

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 Schedule 4). 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 Discharge
 Fast Track Land Use* Change of Consent Notice (s.221(3))
 Subdivision Extension of time (s.125)
 Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil)
 Other (please specify) _____

* The fast track is for simple land use consents and is restricted to consents with a controlled activity status.

3. Would you like to opt out of the Fast Track Process?

Yes No

4. Consultation

Have you consulted with Iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council tehonosupport@fndc.govt.nz

5. Applicant Details

Name/s:

Colin Clune on behalf of Fortysouth

Email:

Phone number:

Postal address:

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

6. Address for Correspondence

Name and address for service and correspondence (if using an Agent write their details here)

Name/s:

Same as above

Email:

Phone number:

Work

Home

Postal address:

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

Postcode

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

7. 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:

Property Address/
Location:

Postcode

8. Application Site Details

Location and/or property street address of the proposed activity:

Name/s:

1329 Bulls Road

Site Address/
Location:

Kerikeri

Postcode

Legal Description:

Road Reserve

Val Number:

Certificate of title:

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.

Road reserve site, accessible to public

9. Description of the Proposal:

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

The establishment and operation of a standalone pole and telecommunications facility within the Road Reserve, adjoining 1329 Bulls Road, Kerikeri.

If this is an application for a 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), with reasons for requesting them.

10. Would you like to request Public Notification?

Yes No

11. Other Consent required/being applied for under different legislation

(more than one circle can be ticked):

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

12. 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:

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? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result. 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

13. 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.

Your AEE is attached to this application Yes

13. Draft Conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision? Yes No

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? Yes No

14. 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 in full) Fortysouth (Attn: Colin Clune)

Email:

Phone number:

Postal address:

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

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 20th 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 write in full)

Signature:

(signature of bill payer)

Date 10-Dec-2024

MANDATORY

15. 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. 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.

15. Important information continued...

Declaration

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

Name: (please write in full)

Colin Clune

Signature:

Date 10-Dec-2024

A signature is not required if 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)
- Details of your consultation with Iwi and hapū
- 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.



16th December 2024

Far North District Council
Private Bag 752
KAIKOHE 0440

Attention: Planning Team – Resource Consent Applications

Dear Sir or Madam:

RESOURCE MANAGEMENT ACT 1991 – RESOURCE CONSENT APPLICATION BY ONE NEW ZEALAND, FOR THE ESTABLISHMENT OPERATION OF A TELECOMMUNICATIONS FACILITY, IN THE ROAD RESERVE ADJOINING 1327B STATE HIGHWAY 10, KERIKERI

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

The documentation in support of the application is as follows:

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

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

Yours faithfully
Fortysouth

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

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

TO: **Far North District Council**

One New Zealand applies for a resource consent as described below:

1. The general location and legal description covered by this application is Road Reserve at the following location:
 - Road Reserve adjoining 1329 Bulls Road, Kerikeri
2. The type of resource consent sought is a **Controlled Activity Consent – National Environmental Standards for Telecommunication Facilities 2016**
3. A description of the activity to which the application relates is:

The establishment and operation of a standalone pole and telecommunications facility within the Road Reserve, adjoining 1327B State Highway, Kerikeri.

The activity is more fully described in the attached annexure.

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

Address for service of applicant:

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

.....
Colin Clune on behalf of One New Zealand

Date:

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



Fortysouth^{40°}

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46 Sale Steet
AUCKLAND 1142
Mobile: 021 0292 9905
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ONE NEW ZEALAND

Resource Consent Application:

***The Establishment & Operation of a
Standalone Telecommunications Facility
within the Road Reserve, Adjoining 1327B
State Highway 10, Kerikeri***

**ONE NZ REFERENCE:
KERIKERI SOUTH WEST (N1KIW)**

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Appendix 1: Application Drawings

Appendix 2: NESTF Assessment

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1. Introduction

BACKGROUND

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

NATIONAL ENVIRONMENTAL STANDARDS

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

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

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

2. Site and Location

- 2.1 The subject site is in the road reserve adjoining 1327B State Highway, Kerikeri. Located approximately 3.7km to the southwest of Kerikeri. The receiving environment is rural in nature, comprising of horticulture fields screened by shelterbelts along the road boundary. The proposed site is located approximately 30m south of Northland CCTV Limited.
- 2.2 The road reserve environment is wide measuring approximately 30m in width. The proposed new pole is to be established within the berm on the western side of the road. The section of road reserve has a generally level topography. Existing infrastructure in the form of overhead powerlines present on the opposite side of Bulls Road. The proposed site will be screened from the adjoining property to the west by a stand of mature bamboo planting, present in the phot below.

Figure 1: Proposed Site Location - 1329 Bulls Road, Kerikeri



3. The Proposal

- 3.1 The proposed facility will provide an important component of the One NZ Network. Maintaining resilient mobile coverage and increase coverage for mobile telephone users throughout the surrounding area of Kerikeri.
- 3.2 Details of the upgrade are summarised in the following table and demonstrated in the application drawings within **Appendix 1**.

Table 1 Proposed Works	
Site	Proposal
<p><u>Kerikeri South (N1KKS):</u> Road Reserve opposite 1329 Bulls Road, Kerikeri.</p>	<ul style="list-style-type: none"> • The establishment standalone pole and telecommunication antenna attachment (measuring 4.4m length, 0.7mØ), measuring an overall height of 20m from ground level. • The establishment of a new telecommunications equipment cabinet, measuring approximately 1.6m height (measured from the concrete plinth), 1.62m length and 0.86m depth. Covering a total area of 1.39m². The whole cabinet will be finished in a recessive grey shade. • Attachment of ancillary remote radio head (RRH) equipment units. Beginning at a height of approximately 13m • Attachment of a GPS antenna to side of the pole.

4. National Environmental Standards for Telecommunication Facilities 2016

- 4.1 An assessment of the proposal against the relevant provisions of the National Environmental Standards for Telecommunication Facilities 2016 (NESTF) is attached as **Appendix 2**.
- 4.2 This NESTF assessment has demonstrated that the proposed upgrades comply with the following Subparts of the NESTF 2016.
- Subpart 5 – Application of District & Regional Rules
 - Subpart 7 – Radiofrequency Regulations
 - Subpart 2 – Antennas
 - Subpart 6 – Earthworks
- 4.3 The proposed utility structure and telecommunications facility measures 20m in overall height. The permitted average height of the applicable baseline poles (the baseline pole on the baseline date) will be increased by 8.24m from 11.26m to a height of 20m. The proposed upgrade will therefore not comply with Regulation 29(4)(b) of the NESTF.
- 4.4 The proposed notional envelope of the roadside will exceed 3.5m length by an additional 0.9m, measuring 4.4m in total length. The proposed notional antenna will therefore not comply with Regulation 29(3)(a) for the max permitted notional envelope in the road reserve of the NESTF.
- 4.5 In order to determine the activity status of the application, the proposed facility must be assessed against the Auckland Unitary Plan, to determine the activity status of the application.

5. District Plan Provisions

- 5.1 The subject site is located in the road reserve. The underlying zoning of the subject site is **road** in the District Plan Maps.
- 5.2 The following table provides a compliance assessment of the proposal, against the relevant provisions of the Far North District Plan.

Operative District Plan Assessment

Rule	Standards	Activity Status
CHAPTER 17 – DESIGNATIONS AND UTILITY SERVICES		
17.2.6 Rules	<p>17.2.6.1.4 TELECOMMUNICATIONS AND RADIO COMMUNICATIONS FACILITIES EXCEPT IN THE RUSSELL TOWNSHIP ZONE</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) <u>the maximum height of any support structure including antennae, shall be 20m</u> 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</i></p>	

	<p><i>Fields: Part 1: Maximum Exposure Levels: 3 kHz – 300 GHz” 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><u>Comment</u> The proposal involves the establishment of a new standalone telecommunication pole measuring 15m in height in the Commercial Zone.</p>	<p><i>Permitted</i></p>
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- 5.3 It is considered that the remaining chapters of the Operative or Proposed Far North District Plans are relevant to the proposal.

ACTIVITY STATUS ASSESSMENT

5.4 The proposed facility will comply with the max permitted height of telecommunication pole facilities in the District Plan. However, NESTF assessment in Section 4 of this report has demonstrated that the proposed new standalone pole B will not comply with the following Regulations.

- The max permitted notional envelope of 3.5m listed in **Regulation 29(3)(a) by an additional 0.9m**
- The max permitted height listed in **Regulation 29(4)(b) by an additional 8.24m**

Section 43B of the Resource Management Act prevails. Directing that a District Plan cannot be more lenient than a National Environmental Standard, as follows:

43B Relationship between national environmental standards and rules or consents

(1) A rule or resource consent that is more stringent than a national environmental standard prevails over the standard, if the standard expressly says that a rule or consent may be more stringent than it.

(2) For the purposes of subsection (1),—

(a) a rule is more stringent than a standard if it prohibits or restricts an activity that the standard permits or authorises:

5.5 Part 2, Regulation 14 of The National Environmental Standard for Telecommunication Facilities 2016, determines that a regulated activity is a controlled activity:

14 Controlled activities

15 A regulated activity is a controlled activity if—

(a) It is carried out in accordance with the standard; and

(b) Under the relevant district plan or proposed district plan, it is a permitted activity or controlled activity

5.6 Therefore, given that the proposed facility infringes Regulation 29(4) of the NESTF, but complies with the District Plan rules associated with the establishment of a telecommunication pole and antennas in the road. The proposed facility is required to be assessed as a “**Controlled**” activity.

6. ***Assessment of Effects***

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

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

104(1)(a) Any actual or potential effects on the environment of allowing the activity; and

104(1)(b)(iv) Any relevant provisions of a plan or proposed plan

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

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

6.3 **Visual Effects**

The proposed notional antenna attachment will exceed the max permitted notional envelope dimension for antennas on existing poles in the road reserve under Regulation 27 of the NESTF. The following assessment of visual effects is restricted to the area of infringement.

The proposed replacement facility will have a similar general appearance and design as established utility light poles, commonly found in the surrounding road reserve environment. The proposed antenna attachment will exceed the max permitted notional envelope length of 3.5m by an additional 0.9m. The additional antennas will be added to the side of the pole, below 3.5m antenna attachment. Thereby increasing the overall length of the antenna attachment area to 4.4m length overall. The max permitted diameter of 0.7mØ will be maintained. The design of the facility will have the same slim line structure, allowing for reduced visual dominance. The additional lower antennas will

have the same general utilitarian appearance as the remainder of the pole and attachment equipment. Appearing as square, non-descript, boxed shaped antennas. The lower antenna will be finished in a recessive grey shade, consistent with the rest of the facility.

The existing pole is located within a section of road reserve adjoining a non-residential receiving environment. The non-residential surrounding land use has a lower associated amenity capable of absorbing the visual effects associated with the pole height and notional envelope infringements.

