured in accordance with NZS 6801:1991 “Measurement of Sound” and assessed in accordance with NZS 6802:1991</i></p>	0700 to 2200 hours	55 dBA L10	2200 to 0700 hours	45 dBA L10 and 70 dBA Lmax	<p>The proposed solar arrays are not anticipated to generate operational noise.</p> <p>The proposed generator is a back-up power supply facility. A specification document including noise that is likely to be generated from the proposed generator is provided in Appendix G. The proposed generator is setback approximately 100m from the closest site boundary with no dwellings within 100m of the site. Therefore, the noise from the proposed generator will meet the standards in Rule 10.6.5.1.10.</p>
0700 to 2200 hours	55 dBA L10				
2200 to 0700 hours	45 dBA L10 and 70 dBA Lmax				



Rule	Compliance Comments
<p>“Assessment of Environmental Sound”. The notional boundary is defined in NZS 6802:1991 “Assessment of Environmental Sound” as a line 20m from any part of any dwelling, or the legal boundary where this is closer to the dwelling.</p> <p><b>Construction Noise:</b> Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with NZS 6803P:1984 “The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work”.</p>	

### D.1.2 Proposed Far North District Plan (PDP)

Rule	Compliance Comments
<p><b>PART 2 – DISTRICT-WIDE MATTERS / HISTORICAL AND CULTURAL VALUES / Sites and areas of significance to Māori</b></p>	
<p>SASM-R1 Scheduled sites and areas of significance to Māori</p> <p>New buildings or structures, extensions or alterations to existing buildings or structures, earthworks or indigenous vegetation clearance</p> <p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER 1:</b></p> <p>The activity is undertaken by the requesting party listed in Schedule 3.</p> <p><b>PER 2:</b></p> <p>Any indigenous vegetation clearance is for customary purposes.</p> <p>Activity status where compliance not achieved with PER 1 or PER 2: <b>Restricted Discretionary</b></p>	<p><b>Consent required.</b> The location of the proposed facility is within a Scheduled sites and areas of significance to Māori (MS02-15) and the proposal does not comply with PER-1 or PER-2 as assessed below. Therefore resource consent for <b>restricted discretionary activity</b> is required.</p> <p><b>Does not comply.</b> The proposal is not undertaken by the requesting party.</p> <p><b>Does not comply.</b> The vegetation clearance is not for customary purposes.</p>
<p>SASM-R2 New buildings or structures, extensions or alterations to existing buildings or structures, earthworks or indigenous vegetation clearance – Te Oneroa-a-Tōhe Beach Management Area</p>	<p>N/A - The location of the proposed facility is not within the Te Oneroa-a-Tōhe Beach Management Area.</p>
<p><b>PART 2 – DISTRICT-WIDE MATTERS / NATURAL ENVIRONMENT VALUES / Ecosystems and indigenous biodiversity</b></p>	
<p>IB-R2 Indigenous vegetation clearance and any associated land disturbance within a Significant Natural Area for papakāinga</p>	<p>N/A – the site is not within a Significant Natural Area (SNA) for papakāinga</p>

Rule	Compliance Comments
<p><i>IB-R3 Indigenous vegetation clearance and any associated land disturbance within a Significant Natural Area</i></p>	<p>N/A – the site is not within a Significant Natural Area (SNA).</p>
<p><i>IB-R4 Indigenous vegetation clearance and any associated land disturbance outside a Significant Natural Area – All zones</i></p> <p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b></p> <ol style="list-style-type: none"> <li>1. <i>A report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and it is submitted to Council 14 days in advance of the clearance being undertaken; and</i></li> <li>2. <i>It does not exceed the following amounts per site over a 5-year period:</i> <ol style="list-style-type: none"> <li>i. <i>Rural Production zone, Horticulture zone, Māori Purpose zone and Treaty Settlement Land Overlay – 5,000m<sup>2</sup> if not in a remnant forest, otherwise 500m<sup>2</sup> in a remnant forest;</i></li> <li>ii. <i>All other zones – 500m<sup>2</sup>.</i></li> </ol> </li> </ol> <p><b>PER-2</b></p> <ol style="list-style-type: none"> <li>1. <i>A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and a report has not been submitted to Council 14 days in advance of the clearance being undertaken; and</i></li> <li>2. <i>It does not exceed 100m<sup>2</sup> per site in any calendar year.</i></li> </ol>	<p><b>Permitted activity.</b></p> <p>N/A – the proposal is permitted activity under PER-2 as assessed below.</p> <p><b>Complies.</b></p> <p>It is anticipated that minor vegetation clearance of tussock grasses and small shrubs within the works area for the establishment of the concrete foundation pads for the pole, solar arrays, generator and cabinets. Any vegetation disturbance and clearance will not exceed 100m<sup>2</sup> per site in any calendar year and therefore a <b>permitted activity</b> under PER-2 of Rule IB-R4.</p>
<p><b>Note.</b> We also note that rules in chapters of</p> <ul style="list-style-type: none"> <li>• Coastal Environment,</li> <li>• Energy, Infrastructure, and Transport,</li> <li>• Noise, and</li> <li>• Treaty Settlement Land Overlay</li> </ul> <p>in the General District-wide Matters section of the PDP do not have legal effect at the time of the lodgment of this application.</p>	



# Appendix E    Radiofrequency Report

## Resource Consent Application

**Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao**

**The Rural Connectivity Group**

SLR Project No.: 810.V15049.00001.1000

16 May 2024

# National Environmental Standards Compliance Distance Calculation

Site: Ninety Mile Beach  
Antenna: Kathrein

Site ID – RNLNMB  
800372965

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## Notice and Report-Statement of Compliance

Submitted in accordance with Reg 55 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016.

**Site Code:** RNLNMB  
**Site Name:** Ninety Mile Beach  
**Site Address:** Oromanga Road, Te Kao

<b>Author:</b>	Erwin Delute
<b>Approved By:</b>	Petri Possi
<b>Date:</b>	02/02/2024

# National Environmental Standards Compliance Distance Calculation

Site: Ninety Mile Beach  
Antenna: Kathrein

Site ID – RNLNMB  
800372965

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## RF Human Exposure Limits

The New Zealand Government has produced a national standard for exposure to RF transmissions.

This is encompassed in the New Zealand Standard NZS2772.1.1999 which permits a maximum exposure level to Radio Frequency Fields 3 KHz to 300 GHz.

## Compliance Certification

RCG is performing technical work to this cell site.

After the technical work, the site will still operate in compliance with the New Zealand Standard.

The calculations used to confirm compliance were made in accordance with the requirements described in the new Australian/New Zealand Standard AS/NZS2772.2.2016.

The location and the site type ensure that there is no area in front of the face of the antenna that is accessible to the public. Therefore the associated radio frequency fields, including any cumulative effects, are not expected to reach or exceed 25% of the maximum level authorized by NZS2772.1.1999 in areas accessible to general public.

In addition, this report has been prepared in accordance with NZS AS/NZS 2772.2 Radiofrequency Radiation: Part 2: Principles and methods of measurement and computation - 3 kHz to 300 GHz, and as such meets Reg 55(3)(a) of the NES 2016.

## Compliance with NZS 2772.1.:1999

RCG confirms that the cell site is designed, installed and operated in accordance with NZS 2772.1.1999. Compliance with Clause 10 of this Standard is achieved through careful site planning and design and following best industry practices.

RF warning signs, access control measures, and safe working procedures will be in place. RCG engages contractors who are certified industrial professionals,

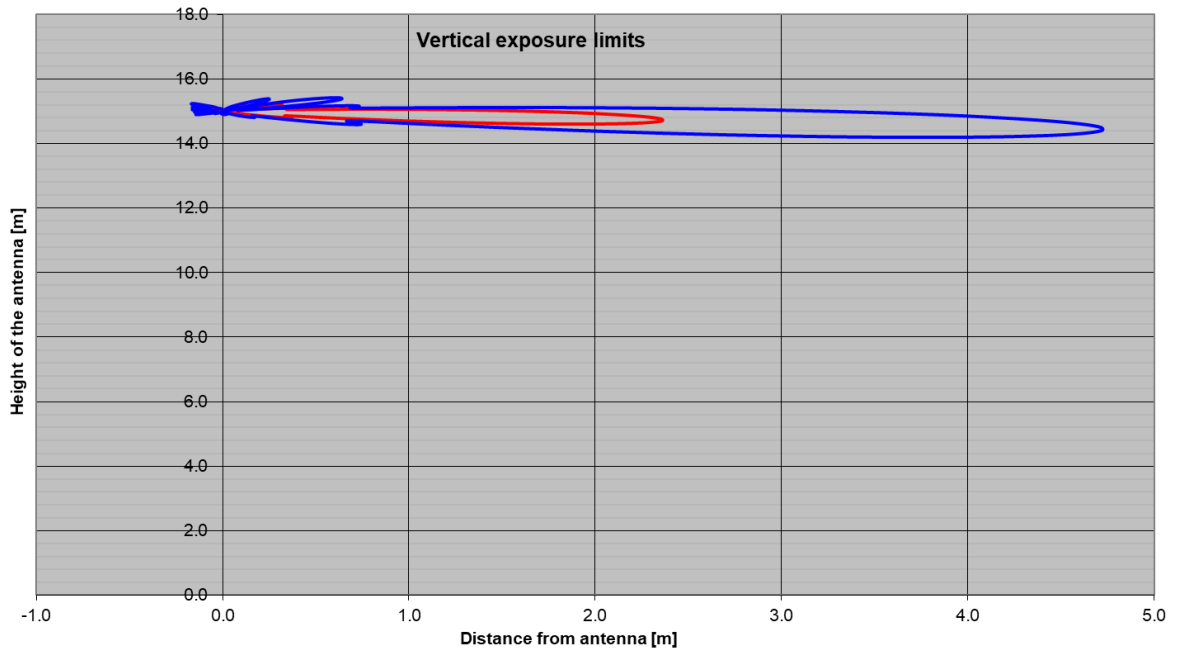
# National Environmental Standards Compliance Distance Calculation

