

## Section 10 - Airport Business Zone (Titanium Park)

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### 10.1 Introduction

- 10.1.1 The Hamilton International Airport (the Airport) is a facility of economic and social importance to the Waikato Region. The Airport Business Zone associated with it (Titanium Park) has been established to leverage off the advantages of locating industrial and business activities adjacent to an Airport. The area is identified on the Planning Maps, and is confined to areas west of Airport Road, and bounded by State Highway 3 to the south, and Raynes Road to the north.
- 10.1.2 A structure plan guides development within the zone and has been incorporated into this Plan. It contains controls on the release of land, and states the infrastructure requirements that are to be in place prior to development occurring. The main infrastructure requirements relate to roading infrastructure on Airport Road and State Highway 3.
- 10.1.3 The Airport area is identified as a strategic industrial node in the Waikato Regional Policy Statement, recognising that land in this location is a scarce and valuable resource. Land immediately adjacent to the operational area is called 'airside' land and is an essential location for businesses such as air freight or aircraft manufacturing that required direct access to the runways. The land included within this zone beyond the airside land is also an unusual and scarce resource, because it is part of the interface between the land transport network and the air transport network, and is needed to provide services and support to the Airport and its users. This unique combination of factors leads to a need to efficiently and effectively use the land resource around the Airport, while also creating an opportunity to establish a wider range of business activities including those that provide some local services and make use of infrastructure. One of the keys to successful development of this land is the efficient integration of land use, air transport and various land transport modes. As most of the land adjacent to the Airport is undeveloped, there is an opportunity to implement the principles of good urban design in the development.
- 10.1.4 Titanium Park - Northern Precinct is subject to a comprehensive development plan approval process to ensure that traffic effects and other infrastructure matters are addressed.

### 10.2 Resource Management Issues

- 10.2.1 The Airport is a regionally significant physical resource and an identified strategic industrial node. Industrial and business activities have the potential to support the continued operation and development of the resource.
- 10.2.2 High noise levels are received within the zone from aircraft and are generated from the zone by activities such as aircraft engine testing.
- 10.2.3 Development of land that is not co-ordinated with infrastructure provision has the potential to result in adverse effects on the environment. By way of example relatively high levels of traffic generation are anticipated and need to be managed through purpose built controlled intersections.

#### Health and well-being of the Waikato and Waipā Rivers

- 10.2.4 Development within the Airport Business Zone has the potential to adversely affect the health and well-being of the Waikato River. Careful consideration should be given to the following; (but

not limited to) potential impacts of increased earthworks, impervious surfaces, and the provision of infrastructure.

### **10.3 Objectives and Policies**

*Please also refer to the objectives and policies of Parts C, Part E and Part F, as relevant.*

#### **Objective - Strategic physical resource**

- 10.3.1 To support the economic and social well-being of the Waikato Region through providing for the integrated future development of the Airport and its surrounding land as a transport hub and business location, taking advantage of its strategic location and infrastructure while managing adverse effects on Airport operations.

*Policy - Integrated development: Titanium Park*

- 10.3.1.1 To enable development of a strategically important business park around the Airport, including integration of development with the Airport's operational requirements, integration with the State Highway network, provision for public transport and other alternative transport modes such as walking and cycling, and provision for safe and sustainable road access from the road network.

*Policy - Infrastructure - Comprehensive Development Plan Area: Titanium Park - Northern Precinct*

- 10.3.1.2 To ensure that water, wastewater, stormwater and roading infrastructure is available to service the Titanium Park - Northern Precinct.

*Policy - Infrastructure costs*

- 10.3.1.3 To ensure that the cost of any infrastructural services or upgrades needed to avoid, remedy or mitigate adverse effects on the environment arising from activities in the Airport Business Zone are met by those parties that create the need for such services or upgrades and that a development agreement is in place prior to development of the Northern Precinct.

*Policy - Managing effects on Airport operations*

- 10.3.1.4 To ensure that activities within the Airport Business Zone are located and developed in a manner that manages adverse effects on the Airport and its operations.

#### **Objective - Provide for business park**

- 10.3.2 To provide for industrial and business activities, including offices and limited retail activities in an integrated mixed use business park within a defined area.

*Policy - Limited retail activities*

- 10.3.2.1 To provide for limited retail activity within the Airport Business Zone as a means of providing a service to the Airport and business park users, and the immediate neighbourhood.

*Policy - Northern Precinct*

- 10.3.2.2 To provide for Titanium Park to expand into the Northern Precinct, but in a modified form to generally exclude retail and commercial activities in that area.

*Policy - Distinctive edge*

- 10.3.2.3 To ensure that development in the Airport Business Zone is contained by creating a visually defined edge where the zone adjoins State Highway 3, State Highway 21, Raynes Road, other roads and other zones.

*Policy - Relocated buildings*

- 10.3.2.4 Relocated buildings shall not detract from the amenity of the area they are located within by ensuring that exterior maintenance and painting is undertaken.

**Objective - Development within the Southern Precinct**

- 10.3.3 To enable the development of the Southern Precinct while maintaining the safety and efficiency of State Highway 21.

