

29 July 19

Planning and Regulatory
Whangarei District Council
Private Bag 9023
Whangarei
0148

To Whom this may concern,

Re: Certificate of Compliance on behalf of Two Degrees Networks Limited

Two Degrees Networks Ltd (2degrees) is New Zealand's third mobile network provider. Since the company's launch in 2009, the mobile industry has seen true competition in the market, which in turn has delivered better value to all New Zealand mobile users.

The company has experienced rapid growth, and now has the support of more than one million mobile customers. In 2015 2degrees acquired Snap, an Internet Service Provider, and now also provides fixed line mobile services so that it is a full service communications provider.

The world of mobile is changing rapidly, driven by significant advances in technology and increased competition. Consumers have embraced mobile – it is believed more than 70% of Kiwis now own a smartphone and many of those also have three to five other personal mobile devices – tablets, iPads etc. – at their disposal.

With content at their fingertips, this has seen an insatiable demand for high speed data from our customers who want, and expect to be able to use, their mobile devices whenever and wherever they are. Data usage on the 2degrees network continues to double year on year, with similar growth expected in future.

To meet this demand, 2degrees needs to continue to build and expand its network in order to deliver a high-quality mobile experience to our growing customer base. To address coverage issues within the existing urban networks, 2degrees are trialling several new technologies to improve capacity and coverage.

Enclosed is an application on behalf of 2degrees for the establishment, operation and maintenance of a telecommunication facility.

May we please request that an invoice for the lodgement fee is made out to Two Degrees Networks Limited (details enclosed in this application) and sent to johnm@4sight.co.nz

If you have any questions, please do not hesitate to get in touch.

Kind Regards,

John McCall
Planning and Policy Consultant
4Sight Consulting Ltd

Office use		Date Received	29/7/19
Name of CSR	_____	Time Received	_____
Fees received	\$ <u>To be invoiced</u>		
Receipt no	_____		
Tech1 app no	<u>CC1900009</u>	R O	<u>Alisa Neal</u>
Assess	<u>110286</u>	P	<u>109350</u>

Resource consent application - Form 9 RMA

This application for resource consent is made pursuant to Section 88 or 139 of the Resource Management Act 1991 (RMA 1991). Please note that your application will be subject to all other relevant provisions contained within the RMA.

This form is designed to provide the required details, and must be submitted as part of your application. Please note that the public can view all information provided in your application.

District plan rules & maps, application forms and land information are available on Council's website www.wdc.govt.nz

If you have spoken to a member of our planning staff about your proposal, enter their name

1 Application details – *It is important that you fully complete all sections*

Have you attended a pre-application meeting Yes No

Full Name of party applying for resource consent (*Applicant*) Two Degrees Networks Limited (Attention Ben Blakemore)

Postal address PO Box 8355 Symonds Street, Auckland 1150

Phone no 09 919 7000 Email ben.blakemore@2degrees.nz

I hereby apply to Whangarei District Council for

- | | |
|--|---|
| <input type="checkbox"/> Land use consent (s88) | <input type="checkbox"/> Subdivision consent (s88) |
| <input checked="" type="checkbox"/> Certificate of compliance (s139) | <input type="checkbox"/> Subdivision and land use consent (s88) |

This application also includes

- | | |
|---|--|
| <input type="checkbox"/> Right-of-way (s348) | <input type="checkbox"/> Easement cancellation (s243) |
| <input type="checkbox"/> Consent notice (s221) | <input type="checkbox"/> Amalgamation covenant/condition (s240) (s241) |
| <input type="checkbox"/> Conservation covenant (s114) | <input type="checkbox"/> Other _____ |

Description of activity The establishment, operation and maintenance of a telecommunication facility

Additional consents (*i.e. NRC consents*)

- No additional resource consents are needed for the proposed activity
- The following additional resource consents are needed for the proposed activity, and have (*or have not*) been applied for (*give details*)

Have you applied for a BC or PIM Yes No If yes, state BC or PIM no _____

2 Site detail

Property address N/A - road reserve (outside 99 Onerahi Road, Whangarei)

Legal description N/A - road reserve CT N/A - road reserve Valuation ref _____

District plan environment Road Reserve Property ID N/A - road reserve

3 Site Visit Requirements

(A site visit is generally undertaken by staff processing the application)

3.1 Is there a locked gate or security system restricting access by council staff? Yes No

3.2 Is there a dog on the property? Yes No

3.3 Provide details of any entry restriction or hazards that council staff should be aware of, e.g. health and safety, organic farm, measures to inhibit the transfer of Psa-V etc.

4 Ownership (if different from applicant)

Full legal name of owner Whangarei District Council

Postal address of owner Private Bag 9023, Whangarei, 0148

Full legal name of occupier Two Degrees Networks Limited

Postal address of occupier PO Box 8355 Symonds Street, Auckland 1150

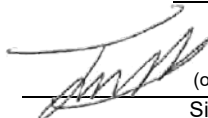
Phone no (owner) 09 919 7000 Email (owner) ben.blakemore@2degrees.nz

5 Payer (mandatory)

Full legal name of payer Two Degrees Networks Limited

Address of payer PO Box 8355 Symonds Street, Auckland 1150

Phone no 09 919 7000 Email ben.blakemore@2degrees.nz


 (on behalf of Two Degrees Networks Limited)
 Signature (Mandatory)

29/07/19

Date

(NB By signing this form you undertake to pay Council's processing fees)

6 Address for services/correspondence (Agent)

Name 4Sight Consulting (Attention: John McCall)

Ref no _____

Telephone Business 022 684 6882 Home N/A

Fax N/A

Postal address PO Box 911 310 Victoria Street West, Auckland 1142

Email johnm@4sight.co.nz

7 Attachment checklist (mandatory requirements are in bold)

Completed application form

Building activity or site plans

Engineering report

Certificate of title

3 copies of application or 1 x USB or CD and 2 colour copies

Ecological report

Advance fee/deposit

Assessment of environmental effects

Assessment against Part 2 of RMA

Assessment against district plan rules, objectives and policies and assessment criteria

Assessment against National Environmental Standards (NES)

- Iwi consultation Landscape assessment Written approvals
 Other (*specify*)
-

8 Signature of the applicant(s) or agent

Payment of fees and charges

Please refer to Council's 'Schedule of Fees & Charges' at www.wdc.govt.nz/ratesandpayments/feesandcharges.

You are required to pay an advance fee deposit at time of lodgement.

You will be charged a processing fee when Council has reached a decision on your application. Interim billing may also occur on applications. The processing charge covers tasks such as site visits, report preparation, information searches, and input from other Council staff including engineers. Mileage is also charged for.

Development Contributions

When granting consent to certain activities the council may levy a monetary contribution. Development contributions are levied under the Local Government Act 2002 in accordance with the council's Development Contributions Policy. When such contributions become due the consent holder is responsible for their payment. Unless otherwise advised, the name and contact address of the person responsible for payment of any contributions will be taken as the applicant.

Privacy information

The council requires the information you have provided on this form to process your application under the RMA and to collect statistics. The council will hold and store the information, including all associated reports and attachments, on a public register. The details may also be made available to the public on the council's website. These details are collected to inform the general public and community groups about all consents which have been processed or issued through the council. If you would like to request access to, or correction of any details, please contact the council.

Site visit

By signing this form, if you are the owner of the application site, you confirm that the council may undertake a site inspection.

Declaration for the applicant or authorised agent

I/we confirm that I/we have read and understood the notes above.

Applicant's signature _____ Date _____

Declaration for the agent authorised to sign on behalf of the applicant.

As authorised agent for the applicant, I confirm that I have read and understood the above notes and confirm that I have fully informed the applicant of their/its liability under this document, including for fees and other charges, and that I have the applicant's authority to sign this application on their/its behalf.

Agent's signature  _____ Date 29/07/19



LAND. PEOPLE. WATER.