All materials used will be of the same low reflective nature and will be finished in a recessive “grey” shade. The proposed facility has been specifically designed for implementation in the pedestrian environment where related infrastructure is generally accepted. Overall, the proposed telecommunications facility will appear consistent with all other network utility structures implemented in the road reserve. Most notable being power poles, which are visually apparent in the receiving environment of Bulls Road.

The contravening height element of the proposed pole is the 8.24m additional height infringement. The additional section of height will be minimal when compared to the remainder of the pole and the permitted baseline. Due to operational requirements the proposed facility is required to be 20m in height. The height is required to both provide greater coverage to surrounding area and to allow the radio signal to be high enough to provide coverage to neighbouring areas.

The proposed facility has been purposely sited in a section of road reserve, capable of absorbing the effects associated with the height, width and antenna infringement. Due to being located on the periphery of urban areas, the lack of services and the spacious landscape environment. The expansive nature of the landscape provides significant setbacks and screening of the proposed facility.

Given the combination of the appropriate location and the corresponding amenity of the adjoining commercial receiving environment. Coupled with the slim-line design of the proposed utility structure and recessive non reflective colouring. It is anticipated that the proposed facility will have less than minor visual effects on the surrounding environment once established.

6.4 Positive Effects

At present, there are now more than 3.8 million New Zealanders or about 92% of the population estimated to have mobile handset devices. The introduction of mobile connection has been shown to add to productivity, GDP growth and to enhance lifestyles of people all over the world. The

proposal is in preparation of 5G technologies and will assist in the enhanced quality of a valuable district network utility, which may be considered as enhancing economic and community wellbeing.

As mobile devices have become ubiquitous in modern life, people expect to stay connected wherever they are, whether that's sitting in a local café enjoying a coffee or on a train or bus travelling to work. Mobile coverage on public transport is now a key requirement for passengers. Understandably so, as a high percentage of passengers are business travellers who want to make the most of their commute. Furthermore, the provision of mobile coverage will ensure that public transport mobile apps function appropriately, allowing the public transport to plan their journey and receive live updates on their transport connections.

Therefore, it is considered that the positive effects associated with improved mobile network coverage and new technology; will offset any potential adverse effects associated with the proposal.

7. Objectives and Policies

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

7.2 **Chapter 17 – Designation and Utility Services, Section 2 – Utility Services**

Objectives

- **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.*

Policies

- **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.*
- **17.2.4.4** *That provision be made for utility services corridors (such as roads) and the co-siting of telecommunication and radio communication equipment where technically and commercially practicable.*

7.3 The proposed facility is consistent with the above-mentioned objectives and policies. Potential visual effects associated with the facility have been mitigated as far as possible, through appropriate design, location and colouring. The proposal involves the establishment of a telecommunication facility within road corridor. The proposed facility is required to provide resilient mobile coverage levels and to provide for the introduction of future 5G technology. When compared to the positive effects associated with new mobile technologies and reliable wireless data, the effects associated with the proposed facility will be less than minor.

7.4 The proposal is considered consistent with the objectives and policies as follows:

- The proposal facility contributes towards a modern, robust, effective and regionally significant mobile telecommunications network.

- The introduction of new mobile telecommunications technology, improving the efficiency of the mobile network and decreasing the latency of data streaming.
- Adverse visual effects have been mitigated through appropriate site location and design.
- The proposed facility will be established within the road corridor.
- The proposed facility will contribute to significant public benefit including social, economic, cultural, recreational and environmental.
- The facility will contribute to public safety through the provision of a resilient lifeline utility.

8. Resource Management Act 1991

PART II ASSESSMENT

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

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

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

8.3 SECTION 95

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8.10 Section 104

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

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

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

9. Conclusion

- 9.1 Fortysouth seeks resource consent to establish and operate a replacement light pole and telecommunications facility within road reserve adjoining 1329 Bulls Road, Kerikeri.
- 9.2 Based on the above assessment we consider that in terms of section 104(1)(a), the adverse effects of the proposal will be appropriate to the receiving environment. The proposal will increase the mobile coverage levels and provide capacity for future telecommunications technology. Thereby contributing significant positive effects to the receiving environment. The proposed telecommunications facility is consistent with the relevant objectives and policies of the District Plan.
- 9.3 In accordance with section 104C of the Act, it is considered appropriate for consent to be granted subject to fair and reasonable conditions.