*Policy - Types of activities*

- 10.3.3.1 To restrict the types of activities located in the Southern Precinct to ensure the safe and efficient operation of the access to State Highway 21.

## 10.4 Rules

*The rules that apply to activities are contained in:*

- (a) *The activity status tables and the performance standards in this zone; and*  
(b) *The activity status tables and the performance standards in Parts E District Wide Provisions and Part F District Wide Natural and Cultural Heritage of the Plan.*

Advice Notes:

1. Works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines. Compliance with the Plan does not ensure compliance with the Code.
2. Vegetation to be planted within or near electric lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

### 10.4.1 Activity Status Tables

10.4.1.1	<b>Permitted activities</b> The following activities must comply with the performance standards of this zone
(a)	General and commercial aviation activities and buildings.
(b)	Industrial activities.
(c)	Transport and freight depots, and bus depots.
(d)	Vehicle rental and valet services, vehicle parking and storage (excluding Southern Precinct)
(e)	Emergency service facilities.

10.4.1.1	<p><b>Permitted activities</b></p> <p>The following activities must comply with the performance standards of this zone</p>
(f)	Helicopter pads and facilities for their servicing and management. <i>Note: Civil Aviation Authority requirements also apply.</i>
(g)	Utility services and utility structures, including navigational aids and control towers.
(h)	Storage and sale of aircraft fuel and lubricants.
(i)	Service stations and commercial garages (excluding Southern Precinct).
(j)	Cafes, restaurants, takeaway food outlets and licensed premises (excluding Southern Precinct).
(k)	Visitor accommodation (excluding Southern Precinct).
(l)	Places of assembly (excluding Southern Precinct).
(m)	Conference facilities (excluding Southern Precinct).
(n)	Offices (excluding Titanium Park Southern and Northern Precinct).
(o)	Titanium Park Southern and Northern Precinct offices ancillary to any permitted activity.
(p)	Laboratories and research establishments (excluding Southern Precinct).
(q)	Hire facilities and building supply outlets (excluding Southern Precinct).
(r)	Storage warehouses.
(s)	Education facilities (excluding aviation educational training and excluding the Southern Precinct) between the outer control boundary Ldn 55 and the air noise boundary Ldn 65.
(t)	Aviation education training.
(u)	Retail activities and wholesale shops, subject to Rules 10.4.2.11 and 10.4.2.12 (excluding Southern Precinct).
(v)	Earthworks
(w)	Temporary construction buildings.
(x)	Signs
(y)	Demolition and removal of buildings and structures, except those listed in Appendix N1 Heritage Items.
(z)	Relocated buildings, except for those listed in Appendix N1.

10.4.1.2	<p><b>Controlled activities</b></p> <p>The following activities must comply with the performance standards of this zone</p>
(a)	<p>Any permitted activity within the Titanium Park – Northern Precinct, except for those specified in Rule 10.4.1.5(d), provided that a comprehensive development plan has been approved.</p> <p>Matters over which Council reserves its control are:</p> <ul style="list-style-type: none"> <li>▪ Compliance with the approved comprehensive development plan.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>

10.4.1.3	<p><b>Restricted discretionary activities</b></p> <p>The following activities shall comply with the performance standards of this zone</p>
(a)	Any permitted activity or controlled activity that does not comply with the performance standards in 10.4.2, except for those specified in Rule 10.4.1.4 and Rule 10.4.1.5.
(b)	<p>The following activities between the Outer Control Boundary (Ldn55) and the Air Noise Boundary (Ldn65):</p> <ul style="list-style-type: none"> <li>(i) Childcare facilities; and</li> <li>(ii) Health care facilities.</li> </ul> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> <li>▪ Noise; and</li> <li>▪ Reverse sensitivity.</li> </ul> <p>These matters will be considered in accordance with the assessment criteria in Section 21.</p>

10.4.1.3	<b>Restricted discretionary activities</b> The following activities shall comply with the performance standards of this zone
(c)	Any activity which is otherwise a permitted activity or controlled activity within the Runway Protection Area as shown on the Planning Maps and which is not listed as a prohibited activity in Rule 10.4.1.6. Assessment will be restricted to the following matters: <ul style="list-style-type: none"> <li>▪ Effects on the operational safety and performance of the Hamilton International Airport; and its associated lighting and navigational aids; and</li> <li>▪ The risk of exposure to aircraft related accidents; and</li> <li>▪ Reverse sensitivity.</li> </ul> These matters will be considered in accordance with the assessment criteria in Section 21. Advice Note: The Operator of Hamilton International Airport shall be considered an affected party for any resource consent assessed under these criteria.
(d)	Scheduled engine testing that exceeds the standard in Rule 10.4.2.16 by up to 5dBA is a restricted discretionary activity. Assessment will be restricted to the following matters: <ul style="list-style-type: none"> <li>▪ Appropriate mitigation of the adverse night time acoustic effects inside affected dwellings (for example, sleep disturbance) of unscheduled engine testing.</li> </ul> No other assessment criteria will be applied for resource consents for a restricted discretionary activity in accordance with this rule.