**Telecommunications Facility on Onerahi Road,
Whangarei - NTH-002-036**

For Two Degrees Networks Limited
Section 139 Certificate of Compliance
Application

July 2019

REPORT INFORMATION AND QUALITY CONTROL

Prepared for:	Graham Parker Project Manager – RAN Two Degrees Networks Limited (2degrees)
Author:	John McCall Intermediate Planning and Policy Consultant 
Reviewer:	Jennifer Valentine Principal Planning and Policy Consultant 
Approved for Release:	Jennifer Valentine Principal Planning and Policy Consultant 
Document Name	NTH-002-036_CoC Application_v1.0
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1 APPLICANT AND PROPERTY DETAILS

Site Address:	Road reserve on Onerahi Road (outside 99 Onerahi Road)
Applicant's Name	Two Degrees Networks Limited (2degrees) P.O Box 8355 Symonds Street Auckland 1150 Attention: Ben Blakemore
Address for Service:	4Sight Consulting Ltd PO Box 911310 Victoria Street West Auckland Attention: John McCall
Address for Fees:	Two Degrees Networks Limited P.O Box 8355 Symonds Street Auckland 1150 Attention: Elysia Ketterer
Owner:	Whangarei
Legal Description:	N/A – Road reserve
Site Area:	N/A – Road reserve
District Plan:	Whangarei District Plan
District Plan Zone:	N/A – Road reserve
District Plan Designations / Limitations / Overlays:	Hazard – Stability (Low Risk)
Brief Description of Proposal:	The proposed establishment, operation and maintenance of a 2degrees telecommunication facility [NTH-002-036], involving two new Active Antenna Unit antenna (AAU) attached to an existing streetlight pole in the road reserve. Accessory equipment (electrical box, power pillar and fibre pit) are also proposed.
Summary of Permitted Activity	<p><u>National Environmental Standards for Telecommunication Facilities 2016 (NESTF)</u></p> <p>The proposal is a permitted activity under the NESTF as it complies with all the relevant standards and regulations.</p> <p><u>Whangarei District Plan (WDP)</u></p> <p>The proposal is a permitted activity under the NESTF, and therefore does not require an assessment against the WDP.</p>
Other Planning Approvals Required:	N/A

Locality Diagram



Figure 1: Locality plan showing subject site and surrounds (Source: Whangarei District Plan, IntraMaps)

2 BACKGROUND

Two Degrees Networks Ltd (2degrees) is New Zealand’s third mobile network provider. Since the company’s launch in 2009, the mobile industry has seen true competition in the market, which in turn has delivered better value to all New Zealand mobile users.

The company has experienced rapid growth, and now has the support of more than one million mobile customers. In 2015 2degrees acquired Snap, an Internet Service Provider, and now also provides fixed line mobile services so that it is a full service communications provider.

The world of mobile is changing rapidly, driven by significant advances in technology and increased competition. Consumers have embraced mobile – it is believed more than 70% of Kiwis now own a smartphone and many of those also have three to five other personal mobile devices – tablets, iPads etc. – at their disposal.

With content at their fingertips, this has seen an insatiable demand for high speed data from our customers who want, and expect to be able to use, their mobile devices whenever and wherever they are. Data usage on the 2degrees network continues to double year on year, with similar growth expected in future.

To meet this demand, 2degrees needs to continue to build and expand its network in order to deliver a high quality mobile experience to our growing customer base. To address coverage issues within the existing urban networks, 2degrees are trialling several new technologies to improve capacity and coverage.

3 THE PROPOSAL

2degrees is seeking to establish, operate and maintain a telecommunication facility in the road reserve on Onerahi Road (outside 99 Onerahi Road). It is proposed to attach two new Active Antenna Unit antenna (AAU) to an existing streetlight pole. AAUs enable increased capacity and coverage in existing areas of poor coverage.

An AAU comprises of an antenna contained within a cylindrical shroud, and includes a small piece of ancillary equipment located in the base of the unit. This ancillary equipment enables the antenna to be sited remotely from the cabinets of the cell site.

Each AAU will be cylindrical in shape measuring 750mm (h) x 160mm (di). The AAUs will be attached to the existing pole with a maximum height of 8.0m above ground level.

The AAU antennas do not need to be powered by cabinets. Power will be supplied from a proposed power pillar south of the existing pole. Fibre will be supplied from a fibre pit south of the facility. The AAU antennas do not emit any noise.

Minimal earthworks will be required to install the accessory power pillar and fibre pit near the base of the pole. No changes are proposed to the height or width of the existing pole.

A detailed plan can be found in **Appendix A**, and an indicative photomontage of the proposed facility can be seen in both the attached plan and **Figure 2** below.

A radiofrequency assessment prepared by 2degrees’s radiofrequency engineer is attached as **Appendix B**. It addresses the cumulative effects of radio emissions to demonstrate compliance with Regulation 55 of the NESTF and the New Zealand Radiofrequency Radiation Standard NZS 2772.1:1999.

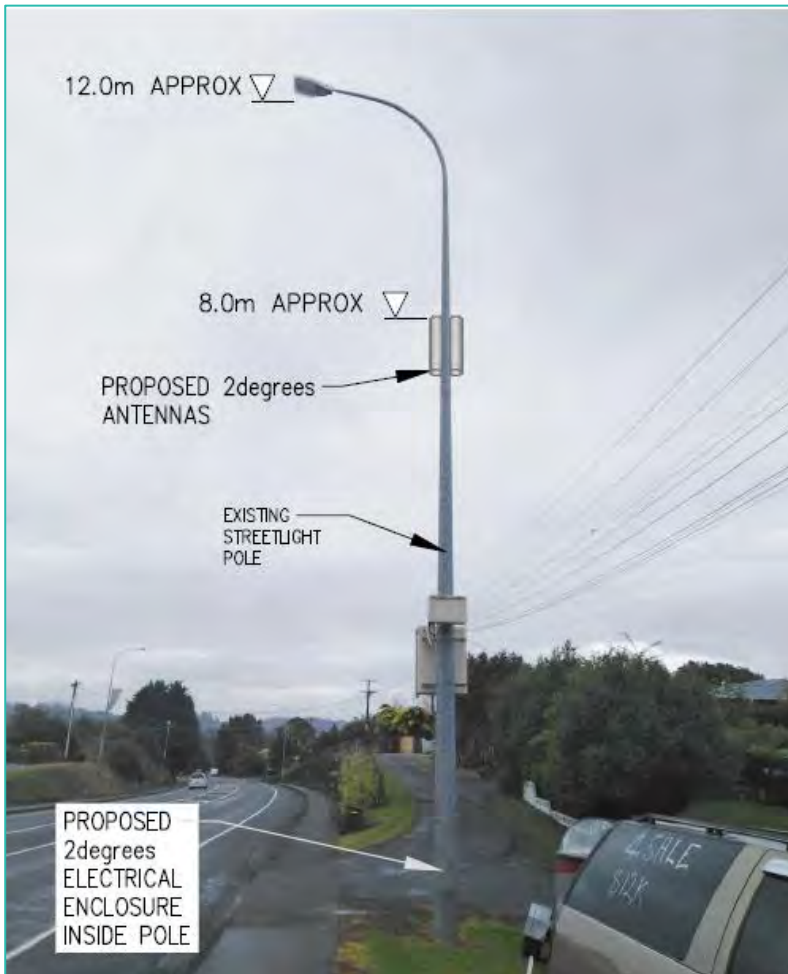


Figure 2: Indicative photomontage of proposed facility (Source: 2degrees)

4 THE SITE & SURROUNDING ENVIRONMENT

The site is located within the road reserve outside 99 Onerahi Road (a residential property) in Whangarei. The site is located on an arterial road in a residential neighbourhood. The aerial contained in **Figure 1** above illustrates the location of the site and the surrounding environment.

Under the WDP, the residential immediately east of the site (adjoining the site) is zoned Living 1. The surrounding properties are similarly zoned Living 1 (refer to **Figure 3** below for a map excerpt of the WDP illustrating these zones).

The site is subject to a planning limitation under the WDP, which is of no consequence to the proposal.