Site: Ninety Mile Beach  
Antenna: Kathrein

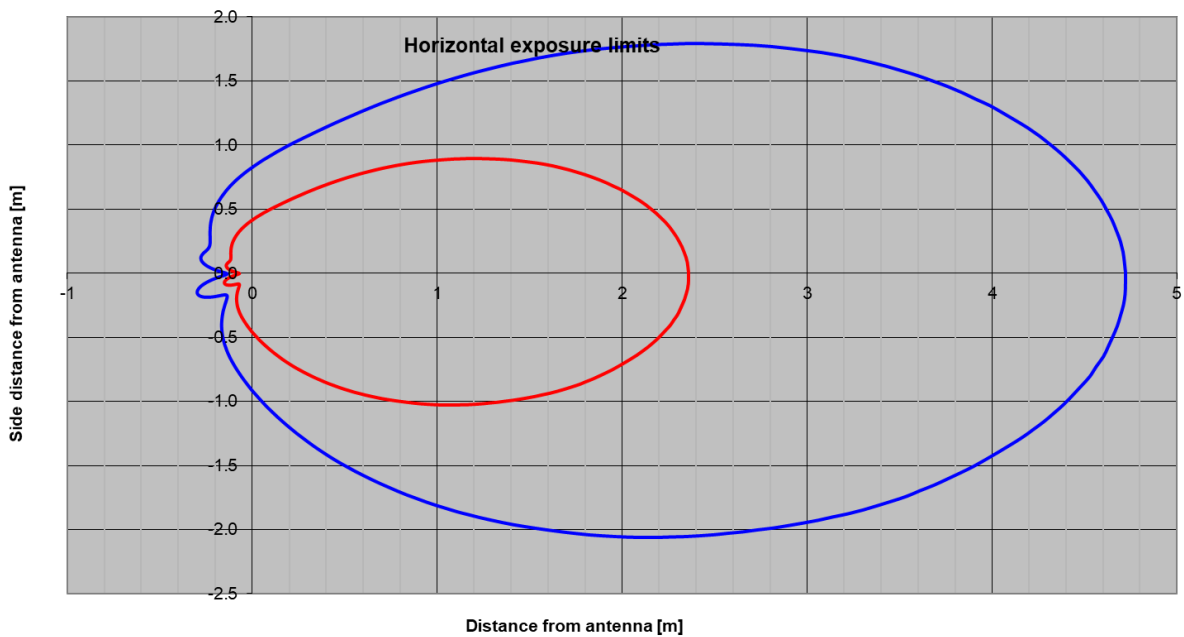
Site ID – RNLNMB  
800372965

with extensive health and safety training as required under the Health and Safety at Work Act.

## Vertical Plume:



## Horizontal Plume:



# National Environmental Standards Compliance Distance Calculation

Site: Ninety Mile Beach  
Antenna: Kathrein

Site ID – RNLNMB  
800372965

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Kathrein 800372965
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700MHz (RCG): 1 carrier 2x2 MIMO (20MHz) @ 10W
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	Red (100%)	Blue (25%)
Vertical MSD (above antenna's centre)	0.16m	0.41m
Vertical MSD (below antenna's centre)	0.40m	0.80m
Horizontal MSD	2.36m	4.72m



# Appendix F Acoustic Assessment - Cabinets

## Resource Consent Application

Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao

The Rural Connectivity Group

SLR Project No.: 810.V15049.00001.1000

16 May 2024





**Project:** **WCUFLEX16 V2 MOBILE PHONE CABINET  
Sound Level Distance Tables**

**Prepared for:** **Vodafone  
Private Bag 92161  
Victoria Street West  
Auckland 1142**

**Attention:** **Colin Clune**

**Report No.:** **Rp R02 005 20170113**

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<b>Status:</b>	<b>Rev:</b>	<b>Comments</b>	<b>Date:</b>	<b>Author:</b>	<b>Reviewer:</b>
Approved	-		19 June 2019	Kevin Prosée	Curt Robinson
Approved	R01		20 June 2019	Kevin Prosée	Curt Robinson
Approved	R02		21 June 2019	Kevin Prosée	Curt Robinson

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## 1.0 INTRODUCTION

Marshall Day Acoustics (MDA) has been engaged by Vodafone New Zealand Limited to provide predicted  $L_{Aeq}$  sound emission data in relation the *Wavcom Urban Flex16 Roadside Telecommunications Cabinet (v2)* (WCUFlex16 v2) developed for Vodafone.

The WCUFlex16 v2 cabinet has been specifically developed by Vodafone for implementation in relation to the National Environmental Standard for Telecommunications Facilities Regulations 2016 (NESTF 2016). Requirements in the NESTF 2016 for controlling noise emission are reproduced in Appendix C.

The  $L_{Aeq}$  sound data presented in this report is intended for use in relation to measurement and assessment criteria in New Zealand Standards NZS 6801:2008 *Acoustics – Measurement of environmental sound* and NZS 6802:2008 *Acoustics – Environmental Noise*.

## 2.0 CABINET

### 2.1 Configuration

The WCUFlex16 v2 telecommunications cabinet configuration is depicted in Figure 1.

The cabinet is divided into two separate areas comprising the *Radio Side* and *Power Side* which are ventilated separately. The *Radio Side* houses the transmitter/receiver modules (up to 12 Flexi modules and one AMob unit). The *Power Side* contains the power supply, mains distribution panel and batteries.

The cabinet sits on a steel base frame for support and to facilitate cable entry. The base frame height is increased to accommodate the installation of combiners and filters (passive devices that make no noise) into the base of the cabinet when light-weight antenna mounting poles are used.

**Figure 1: WCUFlex16 v2 Cabinet**



## 2.2 Sound Emission from the Cabinet

The principal sound source from the cabinets is from cooling fans used to control the internal temperature of the *Radio* and *Power* sides of the cabinet as follows:

- *Radio Side*: Fan noise from three self-regulating cooling fans on the rear of each Flexi Module/AMob, emitted via the 15mm high exhaust vent opening just beneath the top lid (along the front and two sides only) and from intake vents located on the front and sides of the base frame
- *Power Side*: Fan noise emitted through intake and exhaust vents, located on the front access door to the *Power Side*, associated with the heat exchanger system mounted on the inside of the access door to the *Power Side*. An internal fan continuously circulates air across the heat exchanger element and within the *Power Side*. A second fan operates intermittently as required, to draw in air from outside to cool the heat exchanger element

## 2.3 Cabinet Orientation

Telecommunications cabinets are typically located within road reserves and may be located adjacent to a residential site. To minimise the sound emission received at a residential (or other) site, the cabinet is typically installed so that the quieter side of the cabinet is oriented towards the residential property. However, there are times when sound emission from other sides of the cabinet must also be considered. Accordingly, the expected sound levels presented in this report relate to distances from all sides of the cabinet at perpendicular and diagonal directions.

## 3.0 NESTF 2016 PERFORMANCE STANDARDS

Noise controls are contained within Sections 24 and 25 of the NESTF 2016 regulations and these are reproduced in full in Appendix A.

From Section 24, sound emission from cabinet(s) located in a road reserve must not exceed:

- 50 dB  $L_{Aeq(5min)}$  between 7:00 am and 10:00 pm (daytime), and 40 dB  $L_{Aeq(5min)}$  / 65 dB  $L_{AFmax}$  between 10:00 pm and 7:00 am (night-time), if the cabinet is located in a residential zone or an adjoining road reserve
- 60 dB  $L_{Aeq(5min)}$  at any time and 65 dB  $L_{AFmax}$  between 10:00 pm and 7:00 am (night-time), for any other cabinet not located in a residential zone or an adjoining road reserve

Where a habitable room in a building is located further than 4 metres from the road reserve where the cabinet is located, sound emission from the cabinet must be measured at least 3 metres from the cabinet and within the boundaries of land adjoining the road reserve where the cabinet is located.