Appendix 1

Application Drawings

Appendix 2

NESTF Assessment

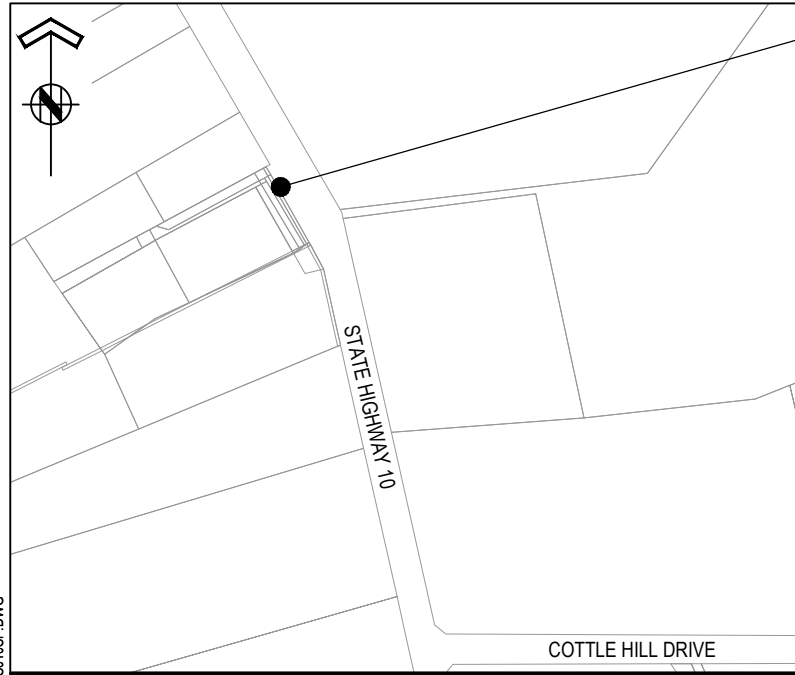
Appendix 3

Radiofrequency Statement of Compliance

Appendix 4

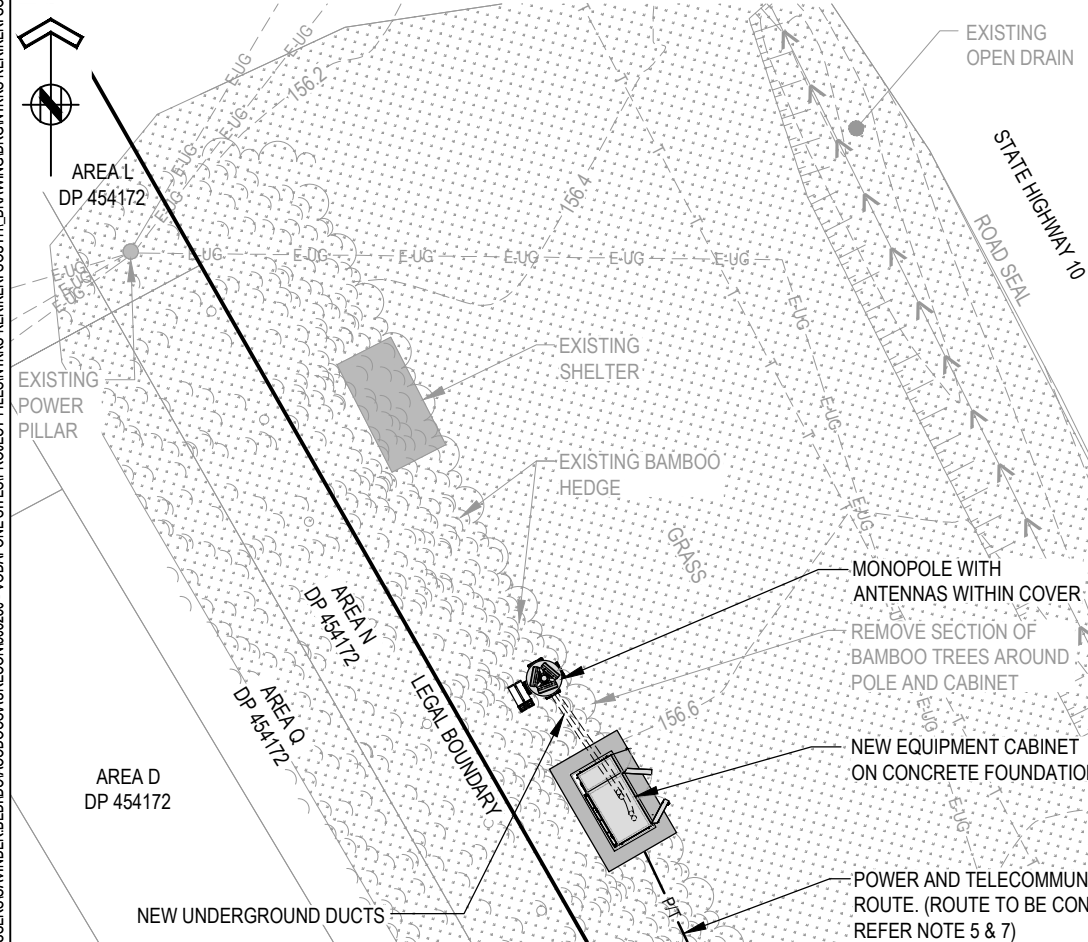
Cabinet Acoustic Report

The subject site is located in the road reserve, therefore there is no CT



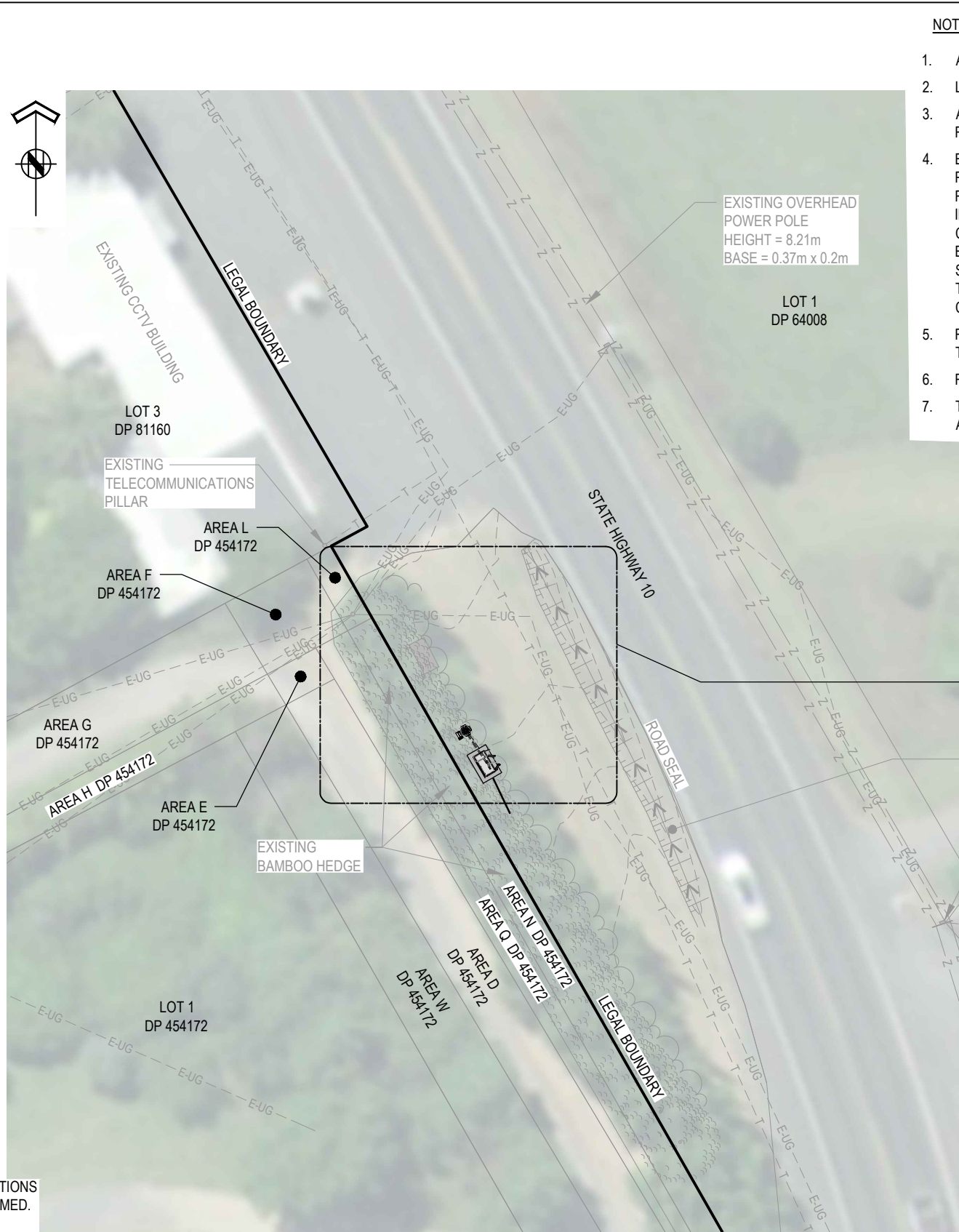
LOCALITY MAP

1:5000



EQUIPMENT LAYOUT PLAN

1:150



SITE LAYOUT PLAN

1:400

IMAGE : SOURCE FROM LINZ DATA SERVICE

NOTES :

- ACCESS TO SITE FROM STATE HIGHWAY 10 AS SHOWN.
- LEGAL BOUNDARY SURVEY COMPLETED AND INCORPORATED.
- ALL EXISTING SURFACES AND FEATURES SHALL BE FULLY REINSTATED TO THEIR ORIGINAL CONDITION.
- EXISTING SERVICES INFORMATION HAS BEEN OBTAINED AND PLOTTED FROM LOCAL AUTHORITY AND SERVICE PROVIDERS RECORDS. WHILE EVERY ENDEAVOUR HAS BEEN MADE TO INDICATE ALL KNOWN SERVICES ON PLANS, IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND PROTECT ALL EXISTING SERVICES IN THE VICINITY OF THE SITE. THESE SERVICES HAVE NOT BEEN CONFIRMED ON SITE. ANY DAMAGE TO EXISTING SERVICES SHALL BE MADE GOOD AT THE CONTRACTOR'S EXPENSE.
- ROUTE TO BE CONFIRMED FOR POWER AND TELECOMMUNICATION ROUTE.
- REFER TO FORTYSOUTH STANDARD SIGNS AS REQUIRED.
- THE WIDTH OF PROPOSED POWER, TELECOMMUNICATION AND ACCESS ROUTES SHOULD BE 3m WIDE.

- SITE REFER EQUIPMENT LAYOUT PLAN
- EXISTING OPEN DRAIN
- EXISTING OVERHEAD POWER POLE HEIGHT = 8.32m BASE = 0.36m x 0.21m

LEGEND

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

Office: NZAKL Plot Date: 13/12/2024 8:32:36 am Filename: C:\USERS\SAVINDER.BEDIDDI\ACCDCS\AURECON\808280 - YODAFONE SITES\PROJECT FILES\N1KKS-KERIKERI SOUTH_DRAWING\DRGN\KKS-KERIKERI SOUTH+RS-RD-S\10SP.DWG



Drawn	SB	Date	02.12.24
Designed	SB	Date	02.12.24
Checked	DB	Date	02.12.24
Approved	DB	Date	02.12.24
Checked		Date	
Approved		Date	
1	ISSUE FOR INFORMATION	SB	13.12.24
REF	REVISION DETAILS	BY	DATE

Project: **KERIKERI SOUTH (N1KKS) ADJ CCTV BUILDING, 1327B STATE HIGHWAY 10, KERIKERI**

Drawing Title: **EQUIPMENT LAYOUT**

Status: **PLANNING**

Site Code: **N1KKS** Scale: **AS SHOWN**

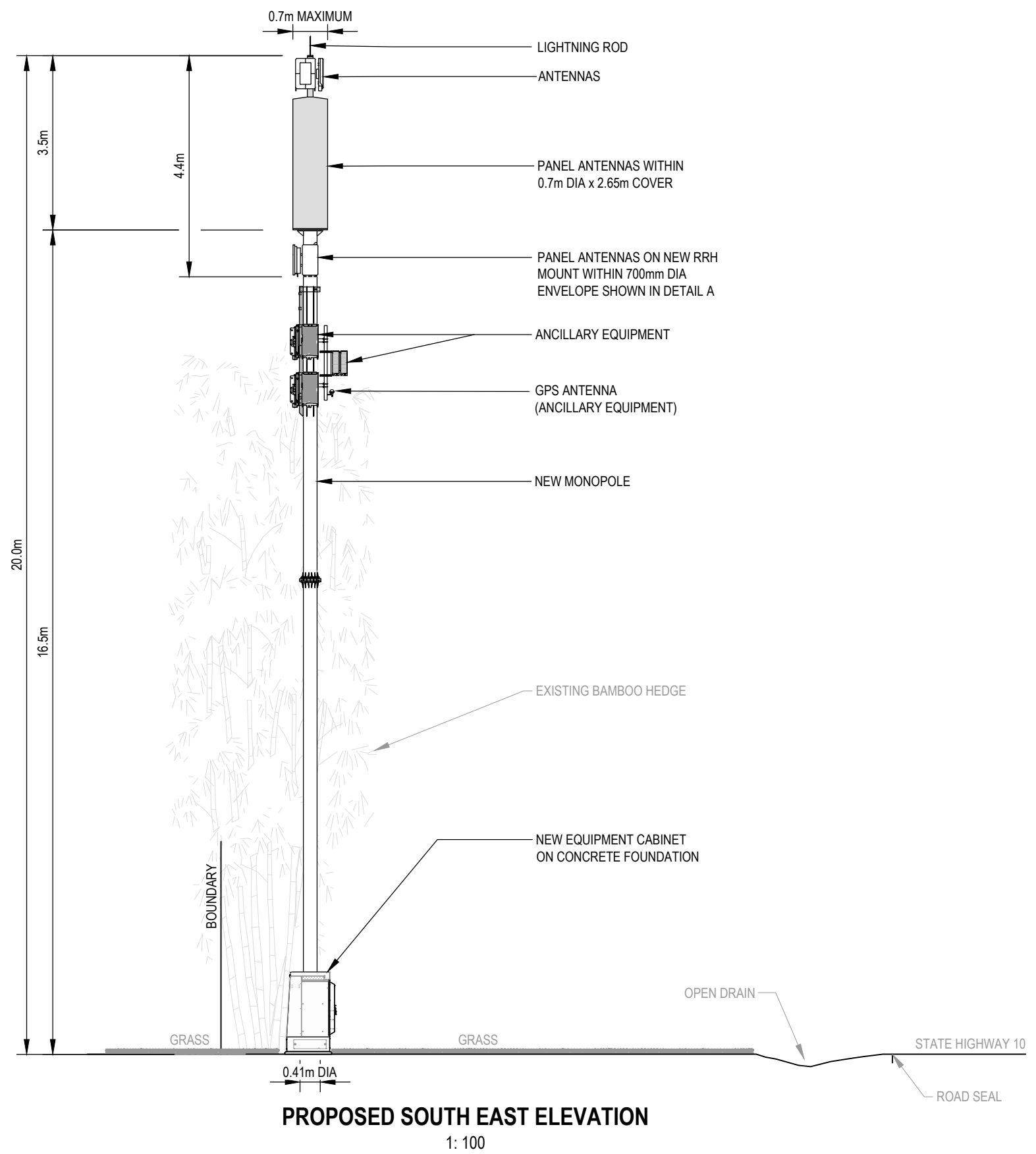
Site Type: **ROADSIDE** Sheet Size: **A3**

Drawing No.: **S-010-SP** Rev.: **1**

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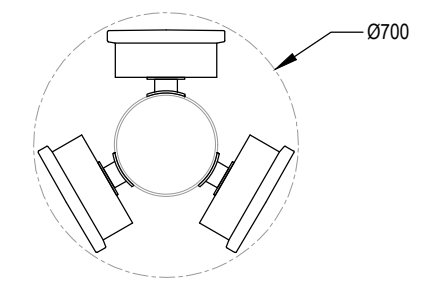
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 Plot Date: 13/12/2024 8:34:18 am

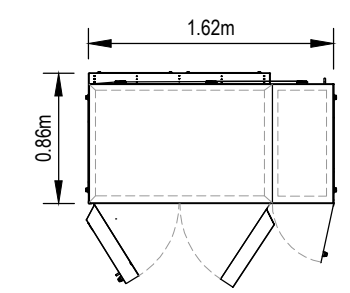


PROPOSED SOUTH EAST ELEVATION
1:100

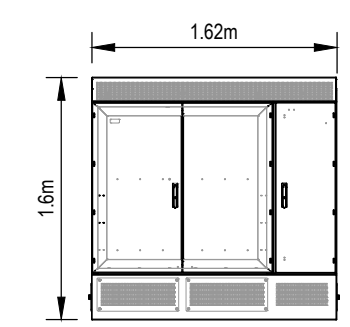
- NOTES :**
- REFER NOTES IN S-010-SP.
 - ANTENNA HEIGHTS ARE MEASURED FROM GROUND LEVEL.
 - ANTENNAS TO BE ACCESSIBLE VIA CHERRY PICKER.



