

## Rule 2.6 Hamilton Airport Protection Overlay

### Rule Statement

Hamilton Airport is located within Waipa District, but the airport's Horizontal and Conical Obstruction Limitation Surfaces extend into Hamilton City. A building height restriction is placed over land which lies under these surfaces (See Planning Map 20).

Airport noise is a growing issue for areas adjacent to the airport. With a growth in air traffic in Hamilton, airport noise is increasing and more frequent. To protect new residential activities and other noise sensitive activities within the Outer Control Boundary for Airport Noise, the rules require that an acceptable internal noise environment is provided.

### Expected Outcome

Uninterrupted air traffic approach paths across the city and exposure of residential activities to airport noise created by Hamilton Airport are limited to levels that protect amenity values.

### Means of Compliance

The following rules shall be read in conjunction with the standards and performance assessments in the underlying zone, and all other rules in the plan.

The Airport Protection Overlay rules shall be complied with first, then the relevant underlying zone or city-wide rules shall apply. The activity status of a Permitted or Controlled Activity may be altered from the activity list below where the activity cannot meet one or more of the standards in this rule. For clarification of activity status see [Rule 2.6.3 – Failure to Meet Standards](#).

Regard must be had to all Objectives and Policies which may be relevant to any proposed activity subject to this Rule. This includes, but shall not be limited to, Policy Sections 4.2 Transportation and Accessibility and 4.3 Network Utilities.

#### 2.6.1 Activities

Any Permitted, Controlled, Restricted Discretionary or Discretionary Activity within an underlying zoning shall retain its status within the Hamilton Airport Protection Overlay, provided it meets the relevant standards of the zone and the standards in [Rule 2.6.2](#).

## 2.6.2 General Standards

The following general standards apply to all Permitted and Controlled Activities.

### a) Height of Structures - Horizontal and Conical Obstruction Limitation Surfaces

No building, mast, tree or other object shall penetrate any of the horizontal and conical obstruction limitation surfaces surrounding Hamilton Airport as shown on the Airport Overlay Planning Map 20.

#### ***ADVISORY NOTE***

*The Horizontal Obstruction Limitation Surface is a surface located in a horizontal plane above the main runway with an elevation of 95m Moturiki Datum having its outer limit at a locus of 4,000m measured from the periphery of the main strip.*

*The Conical Obstruction Limitation Surface is a surface sloping upwards and outwards from the periphery of the Horizontal Surface at a gradient of 1 vertical to 40 vertical horizontal to an elevation of 200m above Moturiki Datum.*

*Where any Resource Consent is required as a result of non-compliance with the standards in this Rule 2.6.2, it is anticipated that the operator of Hamilton Airport will be a party potentially affected by the proposed activity and that operator should be consulted in relation to such a proposal.*

### b) Activities Sensitive to Airport Noise within the Outer Noise Control Boundary for Airport Noise (see Planning Map 20)

- i) Within the Outer Control Boundary for Airport Noise shown in the Airport Overlay Planning Map 20, the following buildings shall incorporate acoustic treatment to ensure that sound levels of 45dBA (Ldn) are not exceeded as a result of airport related noise:
  - All rooms in new buildings accommodating Activities Sensitive to Airport Noise, excluding passageways, ablution areas and access ways.
  - New rooms or extensions to rooms in existing buildings accommodating Activities Sensitive to Airport Noise, excluding passageways, ablution areas and access ways.
- ii) Where the required internal noise level for any such building or part thereof can only be met with doors and windows closed, then an alternative means of ventilation must be provided in accordance with the Building Act 1991.
- iii) Compliance with this standard shall be demonstrated by production of an acoustic design certificate from an appropriately qualified person, confirming that the proposed design and construction of the building will achieve compliance.

### 2.6.3 Failure to Meet Standards

- a) Activities which do not comply with either or both of the standards in Rule 2.6.2 a) and b) are **Restricted Discretionary Activities**, with discretion restricted to the subject matter of the standard that cannot be met.

## Performance Assessment

In determining any resource consent, Council shall have regard to the expected outcome for this rule and the relevant underlying zone, to any related objectives and policies, and to the following:

### 2.6.4 Assessment Criteria - Restricted Discretionary Activities and Discretionary Activities

Restricted Discretionary Activities will be assessed only in respect of the subject matter of the standard with which the activity was unable to comply.

Discretionary Activities will be assessed against, but not limited to, the assessment criteria below.

- a) **Height of Structures**

The extent to which any structure creates a potential hazard to the flight paths of aircraft or any other operations associated with Hamilton Airport.

- b) **Airport Noise Sensitivity**

- i) The sensitivity of the receiving environment to the effects of the noise and the effects of the noise on the receiver, especially whether the affected activities include a component where people need to sleep or concentrate.
- ii) The extent of the exposure to noise having regard to location, topographic screening and ambient noise levels.
- iii) The nature of the noise emissions likely to be generated and the disturbance this may cause to people in the vicinity, including:
  - audible characteristics; and
  - the expected times and duration of the noise.
- iv) Whether the design of any building includes adequate noise mitigation measures to ensure that the proposed activity within the building will be adequately protected from intrusion of airport-related noise.