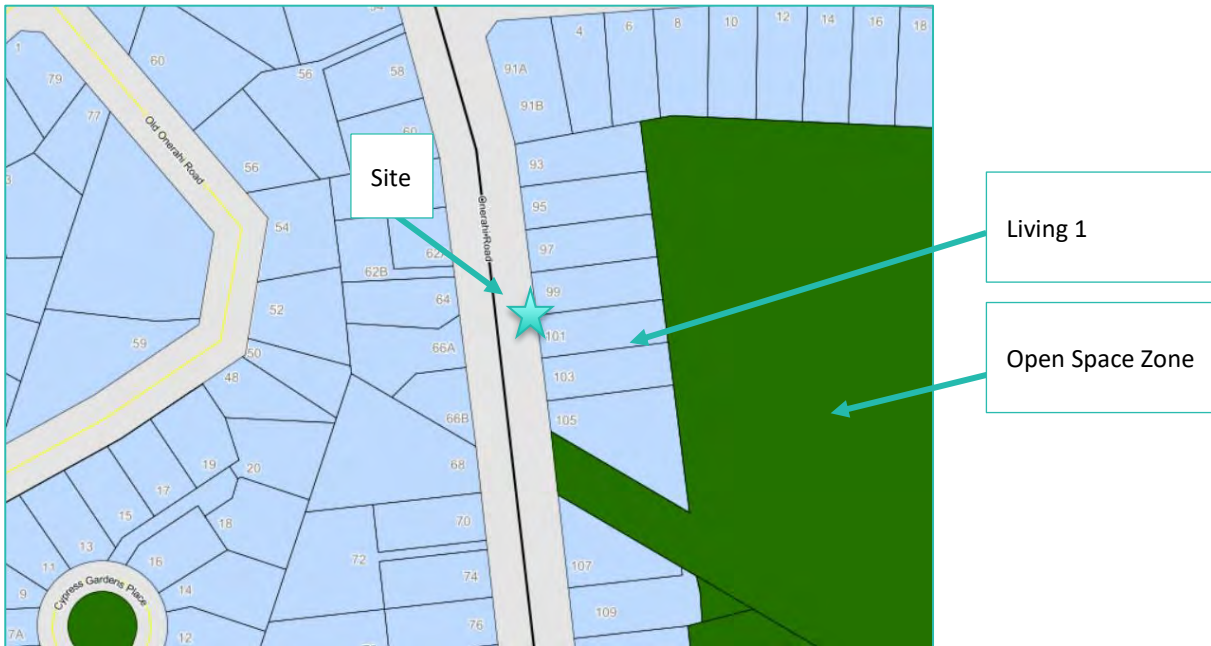


Figure 3: Site location and underlying zoning of the WDP (Source: Whangarei District Plan: IntraMaps)

5 NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATIONS FACILITIES 2016

The National Environmental Standard for Telecommunication Facilities 2016 (NESTF) applies to all telecommunication facilities of network operators that generate radiofrequency fields (RF).

The assessment in Table 1 below demonstrates the proposal's compliance with the NESTF.

Table 1: NESTF Assessment

Regulation	Compliance
Part 2 – Carrying out of regulated activities	
<p><i>Regulation 11 – Activity complying with standard is permitted activity</i></p> <p><i>A regulated activity is a permitted activity if it is carried out in accordance with the standard.</i></p>	Met. As assessed in this table, the proposed 2degrees facility is a permitted activity as it will be carried out in accordance with the relevant standards of the NESTF.
Part 3 - Regulated activities and standards	
Subpart 1 – Cabinets	
<p><i>Regulation 19 – Regulated activity and standard</i></p> <p><i>(1) The installation and operation of a cabinet by a facility operator is a regulated activity.</i></p>	N/A – The proposal does not involve the installation of any cabinets.
Subpart 2 – Antennas	
<p><i>Regulation 26 – Antennas on existing poles in road reserve - Regulated activity and standard</i></p>	

<p>(1) <i>The installation and operation of an antenna (antenna A) by a facility operator is a regulated activity if—</i></p> <p>(a) <i>before work to install antenna A begins (date A),—</i></p> <p>(i) <i>there is a pole (pole A) in a road reserve; and</i></p> <p>(ii) <i>if there are any antennas attached to pole A (whether operated by the same or a different facility operator), their installation and operation complies with the Act; and</i></p> <p>(b) <i>antenna A (alone or with 1 or more other antennas) is to be installed—</i></p> <p>(i) <i>on pole A in pole A’s original location; or</i></p> <p>(ii) <i>on pole A after pole A is moved to a new location; or</i></p> <p>(iii) <i>on a new pole erected to replace pole A.</i></p> <p>(2) <i>The standard for the activity is that—</i></p> <p>(a) <i>regulation 27 must be complied with; and</i></p> <p>(b) <i>each regulation in subpart 5, if it applies, must be complied with; and</i></p> <p>(c) <i>if the activity includes earthworks, regulation 54 must be complied with; and</i></p> <p>(d) <i>if the antenna is an RFG facility, regulation 55 must be complied with.</i></p>	<p>Met. The proposal involves the installation of antennas on an existing pole in the road reserve. Therefore, the activity is a regulated activity.</p> <p>Met. The antennas will be installed on an existing pole in its original location in the road reserve.</p> <p>Met. As assessed below, the proposal will comply with regulation 27.</p> <p>As assessed below, subpart 5 is not applicable to the proposal.</p> <p>As assessed below, regulation 54 does not apply given the small scale of earthworks proposed.</p> <p>Met. As assessed below, the proposal will comply with regulation 55.</p>
<p><i>Regulation 27 – Antenna on existing pole in road reserve</i></p> <p>(1) <i>This regulation applies to the regulated activity described in regulation 26.</i></p> <p>(2) <i>This regulation is complied with if, at the time antenna A is installed, -</i></p> <p>(a) <i>if pole A is moved or replaced, the location of the pole on which antenna A is installed (the final pole)—</i></p> <p>(i) <i>is in the road reserve; and</i></p> <p>(ii) <i>is not more than 5m from pole A’s location on date A; and</i></p>	<p>As assessed above, the activity is a regulated activity described in regulation 26.</p> <p>Met. The antennas will be installed on an existing pole in its original location in the road reserve.</p>