Section 25 states that cabinets not located in a road reserve are deemed to comply with the NESTF 2016 regulations 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.

## 4.0 MEASURED SOUND LEVELS

Sound emission levels were measured inside a building at night-time during quiet outdoor ambient noise conditions.

Measurements were undertaken to determine the overall sound power level of the cabinet and establish direction specific sound levels in each of the eight directions considered.

Measurements were undertaken for two operating scenarios:

- **Night-time Operation** (load configuration at 50% of the total power)
- **Daytime Operation** (load configuration at 85% of the total power)

The overall sound power levels (including octave band centre frequency data) are presented in Tables 1 and 2 below. It should be noted that using these overall sound power levels to predict sound levels would not take into account directivity of the sound from the different sides of the cabinet<sup>1</sup>.

**Table 1: Overall Sound Power Level – Night-time Operation**

dB L <sub>WA</sub> (Re 10 <sup>-12</sup> W)	Octave Band Centre Frequency, Hz (dB)								
	31.5	63	125	250	500	1k	2k	4k	8k
58	61	61	60	61	58	51	44	36	31

**Table 2: Overall Sound Power Level –Daytime Operation**

dB L <sub>WA</sub> (Re 10 <sup>-12</sup> W)	Octave Band Centre Frequency, Hz (dB)								
	31.5	63	125	250	500	1k	2k	4k	8k
63	61	61	64	60	64	54	48	42	36

It is noted that an assessment for tonality was carried out on the measurements in accordance with NZS 6802:2008. This showed that the level of tonality from the cabinet was within the allowable limits of acceptability and therefore, a special audible character correction does not apply.

## 5.0 SOUND LEVEL TABLES

The expected sound levels at various distances between 1 and 30 metres from the sides of the cabinet have been calculated for daytime and night-time operation, taking into account the directivity of the sound emission. The results are presented in Appendix B.

All calculated sound levels are “time average levels” symbolised by L<sub>Aeq(t)</sub> where (t) is the representative sample period which may be up to 15 minutes (L<sub>Aeq(5min)</sub> applies to the NEST 2016 Standard).

The L<sub>Aeq(t)</sub> may also be referred to as “LEQ” (Table 1, NZS6802:2008).

## 6.0 DISCUSSION

The tables in Appendix B are based on receiver locations with a clear line of site to the cabinets. Screening provided by solid fences, bunds or buildings would reduce the received sound level. Large solid surfaces behind or to the side of the sound source may reflect sound thereby increasing the received sound level.

Based on the data in Appendix B, compliance with the NESTF 2016 noise limits can be generally achieved at the distances (in metres) presented in Table 3 overleaf.

<sup>1</sup> One side of the cabinet may emit higher noise emission than another side due to the configuration/location of cooling vents in the cabinet where sound can emit more readily from the cabinet

Table 3: Compliance Distances – WCUFlex16 v2 Cabinet

Sound Emission Axis	Operation	NESTF 2016 Noise Limit dB $L_{Aeq(5min)}$		
		40	50	60
(F) Front	Daytime	n/a	2 m	0 m
	Night-time	5 m	n/a	0 m
(FL) Front Left	Daytime	n/a	2 m	0 m
	Night-time	5 m	n/a	0 m
(L) Left	Daytime	n/a	2 m	0 m
	Night-time	4 m	n/a	0 m
(BL) Back Left	Daytime	n/a	1 m	0 m
	Night-time	3 m	n/a	0 m
(B) Back	Daytime	n/a	1 m	0 m
	Night-time	2 m	n/a	0 m
(BR) Back Right	Daytime	n/a	1 m	0 m
	Night-time	2 m	n/a	0 m
(R) Right	Daytime	n/a	1 m	0 m
	Night-time	3 m	n/a	0 m
(FR) Front Right	Daytime	n/a	1 m	0 m
	Night-time	4 m	n/a	0 m

Inspection of Table 3 indicates that compliance with the NES night-time 40 dB  $L_{Aeq(5min)}$  noise control, typically measured at least 3 metres from the cabinet, is achieved at 2 metres for the **Back** and **Back Right** directions, and at 3 metres (at 45 degrees) for the **Back Left** direction.

APPENDIX A NESTF 2016 – NOISE LIMITS

Resource Management (National Environmental  
Standards for Telecommunication Facilities)  
Regulations 2016

Part 3 r 23

2016/281

**24 Noise limits for cabinet in road reserve**

- (1) This regulation applies to a cabinet located in a road reserve.
- (2) This regulation is complied with if the noise from the cabinet does not exceed the noise limits set out in subclauses (3) and (4).
- (3) If the cabinet is located in a residential zone or an adjoining road reserve, the noise limits for the cabinet are,—
  - (a) between 7 am and 10 pm, 50 dB  $L_{Aeq(5min)}$ ; and
  - (b) between 10 pm and 7 am,—
    - (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 10 pm and 7 am, 65 dB  $L_{AFmax}$ .

*How noise to be measured*

- (5) The measurement of the noise from a cabinet must be—
  - (a) made in accordance with NZS 6801; and
  - (b) adjusted in accordance with NZS 6801 to a free field incident sound level; and
  - (c) assessed in accordance with NZS 6802.

*Where noise to be measured*

- (6) If a building containing a habitable room is within 4 m of the road reserve where the cabinet is located, the noise must be measured at a point that is—
  - (a) 1 m from the side of the building; or
  - (b) on the vertical plane of the side of the building.
- (7) In any other case, the noise must be measured at a point that is—
  - (a) at least 3 m from the cabinet; and
  - (b) within the boundaries of land adjoining the road reserve where the cabinet is located.

- (8) In this regulation,—
 

**adjoining road reserve**, in relation to a zone in a district plan or proposed district plan, means that part of a road reserve that adjoins, and is on the same side of the road as, land that is in that zone

$L_{Aeq(5min)}$  has the same meaning as in NZS 6801

$L_{AFmax}$  has the same meaning as in NZS 6801

**NZS 6801** means NZS 6801:2008 Acoustics – Measurement of environmental sound

**NZS 6802** means NZS 6802:2008 Acoustics – Environmental noise.

**25 Noise limits for cabinet not in road reserve**

- (1) This regulation applies to a cabinet not located in a 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.



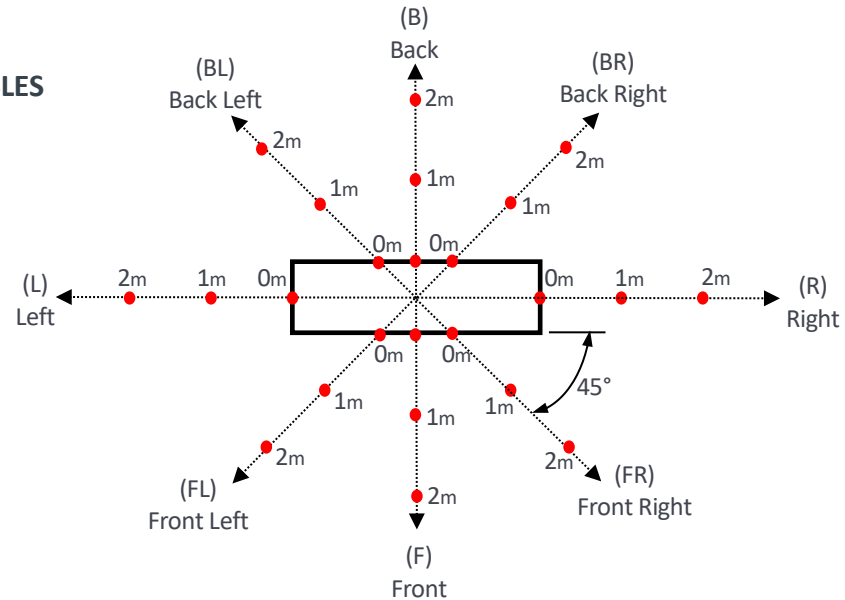
APPENDIX B WCUFLEX16 V2 - SOUND LEVEL DISTANCE TABLES

**Important Notes:**

Positioning of the cabinet to achieve compliance must be based on the worst case expected noise level in any given direction/axis.

Axes (F), (L), (R) and (B) extend from the acoustic centre at right angles (90°) to the cabinet façades.

Axes (BL), (BR), (FL) and (FR) extend from the acoustic centre at 45° to the cabinet façades.



