I340. Pilkington Park Precinct

I340.1. Precinct description

The Pilkington Park Precinct covers approximately seven hectares of land in Point England. The precinct is separated from Apirana Avenue and Pilkington Road by the Pilkington Apirana Road Reserve, an area of public open space zoned land which adjoins the precinct's eastern boundary. The North Island Main Trunk Line rail corridor adjoins the precinct's western boundary.

The purpose of this precinct is to provide for a high-quality mixed use development, with additional building height and a greater intensity of development close to the Glen Innes Town Centre and Glen Innes Train Station. The provisions are designed to complement the underlying zoning of land being Business – Mixed Use and enable future development opportunities while ensuring the precinct is developed in a comprehensive manner.

The precinct includes controls to ensure that new and altered buildings containing Noise Sensitive Spaces that are adjacent to the rail corridor and arterial roads (Pilkington Road and Apirana Avenue) are designed and constructed to provide occupants with an adequate level of internal noise amenity.

The precinct includes controls to ensure the development of residential activities is integrated with the availability of safe and efficient pedestrian connections from the precinct to the Glen Innes Town Centre and Glen Innes Train Station.

I340.2. Objectives

(1) The Pilkington Park Precinct is comprehensively developed as a high-quality, mixed-use precinct, which is well-designed, integrated, and connected with the surrounding area.

(2) New buildings respond to and positively contribute to the amenity values of the public space network including open spaces and streets.

(3) Development provides for an efficient use of land to deliver residential and commercial activities in proximity to existing centres, and public and active modes of transport.

(4) Activities sensitive to noise located adjacent to the rail corridor and Apirana Avenue and Pilkington Road are designed to protect people's health and amenity values, and in a way which does not unduly constrain the operation of the rail corridor.

(5) Protect communities and infrastructure by mitigating:

(a) The adverse health and safety impacts associated with accessing the rail corridor; and

(b) Risk of disruptions to the safe and efficient operation of rail infrastructure.

All relevant Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

I340.3. Policies

(1) Optimise the transport and land use opportunities provided by the precinct's proximity to key transport corridors through the provision of a mixture of residential and commercial opportunities, with safe and efficient connections for pedestrians.

(2) Enable development in a variety of forms and heights by providing for additional building height in the north of the precinct, while responding to the planned urban built character of adjacent residential sites.

(3) Promote the comprehensive development and redevelopment of the Pilkington Park Precinct.

(4) Require activities sensitive to noise adjacent to the rail corridor and Apirana Avenue and Pilkington Road to be designed and constructed to achieve noise levels that protect the health and safety of occupants.

(5) Require buildings adjoining the rail designation boundary to be set back to provide for the health and safety of adjacent communities and efficient infrastructure operation.

All relevant Auckland-wide and zone policies apply in this precinct in addition to those specified above.

I340.4. Activity table

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Table I340.4.1 below.

Activity Table I340.4.1 specifies the activity status of land use and development activities in the Pilkington Park Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I340.4.1 Activity table

Activity		**Activity status**
Development		
(A1)	New buildings	RD
(A2)	New buildings and alterations to existing buildings which do not comply with standards I340.6.1 to I340.6.4	RD
(A3)	New dwellings that do not comply with standard I340.6.5	RD

I340.5. Notification

(1) Any application for resource consent for an activity listed in Table I340.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding on who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I340.6. Standards

(1) Unless specified in Standard I340.6(2) below, all relevant overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

(2) The following standard does not apply to activities listed in Activity Table I340.4.1 above:

(c) Standard H13.6.1 Building height.

(d) Standard H13.6.2(1) Height in relation to boundary and Table H13.6.2.1 Height in relation to boundary must not apply along the zone boundary where the site boundary adjoins the Open Space – Informal Recreation Zone.

(3) All activities listed in Activity Table I340.4.1 above must comply with the following standards.

I340.6.1 Building height

Purpose:

- Manage the effects of building height;
- Manage visual dominance effects;
- Enable greater height in the north of the precinct to provide a graduation in building height from the Glen Innes Town Centre.

(1) Buildings must not exceed the height in metres shown for that part of the precinct in the Height Variation Control on the planning maps.

I340.6.2. Activities sensitive to noise within 100m of the rail corridor designation boundary

Purpose: To ensure activities sensitive to noise adjacent to the rail corridor are designed to protect people's health and amenity while they are indoors and that such activities do not unduly constrain the operation of the rail corridor.

(1) Any new noise sensitive space or alteration to an existing noise sensitive space with a façade within 100m of the rail corridor designation boundary, must be designed, constructed and maintained to ensure that rail noise does not exceed internal noise levels specified in Table E25.6.10A.1.