<p>(b) <i>the antenna size rules in subclause (3) or (4) are complied with; and</i></p> <p>(c) <i>the number of dish antennas attached to the final pole is not more than, -</i></p> <p style="padding-left: 20px;">(i) <i>if more than 2 dish antennas were attached to pole A on date A, that number; or</i></p> <p style="padding-left: 20px;">(ii) <i>otherwise, 2; and</i></p> <p>(d) <i>the pole height rules in subclause (5) are complied with; and</i></p> <p>(e) <i>the pole width rules in subclause (6) are complied with; and</i></p> <p>(f) <i>if the final pole has a headframe, the headframe rules in subclause (7) are complied with.</i></p> <p>(3) <i>If antenna A is a non-dish antenna, the antenna size rules are that, -</i></p> <p style="padding-left: 20px;">(a) <i>if the final pole has a headframe, the width of antenna A must not be more than, -</i></p> <p style="padding-left: 40px;">(i) <i>if antenna A is a replacement for an existing non-dish antenna the width of which was more than 0.7m, the width of the replaced antenna; or</i></p> <p style="padding-left: 40px;">(ii) <i>otherwise, 0.7m; or</i></p> <p style="padding-left: 20px;">(b) <i>if the final pole does not have a headframe, the notional envelope for the final pole must not be larger than, —</i></p> <p style="padding-left: 40px;">(i) <i>if pole A’s notional envelope on date A was larger than 3.5m in length and 0.7m in diameter, the size of pole A’s notional envelope on date A; or</i></p> <p style="padding-left: 40px;">(ii) <i>otherwise, 3.5m in length and 0.7 m in diameter.</i></p> <p>(4) <i>If antenna A is a dish antenna, the antenna size rules are that, -</i></p> <p style="padding-left: 20px;">(a) <i>the diameter of the dish must not be more than, -</i></p> <p style="padding-left: 40px;">(i) <i>if antenna A is a replacement for an existing dish antenna the diameter of which was</i></p>	<p>Met. As assessed below, the proposal will comply with the antenna size rules in subclause (3), and subclause (4) does not apply.</p> <p>N/A – No dish antennas are proposed.</p> <p>N/A – No changes are proposed to the height of the pole.</p> <p>N/A – No changes are proposed to the width of the pole.</p> <p>N/A – The proposal does not involve a headframe.</p> <p>N/A – The final pole will not have a headframe.</p> <p>Met. The proposal will have a notional envelope measuring 0.7m (di) x 0.75m (l) which contains both antenna.</p> <p>N/A – No dish antennas are proposed.</p>
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<p>more than 0.38m, the diameter of the replaced antenna; or</p> <p>(ii) otherwise, 0.38m; and</p> <p>(b) antenna A's protrusion distance must not be more than, -</p> <p>(i) if antenna A is a replacement for an existing dish antenna that had a protrusion distance of more than 0.6 m, the protrusion distance of the replaced antenna; or</p> <p>(ii) otherwise, 0.6m.</p> <p>(5) The pole height rules are that the height of the final pole and all antennas must not be more than the greater of-</p> <p>(a) the height of the baseline pole on the baseline date plus 3.5m; or</p> <p>(b) the height of the baseline pole and all antennas on the baseline date.</p> <p>(6) The pole width rules are that the width of the final pole must not be more than the width of the baseline pole on the baseline date multiplied by, -</p> <p>(a) if 1 or more antennas were attached to the baseline pole on the baseline date, 1.3; or</p> <p>(b) otherwise, 2.</p> <p>(7) The headframe rules are that-</p> <p>(a) the headframe was on pole A on date A; or</p> <p>(b) the headframe-</p> <p>(i) is a replacement for a headframe that was on pole A on date A; and</p> <p>(ii) has a width that is not more than the width of the replaced headframe</p>	<p>N/A – No dish antennas are proposed.</p> <p>N/A – No changes are proposed to the height of the pole.</p> <p>N/A – No changes are proposed to the width of the pole.</p> <p>N/A – The proposal does not involve a headframe.</p>
<p>Regulations 28 and 29 – Antennas on new poles in road reserve</p>	<p>N/A – The proposal does not involve antennas on a new pole in the road reserve.</p>
<p>Regulations 30 and 31 – Antennas on existing poles with antennas not in road reserve and in residential zone</p>	<p>N/A – The proposal does not involve antennas on an existing pole in a residential zone.</p>
<p>Regulations 32 and 33 – Antennas on existing poles with antennas not in road reserve and not in residential zone</p>	<p>N/A – The proposal does not involve antennas on an existing pole not in road reserve and not in a residential zone.</p>
<p>Regulations 34 and 35 – Antennas on new poles not in road reserve and in rural zone</p>	<p>N/A – The proposal does not involve antennas on a new pole in a rural zone.</p>
<p>Regulations 36 and 37 – Antennas on buildings</p>	<p>N/A – The proposal does not involve antennas on buildings.</p>
<p>Subpart 3 – Small cell units</p>	

<i>Regulation 38 – Regulated activity and standard</i>	N/A – No small cells units are proposed.
Subpart 4 – Telecommunication lines	
<i>Regulations 39 and 40 – Customer connection lines</i>	N/A – The proposal does not involve customer connection lines.
<i>Regulations 41 and 42 – Aerial telecommunication line along same route as existing telecommunication or power line</i>	N/A – The proposal does not involve aerial telecommunication lines.
<i>Regulations 43 – Underground telecommunication lines</i>	N/A – The proposal does not involve underground telecommunication lines.
Subpart 5 – Application of district and regional rules	
<i>Regulation 44 – Trees and vegetation in road reserve</i>	N/A – The proposal is not within the dripline of any trees or other vegetation within the road reserve.
<i>Regulation 45 – Significant trees</i>	N/A – The proposal does not involve any works within the dripline of any protected tree.
<i>Regulation 46 – Historic heritage values</i>	N/A – The site is not located within an area of historic heritage.
<i>Regulation 47 – Visual amenity landscapes</i>	N/A – The proposal is not located on a site subject to visual amenity landscape rules in the district plan.
<i>Regulation 48 – Significant habitats for indigenous vegetation</i>	N/A – The proposal is not located on a site subject to significant vegetation rules in the district plan.
<i>Regulation 49 – Significant habitats for indigenous fauna</i>	N/A – The proposal is not located on a site subject to significant fauna rules in the district plan.
<i>Regulation 50 – Outstanding natural features or landscapes</i>	N/A – The proposal is not located on a site subject to outstanding natural features or landscape rules in the district plan.
<i>Regulation 51 – Places adjoining coastal marine area</i>	N/A – The site is not subject to coastal protection rules in the district plan.
<i>Regulation 52 – Rivers and lakes</i>	N/A – The proposal is not taking place over any river or lake.
Subpart 6 – Earthworks	
<i>Regulation 53 – Earthworks associated with certain antennas</i>	N/A – This regulation does not apply as the proposal is not a regulated activity under regulation 30, 32 or 34.
<i>Regulation 54 – Earthworks: regional rules apply</i>	N/A – Regional earthworks rules do not apply, given the small scale of earthworks required and it is likely that trenching will be utilised.
Subpart 7 – Radiofrequency fields	
<i>Regulation 55 – Radiofrequency fields</i> <i>(1) This regulation applies to an RFG facility.</i> <i>(2) This regulation is complied with if-</i>	Met. The radiofrequency letter in Appendix B confirms compliance with NZS2772: Part 1.

<p>(a) <i>the facility is installed and operated in accordance with NZS 2772.1; and</i></p> <p>(b) <i>before the facility becomes operational, the facility operator gives the local authority—</i></p> <p style="padding-left: 20px;">(i) <i>written or electronic notice of the facility’s location; and</i></p> <p style="padding-left: 20px;">(ii) <i>a pre-commencement report that complies with subclause (3); and</i></p> <p>(c) <i>either—</i></p> <p style="padding-left: 20px;">(i) <i>the facility operator gives the local authority a post-commencement report that complies with subclause (4) within 3 months after the facility becomes operational; or</i></p> <p style="padding-left: 20px;">(ii) <i>under subclause (5), the facility operator is not required to give a post-commencement report</i></p> <p>(3) <i>A pre-commencement report must-</i></p> <p style="padding-left: 20px;">(a) <i>be prepared in accordance with AS/NZS 2772.2; and</i></p> <p style="padding-left: 20px;">(b) <i>take into account exposures arising from other telecommunication facilities in the vicinity of the facility; and</i></p> <p style="padding-left: 20px;">(c) <i>predict whether the radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public will comply with NZS 2772.1</i></p> <p>(4) <i>A post-commencement report must—</i></p> <p style="padding-left: 20px;">(a) <i>be prepared in accordance with AS/NZS 2772.2; and</i></p> <p style="padding-left: 20px;">(b) <i>provide evidence that the actual radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public comply with NZS 2772.1</i></p> <p>(5) <i>The facility operator is not required to give a post-commencement report if the prediction referred to in subclause (3)(c) was that the radiofrequency field levels will not reach 25% of the maximum level authorised by NZS 2772.1 for exposure of the general public.</i></p>	<p>Met. The area where the radio frequency plume will exceed 100% and 25% of the standard is not an area where the public could reasonably be exposed given the position of the antenna at approximately 7.5m above ground level on an existing pole in the road reserve. As such there is no non-compliance with the standard and no need for further monitoring.</p>
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Overall, the above table demonstrates that the proposed activity is a **permitted activity** under the NESTF.