10.4.1.4	<b>Discretionary activities</b>
(a)	Any permitted, controlled or restricted discretionary activity that fails to comply with: <ul style="list-style-type: none"> <li>(i) Rule - 10.4.2.10 Special provisions relating to vehicle access to State Highways and Raynes Road</li> <li>(ii) Rule - 10.4.2.15 Noise</li> <li>(iii) Rules - 10.4.2.19 to 10.4.2.23 Noise Mitigation within the OCB, ANB and SEL</li> <li>(iv) Rule - 10.4.2.28 Earthworks</li> </ul>
(b)	Caretakers accommodation ancillary to any other activity.
(c)	The following activities within the Air Noise Boundary (Ldn65): <ul style="list-style-type: none"> <li>(i) Childcare Facilities; and</li> <li>(ii) Healthcare Facilities.</li> </ul>
(d)	Earthworks in excess of 1,000m <sup>3</sup> in a single activity or cumulative activities in any one year.
(e)	Any activity not provided for as a Permitted or Restricted Discretionary Activity in the Airport Business Zone that is a Permitted Activity in the Industrial Zone.
(f)	The following activities within the Titanium Park – Northern Precinct: <ul style="list-style-type: none"> <li>(i) Service stations and commercial garages; and</li> <li>(ii) Places of assembly.</li> </ul>

10.4.1.5	<b>Non-complying activities</b>
(a)	Failure to comply with Rules 10.4.2.11 and 10.4.2.12 - Maximum floor space for retail activities and Rules 10.4.2.16 to 10.4.2.18 - Noise: aircraft and engine testing.
(b)	Residential activities between the Outer Control Boundary (Ldn55) and the Air Noise Boundary (Ldn65).
(c)	All other activities not listed in activity status table Rules 10.4.1.1 to 10.4.1.4.
(d)	The following activities within the Titanium Park – Northern Precinct: <ul style="list-style-type: none"> <li>(i) Offices (excluding ancillary offices – refer to Rule 10.4.1.1(n))</li> <li>(ii) Retail activities and wholesale shops</li> <li>(iii) Visitor Accommodation</li> <li>(iv) Healthcare facilities</li> <li>(v) Education facilities (excluding aviation education training)</li> </ul>
(e)	Scheduled engine testing that exceeds the standard in Rule 10.4.2.16 by more than 5dBA.
(f)	The following activities in the Titanium Park – Southern Precinct:

10.4.1.5	<b>Non-complying activities</b>
	<ul style="list-style-type: none"> <li>(i) Vehicle rental and valet services, vehicle parking and storage;</li> <li>(ii) Service stations and commercial garages;</li> <li>(iii) Cafes, restaurants, takeaway food outlets and licensed premises</li> <li>(iv) Visitor accommodation;</li> <li>(v) Places of assembly;</li> <li>(vi) Conference facilities;</li> <li>(vii) Offices (excluding ancillary offices – refer to Rule 10.4.1.1(n));</li> <li>(viii) Laboratories and research establishments;</li> <li>(ix) Hire facilities and building supply outlets;</li> <li>(x) Education facilities; and</li> <li>(xi) Retail activities and wholesale shops, subject to Rules 10.4.2.11 and 10.4.2.12</li> </ul>

10.4.1.6	<b>Prohibited activities</b> The following activities are prohibited and no resource consent will be approved
(a)	The following activities within the Air Noise Boundary (Ldn65): <ul style="list-style-type: none"> <li>(i) Residential activities; and</li> <li>(ii) Visitor accommodation; and</li> <li>(iii) Education facilities (except aviation educational training).</li> </ul>
(b)	The following activities within the Runway Protection Area shown on the Planning Maps: <ul style="list-style-type: none"> <li>(i) Places of assembly; and</li> <li>(ii) Service stations; and</li> <li>(iii) Residential activities; and</li> <li>(iv) Visitor accommodation; and</li> <li>(v) Hospitals; and</li> <li>(vi) Camping grounds; and</li> <li>(vii) Educational activities.</li> </ul>
(c)	Fortified sites.

## 10.4.2 Performance Standards

*The following rules apply to activities listed as permitted, controlled or restricted discretionary.*

*Where rules are not complied with resource consent will be required in accordance with the rules in the activity status table or as identified in the performance standards, and will be assessed against the relevant objectives and policies. In the case of controlled and restricted discretionary activities, the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*

### Rule - Minimum building setback from road boundaries

10.4.2.1 The minimum building setback from road boundaries shall be as follows:

- |     |  |    |
|-----|--|----|
| (a) | From internal road boundaries not adjacent to a landscaped drainage swale  | 3m |
| (b) | For sites adjacent to a landscaped swale (refer road cross section Airport Business Zone Structure Plan, Appendix S10)   | 0m |
| (c) | For road boundaries fronting a State Highway, except as indicated on the Airport Business Structure Plan in Appendix S10 | 5m |

- (d) For all other sites fronting Raynes Road or a State Highway 15m

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Characteristics of the site; and
- Landscaping.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rules - Minimum building setback from internal site boundaries**

- 10.4.2.2 Buildings may be built up to internal site boundaries except for sites where one of the activities, either existing or proposed, on the sites, is visitor accommodation, conference facilities, healthcare facilities, childcare facilities or places of assembly, in which case the minimum setback is 1.2m, and except as set out in Rule 10.4.2.3 below.