(2) Compliance with Standard I340.6.2(1) must be demonstrated by an acoustic design report prepared by a suitably qualified and experienced person, whereby railway noise must be assumed to be 70 $L_{Aeq(1h)}$ at a distance of 12 metres from the nearest track; and must be deemed to reduce at a rate of:

(a) 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres; or

(b) As modelled by a suitably qualified and experienced person using a recognised computer modelling method for freight trains with diesel locomotives, having regard to factors such as barrier attenuation, the location of the noise sensitive space relative to the orientation of the track, topographical features and any intervening structures.

(3) Where opening windows of any new or altered noise sensitive space must be closed to ensure that the internal design noise levels in I340.6.2(1) are achieved for any noise sensitive space within 100m of the rail corridor designation boundary, those spaces must be designed, constructed and maintained with a mechanical ventilation and cooling system that achieves E25.6.10(3)(b)-(f).

A ventilation and HVAC design certificate prepared by a suitably qualified and experienced person must be submitted to the Council prior to occupation of the building demonstrating that the noise sensitive space(s) is provided with a system that meets or exceeds the outcomes described in E25.6.10(3)(b)-(f).

I340.6.3. Outdoor play areas of care centres within 60m of the rail corridor designation boundary

Purpose: To ensure that outdoor play areas adjacent to the railway corridor are designed and located to protect people's health and amenity and that such activities do not unduly constrain the operation of the rail corridor.

(1) Any new outdoor play area of any care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre within 60 metres of the rail corridor designation boundary, must be designed, constructed, and maintained so that the cumulative level of rail and noise from the Business Zones does not exceed 55 dB $L_{Aeq(1hour)}$.

(2) Compliance with I340.6.2(1) must be based on:

(a) The noise level from rail in I3406.2(1) and;

(b) The cumulative noise levels that are permitted to be generated from neighbouring sites in the Business – Mixed Use and Business – Light Industry zones.

Note: The noise levels in (a) and (b) must be assessed at any point 1.5m above the main play surface of the outdoor play area;

(3) Compliance with Standard I340.6.3(1) must be demonstrated by an acoustic design report submitted by a suitably qualified and experienced person. The report may take into account the screening provided by any intervening structures. The screening must screen all parts of the outdoor play area up to 1.5m above the play area surface, and excluding play equipment, from the rail corridor.

I340.6.4 Activities sensitive to noise within 60m of Pilkington Road and Apirana Avenue

Purpose: To ensure activities sensitive to noise adjacent to Pilkington Road and Apirana Avenue are designed to protect people's health and amenity while they are indoors.

(1) Where the new or altered noise sensitive space has a façade that is within 60m from the edge of the nearest traffic lane of Apirana Avenue or Pilkington Road, those spaces must be designed, constructed and maintained with a mechanical ventilation and cooling system that achieves E25.6.10(3)(b)-(f).

A ventilation and HVAC design certificate prepared by a suitably qualified and experienced person must be submitted to the Council prior to occupation of the building demonstrating that the noise sensitive space(s) is provided with a system that meets or exceeds the outcomes described in E25.6.10(3)(b)-(f).

Note: Closed windows and doors will be sufficient to protect people's health and amenity while they are indoors from predicted road traffic noise levels ten years after the noise sensitive space is first occupied. There are no internal design noise level requirements for road noise.

I340.6.5. Pedestrian crossing

Purpose: Provide safe crossing facilities and connections for pedestrians and active modes of transport between the Pilkington Park Precinct and the Glen Innes Town Centre and Train Station, consistent with Policies I340.3(1) and I340.3(3).

(1) Prior to the occupation of any new dwelling, two new pedestrian (zebra) crossings must be constructed and operational at Merton Road and Apirana Avenue. The location of the pedestrian crossings must be generally at the locations shown on Precinct Plan 1.

(2) Applications for resource consent in respect of new buildings will be deemed to comply with this standard I340.6.5(1) if the pedestrian crossings are:

(a) Constructed and operational prior to lodgement of the resource consent application; and/or

(b) Under construction prior to the lodgement of the resource consent application and the application is expressly made on the basis that the pedestrian crossing will be constructed and operational prior to the occupation of any new dwelling; and/or

(c) Proposed to be constructed by the applicant as part of the resource consent application and the application is expressly made on the basis that the pedestrian crossing will be constructed and operational prior to the occupation of any new dwelling.

(3) For the purpose of this standard:

(a) 'Occupation' means occupation and use for the building's intended purpose, but not including occupation by personnel engaged in construction fit out or decoration; and

(b) 'Operational' means the relevant upgrade is completed and available for use.