6 SUMMARY OF ACTIVITY

As shown in Table 1 above, the proposed 2degrees facility is a permitted activity for the following reasons:

National Environmental Standards for Telecommunication Facilities 2016

- The proposed 2degrees facility is a regulated activity under regulations 26, 27 and 55, which will be carried out in accordance with the relevant standards of the NESTF. Pursuant to regulation 11, the proposal is a permitted activity under the NESTF.

As a permitted activity under the NESTF no assessment of the proposal against the rules of the WDP is required.

7 SECTION 125 OF THE ACT - LAPSING OF CONSENT

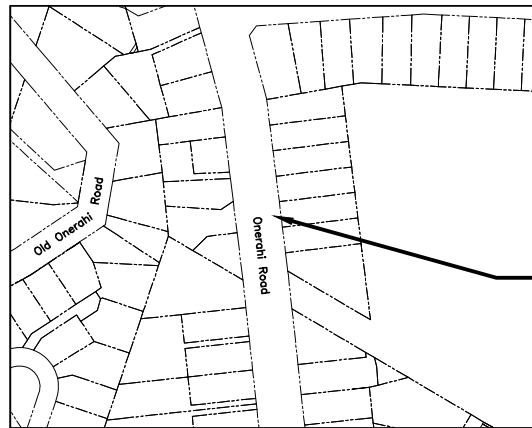
It is considered that five years from the date of issue is an appropriate timeframe for the certificate to lapse.

8 CONCLUSION

As outlined above, the proposed telecommunication facility on Onerahi Road complies with the relevant provisions of the National Environmental Standards for Telecommunication Facilities 2016.

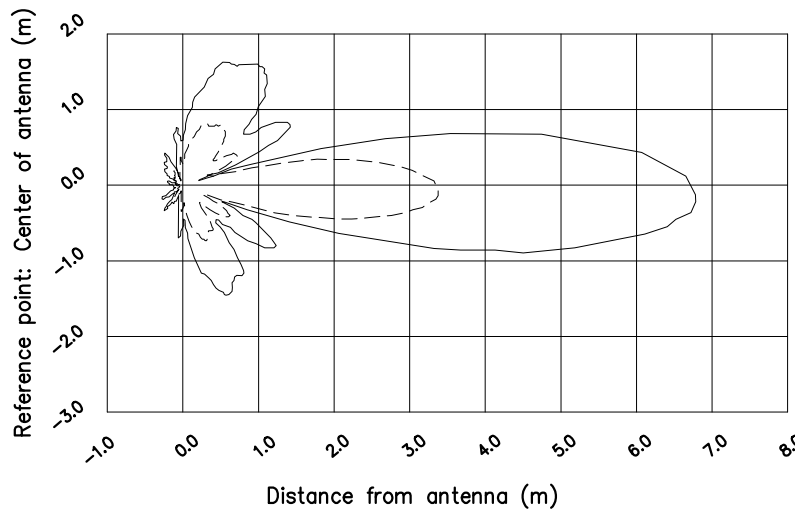
Pursuant to Section 139 of the Resource Management Act 1991, 2degrees requests a Certificate of Compliance be issued to confirm the permitted activity status.

Appendix A:
Application Plan



PROPOSED 2degrees SITE
N: 6605030 (NZMG)
E: 2634340 (NZMG)
LAT: -35.747179 (WGS84)
LONG: 174.367365° E (WGS84)

LOCALITY MAP
 SCALE 1:5000



ANTENNA PLUME ELEVATION
 SCALE 1:100

LEGEND – EXISTING SERVICES

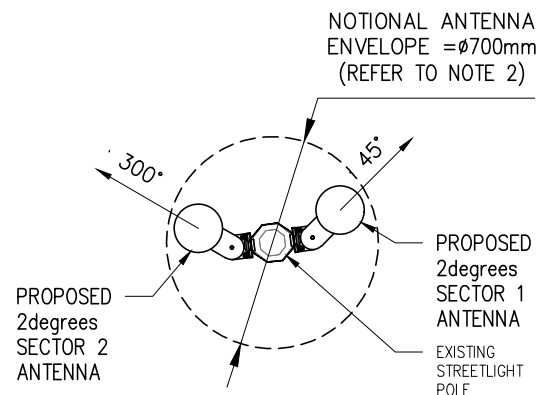
- W — W — W — WATER MAIN
 - P — P — P — POWER
 - G — G — G — GAS
 - / — / — / — POWER (OVERHEAD)
 - FO — FO — FO — FIBRE OPTIC
 - SW — SW — SW — STORMWATER
 - SS — SS — SS — SANITARY SEWER
 - T — T — T — TELECOMMUNICATIONS
- STORMWATER MANHOLE DRAINAGE GRATE
 SANITARY SEWER MANHOLE

THIS DRAWING WAS PRODUCED FOR TWO DEGREES MOBILE LIMITED AND MAY NOT BE ALTERED WITHOUT THEIR PERMISSION. THE DESIGN REMAINS THE PROPERTY OF TWO DEGREES MOBILE LIMITED WHICH ACCEPTS NO LIABILITY SHOULD THESE DRAWINGS BE ALTERED OR USED WITHOUT AUTHORISATION TO DO SO.

USE DIMENSIONS SHOWN, ONLY SCALE FROM THIS DRAWING FOR APPROXIMATE USE.

NOTES:

1. ANTENNA HEIGHT IS ABOVE GROUND LEVEL (APPROX.).
2. ANTENNA POSITIONS TO BE ARRANGED IN SUCH A MANNER TO ENSURE COMPLIANCE WITH NOTIONAL ANTENNA REQUIREMENT OF LESS THAN $\phi 700\text{mm}$.
3. POWER & FIBRE ROUTES TO BE CONFIRMED ON SITE BETWEEN CONTRACTOR, OWNER AND/OR AUTHORITY. POWER SUPPLY SOURCE FROM NEW POWER PILLAR OR PIT LOCATED ADJACENT TO POLE. FIBRE SUPPLY FROM NEW FIBRE PIT LOCATED ADJACENT TO POLE.
4. ALL EXISTING SURFACES AND FEATURES SHALL BE FULLY REINSTATED TO THEIR ORIGINAL CONDITION TO THE SATISFACTION OF THE ENGINEER ON COMPLETION OF THE WORKS.
5. LEGAL BOUNDARY SURVEY IS NOT REQUIRED.
6. REFER TO 2degrees STD-D500 SERIES FOR SIGNS (AS REQUIRED).