- 10.4.2.3 For any site adjoining the properties within the Special Amenity Area shown on the Planning Maps, buildings shall be setback a minimum of 5m.

Activities that fail to comply with Rules 10.4.2.2 and 10.4.2.3 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Characteristics of the site; and
- Landscaping; and
- Effects on adjoining dwellings.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Height**

- 10.4.2.4 No building shall exceed 20m in height, provided that the following additional height requirements shall apply:

- (a) No object including any part of a building, structure, tree or other object or plant growth, shall penetrate any of the approach surfaces, transitional surfaces, horizontal surface, conical surface as delineated on the Planning Maps for Hamilton Airport and also in Appendix O9 of the District Plan; and
- (b) No object including any part of a building, structure, tree or other object or plant growth (other than wire fences less than 1.2m high) are permitted within 200m of the centre of the VOR facility shown on Planning Map 52; and
- (c) Outside of a 200m radius from the VOR facility, no object including any part of a building, structure, tree or other object or plant growth may be erected which will be above a conical surface centres at the centre of the VOR facility originating at a level of 55.4m above Moturiki datum and rising at an angle of 3.5° above the horizontal.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

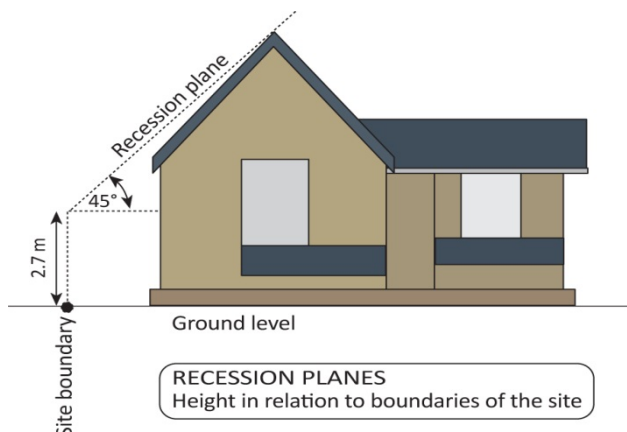
- Visual effects; and
- Overshadowing; and
- Airport operations.

These matters will be considered in accordance with the assessment criteria in Section 21.

### Rule - Daylight controls

10.4.2.5 No building shall penetrate a recession plane at right angles to a boundary, inclined inwards and upwards at an angle of 45°. The recession plane shall commence at a lowest applicable height of:

- (a) 10m above ground level of the front, side or rear boundaries of a site; or
- (b) 7m above ground level at each point along the road boundary which adjoins State Highway 3, State Highway 21, and Raynes Road; or
- (c) 2.7m above ground level on any side or rear boundary which adjoins any residential properties within the Special Amenity Area shown on the Planning Maps and the structure plan attached as Appendix S10.



Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effects; and
- Overshadowing; and
- Airport operations.

These matters will be considered in accordance with the assessment criteria in Section 21.

### Rules - Landscaping

10.4.2.6 Site boundaries adjacent to either a Rural Zone, State Highway 3, State Highway 21, Raynes Road, or to dwellings within the Special Amenity Area shown on the Planning Maps; shall be landscaped to a minimum depth of 5m, except for any required access or egress points.

10.4.2.7 Road boundaries on internal roads must be landscaped to a minimum depth of 2m except for required access or egress, and except where the site is adjacent to a landscaped drainage swale within the road.

Activities that fail to comply with Rules 10.4.2.6 and 10.4.2.7 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effects; and
- Amenity values.

These matters will be considered in accordance with the assessment criteria in Section 21.

### Rule - Security fencing

10.4.2.8 Security fences over 2m high must be set back a minimum of 2m from road boundaries and the road boundary shall be landscaped so that the landscaping screens the security fence.



Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Amenity effects; and
- Visual effects.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Outdoor storage**

- 10.4.2.9 Outdoor storage areas visible from any site within the Rural Zone, road, or public place shall be screened by landscaping; and stored materials shall not exceed 3m in height.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Amenity effects; and
- Visual effects.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Special provisions relating to vehicle access to State Highways and Raynes Road**

- 10.4.2.10 There shall be no direct access to a State Highway or to Raynes Road, except as shown on the Airport Business Zone Structure Plan in Appendix S10, and for residential activities properties east of State Highway 3 that are located within the Special Amenity Area on Planning Map 17.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

#### **Rules - Maximum floor space for retail activities**

- 10.4.2.11 The total floor area of all retail activities located in the Airport Business Zone, excluding activities in the Hamilton International Airport Terminal building, shall not exceed 5,300m<sup>2</sup> GFA.