DETAIL A
1:20



PLAN



ELEVATION

EQUIPMENT CABINET DETAILS
1:50



	 www.aurecongroup.com					Project: KERIKERI SOUTH (N1KKS) ADJ CCTV BUILDING, 1327B STATE HIGHWAY 10, KERIKERI	Drawing Title: ELEVATION	Status PLANNING	
								Site Code N1KKS	Scale AS SHOWN
		1 ISSUE FOR INFORMATION REF REVISION DETAILS	SB BY	Date DATE	Client Approved			Date	Site Type ROADSIDE
						CONFIDENTIAL DO NOT COPY	A person using Fortysouth drawings and other data accepts the risk of: 1. Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions 2. Using the drawings or other data for any purpose not agreed to in writing by Fortysouth	Drawing No. S-011-SE	Rev. 1



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: N1KKS
Site Name: Kerikeri South
Site Address: Adjacent to 1327B SH10, Kerikeri.

Author:	Craige Pote – RF Design Engineer
Approved By:	Brett 'O Brien – RF Design Engineer
Date:	11/12/2024

National Environmental Standards Compliance Distance Calculation

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

One New Zealand 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 3 KHz to 300 GHz, and as such meets Reg 55(3)(a) of the NES 2016.

Compliance with NZS 2772.1.:1999

One New Zealand 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.

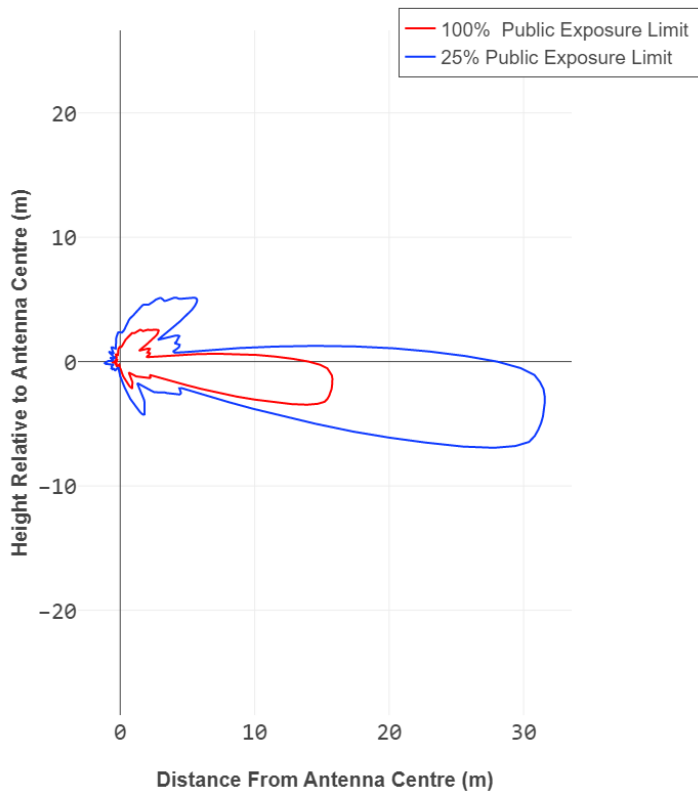
RF warning signs, access control measures, and safe working procedures will be in place. One New Zealand engages contractors who are certified industrial professionals, with extensive health and safety training as required under the Health and Safety at Work Act.

National Environmental Standards Compliance Distance Calculation

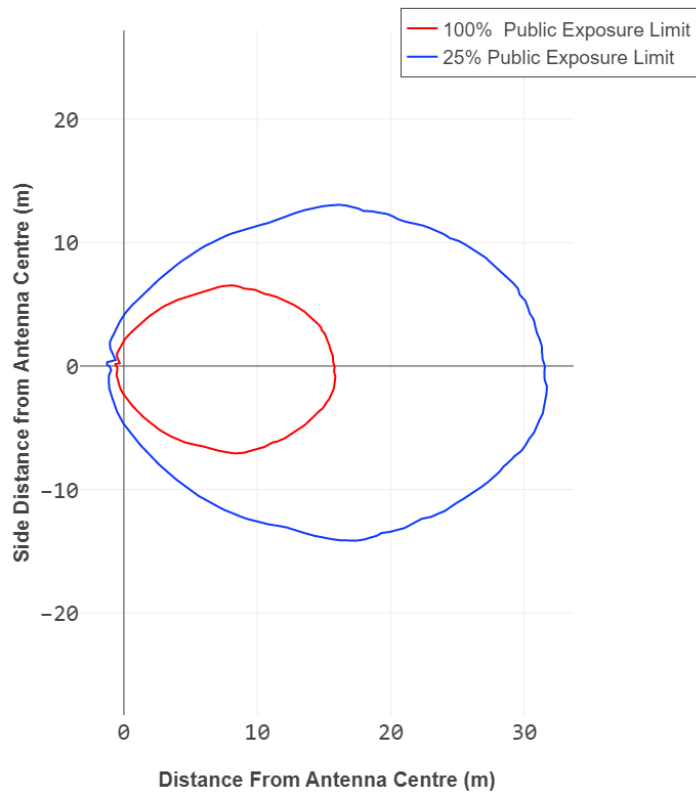
Frequency Band (MHz)	Antenna Model/Element	Max Cabinet/RRUPower (W)	Antenna Gain (dBi)	Feeder Loss/Attenuation(dB)	Mechanical Tilt (Degrees)	Allowed Power Density Public 100% (W/m2)	Allowed Power Density Public 25% (W/m2)	M-MIMO ActualPowerFactor (%)
1800	800372991_1880MHz_P45pol**_Y1	160.0	15.7	0.7	0.0	9.00	2.25	
2100	800372991_2170MHz_P45pol**_Y1	160.0	16.0	0.7	0.0	10.00	2.50	
2600	800372991_2690MHz_P45pol**_Y1	160.0	16.4	0.7	0.0	10.00	2.50	
3500	AQQY-Envelope_L4	130.0	23.0	0.5	0.0	10.00	2.50	25%
700	800372991_698MHz_P45pol**_R1	160.0	13.6	0.5	0.0	3.50	0.88	

Plumes are shown from antenna centre (0,0)

Vertical Plume



Horizontal Plume



Compliance Distance Vertical (Public 100%)	3.47 [m]
Compliance Distance Vertical (Public 25%)	6.93 [m]

Compliance Distance Horizontal (Public 100%)	15.78 [m]
Compliance Distance Horizontal (Public 25%)	31.57 [m]



MARSHALL DAY
Acoustics 

**ORCX RAISED PLINTH
MOBILE PHONE CABINET
SOUND LEVEL DISTANCE TABLES**

Rp 001 20180724 | 4 September 2018

Project: ORCX RAISED PLINTH MOBILE PHONE CABINET
Sound Level Distance Tables

Prepared for: Vodafone New Zealand Limited
PO Box 4584
Christchurch 8011
New Zealand

Attention: Saul Madden

Report No.: Rp 001 20180724

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Document Control

Status:	Rev:	Comments	Date:	Author:	Reviewer:
Approved	-	Client Issue	4 Sept 2018	Kevin Prosée	Curt Robinson

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APPENDIX A NESTF 2016 – NOISE LIMITS

APPENDIX B ORCX - SOUND LEVEL DISTANCE TABLES

1.0 INTRODUCTION

Marshall Day Acoustics Limited (MDA) has been engaged by Vodafone New Zealand Limited (Vodafone) to provide predicted L_{Aeq} sound emission data in relation to Vodafone's *ORCX Raised Plinth* mobile phone telecommunications cabinet. The data provided in this report relates specifically to this cabinet design, fitted with 4 heat exchangers for internal temperature control.

The ORCX cabinet has been developed by Vodafone for implementation in relation to the *Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016* (NESTF Standard).

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 configuration for the ORCX raised plinth cabinet is depicted in Figure 1 below. The cabinet design includes an equipment compartment on the left-hand side and a battery compartment on the right-hand side. The battery compartment does not contain any noise generating equipment. The overall dimensions are 1600mm High x 1620mm Wide x 860mm Deep, excluding the front access doors which extend out from the cabinet.

Figure 1: ORCX Cabinet Configuration



2.2 Sound Emission from Cabinets

The principal sound source from the cabinets is from the cooling fans (internal heat exchangers) used to maintain the internal temperature of the cabinets within manufacturer's specified temperature limits. The cooling fan sound is generally constant in nature.

The internal cabinet temperature is monitored continuously, and the cooling fan speed is adjusted automatically via voltage regulation to achieve the desired level of heat transfer from inside the cabinet to outside. Excess heat is exhausted via vents (Refer Figure 1) located at the front of the cabinet. There are no vents on the sides or rear of the cabinet. Accordingly, sound emission levels are highest from the front of the cabinet and lowest from the rear.

2.3 Cabinet Orientation

ORCX cabinets are typically located within road reserves and may be located adjacent to a residential site. In order to minimise the sound emission received at a residential (or other) site, the cabinet is typically installed so that the quieter rear face of the cabinet is oriented towards the residential property. However, there are times when sound emission from the front or sides of the cabinet must also be considered. Accordingly, the expected sound levels presented in this report relate to distances along both the front, rear and side axes of the cabinet.

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 by the College of Engineering Acoustics Research Group from the University of Canterbury (UC) inside the Ilam Studio (Studio Two) at Whitebait Media in Christchurch.

Measurements were undertaken at a distance of 3 metres from the centre of all four sides of the cabinet (at a height of 1.2 metres) for test conditions simulating New Zealand worst case ambient temperature conditions of 30 degrees Centigrade for daytime operation and 20 degrees Centigrade for night-time operation. Sound power levels for each side of the cabinet were also determined using sound intensity measurements.

Test results are documented in UC Letter *Sound pressure level and sound power measurements for an OCX-REF-GN1 roadside cabinet dissipating 3kw of resistive thermal load with maximum solar gain*, dated 15 August 2018 (UC Letter).

The sound emission levels from that report with 4 heat exchangers fitted and a 3-kW heat load, measured from the front, rear and sides of the cabinet, are summarised in Table 1 overleaf.

Table 1: Test Results – Sound Pressure Levels with 4 Heat Exchangers & 3 kW Heat Load

Orientation	Resultant Noise Level (dB L _{Aeq} @ 3 metres)	
	Daytime (30°C / 4.8 Vdc ¹)	Night-time (20°C / 2.6 Vdc ²)
Front	55	45
Back	50	40
Left	51	41
Right	49	42

Notes to Table 1:

- (1) Fan supply voltage setting for Daytime 30°C ambient temperature operation
- (2) Fan supply voltage setting for Night-time 20°C ambient temperature operation

Based on the measured sound pressure level data in Table 1 and the dimensional information in Section 2.1, sound power levels for sound emission from the front, rear and side axes of the cabinet have been determined and are presented in Table 2 below.

Table 2: Sound Power Levels – ORCX Raised Plinth - 4 Heat Exchangers, 3 kW Heat Load

Sound Emission Axis	Calculated Sound Power Level dBA (Re 10 ⁻¹² W)		Lp Data Source
	Day (30°C)	Night (20°C)	
Front	74	64	UC Letter
Back	69	59	UC Letter
Left	70	61	UC Letter
Right	70	61	UC Letter

5.0 SOUND LEVEL TABLES

The expected sound levels at various distances between 1 and 50 metres from the front of the cabinet have been calculated for daytime and night-time operation. The results are presented in Appendix B.