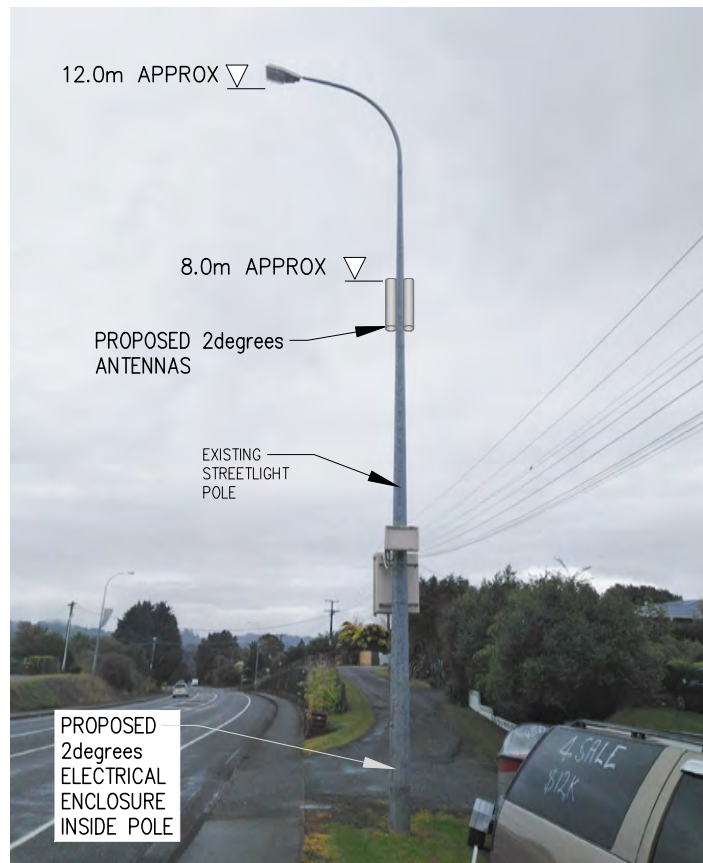


ANTENNA PLAN
 SCALE 1: 25

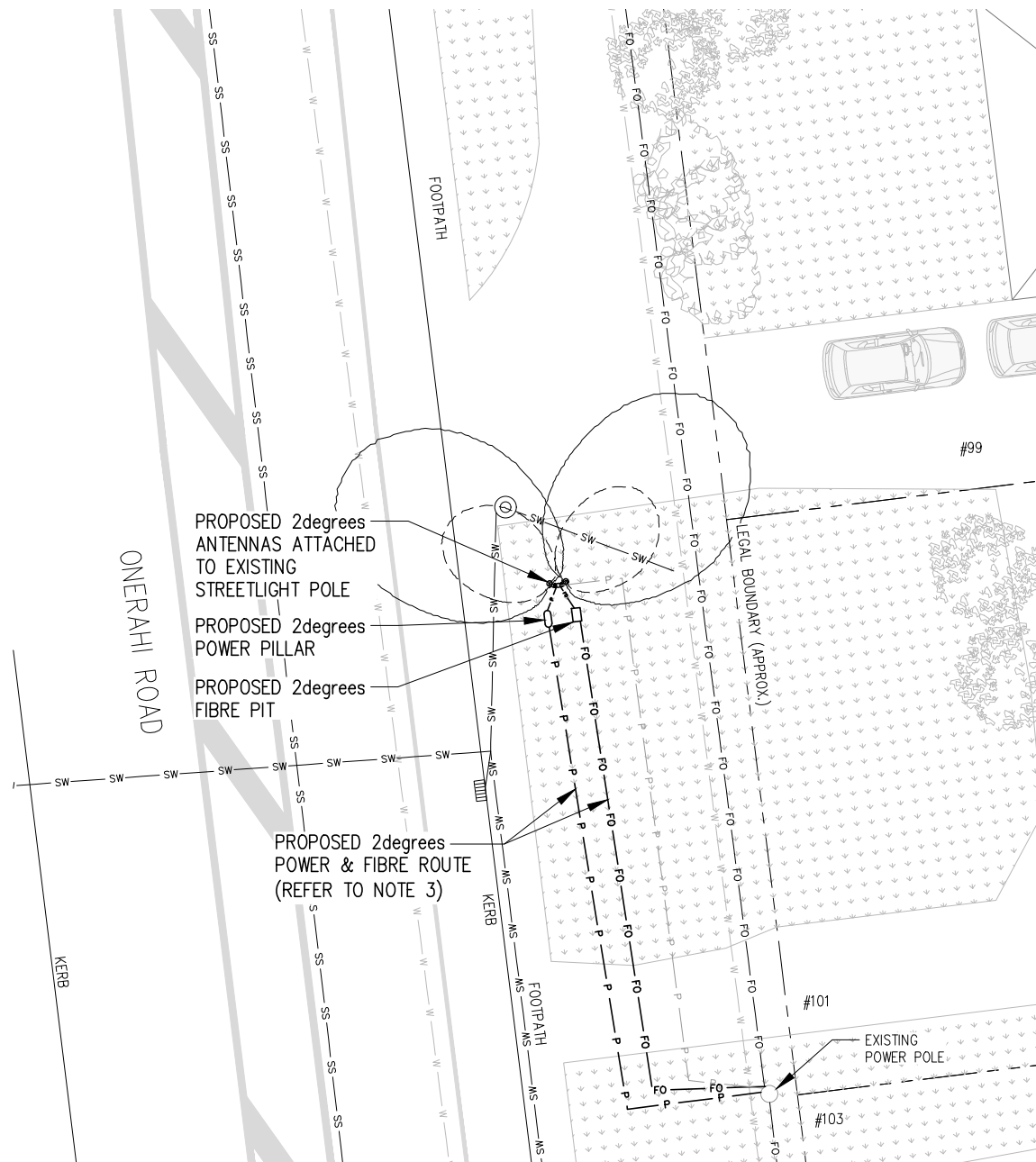
ANTENNA PLUME NZS 2772
 ——— 25% @ 10.9m DISTANCE
 - - - 100% @ 5.4m DISTANCE

ANTENNA INFORMATION			
SECTOR	AZIMUTH (Deg)	ANTENNA MID HEIGHT A.G.L (m)	ANTENNA TYPE
SECTOR 1	45°	7.6	AAU 5940
SECTOR 2	300°	7.6	AAU 5940

NOTE:
 ANTENNA DIMENSIONS (mm);
 HUAWEI AAU5940 = 750H x 160 ϕ .
 ELECTRICAL ENCLOSURE DIMENSION (mm);
 380H x 190W x 130D



SOUTHERN PHOTOMONTAGE
 NOT TO SCALE



SITE LAYOUT PLAN
 SCALE 1:200

1	APPROVED	SG	25.04.19
REF	AMENDMENT	BY	DATE

Two Degrees Networks Limited ©

PROJECT ADDRESS:
 SHERWOOD RISE NORTH AAU
 OUTSIDE 99 ONERAHI ROAD
 WHANGAREI

PROJECT TITLE:
 LOCALITY & SITE LAYOUT
 PLAN

DESIGNED: RT	DATE: 25.04.19	SITE ACQ APPROVAL:	CAD FILE: NTH-002-036-A-PD
DRAWN: SG	DATE: 25.04.19	RMA APPROVAL:	CAD DIR:
REVIEWED: TB	DATE: 25.04.19	RF APPROVAL:	SITE ACQ BY:
STRUCTURAL: CA	DATE: 25.04.19	TRANS. APPROVAL:	SURVEY BY:
APPROVED: GP	DATE: 25.04.19	CONST. APPROVAL:	SURVEY DATE:
			ASBUILT BY:

2degrees DRAWING TITLE: PLANNING DRAWING			
JOB No: NTH-002-036	CANDIDATE ID: A	SCALES: AS SHOWN / A3 ORIGINAL	A3
DRAWING No:			REV
NTH-002-036-P01			1

Appendix B:
Radiofrequency Letter

29 July 2019

Whangarei District Council
Private Bag 9023
Whangarei 0148

RE: Cumulative RF Emissions at Two Degrees Mobile Limited Telecommunications Facility outside 99 Onerahi Road, Whangarei (2 degrees Ref NTH-002-036-A).


This letter is to address the cumulative effects of radio emissions (at the above mentioned address) to further the information submitted to Council as required in the NES Regulations (2016), Regulation 55. It is also prepared in accordance with AS/NZS 2772.2:2016 Radiofrequency fields - Part 2: Principles and methods of measurement and computation - 3 kHz to 300 GHz. Please note all Two Degrees Mobile Limited site installations are planned and operated in accordance with NZS 2772.1:1999 Radiofrequency fields – Maximum exposure levels - 3kHz to 300 GHz.

2degrees intend to install, operate and maintain a facility at a total height of 8m at the above address. The public cannot get closer to the antennas other than directly below the antennas at ground level.

I have examined the above site in terms of the proposed Two Degrees Mobile Limited facility antennas, the physical environment and the predicted RF emission levels of the proposed antennas and those of any existing service providers. I am satisfied that if the proposed antennas were to become operational today the predicted cumulative radiofrequency field levels at places in the vicinity of the facility that are reasonably accessible to the general public will not reach or exceed 25% of the maximum level authorized by NZS 2772: Part 1:1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz.

Any reasonably accessible nearby areas of adjoining and surrounding properties have been taken into account for this assessment.