I340.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I340.8. Assessment – restricted discretionary activities

I340.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

(1) New buildings:

(a) The provision of active frontages to the public space network including open spaces and streets.

(b) Whether the location and design of buildings will contribute to comprehensive and integrated development.

(c) The positive effects of landscaping, including required landscaping, on on-site amenity.

(d) The effects of new roads and/or service lanes on pedestrians and cyclists.

(e) For any building or building alterations located within 5m of the rail designation boundary, the location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

(f) The matters of discretion in H13.8.1(3).

(2) Non-compliance with standard I340.6.1 Building height:

(a) Matters of discretion H13.8.1(7) apply.

(3) Non-compliance with standards I340.6.2 Activities sensitive to noise within 100m of the rail corridor and I340.6.3 Outdoor play areas of care centres within 60m of the rail corridor designation boundary:

(a) Measured or predicted internal noise levels within any noise sensitive space or outdoor play area of care centres.

(b) Any effects on human health and amenity values.

(c) Deleted.

(d) Location, topographical, or building design features, or other alternative measures that will mitigate potential adverse health effects relevant to noise.

(e) Whether the infringement proposed will unduly constrain the operation of the rail corridor.

(f) The outcome of any consultation with KiwiRail.

(4) Non-compliance with I340.6.4 Activities sensitive to noise within 60m of Pilkington Road and Apirana Avenue

(a) Any effects on human health and amenity values.

(b) Location, topographical, or building design features, or other alternative measures that will mitigate potential adverse health effects relevant to noise.

(5) Non-compliance with I340.6.5 Pedestrian crossing:

(a) Effects on pedestrian safety.

I340.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

(1) New buildings:

(a) Whether the building provides a quality and attractive frontage as viewed from the street or public open spaces, including through the relationship and orientation of buildings.

(b) The extent to which the effects of fences and walls, along frontages and adjoining public spaces are appropriately managed.

(c) The extent to which the design, layout, orientation, bulk and scale of buildings and connections to the public space network (including open spaces and streets) will contribute to the amenity values of the public space network and the comprehensive development of the Pilkington Park Precinct.

(d) The extent to which landscaping contributes to on-site amenity values.

(e) The provision of convenient, safe, and legible access for pedestrians and cyclists.

(f) For any building or building alterations located within 5m of the rail designation boundary:

(i) Location of the building or structure;

(ii) Methods of providing for building maintenance within site boundaries on a permanent basis; and

(iii) The outcome of any consultation with KiwiRail.

(g) The assessment criteria in H13.8.2(3).

(2) Non-compliance with standard I340.6.1 Building height:

(a) Refer to Policy H13.3(3)(a), Policy H13.3(3)(b), Policy H13.3(8), Policy H13.3(13), Policy H13.3(21), Policy I340.3(1), and Policy I340.3(2).

(3) Non-compliance with standards I340.6.2 Activities sensitive to noise within 100m of the rail corridor designation boundary and I340.6.3 Outdoor play areas within 60m of the rail corridor:

(a) Whether activities sensitive to noise adjacent to the rail corridor are designed to protect people's health and amenity values, and whether such activities unduly constrain the operation of the rail corridor. This includes:

(i) The extent to which building(s) containing activities sensitive to noise or outdoor play areas of care centres have been located and designed with particular regard to their proximity to the rail corridor;

(ii) The extent of non-compliance with the standard and the effects of any non-compliance; and

(iii) The extent to which topographical features or the location of other buildings or structures will mitigate noise effects.

(b) The outcome of any consultation with KiwiRail.

(4) Non-compliance with standard I340.6.4 Activities sensitive to noise within 60m of Pilkington Road and Apirana Avenue:

(a) Whether activities sensitive to noise adjacent to Pilkington Road and Apirana avenue are designed to protect people's health and amenity values. This includes:

(i) The extent of non-compliance with the standard and the effects of any non-compliance;

(ii) The extent to which topographical features or the location of other buildings or structures will mitigate noise effects; and

(iii) Technical advice from a suitably qualified and experienced person.

(5) Non-compliance with standard I340.6.5 Pedestrian crossing

(a) Whether safe pedestrian connections between the precinct and the Glen Innes Town Centre and Train Station are provided, including via alternative facilities or transport infrastructure.

(b) Refer to Policy I340.3(1).

I340.9 Special information requirements

There are no special information requirements in this precinct.

I340.10 Precinct Plans

I340.10.1 Pilkington Park Precinct: Precinct Plan 1: Indictive location of pedestrian crossing