All calculated sound levels are “time average levels” symbolised by L_{Aeq(t)} where (t) is the representative sample period which may be up to 15 minutes (L_{Aeq(5min)} applies to the NES Standard).

The L_{Aeq(t)} may also be referred to as “LEQ” (Table 1, NZS6802:2008).

6.0 DISCUSSION

Sound from the cooling units is generally constant so, for the purpose of environmental acoustic assessment, the L_{max} can be assumed to be similar to the L_{eq} and both can be derived from the sound power level data.

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 NES noise limits can be generally achieved at the distances (in metres) presented in Table 3 below.

Table 3: Compliance Distances –ORCX Raised Plinth - 4 Heat Exchangers, 3 kW Heat Load

Sound Emission Axis	Operation	NES Noise Limit dB $L_{Aeq(5min)}$		
		40	50	60
Front	Daytime 30°C	n/a	6 m	2 m
	Night-time 20°C	6 m	n/a	0 m
Back	Daytime 30°C	n/a	3 m	1 m
	Night-time 20°C	3 m	n/a	0 m
Left	Daytime 30°C	n/a	3 m	1 m
	Night-time 20°C	4 m	n/a	0 m
Right	Daytime 30°C	n/a	3 m	1 m
	Night-time 20°C	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 3 metres from the back of the cabinet.

However, for sound emission from the front axis of the cabinet, where compliance with 40 dB $L_{Aeq(5min)}$ requires a distance of 6 metres, further mitigation such as acoustic screening would be required to achieve compliance with 40 dB $L_{Aeq(5min)}$ at 3 metres from the cabinet's front façade.

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

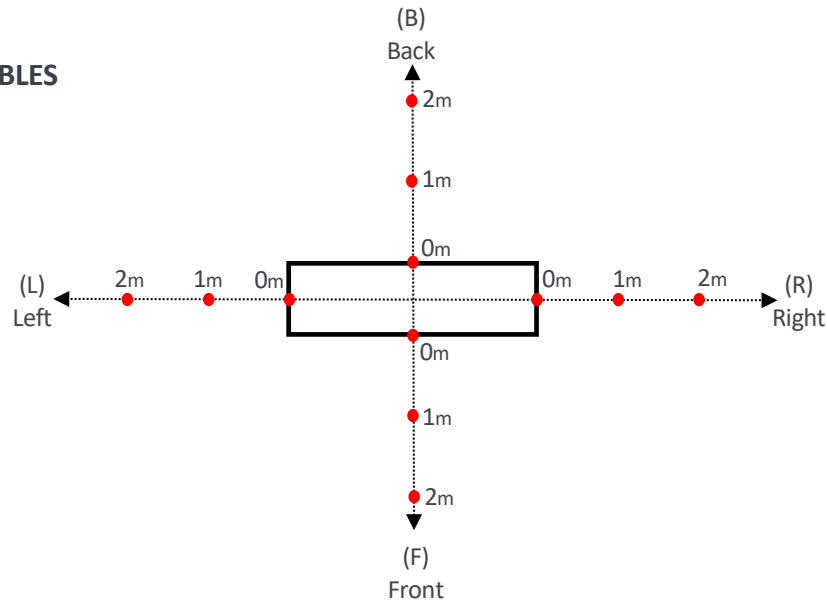
- (1) This regulation applies to a cabinet not located in a road reserve.
- (2) This regulation is complied with if the cabinet is installed and operated in accordance with the district rules about noise from a facility at the place where the cabinet is located.

APPENDIX B ORCX - SOUND LEVEL DISTANCE TABLES

Daytime Operation:

Notes:

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



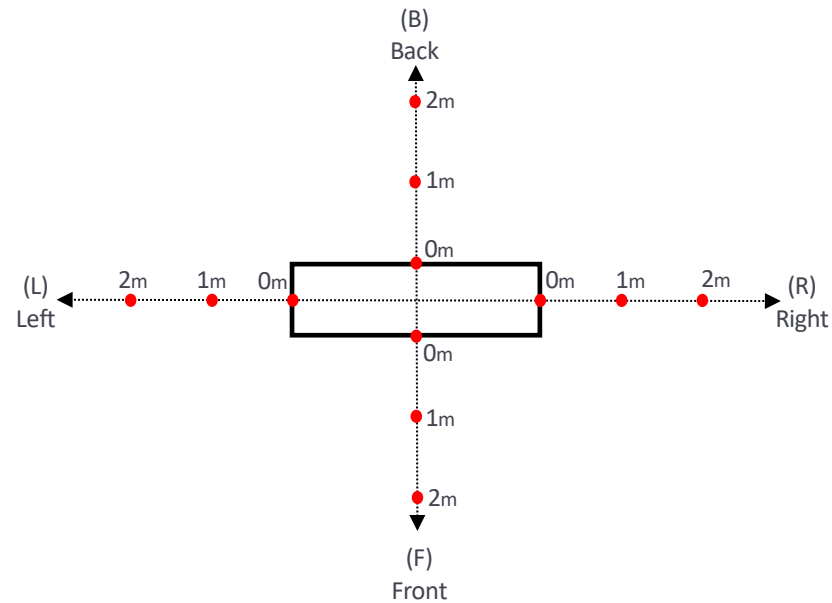
Orientation of Directions/Axes – Plan View

ORCX Daytime Operation		Expected Noise 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_{AW}	1	2	3	4	5	6	7	8	9	10	12	14	16	18	20	25	30	35	40	45	50
(F) Front	74	63	58	55	53	51	50	49	47	47	46	44	43	42	41	40	38	36	35	34	33	32
(B) Back	69	58	53	50	48	46	45	44	42	42	41	39	38	37	36	35	33	31	30	29	28	27
(L) Left	70	57	53	50	48	47	45	44	43	42	41	40	39	37	37	36	34	32	31	30	29	28
(R) Right	70	57	53	50	48	47	45	44	43	42	41	40	39	37	37	36	34	32	31	30	29	28

Night-time Operation:

Notes:

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



Orientation of Directions/Axes – Plan View

ORCX Night-time Operation		Expected Noise 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 _{AW}	1	2	3	4	5	6	7	8	9	10	12	14	16	18	20	25	30	35	40	45	50
(F) Front	64	53	48	45	43	41	40	39	37	37	36	34	33	32	31	30	28	26	25	24	23	22
(B) Back	59	48	43	40	38	36	35	34	32	32	31	29	28	27	26	25	23	21	20	19	18	17
(L) Left	61	48	44	41	39	38	36	35	34	33	32	31	30	28	28	27	25	23	22	21	20	19
(R) Right	61	48	44	41	39	38	36	35	34	33	32	31	30	28	28	27	25	23	22	21	20	19

1. National Environmental Standards for Telecommunication Facilities 2016

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

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

- Subpart 5 – Application of District & Regional Rules
- Subpart 7 – Radiofrequency Regulations
- Subpart 1 – Cabinets
- Subpart 2 – Antennas
- Subpart 6 – Earthworks

Subpart 5 – Application of District & Regional Rules

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

Subpart 5 – Application of District and Regional Rules

Regulation 44: Trees and Vegetation in the Road Reserve

Conditions

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

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

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

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

Site Location

Adjacent CCTV Building, 1327B State Highway 10, Kerikeri

Comments

The proposed pole is located within the road reserve. The pole is not located within the dripline of any tree or other vegetation.

Complies

Subpart 5 – Application of District and Regional Rules

Regulation 45: Protection of Significant Trees

Conditions

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

(a) is not in a road reserve; and

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

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

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed telecommunication facility will be located within the road reserve. Therefore, this regulation does not apply. N/A

Subpart 5 – Application of District and Regional Rules

Regulation 46: Historic heritage values

Conditions

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

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

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed site location is not located within any listed or identified heritage place, item, site surround or extent of place setting.</p> <p>Complies</p>

<p>Subpart 5 – Application of District and Regional Rules</p>	
<p>Regulation 47: Visual amenity landscapes</p>	
<p>Conditions</p>	
<p><i>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to visual amenity landscape rules.</i></p> <p><i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the visual amenity landscapes rules that apply to that place.</i></p> <p><i>(3) In this regulation, visual amenity landscapes rules means district rules about the protection of landscape features (such as view shafts or ridge lines) identified as having special visual amenity values.</i></p>	
Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The subject site is not located within any identified visual amenity landscape overlay or feature.</p> <p>Complies</p>

<p>Subpart 5 – Application of District and Regional Rules</p>	
<p>Regulation 48: Significant habitats for indigenous vegetation</p>	

Conditions	
<p><u>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to the significant vegetation rules.</u></p> <p>(2) This regulation is complied with if the regulated activity is carried out in accordance with the significant vegetation rules that apply at that place.</p> <p>(3) In this regulation, significant vegetation rules means the district rules about the protection of significant habitats for indigenous vegetation (however described).</p>	
Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed facility will not be located within any listed place or overlay. Identified as being subject to any vegetation (significant vegetation or otherwise) overlay or rules in the District Plan.</p> <p>Complies</p>

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

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed site location is not located within any listed place or overlay. Identified as being subject to District Plan rules/overlays for the protection of significant habitats for indigenous fauna.</p> <p>Complies</p>

Subpart 5 – Application of District and Regional Rules

Regulation 50: Outstanding natural features or landscapes

Conditions

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

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

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed site location is not located within an identified Outstanding Natural Landscape in District Plan.</p> <p>Complies</p>

Subpart 5 – Application of District and Regional Rules

Regulation 51: Places adjoining coastal marine area

Conditions

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

(2) This regulation is complied with if the regulated activity is carried out in accordance with the coastal protection rules that apply at that place.

*(3) In this regulation, **coastal protection rules** means district rules that regulate the carrying out of activities in places adjoining the coastal marine area for the purpose of protecting the coastal marine area.*

Site Location

Adjacent CCTV Building, 1327B State Highway 10, Kerikeri

Comments

The proposed site is not located adjoining the coastal marine area or within any coastal protection setback or margin.

Complies

Subpart 5 – Application of District and Regional Rules

Regulation 52: Rivers and lakes

Conditions

(1) This regulation applies to a regulated activity if it is carried out over a river or lake (as referred to in regulation 8(2)).

<i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the applicable regional rules about carrying out that activity over the river or lake.</i>	
Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed site is not located adjoining any river or lake.
	Complies

1.3 An assessment of the NESTF Subpart 5 Regulations above has shown that the proposed replacement pole is a regulated activity, complying with all applicable District Plan overlays.

Subpart 7 - Radiofrequency Fields

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

Subpart 7 - Radiofrequency fields
Conditions
<p><i>(1) <u>This Regulation applies to an RFG facility.</u></i></p> <p><i>(2) <u>This regulation is complied with if—</u></i></p> <p><i>(a) <u>The facility must be installed and operated in accordance with NZS 2772.1;and</u></i></p> <p><i>(b) Before the facility becomes operational, the facility operator gives the local authority-</i></p> <p><i>(i) Written notice of the facility’s location; and</i></p>

(ii) A pre-commencement report that complies with subclause (3); and

(c) either —

(i) The facility operator gives the local authority a post-commencement report that complies with subclause (4) within 3 months after the facility becomes operational; or

(ii) Under subclause (5), the facility operator is not required to give a post-commencement report.