- 10.4.2.12 Retail shops shall have a floor area less than 450m<sup>2</sup> GFA each, except that one retail shop may have a floor area of more than 450m<sup>2</sup> GFA and less than 1,000m<sup>2</sup> GFA, provided that the retail shop shall primarily sell pre-prepared fresh food/groceries and beverages, together with other non-food goods in an ancillary capacity.

Activities that fail to comply with Rules 10.4.2.11 and 10.4.2.12 will require a resource consent for a non-complying activity.

#### **Rules - Roading**

- 10.4.2.13 All roads within the Airport Business Zone shall be constructed in general accordance with the road cross-sections contained in the Airport Business Zone Structure Plan attached as Appendix S10.

- 10.4.2.14 All roads within the Airport Business Zone shall be constructed so as to avoid any disturbance or obstruction to any swale drain.

Activities that fail to comply with Rules 10.4.2.13 and 10.4.2.14 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Amenity effects; and
- Road design and connectivity; and
- The ability to adequately dispose of stormwater.

These matters will be considered in accordance with the assessment criteria in Section 21.

### Rule - Noise

10.4.2.15 All activities within the Airport Business Zone, excluding engine testing and noise generated by aircraft in flight taxiing or pre-flight checks, shall be conducted and buildings located, designed and used to ensure the noise levels do not exceed the following limits when measured in accordance with the requirements of NZS 6801:1999 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound:

- (a) Within the boundary or notional boundary of any site zoned Rural and within the boundary of any of the residential properties east of State Highway 3 and identified 'Special Amenity Area' on the Planning Maps and the structure plan at Appendix S10:
  - (i) Monday to Saturday 7.00am to 10.00pm 55dBA (L10)
  - (ii) At all other times, including public holidays 45dBA (L10)
- (b) Within the boundary of any site zoned Airport Business at all times 60dBA (L10)

Provided that no single event noise level Lmax shall exceed 70dBA at night time 10.00pm to 7.00am.

Prior to any activity being established or building consent being applied for, evidence that these standards will be met may be required by Council.

Advice Note: For some common activities it will be sufficient to simply indicate the intended use (e.g. Warehousing); for others, evidence from a suitably qualified person will be required.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### Rules - Noise: aircraft and engine testing

10.4.2.16 Noise from the maintenance and testing of aircraft shall not exceed the following noise limits when measured in accordance with the requirements of NZS 6801:1999 Measurement of Sound:

*Within the boundary or notional boundary of any site zoned Rural:*

- (a) Leqn 45dBA
- (b) Lmax 75dBA

*Within the boundary of any of the residential properties within the Special Amenity Area shown on the Planning Maps and the structure plan at Appendix S10:*

- (c) Leqn 50dBA
- (d) Lmax 80dBA

Leqn is defined as the logarithmic average of the hourly Leqn values from 10.00pm to 7.00am the following day, calculated as a rolling average over the last seven nights. Noise from night time engine testing shall be monitored by the operator to determine the total noise dose from engine testing that has been generated over the last seven days. A summary of these results shall be provided to Council once a year and be available to Council for inspection at any reasonable time and upon reasonable notice.

Advice Note: The monitoring requirement specified in the above rule will be fully satisfied by the provision of monitoring data provided by the operators of the Hamilton Airport in accordance with Rules 4.4.2.31 to 4.4.2.34.

10.4.2.17 Exemptions to undertake engine testing that does not comply with Rule 10.4.2.16 are permitted where:

- (a) There is a requirement to undertake essential unscheduled engine testing between the hours of 10.00pm and 7.00am; and
- (b) The aircraft had a scheduled passenger and/or freight landing at Hamilton Airport within 18 hours of the engine testing taking place; and
- (c) The engine testing is necessary to return the aircraft to scheduled services, as soon as practically possible; and
- (d) The engine testing cannot be completed outside the hours of 10.00pm and 7.00am without disruption to flying schedules.

10.4.2.18 Exemptions from Rule 10.4.2.16 are subject to the following conditions:

- (a) The essential unscheduled engine testing must be notified to the operator of Hamilton International Airport and Waipa District Council (WDC) by the aircraft testing operator as soon as the need for it is known; and
- (b) As soon as practically possible after the essential unscheduled engine testing is completed the aircraft testing operator shall send to the operator of Hamilton International Airport and WDC a report which shall include details of the date, time, location, duration, type of aircraft, engine power setting, the reasons for it being an exemption, and proof the aircraft was on a scheduled flight to Hamilton International Airport; and
- (c) The operator of Hamilton International Airport is to maintain a register of any exemptions under this rule, and the register is to be made publicly available; and
- (d) The noise shall not exceed L<sub>max</sub> 85dBA within the boundary or notional boundary of any dwelling; and
- (e) The cumulative duration of engine running time shall not exceed 30 minutes with a maximum cumulative duration of five minutes at high power settings; and
- (f) The total time from first engine on to last engine off, including any engine off time between run-ups, shall not exceed 90 minutes; and
- (g) The essential unscheduled engine testing must be undertaken in the following locations:
  - (i) The ATR72 aircraft and any others able to be accommodated within the Eagle Air enclosure should be positioned in that run-up noise enclosure; and
  - (ii) All other aircraft are to be positioned on the main runway facing north at the intersection with runway 07-25 (unless weather conditions require the aircraft to be south facing); and
- (h) For any aircraft to be able to rely on this exemption it must be either:
  - (i) One of the following aircraft types: Beechcraft 1900D, ATR-72, Boeing 737-300, Boeing 737-800; or
  - (ii) Be of a type certified by an acoustic consultant as being able to undertake engine testing in the location referred to in (g) above and still meet the L<sub>max</sub> limit in (d) above.