Orientation of Directions/Axes – Plan View

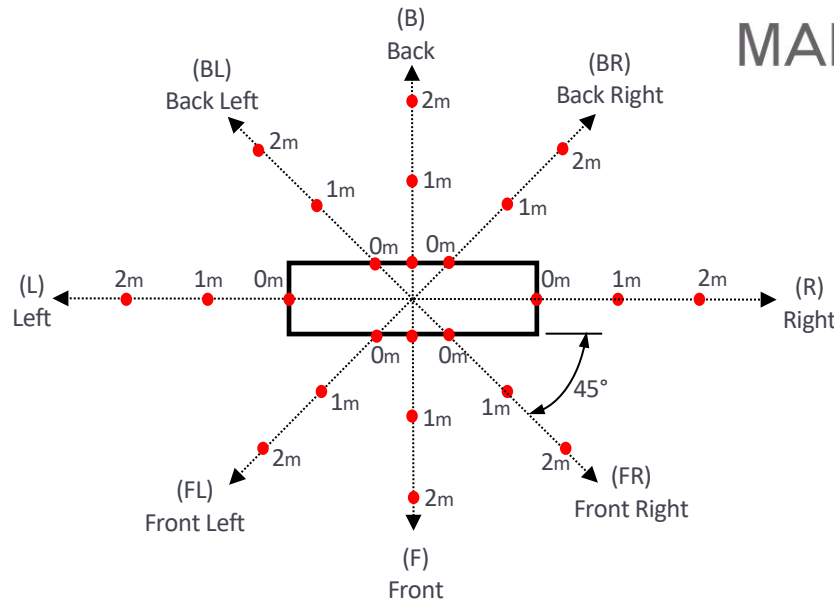
WCUFlex16 v2 Night-time Operation		Expected Sound Level (dB $L_{Aeq}$ ) at a height of 1.2 metres above the ground at a distance of 'X' metres from the cabinet façade in the specified direction/axis																		
Direction / Axis	$L_{WA}$	1	2	3	4	5	6	7	8	9	10	11	12	14	16	18	20	25	30	
(F) Front	62	48	45	43	41	39	38	37	36	35	34	33	32	31	30	29	28	26	24	
(FL) Front Left	63	49	46	44	42	40	39	37	36	35	35	34	33	32	31	30	29	27	25	
(L) Left	61	47	44	41	39	38	36	35	34	33	32	32	31	30	28	28	27	25	23	
(BL) Back Left	58	45	42	39	37	35	34	32	31	30	30	29	28	27	26	25	24	22	20	
(B) Back	54	43	38	35	33	31	30	29	28	27	26	25	24	23	22	21	20	18	16	
(BR) Back Right	54	42	38	35	33	31	30	28	27	26	26	25	24	23	22	21	20	18	16	
(R) Right	58	45	41	38	36	35	33	32	31	30	29	29	28	27	25	25	24	22	20	
(FR) Front Right	61	48	45	42	40	38	37	35	34	33	33	32	31	30	29	28	27	25	23	

**Important Notes:**

Positioning of the cabinet to achieve compliance must be based on the worst case expected noise level in any given direction/axis.

Axes (F), (L), (R) and (B) extend from the acoustic centre at right angles (90°) to the cabinet façades.

Axes (BL), (BR), (FL) and (FR) extend from the acoustic centre at 45° to the cabinet façades.



Orientation of Directions/Axes – Plan View

WCUFlex16 v2 Daytime Operation		Expected Sound Level (dB L <sub>Aeq</sub> ) at a height of 1.2 metres above the ground at a distance of 'X' metres from the cabinet façade in the specified direction/axis																		
Direction / Axis	L <sub>WA</sub>	1	2	3	4	5	6	7	8	9	10	11	12	14	16	18	20	25	30	
(F) Front	65	51	49	46	44	42	41	40	39	38	37	36	35	34	33	32	31	29	27	
(FL) Front Left	66	52	50	47	45	43	42	40	39	38	38	37	36	35	34	33	32	30	28	
(L) Left	64	51	47	44	42	41	39	38	37	36	35	35	34	33	31	31	30	28	26	
(BL) Back Left	59	47	43	40	38	36	35	33	32	31	31	30	29	28	27	26	25	23	21	
(B) Back	57	46	41	38	36	34	33	32	31	30	29	28	27	26	25	24	23	21	19	
(BR) Back Right	54	42	38	35	33	31	30	28	27	26	26	25	24	23	22	21	20	18	16	
(R) Right	59	46	42	39	37	36	34	33	32	31	30	30	29	28	26	26	25	23	21	
(FR) Front Right	62	50	46	43	41	39	38	36	35	34	34	33	32	31	30	29	28	26	24	



# **Appendix G Acoustic Assessment - Generator**

## **Resource Consent Application**

**Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao**

**The Rural Connectivity Group**

SLR Project No.: 810.V15049.00001.1000

16 May 2024



Picture shown may not represent actual configuration

## SOUND ATTENUATED ENCLOSURES LEVEL 1, LEVEL 2 & LEVEL 3

6.8 – 22 (B Series) Range

The compact design of the 6.8 – 22 kVA SA Level 1, Level 2 and Level 3 enclosures range provides the flexibility of optimum sound attenuation depending on requirements. Designed on modular principles, the enclosures will have lift off doors or vertically hinged doors providing optimal service and maintenance access.

The enclosures are constructed with galvanised steel, designed to resist corrosion and handling damage. Developed through continuing research and development by our specialist engineers, the enclosures are weather protective and incorporate internally mounted exhaust silencers.

All of the sound attenuated enclosures reduce sound levels to comply with the stage II levels of the European Community Directive 2000/14/EC, effective from 3 January 2006.

### Features

#### Durable and Robust Construction

- Galvanised steel protected by powder coat paint
- Single piece roof structure
- Base frame extends beyond enclosure protecting against handling damage
- Black finish stainless steel locks and hinges
- Zinc plated/stainless steel fasteners

#### Excellent Service and Maintenance Access

- Optional side hinged doors on both sides of the enclosure
- Optional lift off only doors on both sides of the enclosure
- Coolant drain piped to base frame, exterior to the enclosure

#### Security and Safety

- Control panel viewing via large viewing window
- Emergency stop push button mounted on enclosure exterior
- Cooling fan and battery charging alternator fully guarded
- Exhaust silencing system totally enclosed for operator safety

#### Transportability

- Drag points on base frame facilitating handling from both sides
- Optional tested and Certified Lifting arch

## SOUND PRESSURE LEVELS (dBA) – SA LEVEL 1

Generating Set Model	Duty	50 Hz						60 Hz					
		15 m		7 m		1 m		15 m		7 m		1 m	
		75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load
DE9.5E3	Prime	65	66	71	72	82	84	68	69	74	75	85	87
	Standby	65	67	71	73	82	85	68	70	74	76	85	87
DE9.5E3 (EUR1)	Prime	65	66	71	72	82	84	68	69	74	75	85	87
	Standby	65	67	71	73	82	85	68	70	74	76	85	87
DE13.5E3	Prime	65	67	71	73	83	84	70	71	76	77	86	88
	Standby	65	68	71	74	83	85	70	72	76	78	87	88
DE16E0	Prime	66	69	72	75	84	85	–	–	–	–	–	–
	Standby	67	70	73	76	84	86	–	–	–	–	–	–
DE18E3	Prime	64	66	70	72	80	82	67	69	73	75	84	85
	Standby	64	66	70	72	81	83	68	69	74	75	84	86
DE22E3	Prime	65	67	71	73	82	84	68	69	74	75	84	86
	Standby	66	69	72	75	82	86	68	70	74	76	85	87
DE7.5E3S	Prime	65	66	71	72	82	84	68	69	74	75	85	87
	Standby	65	67	71	73	82	85	68	70	74	76	85	87
DE11E3S	Prime	65	67	71	73	83	84	70	71	76	77	86	88
	Standby	66	68	72	74	83	85	70	72	76	78	87	88
DE12E0S	Prime	65	68	71	74	83	85	–	–	–	–	–	–
	Standby	66	69	72	75	83	85	–	–	–	–	–	–
DE14E3S	Prime	64	66	70	72	80	82	67	68	73	74	84	85
	Standby	64	66	70	72	81	83	68	69	74	75	84	86
DE16E3S	Prime	65	67	71	73	81	84	68	69	74	75	84	86
	Standby	65	68	71	74	82	85	68	70	74	76	85	87

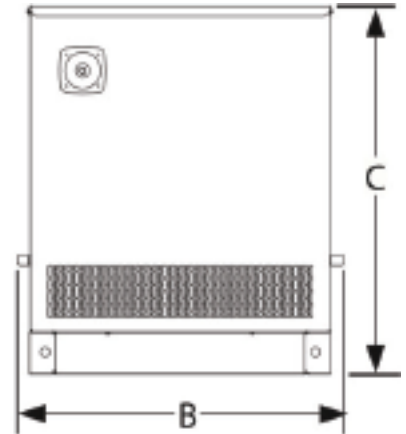
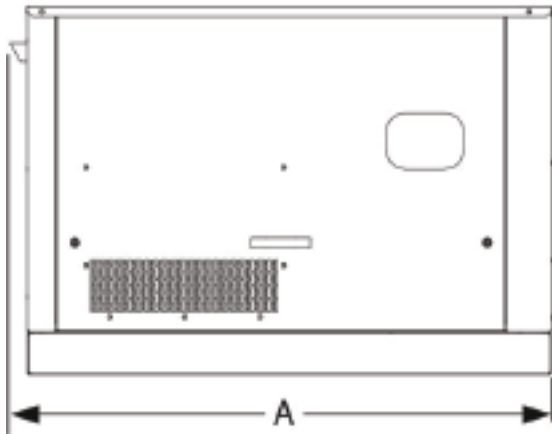
## SOUND PRESSURE LEVELS (dBA) – SA LEVEL 2