(3) A pre-commencement report must—

(a) be prepared in accordance with AS/NZS 2772.2; and

(b) take into account exposures arising from other telecommunication facilities in the vicinity of the facility; and

(c) predict whether the radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public will comply with NZS 2772.1.

(4) A post-commencement report must—

(a) be prepared in accordance with AS/NZS 2772.2; and

(b) provide evidence that the actual radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public comply with NZS 2772.1.

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

(6) In this regulation,—

AS/NZS 2772.2 means AS/NZS 2772.2:2016 Radiofrequency fields - Part 2:

Principles and methods of measurement and computation - 3 kHz to 300 GHz

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The bottom of the proposed panel antennas will be approx. 15.6m above ground level, clear of any area reasonable accessible by the general public. Therefore, NZS 2772.1 will not be exceeded at any point.</p> <p>Radio frequency exposures arising from all other telecommunication facilities in the immediate vicinity, have been taken into consideration in calculating the Radiofrequency statement of compliance reports.</p> <p>The radiofrequency field levels from the proposed antennas are not predicted to reach or exceed 25% of the maximum levels authorised by NZS 2772.2 at a point where the public can reasonably gain access.</p> <p>Confirmation of compliance with the radiofrequency standards are detailed in the Radiofrequency statement of compliance report, provided by One NZ's Radio Engineer. The statement of compliance report is attached as Appendix 3 of this report.</p> <p>Complies</p>

Subpart 1 – Cabinets

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

Subpart 1 Cabinets
Regulation 19: Cabinet not servicing antenna on building
Conditions

(1) The installation and operation of a cabinet by a facility operator is a regulated activity.

(2) The standard for the activity is that -

(a) Regulation 20 or 21, as applicable, must be complied with; and

(b) If the cabinet is in a road reserve, -

(i) Regulation 22 must be complied with (subject to regulation 23); and

(ii) Regulation 24 must be complied with; and

(c) If the cabinet is not in a road reserve, regulation 25 must be complied with; and

(d) Each regulation in subpart 5, if it applies, must be complied with; and

(e) If the activity includes earthworks, regulation 54 must be complied with; and

(f) If the cabinet is an RFG facility, regulation 55 must be complied with

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed cabinet will be located within the road reserve of Bulls Road. Regulation 22 (cabinet grouping rules) and Regulation 24 (cabinet noise) are both assessed further in this report.

Subpart 1 Cabinets

Regulation 20: Cabinet not servicing antenna on building

Conditions

(1) This regulation applies to any cabinet other than one to which regulation 21 applies.

(2) This regulation is complied with if –

(a) The height, footprint, and grouping rules in subclause (3) are complied with; and

(b) One of the following applies:

(i) The cabinet's equipment does not require power;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(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.

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed cabinet model measures approximately 1.6m height and covers a total area of 1.39m ² (1.62m length and 0.86m depth = 1.39m ²). The cabinet will be finished in a recessive grey tone. Complies

Subpart 1 Cabinets

Regulation 22: Group rules for cabinets in road reserve

Conditions

(1) The **group rules** for a cabinet in a road reserve are that, at the time a cabinet is installed, -

(a) The cabinet must be –

(i) At least 30m away from any other cabinet that is on the same side of the road; or

(ii) In a group of cabinets; and

(b) If the cabinet is in a group, -

- (i) Each cabinet in the group must be at least 30m away from any cabinet that is on the same side of the road and is not in the group; and*
- (ii) The total footprint of all cabinets in the group must not be more than 2m².*

(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 0.5m.

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed cabinet will not be located within 30m from any other telecommunication cabinet, located on the same side of the road as Bulls Road. Complies

Subpart 1 Cabinets

Regulation 23: Temporary contravention of group rules

Conditions

(1) This regulation applies if -

- (a) A cabinet (the new cabinet) is installed for the purpose of housing equipment that will replace the equipment in an existing cabinet (the old cabinet); and*
- (b) The equipment in the new cabinet -*
 - (i) Is for the purposes of the same telecommunications network as the equipment in the old cabinet; or*
 - (ii) Relates to a telecommunications network that will replace the network to which the equipment in the old cabinet relates; and*
- (c) In the absence of this regulation, the group rules in regulation 22 would not be complied with in relation to the new cabinet.*

- (2) For the purposes of determining whether the group rules are complied with in relation to the new cabinet, compliance with the group rules –
- (a) Is not to be assessed when the new cabinet is installed; and
- (b) Is instead to be assessed at the expiry of 3 months from when, -
- (i) If subclause (1)(b)(i) applies, the new cabinet is installed; or
- (ii) If subclause (1)(b)(ii) applies, the old telecommunications network is discontinued.
- (3) Until the expiry of the 3 months referred to in subclause (2)(b), the group rules are taken to be complied with.

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The temporary contravention of the cabinet group rules will not be utilised for the establishment of the facility.
	Complies

Subpart 1 Cabinets

Regulation 24: Noise limits for cabinet in road reserve

Conditions

- (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 cabinet are,-
- (a) Between 7am and 10pm, 50 dBL $A_{eq(5min)}$; and

(b) Between 10pm and 7am, -

- (i) 40 dBL $A_{eq}(5min)$; and*
- (ii) 65 dBL A_{Fmax}*

(4) For any other cabinet, the noise limits for the cabinets are, -

(a) At any time, 60 dBL $A_{eq}(5min)$; and

(b) Between 10pm and 7am, 65 dBL A_{Fmax}

(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) 1m 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 means NZS 6801: 2008 Acoustics – Measurement of environmental sound

NZS 6802 means NZS 6802: 2008 Acoustics – Environmental noise

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The subject site is located within the road reserve. The nearest adjoining land is zoned rural production. The property boundary is located approximately 1.5m to the west of the proposed cabinet.</p> <p>The adjoining property does not have a building containing a habitable room located approximately 5m from the road boundary.</p> <p>Therefore, the point of measurement for noise is 3m inside of the western property boundary. The point of measurement will therefore be 4m (the acoustic noise distance tables in the report does not provide 0.5m increments) from the rear of the cabinet (distance from boundary 1.5m + point of measurement 3m inside the boundary = 4.5m).</p> <p>Given that the adjoining land is zoned rural production, the proposed cabinet is required to comply with a maximum noise control of 60 dBL Aeq during the day and night (measured 3.0m inside the boundary of the adjoining site).</p>

	<p>An acoustic report for the proposed cabinet model (ORCX Raised Plinth Mobile Phone Cabinet) has been included as Appendix 4 of this report. Sound level distance tables have been provided on page 9 and 10 of the acoustic report.</p> <p>At a distance of 4m from the rear of the proposed cabinet, the cabinet will emit a maximum noise level of 48dBL Aeq during the day and 38dBL Aeq at night.</p> <p>Complies.</p>
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Subpart 2 – Antennas

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

SUBPART 2 – ANTENNAS

<p>Subpart 2 Antennas - Antennas on new poles in road reserve</p>
<p>Regulation 28: Regulated activity and standard</p>
<p>Conditions</p>
<p>(1) <i>The installation and operation of an antenna (antenna B) by a facility operator is a regulated activity if—</i></p> <p>(a) <i>before work to install antenna B begins, a pole (pole B), is to be erected—</i></p> <p>(i) <i>at a location that —</i></p> <p><i>(A) is in a road reserve; and</i></p> <p><i>(B) is within 100m of an existing pole in the road reserve; and</i></p> <p><i>(ii) for the purpose of installing antenna B (alone with 1 or more other antennas) on pole B; and</i></p> <p>(b) <i>pole B is not a replacement for an existing pole.</i></p> <p>(2) <i>The standard for the activity is that—</i></p>

- (a) regulation 29 must be complied with; and*
- (b) each regulation in subpart 5, if it applies, must be complied with; and*
- (c) if the activity includes earthworks, regulation 54 must be complied with; and*
- (d) if the antenna is an RFG facility, regulation 55 must be complied with.*

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed receiving environment of Bulls Road runs in two directions to the north and south.</p> <p>In total there are two (2) poles located within 100m of the proposed new pole (pole B), positioned to the north and south.</p> <p>Pole B will be a new pole and not a replacement. New antennas (antennas B) will be attached to the top of the new pole to a max height of 20m from ground level. The proposed antennas are assessed against Regulation 29 below.</p> <p>Subpart 5 has previously been assessed in this report and compliance has been demonstrated.</p> <p>The proposed antennas meet the definition of an RFG facility. Compliance with Regulation 55 (radio frequency) has been assessed in this report and compliance has been demonstrated.</p> <p>The proposal installation of the facility requires earthworks. Regulation 54 is addressed further in this report.</p> <p>Complies</p>

Subpart 2 Antennas - Antennas on new poles in road reserve

Regulation 29: Antennas on new pole in road reserve

Conditions

- (1) *This regulation applies to the regulated activity described in regulation 28.*
- (2) *This regulation is complied with if, at the time antenna B is installed, —*
 - (a) *Pole B does not have a headframe; and*
 - (b) *The antenna size rules in subclause (3) are complied with; and*
 - (c) *No more than 2 dish antenna are attached to pole B; and*
 - (d) *The pole height rules in subclause (4) are complied with; and*
 - (e) *The pole width rules in subclause (5) are complied with.*
- (3) *The **antenna size rules** are that—*
 - (a) *If antenna B is a non-dish antenna, pole B's notional envelope must not be larger than 3.5m length and 0.7m in diameter; or*
 - (b) *If antenna B is a dish antenna, —*
 - (i) *The diameter of the dish antenna must not be more than 0.38m; and*
 - (ii) *Antenna B's protrusion distance must not be more than 0.6m.*
- (4) *The pole height rules are that the height of pole B and all antennas must not be more than, —*
 - (a) *If pole B has a neighbouring pole in only 1 direction along the road reserve, the height of the neighbouring pole plus 3.5m; or*
 - (b) *If pole B has a neighbouring pole in 2 or more directions along the road reserve, the average of the heights of all neighbouring pole plus 3.5m*
- (5) *The pole width rules are that the width of pole B must not be more than, —*
 - (a) *if pole B has a neighbouring pole in only 1 direction along the road reserve, the width of the neighbouring pole multiplied by, —*
 - (i) *if the neighbouring pole has 1 or more antennas attached to it, 1.3; or*
 - (ii) *otherwise, 2; or*
- (6) *In this regulation, a pole is a neighbour of pole B in a particular direction along the road reserve if the pole—*
 - (a) *Is in the road reserve, and*
 - (b) *Was erected before pole B; and*

(c) Is not more than 100m from pole B; and
 (d) Is the pole nearest to pole B in that direction along the road reserve.