Activities that fail to comply with Rules 10.4.2.16 to 10.4.2.18 will require a resource consent for a non-complying activity, except for scheduled engine testing that exceeds Rule 10.4.2.16 by up to 5dBA which is a restricted discretionary activity, refer to Rule 10.4.1.3(d).

### Rules - Noise mitigation within the OCB, ANB and SEL

10.4.2.19 The following noise sensitive activities located within the OCB, ANB and SEL shall incorporate appropriate acoustic treatment to ensure that a noise level not exceeding 45dBA (Ldn) is achieved inside the building, except that in all habitable rooms of new residential activities and visitor accommodation, including extensions and additions to existing residential activities and visitor accommodation, a noise level not exceeding 40dBA shall be achieved:

Noise Sensitive Activities
Residential activities.
Visitor accommodation.
Education facilities including aviation education training.
Caretakers accommodation ancillary to any other activity.
Childcare facilities.
Healthcare facilities.
Conference facilities.
Places of Assembly.
Offices
Laboratories and research establishments.

10.4.2.20 The internal noise level shall be calculated in accordance with the predicted external level at the subject site shown on the plan at Appendix O10 and in accordance with the following adjustments to the dBA level to establish an unweighted external source spectrum for aircraft noise:

External aircraft noise octave band adjustments for sound insulation design (adjustments derived from ASTM E 1332-90 (2003))						
63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
6	5	0	-3	-6	-8	-11

10.4.2.21 Prior to a building consent being issued for any building to which Rules 10.4.2.19 and 10.4.2.20 applies, compliance shall be demonstrated by:

- (a) For visitor accommodation, by production of a design certificate from an appropriately qualified and experienced acoustic engineer, certifying that an internal noise level not exceeding 40dBA Ldn will be achieved in habitable rooms by construction in accordance with the proposed design; and
- (b) For other activities, by production of design certificate from an appropriately qualified and experienced acoustic engineer, certifying that an internal noise level not exceeding 45dBA Ldn will be achieved in habitable rooms.
- (c) Where it is necessary to have doors and windows closed to achieve the acoustic standard an alternative ventilation system shall be provided as follows (ac/hr means air changes per hour):
  - (i) Main living rooms: low setting 1-2 ac/hr and on high setting 15 ac/hr as a minimum.
  - (ii) Other habitable rooms: low setting 1-2 ac/hr and on high setting 5 ac/hr as a minimum.

- (iii) Each system must be able to be individually switched on and off and when on, be controlled across the range of ventilation rates by the occupant with a minimum of three stages.
- (iv) Each system providing the low setting flow rates is to be provided with a heating system which is able to provide the incoming air with a 12°C heat rise when the airflow is set to the low setting. Each heating system is to have a minimum of two equal heating stages.
- (v) If air conditioning is provided to any space then the high setting ventilation requirement for that space is not required.
- (vi) Noise from ventilation systems shall not exceed the following noise limits:

Room type	Noise level measured at least 1m from the Diffuser (Leq dBA)	
	Low setting	High setting
Main living rooms	35	40
Other habitable rooms	30	35

10.4.2.22 Visitor accommodation inside the SEL 95 boundary shown on the Planning Maps and Appendix O10 shall incorporate appropriate acoustical treatment to ensure that indoor sound levels stated below are not exceeded:

- (a) The Internal Sound Exposure Level (SEL) from aircraft noise shall not exceed 65dBA in all sleeping areas of new visitor accommodation and extensions or additions to existing visitor accommodation; and
- (b) The internal noise level shall be calculated in accordance with the predicted external level at the subject site as shown on the plan of SEL contours in Appendix O10 with the following adjustments to the dBA level to establish an unweighted external source spectrum for aircraft noise as follows:

External aircraft noise octave band adjustments for sound insulation design						
63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
6	5	0	-3	-6	-8	-11

Note: Adjustments derived from ASTM E 1332-90 (2003) Table 1

10.4.2.23 Prior to issuing a building consent for any building to which Rule 10.4.2.22 applies, compliance with the rule shall be demonstrated by production of a design certificate from an appropriately qualified and experienced acoustic engineer certifying that the above internal noise level will be achieved by construction in accordance with the proposed design, provided that:

- (a) Where it is necessary to have doors and windows closed to achieve the acoustic standard an alternative ventilation system shall be provided for sleeping areas at 1-2 a/c per hour on low setting and a minimum of 5 a/c per hour on high setting, where a/c per hour means air changes per hour; and
- (b) Each system must be able to be individually switched on and off and when on, be controlled across the range of ventilation rates by the occupant with a minimum of three stages; and
- (c) Each system providing the low setting flow rates is to be provided with a heating system which is able to provide the incoming air with a 12°C heat rise when the airflow is set to the low setting. Each heating system is to have a minimum of two equal heating stages; and

- (d) If air conditioning is provided to any space then the high setting ventilation requirement for that space is not required.
- (e) Noise from ventilation systems shall not exceed the following noise limits:

Room type	Noise level measured at least 1m from the Diffuser (Leq dBA)	
	Low setting	High setting
Sleeping areas	30	35

Activities that fail to comply with Rules 10.4.2.19 to 10.4.2.23 will require a resource consent for a discretionary activity.

#### Rule - Vibration

- 10.4.2.24 Vibration emanating from a site shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 4403:1996 Code of Practice for Storage, Handling, and Use of Explosives.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity, with the discretion being restricted over:

- Safety; and
- Time and duration of effect; and
- Effects on buildings and structures, either on site or on surrounding properties.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### Rule - Construction noise

- 10.4.2.25 Construction noise emanating from a site where construction is ancillary to the principal use shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 Acoustics – Construction Noise.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Time and duration of effect; and
- Effects on surrounding buildings and properties.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### Rules - Signs

- 10.4.2.26 The following signs are permitted:
- (a) A sign giving information such as the name or street number of premises, the business carried on, names of people occupying premises, and hours of operation; but containing no reference to particular products. No such sign shall exceed 3m<sup>2</sup> and the total area of permanent signs on one site shall not exceed 5m<sup>2</sup>.
  - (b) One free standing sign with a maximum height of 7.5m and maximum width of 2m at each road entrance to the Airport Business Zone.
  - (c) Signs advertising that the land or premises are for sale or lease. The maximum size of each sign must be no more than 2m<sup>2</sup> and no more than four signs are permitted on a site at any one time.

- (d) A sign erected on a construction site giving details of the project. The maximum total area of the sign must be no more than 2m<sup>2</sup> and no more than one sign is permitted on a site at any one time.
- (e) Any sign erected by Council, New Zealand Transport Agency, or the Automobile Association for the direction and control of traffic.
- (f) Health and Safety at Work Act 2015 related signs.

Provided that in all cases:

- (i) All signs other than temporary signs shall relate to activities authorised under the Plan and shall be located on the site to which they relate.
- (ii) No sign shall be internally illuminated, flashing, incorporate fluorescent or incorporate moving materials such as flags or be painted in colours that are used on traffic signals.
- (iii) All signs must be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall.
- (iv) No sign shall be placed above a verandah.
- (v) With the exception of signs permitted by Rule 10.4.2.26(b) a freestanding sign must be placed so that no part is more than 4m above ground level.
- (vi) Signs must be placed so that they do not block sight distances at entranceways and must be no closer than 20m to a road intersection.
- (vii) Signs shall be oriented towards the road from which the site obtains its vehicular access.
- (viii) Signs must be removed where the goods, services or events to which the sign relates are no longer available, or no longer relevant to that site or building.

10.4.2.27 Signs giving information on forthcoming events, elections, cultural, religious, educational or sporting events and displayed not more than 90 days before and three days after the event or such lesser time as may be prescribed by legislation; as long as signs shall not exceed a combined total of 3m<sup>2</sup> visible in all directions and shall be setback at least 15m from any strategic road.

Provided that in all cases:

- (a) No signs shall be internally illuminated, flashing, incorporate fluorescent materials, or be painted in colours that are used on traffic signals.
- (b) All signs must be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall.
- (c) A freestanding sign must be placed so that no part is more than 4m above ground level.
- (d) Signs must be placed so that they do not block sight distances at entranceways and must be no closer than 20m to a road intersection.
- (e) Signs shall be oriented towards the road from which the site obtains its vehicular access.
- (f) Signs shall be removed within three days of the conclusion of the event.

Provided that relevant the zone based or district wide rules apply where they are more restrictive. Refer to Section 22 - Heritage and Archaeology and Section 25 - Landscapes and Viewshafts.

Activities that fail to comply with Rules 10.4.2.26 and 10.4.2.27 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effects; and
- Traffic and adjoining State Highway network.

These matters will be considered in accordance with the assessment criteria in Section 21.

### **Rule - Earthworks**

- 10.4.2.28 Earthworks shall not exceed a total volume of 1,000m<sup>3</sup> in a single activity or in cumulative activities in any one calendar year, provided that this rule shall not apply to earthworks incidental to an approved resource consent or building consent.