Generating Set Model	Duty	50 Hz						60 Hz					
		15 m		7 m		1 m		15 m		7 m		1 m	
		75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load
DE9.5E3	Prime	54	55	60	61	70	71	57	58	63	64	71	73
	Standby	55	56	61	62	70	72	57	58	63	64	72	74
DE9.5E3 (EUR1)	Prime	54	55	60	61	70	71	57	58	63	64	71	73
	Standby	55	56	61	62	70	72	57	58	63	64	72	74
DE13.5E3	Prime	54	56	60	62	71	72	58	59	64	65	72	73
	Standby	55	56	61	62	71	72	58	59	64	65	73	74
DE16E0	Prime	55	57	61	63	71	72	–	–	–	–	–	–
	Standby	56	58	62	64	71	73	–	–	–	–	–	–
DE18E3	Prime	57	58	63	64	74	74	60	61	66	67	76	76
	Standby	57	59	63	65	74	75	60	61	66	67	76	76
DE22E3	Prime	58	60	64	66	74	75	60	61	66	67	76	76
	Standby	58	61	64	67	74	76	61	61	67	67	76	76
DE7.5E3S	Prime	54	55	60	61	70	71	57	58	63	64	71	73
	Standby	55	56	60	62	70	72	57	58	63	64	72	74
DE11E3S	Prime	54	56	60	62	71	72	58	59	64	65	72	73
	Standby	55	56	61	62	71	72	58	59	64	65	73	74
DE12E0S	Prime	55	56	61	62	71	72	–	–	–	–	–	–
	Standby	55	57	61	63	71	72	–	–	–	–	–	–
DE14E3S	Prime	57	58	63	64	74	74	60	61	66	67	76	76
	Standby	57	58	63	65	74	75	60	61	66	67	76	76
DE16E3S	Prime	57	59	63	65	74	75	60	61	66	67	76	76
	Standby	58	60	64	66	74	76	61	61	67	67	76	76

## SOUND PRESSURE LEVELS (dBA) – SA LEVEL 3

Generating Set Model	Duty	50 Hz						60 Hz					
		15 m		7 m		1 m		15 m		7 m		1 m	
		75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load	75% Load	100% Load
DE9.5E3	Prime	51	51	57	57	69	70	52	53	58	59	69	71
	Standby	51	52	57	58	69	70	52	53	58	59	69	72
DE9.5E3 (EUR1)	Prime	51	51	57	57	69	70	52	53	58	59	69	71
	Standby	51	52	57	58	69	70	52	53	58	59	69	72
DE13.5E3	Prime	52	52	58	58	69	70	53	54	59	60	70	71
	Standby	52	53	58	59	70	70	53	54	59	60	70	71
DE16E0	Prime	52	52	58	59	70	71	–	–	–	–	–	–
	Standby	52	53	58	59	70	71	–	–	–	–	–	–
DE18E3	Prime	53	54	59	60	71	72	54	55	60	61	71	72
	Standby	53	54	59	60	71	73	54	55	60	61	71	73
DE22E3	Prime	54	55	60	61	72	73	54	55	60	61	71	73
	Standby	54	55	60	61	72	74	55	56	61	62	72	74
DE7.5E3S	Prime	51	51	57	57	69	70	52	53	58	59	69	71
	Standby	51	52	57	58	69	70	52	53	58	59	69	72
DE11E3S	Prime	52	52	58	58	69	70	53	54	59	60	70	71
	Standby	52	53	58	59	70	70	53	54	59	60	70	71
DE12E0S	Prime	52	53	58	59	70	70	–	–	–	–	–	–
	Standby	52	53	58	59	70	71	–	–	–	–	–	–
DE14E3S	Prime	53	54	59	60	71	72	54	55	60	61	70	72
	Standby	53	54	59	60	71	72	54	55	60	61	71	72
DE16E3S	Prime	53	54	59	60	71	73	54	55	60	61	71	73
	Standby	54	55	60	61	72	73	54	56	60	62	71	74

## DIMENSIONS AND WEIGHTS – SA LEVEL 1

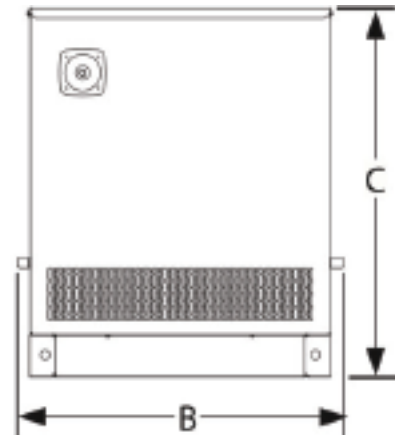
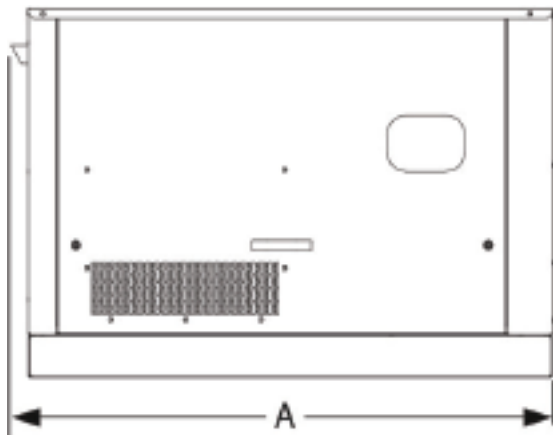


Generating Set Model	A: mm (in)	B: mm (in)	C: mm (in)	Weight*: kg (lb)
DE9.5E3	1550 (61.0)	935 (36.8)	1228 (48.4)	412 (908)
DE9.5E3 (EUR1)	1550 (61.0)	935 (36.8)	1228 (48.4)	405 (893)
DE13.5E3	1550 (61.0)	935 (36.8)	1228 (48.4)	481 (1060)
DE12E0S	1550 (61.0)	935 (36.8)	1228 (48.4)	488 (1076)
DE16E0	1550 (61.0)	935 (36.8)	1228 (48.4)	508 (1120)
DE18E3	1550 (61.0)	935 (36.8)	1228 (48.4)	544 (1200)
DE22E3	1550 (61.0)	935 (36.8)	1228 (48.4)	557 (1228)
DE7.5E3S	1550 (61.0)	935 (36.8)	1228 (48.4)	412 (908)
DE11E3S	1550 (61.0)	935 (36.8)	1228 (48.4)	488 (1076)
DE14E3S	1550 (61.0)	935 (36.8)	1228 (48.4)	549 (1210)
DE16E3S	1550 (61.0)	935 (36.8)	1228 (48.4)	557 (1228)

\*Net weight with lube oil, and coolant, no fuel.



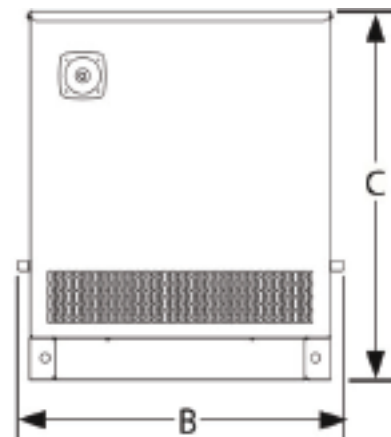
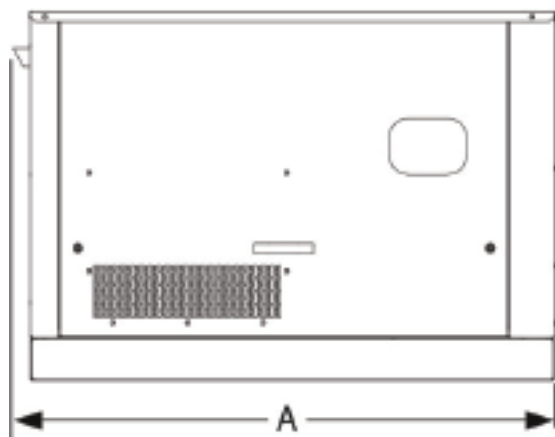
## DIMENSIONS AND WEIGHTS – SA LEVEL 2



Generating Set Model	A: mm (in)	B: mm (in)	C: mm (in)	Weight*: kg (lb)
DE9.5E3	1755 (69.0)	935 (36.8)	1228 (44.3)	463 (1020)
DE9.5E3 (EUR1)	1755 (69.0)	935 (36.8)	1228 (44.3)	456 (1005)
DE13.5E3	1755 (69.0)	935 (36.8)	1228 (44.3)	532 (1173)
DE12E0S	1755 (69.0)	935 (36.8)	1228 (44.3)	539 (1188)
DE16E0	1755 (69.0)	935 (36.8)	1228 (44.3)	559 (1232)
DE18E3	1755 (69.0)	935 (36.8)	1228 (44.3)	595 (1312)
DE22E3	1755 (69.0)	935 (36.8)	1228 (44.3)	608 (1340)
DE7.5E3S	1755 (69.0)	935 (36.8)	1228 (44.3)	463 (1020)
DE11E3S	1755 (69.0)	935 (36.8)	1228 (44.3)	539 (1188)
DE14E3S	1755 (69.0)	935 (36.8)	1228 (44.3)	600 (1323)
DE16E3S	1755 (69.0)	935 (36.8)	1228 (44.3)	608 (1340)

\*Net weight with lube oil, and coolant, no fuel.