Conditions	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed pole (pole B) is a new standalone pole and not a replacement. The pole does not have a headframe.</p> <p>The proposed new pole will have attachment panel antennas (antenna B). The panel antennas will be located within a notional envelope measuring 4.4m in length and 0.7mØ in diameter.</p> <p>The proposed notional envelope will be larger than 3.5m length (0.9m height infringement).</p> <p>Bulls Road runs in two directions to the north and south. In total there are two (2) poles located within 100m of the proposed new pole (pole B), positioned to the north and south.</p> <p>The nearest northern pole is located approximately 30m to the north. The northern pole measures 8.21m in height and 370mm max width (measured at the widest point).</p> <p>The southern pole is located approximately 36m to the south. The southern pole measures 8.32m in height and 360mm max width (measured at the widest point).</p> <p>There are two (2) neighbouring pole located within two directions, along the road reserve of Bulls Road.</p> <p>The maximum permitted dimensions of the new standalone telecommunications facility are as follows:</p> <p>Max height:</p>

	<ul style="list-style-type: none"> • Add heights of neighbouring poles <u>$(8.21m + 8.32m) \div 2 = 8.26m$ average height of neighbouring poles.</u> • Average permitted pole height of neighbouring poles <u>$(8.26m) + 3.5m = 11.76m$ max height for pole B.</u> <p>Proposed new pole B height is 20m (represents a 8.24m height infringement)</p> <p>Max width:</p> <ul style="list-style-type: none"> • Add widths of neighbouring poles <u>$(370mm + 360mm) \div 2 = 365mm$ average width of neighbouring poles.</u> • Average permitted width of neighbouring poles <u>$(365mm \times 2$ if the neighbouring poles have no antenna attachment) = 730mm max width for pole B.</u> <p>Proposed new pole B max width is 410mm (complies with the max 730mm width)</p> <p>Summary The proposed new standalone pole B will infringe the following Regulations.</p> <ol style="list-style-type: none"> 1. The max permitted notional envelope of 3.5m listed in Regulation 29(3)(a) by an additional <u>0.9m</u> 2. The max permitted height listed in Regulation 29(4)(b) by an additional <u>8.24m</u> <p>Will not comply</p>
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Subpart 6 – Earthworks

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

Subpart 6 – Earthworks	
Regulation 54: Earthworks regional rules apply	
Conditions	
<p>(1) <i>This regulation applies to a regulated activity if it includes earthworks (as referred to in regulation 5(1)(d)).</i></p> <p>(2) <i>This regulation is complied with if the earthworks are carried out in accordance with any applicable regional rules about earthworks.</i></p>	
Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed replacement pole will require a maximum quantity of approximately 3m³ of earthworks with a max cut of 0.5m</p> <p>The subject site is not located within a Riparian Area or within a High Soil Erosion Risk Area.</p> <p>The proposed earthwork quantities will not exceed any regional earthwork rules.</p> <p>Complies</p>

NESTF Regulation Assessment Summary

6.1 The NESTF assessment has demonstrated that the proposed new standalone pole B will not comply with the following Regulations.

1. The max permitted notional envelope of 3.5m listed in **Regulation 29(3)(a) by an additional 0.9m**
2. The max permitted height listed in **Regulation 29(4)(b) by an additional 8.24m**

1. National Environmental Standards for Telecommunication Facilities 2016

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

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

- Subpart 5 – Application of District & Regional Rules
- Subpart 7 – Radiofrequency Regulations
- Subpart 1 – Cabinets
- Subpart 2 – Antennas
- Subpart 6 – Earthworks

Subpart 5 – Application of District & Regional Rules

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

Subpart 5 – Application of District and Regional Rules

Regulation 44: Trees and Vegetation in the Road Reserve

Conditions

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

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

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

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

Site Location

Adjacent CCTV Building, 1327B State Highway 10, Kerikeri

Comments

The proposed pole is located within the road reserve. The pole is not located within the dripline of any tree or other vegetation.

Complies

Subpart 5 – Application of District and Regional Rules

Regulation 45: Protection of Significant Trees

Conditions

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

(a) is not in a road reserve; and

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

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

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed telecommunication facility will be located within the road reserve. Therefore, this regulation does not apply. N/A

Subpart 5 – Application of District and Regional Rules

Regulation 46: Historic heritage values

Conditions

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

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

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed site location is not located within any listed or identified heritage place, item, site surround or extent of place setting.</p> <p>Complies</p>

<p>Subpart 5 – Application of District and Regional Rules</p>	
<p>Regulation 47: Visual amenity landscapes</p>	
<p>Conditions</p>	
<p><i>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to visual amenity landscape rules.</i></p> <p><i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the visual amenity landscapes rules that apply to that place.</i></p> <p><i>(3) In this regulation, visual amenity landscapes rules means district rules about the protection of landscape features (such as view shafts or ridge lines) identified as having special visual amenity values.</i></p>	
Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The subject site is not located within any identified visual amenity landscape overlay or feature.</p> <p>Complies</p>

<p>Subpart 5 – Application of District and Regional Rules</p>	
<p>Regulation 48: Significant habitats for indigenous vegetation</p>	

Conditions	
<p><u>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to the significant vegetation rules.</u></p> <p>(2) This regulation is complied with if the regulated activity is carried out in accordance with the significant vegetation rules that apply at that place.</p> <p>(3) In this regulation, significant vegetation rules means the district rules about the protection of significant habitats for indigenous vegetation (however described).</p>	
Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed facility will not be located within any listed place or overlay. Identified as being subject to any vegetation (significant vegetation or otherwise) overlay or rules in the District Plan.</p> <p>Complies</p>

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

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed site location is not located within any listed place or overlay. Identified as being subject to District Plan rules/overlays for the protection of significant habitats for indigenous fauna.</p> <p>Complies</p>

Subpart 5 – Application of District and Regional Rules

Regulation 50: Outstanding natural features or landscapes

Conditions

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

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

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed site location is not located within an identified Outstanding Natural Landscape in District Plan.</p> <p>Complies</p>

Subpart 5 – Application of District and Regional Rules

Regulation 51: Places adjoining coastal marine area

Conditions

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

(2) This regulation is complied with if the regulated activity is carried out in accordance with the coastal protection rules that apply at that place.

*(3) In this regulation, **coastal protection rules** means district rules that regulate the carrying out of activities in places adjoining the coastal marine area for the purpose of protecting the coastal marine area.*

Site Location

Adjacent CCTV Building, 1327B State Highway 10, Kerikeri

Comments

The proposed site is not located adjoining the coastal marine area or within any coastal protection setback or margin.

Complies

Subpart 5 – Application of District and Regional Rules

Regulation 52: Rivers and lakes

Conditions

(1) This regulation applies to a regulated activity if it is carried out over a river or lake (as referred to in regulation 8(2)).

<i>(2) This regulation is complied with if the regulated activity is carried out in accordance with the applicable regional rules about carrying out that activity over the river or lake.</i>	
Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed site is not located adjoining any river or lake.
	Complies

1.3 An assessment of the NESTF Subpart 5 Regulations above has shown that the proposed replacement pole is a regulated activity, complying with all applicable District Plan overlays.

Subpart 7 - Radiofrequency Fields

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

Subpart 7 - Radiofrequency fields
Conditions
<p><i>(1) <u>This Regulation applies to an RFG facility.</u></i></p> <p><i>(2) <u>This regulation is complied with if—</u></i></p> <p><i>(a) <u>The facility must be installed and operated in accordance with NZS 2772.1;and</u></i></p> <p><i>(b) Before the facility becomes operational, the facility operator gives the local authority-</i></p> <p><i>(i) Written notice of the facility’s location; and</i></p>

(ii) A pre-commencement report that complies with subclause (3); and

(c) either —

(i) The facility operator gives the local authority a post-commencement report that complies with subclause (4) within 3 months after the facility becomes operational; or

(ii) Under subclause (5), the facility operator is not required to give a post-commencement report.

(3) A pre-commencement report must—

(a) be prepared in accordance with AS/NZS 2772.2; and

(b) take into account exposures arising from other telecommunication facilities in the vicinity of the facility; and

(c) predict whether the radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public will comply with NZS 2772.1.

(4) A post-commencement report must—

(a) be prepared in accordance with AS/NZS 2772.2; and

(b) provide evidence that the actual radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public comply with NZS 2772.1.

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

(6) In this regulation,—

AS/NZS 2772.2 means AS/NZS 2772.2:2016 Radiofrequency fields - Part 2:

Principles and methods of measurement and computation - 3 kHz to 300 GHz

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

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The bottom of the proposed panel antennas will be approx. 15.6m above ground level, clear of any area reasonable accessible by the general public. Therefore, NZS 2772.1 will not be exceeded at any point.</p> <p>Radio frequency exposures arising from all other telecommunication facilities in the immediate vicinity, have been taken into consideration in calculating the Radiofrequency statement of compliance reports.</p> <p>The radiofrequency field levels from the proposed antennas are not predicted to reach or exceed 25% of the maximum levels authorised by NZS 2772.2 at a point where the public can reasonably gain access.</p> <p>Confirmation of compliance with the radiofrequency standards are detailed in the Radiofrequency statement of compliance report, provided by One NZ's Radio Engineer. The statement of compliance report is attached as Appendix 3 of this report.</p> <p>Complies</p>

Subpart 1 – Cabinets

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

Subpart 1 Cabinets
Regulation 19: Cabinet not servicing antenna on building
Conditions

(1) *The installation and operation of a cabinet by a facility operator is a regulated activity.*

(2) *The standard for the activity is that -*

(a) Regulation 20 or 21, as applicable, must be complied with; and

(b) If the cabinet is in a road reserve, -

(i) Regulation 22 must be complied with (subject to regulation 23); and

(ii) Regulation 24 must be complied with; and

(c) If the cabinet is not in a road reserve, regulation 25 must be complied with; and

(d) Each regulation in subpart 5, if it applies, must be complied with; and

(e) If the activity includes earthworks, regulation 54 must be complied with; and

(f) If the cabinet is an RFG facility, regulation 55 must be complied with

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed cabinet will be located within the road reserve of Bulls Road. Regulation 22 (cabinet grouping rules) and Regulation 24 (cabinet noise) are both assessed further in this report.

Subpart 1 Cabinets

Regulation 20: Cabinet not servicing antenna on building

Conditions

(1) This regulation applies to any cabinet other than one to which regulation 21 applies.

(2) This regulation is complied with if –

(a) The height, footprint, and grouping rules in subclause (3) are complied with; and

(b) One of the following applies:

(i) The cabinet's equipment does not require power;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(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.

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed cabinet model measures approximately 1.6m height and covers a total area of 1.39m ² (1.62m length and 0.86m depth = 1.39m ²). The cabinet will be finished in a recessive grey tone. Complies

Subpart 1 Cabinets

Regulation 22: Group rules for cabinets in road reserve

Conditions

(1) The **group rules** for a cabinet in a road reserve are that, at the time a cabinet is installed, -

(a) The cabinet must be –

(i) At least 30m away from any other cabinet that is on the same side of the road; or

(ii) In a group of cabinets; and

(b) If the cabinet is in a group, -

- (i) Each cabinet in the group must be at least 30m away from any cabinet that is on the same side of the road and is not in the group; and*
- (ii) The total footprint of all cabinets in the group must not be more than 2m².*

(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 0.5m.