#### **Advice Notes:**

1. In the event that any artefacts, human remains or evidence of historic human activity are discovered, there remains a procedure under the Heritage New Zealand Pouhere Taonga Act 2014 that must be followed.
2. Earthworks complying with permitted activity standards or subject to resource consent requirements under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011, are exempt from additional resource consent requirements.
3. Earthworks within 23m of lakes or water bodies require resource consent. Refer Section 26 - Lakes and Water bodies.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

### **Rules - Temporary construction buildings**

- 10.4.2.29 Temporary construction buildings must only be used in conjunction with, and for the duration of, a construction project located on or adjacent to the same site as the construction project. For the avoidance of doubt, temporary construction buildings must not be used as an accessory building for the day to day storage needs of domestic goods, or for the storage of home occupation equipment.
- 10.4.2.30 Temporary construction buildings are only permitted for one calendar year and must comply with the minimum setback requirements for the Airport Business Zone.

Activities that fail to comply with Rules 10.4.2.29 and 10.4.2.30 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effects.

These matters will be considered in accordance with the assessment criteria in Section 21.

### **Rules - Temporary events**

- 10.4.2.31 All temporary buildings and other works shall be removed and the site returned to its original condition five working days after the temporary event has ceased.
- 10.4.2.32 All buildings and any required works must be set back from the boundary in accordance with the relevant zone setback requirements.
- 10.4.2.33 Any temporary event that is likely to attract more than 200 vehicles will require a Traffic Management Plan. The Traffic Management Plan is required to be submitted to and approved by the relevant road controlling authority no less than one month prior to the event.
- 10.4.2.34 Temporary events must not:
- (a) Occur more than two times per calendar year cumulatively on any site; and



- (b) Exceed two days duration (excluding preparation time); and
- (c) Occur outside of the hours of Monday to Saturday 7.00am to 10.00pm and 7.30am to 6.00pm Sunday and public holidays.

Activities that fail to comply with Rules 10.4.2.31 to 10.4.2.34 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effects; and
- Noise; and
- Traffic.

These matters will be considered in accordance with the assessment criteria in Section 21.

#### **Rule - Compliance with the Airport Business Zone Structure Plan**

- 10.4.2.35 All development and subdivision in the Airport Business Zone shall comply with Rules 15.4.2.87 to 15.4.2.90 of this Plan.

#### **Rule - Relocated buildings**

- 10.4.2.36 A relocated building more than 40m<sup>2</sup> shall meet the following requirements:
- (a) A Building Relocation Inspection Report shall accompany an application for a building consent. The Building Relocation Inspection Report shall be prepared by one of the following suitably qualified and experienced people:
    - (i) A Waipa District Council Building Compliance Officer (or equivalent); or
    - (ii) A member of the New Zealand Institute of Building Surveyors; or
    - (iii) A licensed building practitioner (carpenter or design category); or
    - (iv) A building inspector from the local authority where the building is being relocated from; and
  - (b) If the Building Relocation Inspection Report has been prepared by a person other than a Waipa District Council Building Compliance Officer (or equivalent position), the accuracy and completeness of the Building Relocation Inspection Report must be confirmed by a Waipa District Council Building Compliance Officer (or equivalent position) by undertaking an on-site inspection of the relocated building once it has been relocated; and should the Waipa District Council Building Compliance Officer determine that the relocated building requires external repair works in addition to that identified in the submitted Building Relocation Inspection Report in order to achieve a tidy and workmanlike external appearance, then:
    - (i) The owner of site to which the building is to be relocated will be contacted and must agree in writing to the additional works within 2 weeks of notification of the requirement for additional works. The additional works then become part of the Building Relocation Inspection Report.
  - (c) All required repairs and maintenance identified in the Building Relocation Inspection Report to reinstate the exterior of the relocated building, including painting, if required, shall be completed within 6 months of the relocated building being delivered to the site; and
  - (d) The owner of site to which the building is to be relocated must supply a signed declaration to Council that the reinstatement work required by the Building Relocation Inspection Report will be completed within 6 months of the relocated building being delivered to the site.

Provided that this rule shall not apply to new buildings which are designed for or intended to be used on a site which are erected off the site either in whole or in parts and transported to the site.

Advice Notes:

1. Relocated buildings less than 40m<sup>2</sup> are not required to comply with this rule but are required to comply with the relevant rules in 10.4.2.
2. Information requirements for a Building Relocation Inspection Report are detailed in Section 21.2.27.
3. The onsite inspection by a Waipa District Council Building Compliance Officer (or equivalent position) shall occur at the time of foundation inspection for the Building Consent process, and will not incur additional costs.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity, with the discretion being restricted over:

- Condition of the exterior of the building; and
- Repairs and works identified for action in Council approved or certified Building Relocation Inspection Report; and
- Reinstatement works; and
- Timing for completing any required works.

These matters will be considered in accordance with the assessment criteria in Section 21.

## 10.5 Assessment Criteria

### 10.5.1 Controlled activities and Restricted Discretionary activities

*For controlled and restricted discretionary activities the assessment will be restricted to the matters over which control or discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. Resource consent conditions can only be imposed over the matters which control or discretion has been reserved. The relevant assessment criteria are contained in Section 21.*

### 10.5.2 Discretionary activities

*For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*