## DIMENSIONS AND WEIGHTS – SA LEVEL 3



Generating Set Model	A: mm (in)	B: mm (in)	C: mm (in)	Weight*: kg (lb)
DE9.5E3	1830 (72.0)	935 (36.8)	1228 (44.3)	473 (1043)
DE9.5E3 (EUR1)	1830 (72.0)	935 (36.8)	1228 (44.3)	466 (1050)
DE13.5E3	1830 (72.0)	935 (36.8)	1228 (44.3)	542 (1195)
DE12E0S	1830 (72.0)	935 (36.8)	1228 (44.3)	549 (1210)
DE16E0	1830 (72.0)	935 (36.8)	1228 (44.3)	569 (1254)
DE18E3	1830 (72.0)	935 (36.8)	1228 (44.3)	605 (1334)
DE22E3	1830 (72.0)	935 (36.8)	1228 (44.3)	618 (1362)
DE7.5E3S	1830 (72.0)	935 (36.8)	1228 (44.3)	473 (1043)
DE11E3S	1830 (72.0)	935 (36.8)	1228 (44.3)	549 (1210)
DE14E3S	1830 (72.0)	935 (36.8)	1228 (44.3)	610 (1345)
DE16E3S	1830 (72.0)	935 (36.8)	1228 (44.3)	618 (1362)

\*Net weight with lube oil, and coolant, no fuel.

## LET'S DO THE WORK.™



# Appendix H Written Consents from Iwi

## Resource Consent Application

Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao

The Rural Connectivity Group

SLR Project No.: 810.V15049.00001.1000

16 May 2024

Jo Li

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**To:** Jennifer Valentine  
**Subject:** RE: Rural Connectivity Group RNLNMB Ninety Mile Beach

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**From:** Niki Conrad <[niki@teaupouri.iwi.nz](mailto:niki@teaupouri.iwi.nz)>  
**Sent:** Friday, February 23, 2024 10:29 AM  
**To:** Blair Jordan <[Blair.Jordan@thercg.nz](mailto:Blair.Jordan@thercg.nz)>  
**Cc:** Anaru Rieper <[anaru.rieper@gmail.com](mailto:anaru.rieper@gmail.com)>  
**Subject:** RE: Rural Connectivity Group RNLNMB Ninety Mile Beach

You don't often get email from [niki@teaupouri.iwi.nz](mailto:niki@teaupouri.iwi.nz). [Learn why this is important](#)

Morena Blair, good to talk to you this morning , Te Runanga Nui O Te Aupouri Iwi give consent, I have seen the plans and location, Please put me in contact with your RMA planner in regard to Iwi consent process, Who knows what other Iwi have consented in Te Aupouri Iwi rohe ,



**Niki Conrad**  
Poutakawaenga  
Te Rūnanga Nui o Te Aupōuri  
(+64) 9 4098 006 | 0800 236 376  
021 890 013  
[niki@teaupouri.iwi.nz](mailto:niki@teaupouri.iwi.nz)  
24 Te Ahu Road, RD 4, Kaitaia 0484  
[www.teaupouri.iwi.nz](http://www.teaupouri.iwi.nz)

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**From:** Blair Jordan <[Blair.Jordan@thercg.nz](mailto:Blair.Jordan@thercg.nz)>  
**Sent:** Thursday, February 22, 2024 4:29 PM  
**To:** Niki Conrad <[niki@teaupouri.iwi.nz](mailto:niki@teaupouri.iwi.nz)>  
**Subject:** FW: Rural Connectivity Group RNLNMB Ninety Mile Beach

Kia ora Nicki, I work for the Rural Connectivity Group, and we are working on a government funded project to bring connectivity to remote parts of NZ. Anaru has recommended I contact you in relation to our RMA consent which requires iwi consultation and consent.

The RCG has been requested to install telecommunications equipment near the campground at the end of Oromanga Road. This will allow people to make and receive mobile calls and use mobile data at this location via Spark, OneNZ and 2degrees.

Please see attached plans showing the location and equipment. We would very much appreciate your support for the site to allow for 3G and 4G mobile coverage for the beach and campground.

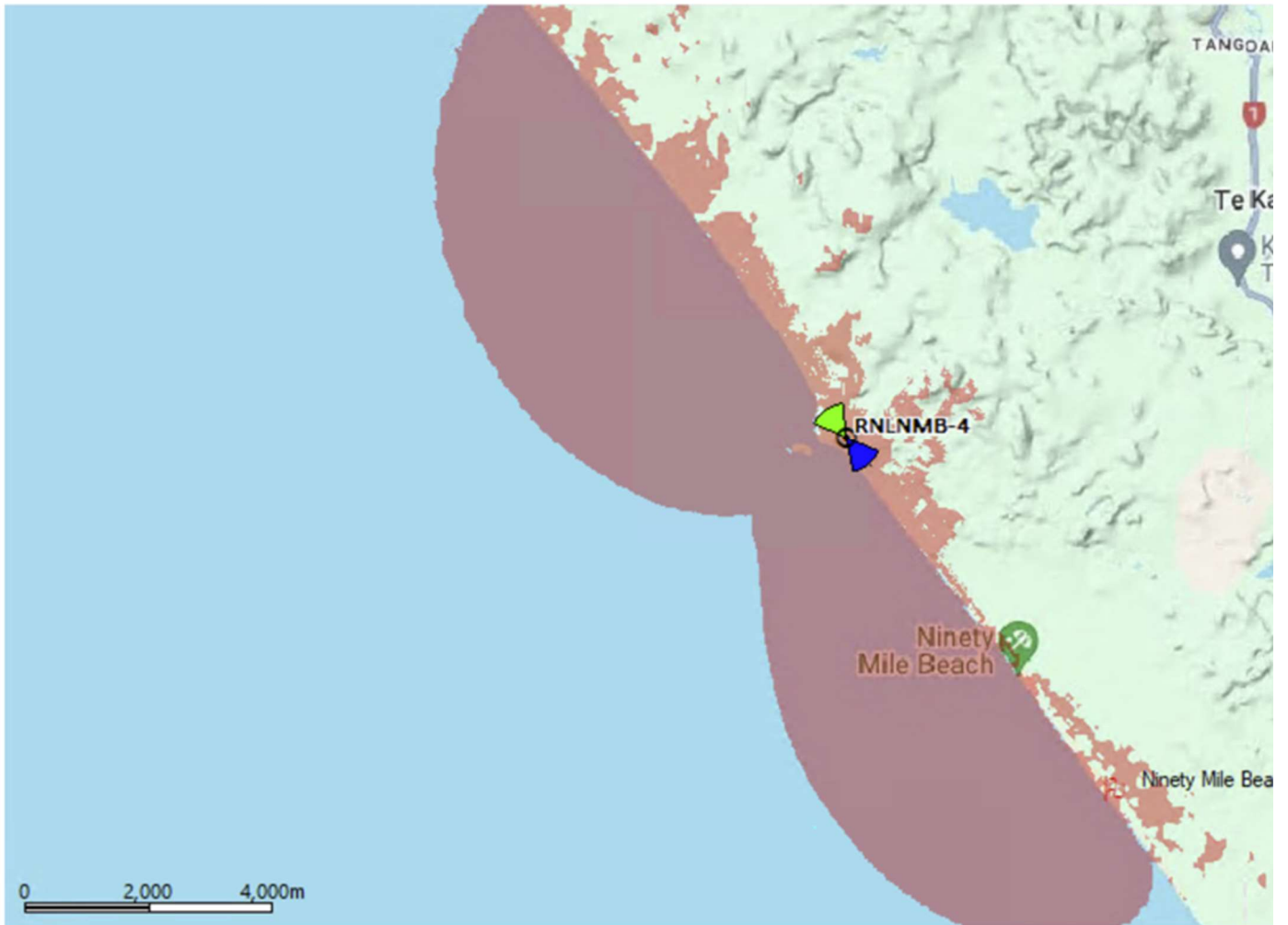
We hope to start the build in April if we can get the resource consent from the council. Please see a photo of the site below and a prediction of the coverage which shows a large section of the beach covered.