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The proposed cabinet will not be located within 30m from any other telecommunication cabinet, located on the same side of the road as Bulls Road. Complies

Subpart 1 Cabinets

Regulation 23: Temporary contravention of group rules

Conditions

(1) This regulation applies if -

- (a) A cabinet (the new cabinet) is installed for the purpose of housing equipment that will replace the equipment in an existing cabinet (the old cabinet); and*
- (b) The equipment in the new cabinet -*
 - (i) Is for the purposes of the same telecommunications network as the equipment in the old cabinet; or*
 - (ii) Relates to a telecommunications network that will replace the network to which the equipment in the old cabinet relates; and*
- (c) In the absence of this regulation, the group rules in regulation 22 would not be complied with in relation to the new cabinet.*

- (2) For the purposes of determining whether the group rules are complied with in relation to the new cabinet, compliance with the group rules –
- (a) Is not to be assessed when the new cabinet is installed; and
- (b) Is instead to be assessed at the expiry of 3 months from when, -
- (i) If subclause (1)(b)(i) applies, the new cabinet is installed; or
- (ii) If subclause (1)(b)(ii) applies, the old telecommunications network is discontinued.
- (3) Until the expiry of the 3 months referred to in subclause (2)(b), the group rules are taken to be complied with.

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	The temporary contravention of the cabinet group rules will not be utilised for the establishment of the facility.
	Complies

Subpart 1 Cabinets

Regulation 24: Noise limits for cabinet in road reserve

Conditions

- (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 cabinet are,-
- (a) Between 7am and 10pm, 50 dBL $A_{eq(5min)}$; and

(b) Between 10pm and 7am, -

- (i) 40 dBL $A_{eq}(5min)$; and*
- (ii) 65 dBL A_{Fmax}*

(4) For any other cabinet, the noise limits for the cabinets are, -

(a) At any time, 60 dBL $A_{eq}(5min)$; and

(b) Between 10pm and 7am, 65 dBL A_{Fmax}

(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) 1m 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 means NZS 6801: 2008 Acoustics – Measurement of environmental sound

NZS 6802 means NZS 6802: 2008 Acoustics – Environmental noise

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The subject site is located within the road reserve. The nearest adjoining land is zoned rural production. The property boundary is located approximately 1.5m to the west of the proposed cabinet.</p> <p>The adjoining property does not have a building containing a habitable room located approximately 5m from the road boundary.</p> <p>Therefore, the point of measurement for noise is 3m inside of the western property boundary. The point of measurement will therefore be 4m (the acoustic noise distance tables in the report does not provide 0.5m increments) from the rear of the cabinet (distance from boundary 1.5m + point of measurement 3m inside the boundary = 4.5m).</p> <p>Given that the adjoining land is zoned rural production, the proposed cabinet is required to comply with a maximum noise control of 60 dBL Aeq during the day and night (measured 3.0m inside the boundary of the adjoining site).</p>

	<p>An acoustic report for the proposed cabinet model (ORCX Raised Plinth Mobile Phone Cabinet) has been included as Appendix 4 of this report. Sound level distance tables have been provided on page 9 and 10 of the acoustic report.</p> <p>At a distance of 4m from the rear of the proposed cabinet, the cabinet will emit a maximum noise level of 48dBL Aeq during the day and 38dBL Aeq at night.</p> <p>Complies.</p>
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Subpart 2 – Antennas

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

SUBPART 2 – ANTENNAS

<p>Subpart 2 Antennas - Antennas on new poles in road reserve</p>
<p>Regulation 28: Regulated activity and standard</p>
<p>Conditions</p>
<p>(1) <i>The installation and operation of an antenna (antenna B) by a facility operator is a regulated activity if—</i></p> <p>(a) <i>before work to install antenna B begins, a pole (pole B), is to be erected—</i></p> <p style="padding-left: 20px;">(i) <i>at a location that —</i></p> <p style="padding-left: 40px;"><i>(A) is in a road reserve; and</i></p> <p style="padding-left: 40px;"><i>(B) is within 100m of an existing pole in the road reserve; and</i></p> <p style="padding-left: 20px;"><i>(ii) for the purpose of installing antenna B (alone with 1 or more other antennas) on pole B; and</i></p> <p>(b) <i>pole B is not a replacement for an existing pole.</i></p> <p>(2) <i>The standard for the activity is that—</i></p>

- (a) regulation 29 must be complied with; and*
- (b) each regulation in subpart 5, if it applies, must be complied with; and*
- (c) if the activity includes earthworks, regulation 54 must be complied with; and*
- (d) if the antenna is an RFG facility, regulation 55 must be complied with.*

Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed receiving environment of Bulls Road runs in two directions to the north and south.</p> <p>In total there are two (2) poles located within 100m of the proposed new pole (pole B), positioned to the north and south.</p> <p>Pole B will be a new pole and not a replacement. New antennas (antennas B) will be attached to the top of the new pole to a max height of 20m from ground level. The proposed antennas are assessed against Regulation 29 below.</p> <p>Subpart 5 has previously been assessed in this report and compliance has been demonstrated.</p> <p>The proposed antennas meet the definition of an RFG facility. Compliance with Regulation 55 (radio frequency) has been assessed in this report and compliance has been demonstrated.</p> <p>The proposal installation of the facility requires earthworks. Regulation 54 is addressed further in this report.</p> <p>Complies</p>

Subpart 2 Antennas - Antennas on new poles in road reserve

Regulation 29: Antennas on new pole in road reserve

Conditions

- (1) This regulation applies to the regulated activity described in regulation 28.*
- (2) This regulation is complied with if, at the time antenna B is installed, —*
 - (a) Pole B does not have a headframe; and*
 - (b) The antenna size rules in subclause (3) are complied with; and*
 - (c) No more than 2 dish antenna are attached to pole B; and*
 - (d) The pole height rules in subclause (4) are complied with; and*
 - (e) The pole width rules in subclause (5) are complied with.*
- (3) The **antenna size rules** are that—*
 - (a) If antenna B is a non-dish antenna, pole B's notional envelope must not be larger than 3.5m length and 0.7m in diameter; or*
 - (b) If antenna B is a dish antenna, —*
 - (i) The diameter of the dish antenna must not be more than 0.38m; and*
 - (ii) Antenna B's protrusion distance must not be more than 0.6m.*
- (4) The pole height rules are that the height of pole B and all antennas must not be more than, —*
 - (a) If pole B has a neighbouring pole in only 1 direction along the road reserve, the height of the neighbouring pole plus 3.5m; or*
 - (b) If pole B has a neighbouring pole in 2 or more directions along the road reserve, the average of the heights of all neighbouring pole plus 3.5m*
- (5) The pole width rules are that the width of pole B must not be more than, —*
 - (a) if pole B has a neighbouring pole in only 1 direction along the road reserve, the width of the neighbouring pole multiplied by, —*
 - (i) if the neighbouring pole has 1 or more antennas attached to it, 1.3; or*
 - (ii) otherwise, 2; or*
- (6) In this regulation, a pole is a neighbour of pole B in a particular direction along the road reserve if the pole—*
 - (a) Is in the road reserve, and*
 - (b) Was erected before pole B; and*

(c) Is not more than 100m from pole B; and
 (d) Is the pole nearest to pole B in that direction along the road reserve.

Conditions	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed pole (pole B) is a new standalone pole and not a replacement. The pole does not have a headframe.</p> <p>The proposed new pole will have attachment panel antennas (antenna B). The panel antennas will be located within a notional envelope measuring 4.4m in length and 0.7mØ in diameter.</p> <p>The proposed notional envelope will be larger than 3.5m length (0.9m height infringement).</p> <p>Bulls Road runs in two directions to the north and south. In total there are two (2) poles located within 100m of the proposed new pole (pole B), positioned to the north and south.</p> <p>The nearest northern pole is located approximately 30m to the north. The northern pole measures 8.21m in height and 370mm max width (measured at the widest point).</p> <p>The southern pole is located approximately 36m to the south. The southern pole measures 8.32m in height and 360mm max width (measured at the widest point).</p> <p>There are two (2) neighbouring pole located within two directions, along the road reserve of Bulls Road.</p> <p>The maximum permitted dimensions of the new standalone telecommunications facility are as follows:</p> <p>Max height:</p>

	<ul style="list-style-type: none"> • Add heights of neighbouring poles <u>$(8.21\text{m} + 8.32\text{m}) \div 2 = 8.26\text{m}$ average height of neighbouring poles.</u> • Average permitted pole height of neighbouring poles <u>$(8.26\text{m}) + 3.5\text{m} = 11.76\text{m}$ max height for pole B.</u> <p>Proposed new pole B height is 20m (represents a 8.24m height infringement)</p> <p>Max width:</p> <ul style="list-style-type: none"> • Add widths of neighbouring poles <u>$(370\text{mm} + 360\text{mm}) \div 2 = 365\text{mm}$ average width of neighbouring poles.</u> • Average permitted width of neighbouring poles <u>$(365\text{mm} \times 2 \text{ if the neighbouring poles have no antenna attachment}) = 730\text{mm}$ max width for pole B.</u> <p>Proposed new pole B max width is 410mm (complies with the max 730mm width)</p> <p>Summary The proposed new standalone pole B will infringe the following Regulations.</p> <ol style="list-style-type: none"> 1. The max permitted notional envelope of 3.5m listed in Regulation 29(3)(a) by an additional <u>0.9m</u> 2. The max permitted height listed in Regulation 29(4)(b) by an additional <u>8.24m</u> <p>Will not comply</p>
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Subpart 6 – Earthworks

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

Subpart 6 – Earthworks	
Regulation 54: Earthworks regional rules apply	
Conditions	
<p>(1) <i>This regulation applies to a regulated activity if it includes earthworks (as referred to in regulation 5(1)(d)).</i></p> <p>(2) <i>This regulation is complied with if the earthworks are carried out in accordance with any applicable regional rules about earthworks.</i></p>	
Site Location	Comments
Adjacent CCTV Building, 1327B State Highway 10, Kerikeri	<p>The proposed replacement pole will require a maximum quantity of approximately 3m³ of earthworks with a max cut of 0.5m</p> <p>The subject site is not located within a Riparian Area or within a High Soil Erosion Risk Area.</p> <p>The proposed earthwork quantities will not exceed any regional earthwork rules.</p> <p>Complies</p>

NESTF Regulation Assessment Summary

6.1 The NESTF assessment has demonstrated that the proposed new standalone pole B will not comply with the following Regulations.

1. The max permitted notional envelope of 3.5m listed in **Regulation 29(3)(a) by an additional 0.9m**
2. The max permitted height listed in **Regulation 29(4)(b) by an additional 8.24m**