Yours sincerely,


Corazon Bartolome
RAN Engineer
Two Degrees Mobile Limited



Section 139 of the Resource Management Act 1991

Assessment of Application - Certificate of Compliance

1 Consent Application

Council Reference	CC1900009 P109350
Reporting Planner	Yvonne Masefield
Applicant	Two Degrees Network Ltd
Application	To install, operate and maintain a telecommunication facility in the road reserve that comprises: two active antennae (750mm long and 160mm in diameter) attached to an existing streetlight pole at a height of 8 metres and within a cylindrical shroud; a new power pillar; and a fibre pit to the south of the facility.
Property Address	Road reserve adjacent to western boundary of 99 Onerahi Road, Onerahi
Legal Description	N/A - Road reserve
Date Lodged	29 July 2019
Environment	Road Reserve – Adjoins Living 1
Resource Notations	Arterial Road
Other	Land Instability – Low
Plan Changes	Urban/ Services
Distributions	None

2 Description of Proposal

The Applicant has provided a description of the Proposal in Section 3. In summary, it is proposed to establish, operate and maintain a telecommunications facility in the road reserve, adjacent to the western boundary of 99 Onerahi Road, Onerahi. See red circle on Figure 1.

The facility includes:

- two new active antennae (AAU) of 750mm length and 160mm diameter within a cylindrical shroud attached to an existing streetlight pole (a maximum of 8 metres above ground);
- a power pillar located south of the pole; and
- a fibre pit located south of the facility.

Minor earthworks are required to install the power pillar and fibre pit near the base of the pole.



Figure 1: Location of Proposed Telecommunications Facility

3 Statutory Context

Section 139 of the Resource Management Act 1991 applies if an activity can be done lawfully in a particular location without a resource consent. A consent authority is required to issue a certificate to confirm whether a particular proposal or activity complies with the plan in relation to that location, in all respects.

A Certificate of Compliance is declaratory of compliance at a specified time with the conditions of the plan; with the onus being on the applicant to give full information to the consent authority so that the proposal can be reasonably assessed.

4 National Environmental Standard/s Assessment

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

The Resource Management (National Environmental Standards or Telecommunication Facilities) Regulations 2016 came into effect on the 01 January 2017 (NES Telecommunications Facilities). Council is required by law to implement this NES in accordance with Resource Management Act 1991 (RMA). The standards are applicable to any activity that is a 'regulated activity' defined within the NES Telecommunication Facilities. Regulation 11 states that a regulated activity is permitted if it is carried out in accordance with the 'standard'. The 'standard' for any regulated activity is set out in Part 3 of the NES Telecommunication Facilities.

The current application involves the establishment, operation and maintenance of a telecommunications facility in the road reserve. The facility includes attachment of two AAU to an existing street light pole and associated power pillar and fibre pit near the base of the pole.

The applicant has provided an assessment against the standards in relation to the relevant regulations in the AEE submitted with the application. After reviewing the details in the assessment against the standards, I

concur that the proposed activities are able to comply as a permitted activity pursuant to the relevant regulations within the NES Telecommunication Facilities.

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Contaminated Soils) were gazetted on 13th October 2011 and took effect on 1st January 2012. Council is required by law to implement this NES in accordance with the Resource Management Act 1991 (RMA). The standards are applicable if the land in question is, or has been, or is more likely than not to have been used for a hazardous activity or industry and the applicant proposes to subdivide or change the use of the land, or disturb the soil, or remove or replace a fuel storage system.

The works to install the power and fibre to operate the AAU require minimal earthworks. However, the NES for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply in this instance as the land in question is not, has not been, and is not likely to have been used for a hazardous activity or industry according to the Hazardous Activities and Industries List (HAIL).

5 Plan Assessment

Operative Whangarei District Plan

Section 43B of the Act outlines the effect of a national environmental standard. This provision states that a rule in a district plan or a resource consent:

- Cannot be more stringent than the national environmental standard (unless the national environmental standard expressly says that it may be);

The NES Telecommunication Facilities takes precedence over existing rules in council district plans that address the same matters, unless the NES Telecommunication Facilities regulations expressly state that a rule or consent may be more stringent. Under Regulation 56 of the NES Telecommunication Facilities, district plans can include rules that are more stringent only in terms of trees and vegetation, historic heritage, visual amenity and/or proximity to coastal marine areas (regulations 25 and 44 to 53). A rule or consent cannot be more stringent in terms of the bulk and location performance standards in the regulations.

Considering the above and in accordance with Regulation 56 of the NES for Telecommunications Facilities, the proposal does not give rise to matters relating to those referred to in Regulations 25 and 44 to 53.

Further to the above and in accordance with Section 11 of the NES for Telecommunications Facilities, should a regulated activity be carried out in accordance with the regulations of this National Environmental Standard, it is regarded as a Permitted Activity. However, if the regulated activity is not carried out in accordance with the regulations, the status of the activity will be determined pursuant to Regulations 12 to 18 of the NES for Telecommunication Facilities.

As outlined in the application, the proposal is a Permitted Activity under the relevant regulations of the NES for Telecommunication Facilities and does not give rise to matters referred to within Regulation 56. Further, in chapter NTW.1 of the Proposed District Plan, Provision NTW.2.9 outlines that no rule in the Whangarei District Plan shall apply if it duplicates or conflicts with the NESTF 2016. Additionally, in accordance with provision NTW.2.9 the subject site is not located in an Outstanding or Notable Landscape Area or Outstanding Natural Feature, does not feature any Heritage Trees, Sites of Significance to Maori or Historic Heritage Areas. It is therefore concluded that an assessment against the Operative and Proposed District Plan is not required in this instance.

6 Conclusion and Recommendation

Having considered the activity against the relevant rules of the Operative District Plan and the provisions of the NES Telecommunications Facilities and NES Assessing and Managing Contaminants in Soil to Protect Human Health, it has been concluded that the activity is a permitted activity. Accordingly, it is recommended pursuant to Section 139 of the Act that a certificate of compliance be issued.

The reasons for this recommendation are:

1. The proposed telecommunications facility is a Permitted Activity under the regulations of the National Environmental Standards for Telecommunications Facilities; and
2. The land to which the works relates is not, has not been, and is not likely to have been used for a hazardous activity or industry.



Yvonne Masefield
Senior Planner, RMA Consents

21 August 2019

Date



Katie Martin
Team Leader, RMA Consents

21 August 2019

Date

Section 139 of the Resource Management Act 1991

Notice of Decision - Certificate of Compliance

CC 1900009 P109350

IN THE MATTER of the Resource Management Act 1991

and

IN THE MATTER of an application under Section 139 of the Resource Management Act 1991 by Two Degrees Network Ltd

Decision

Pursuant to Section 139 of the Resource Management Act 1991 (the Act), and authority delegated under Section 34A of the Act, the Whangarei District Council, **HEREBY CERTIFIES** that the activity described in the First Schedule hereto could be lawfully carried out without a resource consent on the date of receipt of this application, being 29 July 2019, on the site described in the Second Schedule hereto as it is a Permitted Activity under the relevant regulations of the NES for Telecommunication Facilities 2016.

First Schedule

To install, operate and maintain a telecommunication facility that comprises: two active antennae (705mm long and 160mm in diameter within a cylindrical shroud) attached to an existing streetlight pole; a new power pillar; and a fibre pit, in the road reserve adjacent to the western boundary of 99 Onerahi Road, in accordance with the Application submitted by 4Sight on behalf of Two Degrees Network Ltd (reference NTH-002-036):

- COC Application_V1.0, dated July 2019; and
- Locality and Site Layout Plan NTH-002-036-P01, Rev. 1, dated 25.04.19.

Second Schedule

Road Reserve adjacent to western boundary of 99 Onerahi Road in Onerahi.

Advice Notes

- 1 This certificate of compliance will lapse five years after the date of commencement of this consent (being the date of this decision) unless:
 - It is given effect to before the end of that period; or
 - An application is made to Council to extend the period after which the consent lapses, and such application is granted prior to the lapse of consent. The statutory considerations which apply to extensions are set out in Section 125 of the Resource Management Act 1991.
- 3 The consent holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The applicant will be advised of the charges as they fall.
- 4 An applicant for a certificate of compliance has a right of appeal under s120.
- 5 The Team Leader RMA Approvals and Compliance shall be notified at least five (5) working days prior to activities commencing on the subject site.