We do hope Te Runanga Nui o Te Aupouri are able to give us their consent to install this equipment. If you have any questions please do not hesitate to give me a call on 0224 808 122.

Photo of the proposed site;



## RNLNMB Ninety Mile Beach – Voice Coverage



Regards Blair



**Blair Jordan**  
Site Acquisition Manager  
Phone 0224 808 122  
[Blair.Jordan@theRCG.nz](mailto:Blair.Jordan@theRCG.nz)  
[www.thercg.co.nz](http://www.thercg.co.nz)

Rural Connectivity Group | 111 Franklin Road | Auckland 1011 | New Zealand  
PO Box 192 | Shortland Street | Auckland 1140 | New Zealand



# **Appendix I     RCG's Accidental Discovery Protocols**

## **Resource Consent Application**

**Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao**

**The Rural Connectivity Group**

SLR Project No.: 810.V15049.00001.1000

16 May 2024

## Accidental Discovery Protocols

1. That ( *enter the name of the appropriate Iwi representative*) shall be notified at least 5 working days prior to earthwork activities commencing on site, which will include the following information being made available:

- Expected timeframe for the earthworks activities (including start date).
- Contact details for the site supervisor and/or site engineer.

2. (*Iwi representative*) will notify the Site Supervisor when a karakia will be performed on site, at which point works can commence.

3. (*Iwi representative*) may be present on site to monitor the earthwork activities.

4. In the event of archaeological evidence being uncovered during earthworks (other than that in the identified areas where authority has been granted to modify), work will cease in the immediate vicinity of the remains and (*Iwi representative*) and Heritage NZ will be contacted. (*Iwi representative*) will take possession of any taonga uncovered and will ensure their safety by placing them with the Police or as advised by (*Iwi representative*).

5. In the event of koiwi (human remains) being uncovered during earthworks, **all work** will cease immediately and (*Iwi representative*) will be contacted so that appropriate arrangements can be made.”





# **Appendix J      Consultation Letter Sent to Heritage New Zealand Pouhere Taonga (HNZPT)**

## **Resource Consent Application**

**Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao**

**The Rural Connectivity Group**

SLR Project No.: 810.V15049.00001.1000

16 May 2024

**Jo Li**

---

**From:** Jo Li  
**Sent:** Monday, April 15, 2024 9:13 AM  
**To:** infonorthland@heritage.org.nz; infonorthern@heritage.org.nz;  
information@heritage.org.nz  
**Subject:** Proposed RCG Telecommunication Facility in Wakatehau Camping Reserve  
(RNLNMB Ninety Mile Beach)  
**Attachments:** RNLNMB Ninety Mile Beach Rev 1 PD.pdf

Hello,

I am writing on behalf of the Rural Connectivity Group (RCG) with regard to a proposed telecommunication facility in Wakatehau Camping Reserve, at Oromanga Road, Te Kao.

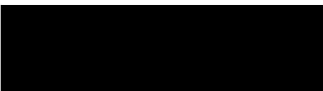
RCG wishes to engage with Heritage New Zealand Pouhere Taonga (HNZPT), seek HNZPT's feedback and work with HNZPT, with the view of obtaining written approval from HNZPT to support a forthcoming resource consent application to the Far North District Council.

We sent a letter to the Northland Area Office on 4 March however haven't heard back from the team until today. RCG would like to update the proposal as the drawing **attached**. Given the site is identified as having cultural significance to Māori, RCG have been actively engaged with the local iwi group and will send an update letter once local iwi groups' consents with the updated proposal.

Please could you advise the regional office we should engage with for the following process. We look very much forward to hearing from you.

Kind regards,  
Jo

**Jo Li**  
Planner - Planning

  
E [jo.li@slrconsulting.com](mailto:jo.li@slrconsulting.com)

SLR Consulting New Zealand Limited  
201 Victoria Street West, Auckland, New Zealand 1010

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If you have received this e-mail in error, please notify the author and delete this message immediately.

**Jo Li**

---

**From:** Jo Li  
**Sent:** Monday, March 18, 2024 12:13 PM  
**To:** BEdwards@heritage.org.nz  
**Cc:** AMorris@heritage.org.nz; infonorthland@heritage.org.nz  
**Subject:** FW: Consultation with HNZPT: Proposed RCG Telecommunication Facility in Wakatehaua Camping Reserve (RNLNMB Ninety Mile Beach)  
**Attachments:** Letter to HNZPT - RNLNMB Ninety Mile Beach\_04.03.2024.pdf

Kia ora Bill,

I am writing to follow up on a consultation letter lodged to Heritage New Zealand – Northland Area Office on 4 March 2024, to seek HNZPT's support on a forthcoming resource consent application on RCG's behalf (letter attached for reference).

Please may I have your confirmation that this letter has been received and circulated to the Planning department and advise an estimated time of RCG/SLR team could expect to receive comments from the HNZPT?

Please do not hesitate to contact me if you have any queries or would like to have a further discussion of the proposal. We look forward to hearing from you.

Kind regards,  
Jo

**Jo Li**

Planner - Planning



SLR Consulting New Zealand Limited  
201 Victoria Street West, Auckland, New Zealand 1010



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---

**From:** Jo Li <jo.li@slrconsulting.com>  
**Sent:** Monday, March 4, 2024 9:57 AM  
**To:** infonorthland@heritage.org.nz  
**Subject:** Consultation with HNZPT: Proposed RCG Telecommunication Facility in Wakatehaua Camping Reserve (RNLNMB Ninety Mile Beach)

Kia ora,

I am writing on behalf of the Rural Connectivity Group (RCG) with regard to a proposed telecommunication facility in Wakatehaua Camping Reserve, at Oromanga Road, Te Kao.

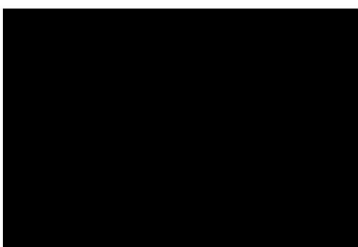
Details of the proposal and supporting documents are in the letter **attached**. Given the site is identified as having cultural significance to Māori, RCG have engaged with the local iwi group and obtained their written consents for the proposed facility (Please refer to Attachment B in the letter).

RCG wishes to engage with Heritage New Zealand Pouhere Taonga (HNZPT), seek HNZPT's feedback and work with HNZPT, with the view of obtaining written approval from HNZPT to support a forthcoming resource consent application to the Far North District Council.

Please do not hesitate to contact me if you have any queries or would like to have a further discussion of the proposal.

We look forward to hearing from you.

Kind regards,  
Jo



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201 Victoria Street West, Auckland New Zealand 1010



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28 February 2024

Heritage New Zealand Pouhere Taonga - Northland Area Office  
By email: [infonorthland@heritage.org.nz](mailto:infonorthland@heritage.org.nz)

SLR Project No.: 810.V15049.00001

Client Reference No.: RNLNMB – Ninety Mile Beach

**RE: PROPOSED OPERATION OF A NEW TELECOMMUNICATION FACILITY  
IN WAKATEHAUA CAMPING RESERVE, OROMANGA ROAD, TE KAO**

The Rural Connectivity Group (RCG) is proposing to establish, operate and maintain a new telecommunication facility in Wakatehaua Camping Reserve, at Oromanga Road, Te Kao (Coordinates of the proposed facility: -34.684663999 Latitude, 172.898346874 Longitude). Figure 1 below shows the locality of the proposed facility and the surrounding environment.

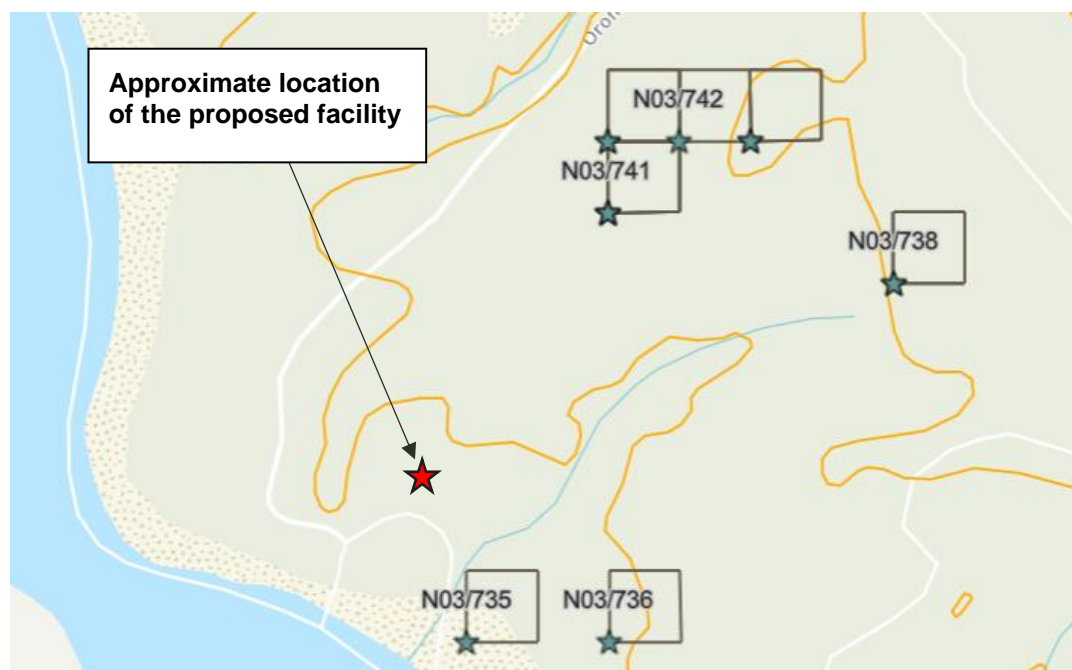
Despite there being no known archaeological sites close to the location of the proposed facility (Figure 2), the wider site contains a number of archaeological sites and the Wakatehaua Camping Reserve is listed as one of Sites & Areas of Significance to Māori (MS02-15) under both the Operative Far North District Plan and the Proposed Far North District Plan. As such, RCG wishes to engage, seek feedback and work with Heritage New Zealand Pouhere Taonga (HNZPT), with the view of obtaining written approval from HNZPT to support a forthcoming resource application to Far North District Council.

SLR Consulting New Zealand (SLR) is assisting RCG with resource management matters associated with the proposal.

**Figure 1: Locality map of the proposed facility (Source: GRIP Maps)**



**Figure 2: Recorded New Zealand Archaeological Association (NZAA) archaeological sites in the area (Source: ArchSite archaeological site recording scheme)**



## Project Background

In August 2017, the RCG was appointed by the government to be the infrastructure provider to bring 4G mobile and wireless broadband coverage to rural New Zealand under the Rural Broadband Initiative 2, and the Mobile Black Spot fund. RCG is a gazetted Telecommunications network operator in accordance with the Telecommunications Act 2001.

RCG are contracted to build, operate and maintain the new rural network. Government and industry collaboration will see New Zealand as the first country in the world where all three mobile network operators (One NZ, Spark and 2degrees) will share radio access network equipment and one set of antennae on each facility built by the Rural Connectivity Group. This will enable mobile and broadband services from all three mobile companies and ensure competitive services to rural customers.

The RCG will build a minimum of 400 new mobile cell-sites, delivering high-speed wireless broadband to at least 30,000 additional rural New Zealand households. This will deliver mobile calling and data service to a further potential 1000 kilometres of New Zealand's state highways and connectivity to at least 90 top New Zealand tourist destinations. It aims to provide high-speed broadband to the greatest possible number of rural users and improve mobile coverage on state highways and at key visitor destinations.

## The Proposal

The proposed telecommunication facility will be located in Wakatehau Camping Reserve (Coordinates of the proposed facility: -34.684663999 Latitude, 172.898346874 Longitude), on a lease area measures approximately 100m<sup>2</sup> and protected by stock fences.

Details of the proposal is shown in the concept project drawing included in Attachment A. In summary, the proposed facility includes the installation of a 15m high monopole comprising three panel antennas and one dish antenna attached to, associated with a group of equipment cabinets with a maximum area of 5m<sup>2</sup> and a maximum height of 2m, and a



generator (1.52m<sup>2</sup> x 1.8m) to provide power supply to the facility. Access to the facility will be via a forest access track from Oromanga Road, associated with minor earthwork and vegetation removal if necessary.

### **Engaging with mana whenua**

Given the site is identified as having cultural significance to Māori, RCG have engaged with local iwi group Te Runanga Nui O Te Aupouri. Niki Conrad, on behalf of the Te Runanga Nui O Te Aupouri, gives consent to the proposal and is open to future communications over the consultation and RMA process (Refer to Attachment B for correspondence).

### **Response Sought**

We are seeking to receive HNZPT's feedback on the proposed telecommunication facility, and work with HNZPT to obtain written approval prior to lodging a resource consent with the Far North District Council.

Thank you for your consideration of this project and we look forward to hearing from you. I can be reached at 021 659 009 or [jo.li@slrconsulting.com](mailto:jo.li@slrconsulting.com). Alternatively, you are welcome to contact Blair Jordan, Project Manager at RCG directly at [Blair.Jordan@thercg.nz](mailto:Blair.Jordan@thercg.nz).

Kind regards,

**SLR Consulting New Zealand**

**Jo Li**  
Planner – Planning  
[jo.li@slrconsulting.com](mailto:jo.li@slrconsulting.com)

**Jennifer Valentine**  
Technical Director, Planning  
[jennifer.valentine@slrconsulting.com](mailto:jennifer.valentine@slrconsulting.com)

Attachment A – Concept Project Drawing

Attachment B – Correspondence from Te Rūnanga Nui o Te Aupōuri





# Appendix K Application Form

## Resource Consent Application

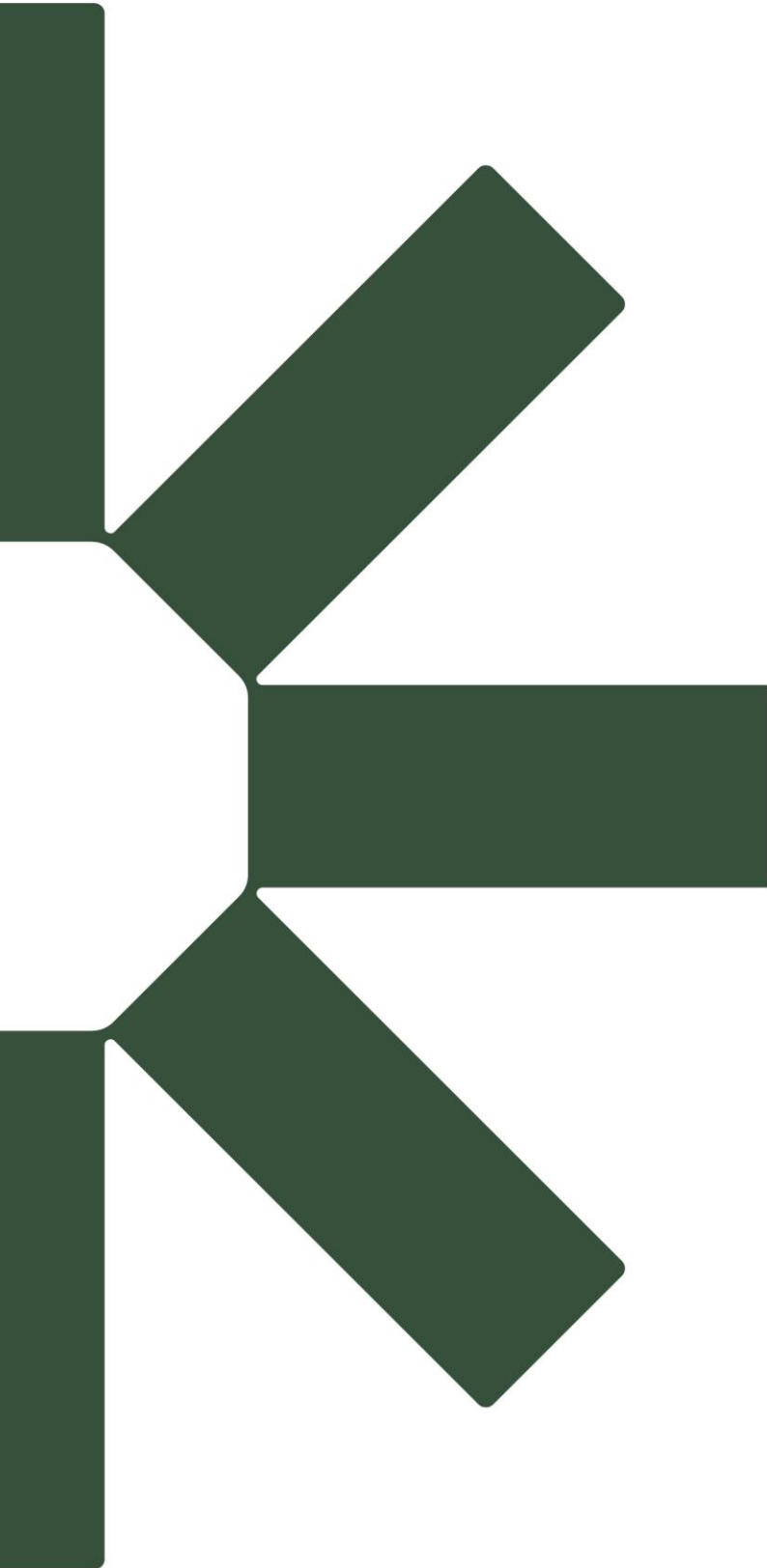
**Proposed Telecommunication Facility on Parengarenga 5B 2A Block,  
Oromanga Road, Te Kao**

**The Rural Connectivity Group**

SLR Project No.: 810.V15049.00001.1000

16 May 2024





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