- 6 All archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under that act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effect cannot be practised.



Yvonne Masefield
Senior Planner, RMA Consents

21 August 2019

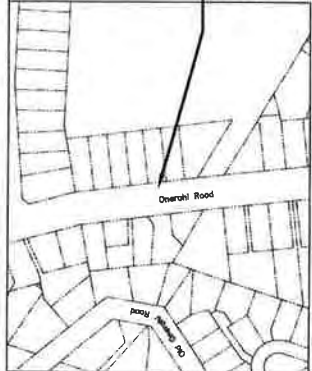
Date



Katie Martin
Team Leader, RMA Consents

21 August 2019

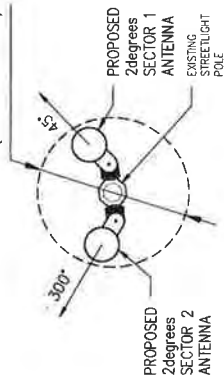
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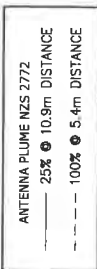
PROPOSED 2degrees SITE
 N: 6605030 (NZMG)
 E: 2834340 (NZMG)
 LAT: -35.747178 (WGS84)
 LONG: 174.367365° E (WGS84)

LOCALITY MAP
SCALE 1:5000

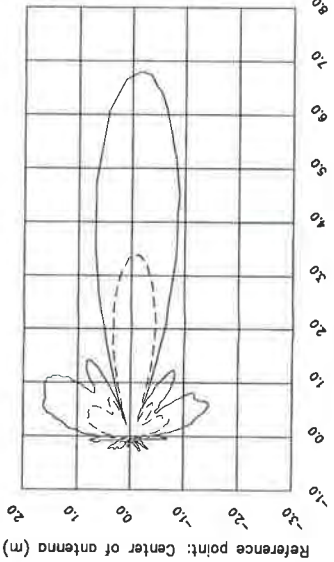
NOTIONAL ANTENNA ENVELOPE = Ø700mm
(REFER TO NOTE 2)



ANTENNA PLAN
SCALE 1:25



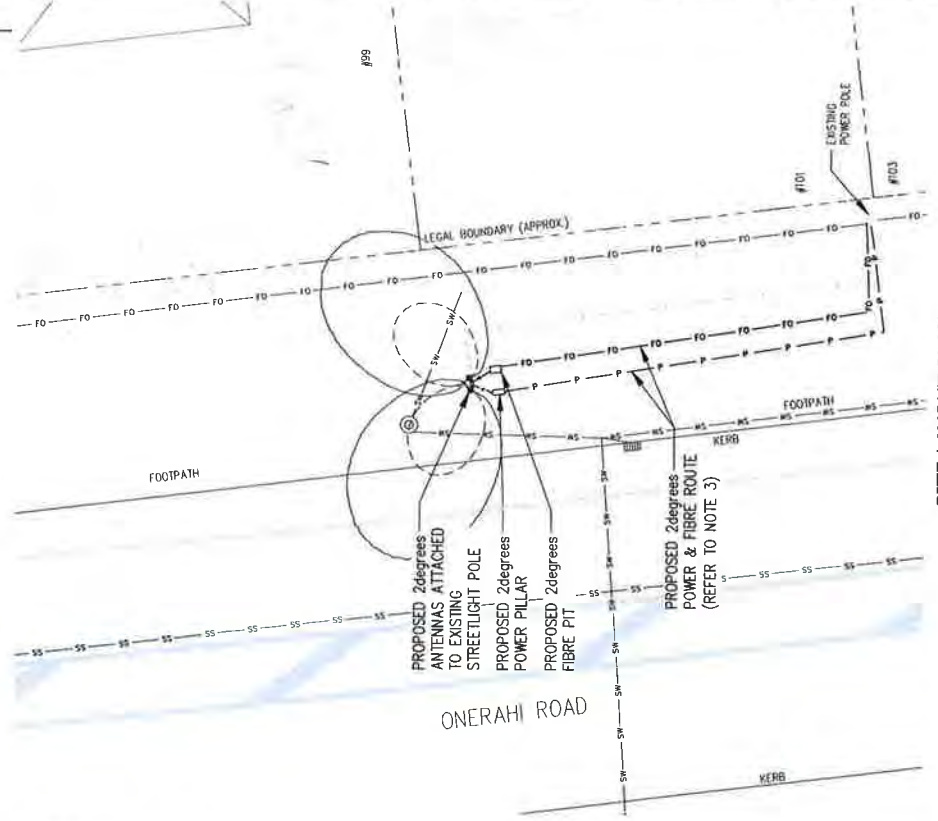
ANTENNA PLUME ELEVATION
SCALE 1:100



LEGEND - EXISTING SERVICES

WATER MAIN
POWER
GAS
POWER (OVERHEAD)
FIBRE OPTIC
STORMWATER
SANITARY SEWER
TELECOMMUNICATIONS

☉ STORMWATER MANHOLE
 ☉ SANITARY SEWER MANHOLE



SITE LAYOUT PLAN
SCALE 1:200



SOUTHERN PHOTOMONTAGE
NOT TO SCALE

APPROVED
21 August 2019

PROPOSED 2degrees ELECTRICAL ENCLOSURE INSIDE POLE

THESE DRAWINGS HAVE BEEN PREPARED BY THE ENGINEER OR ARCHITECT AND TO THE BEST OF HIS KNOWLEDGE AND BELIEF THEY COMPLY WITH THE REQUIREMENTS OF THE BUILDING ACT 2004 AND THE BUILDING REGULATIONS 2004. THE ENGINEER OR ARCHITECT ACCEPTS NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY ARISING FROM THE USE OF THESE DRAWINGS.

NOTES:
 1. ANTENNA HEIGHT IS ABOVE GROUND LEVEL (APPROX.).
 2. ANTENNA POSITIONS TO BE ARRANGED IN SUCH A MANNER TO ENSURE COMPLIANCE WITH NOTIONAL ANTENNA REQUIREMENT OF LESS THAN Ø700mm.
 3. POWER & FIBRE ROUTES TO BE CONFIRMED ON SITE BETWEEN CONTRACTOR, OWNER AND/OR AUTHORITY. POWER SUPPLY SOURCE FROM NEW POWER PILLAR OR PIT LOCATED ADJACENT TO POLE. FIBRE SUPPLY FROM NEW FIBRE PIT LOCATED ADJACENT TO POLE.
 4. ALL EXISTING SURFACES AND FEATURES SHALL BE FULLY REINSTATED TO THEIR ORIGINAL CONDITION TO THE SATISFACTION OF THE ENGINEER ON COMPLETION OF THE WORKS.
 5. LEGAL BOUNDARY SURVEY IS NOT REQUIRED.
 6. REFER TO 2degrees STD-D500 SERIES FOR SIGNS (AS REQUIRED).

NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	25/08/19
2	REVISED	27/08/19

Two Degrees Networks Limited ©

PROJECT ADDRESS:
 SHERWOOD RISE NORTH AAU
 OUTSIDE 99 ONERAHI ROAD
 WHANGAREI

PROJECT TITLE:
 LOCALITY & SITE LAYOUT PLAN

NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	25/08/19
2	REVISED	27/08/19

PROJECT NO.	NTH-002-036
PROJECT TITLE	LOCALITY & SITE LAYOUT PLAN
DATE	25/08/19
SCALE	AS SHOWN
DESIGNER	A3
CHECKED	REV
DATE	
PROJECT NO.	NTH-002-036
PROJECT TITLE	LOCALITY & SITE LAYOUT PLAN
DATE	25/08/19
SCALE	AS SHOWN
DESIGNER	A3
CHECKED	REV
DATE	

PLANNING DRAWING
 NTH-002-036-P01
 1