

The Proposed Auckland Unitary Plan (notified 30 September 2013)

2.8 Monte Cecilia

The activities, controls and assessment criteria in the underlying Public Open Space – Conservation zone and Auckland-wide rules apply in the following precinct and sub-precincts unless otherwise specified. Refer to planning maps for the location and extent of the precinct and sub-precincts.

1. Activity table

The following table specifies the activity status of activities in the Monte Cecilia Park and Pah Homestead sub-precincts.

Activity	Monte Cecilia Park sub-precinct	Pah Homestead sub-precinct
Community		
Artworks consistent with a Site Surrounds Management Plan for Pah Homestead, and located beyond the identified building platform in precinct plan 1, unless they are provided for as a permitted activity	NA	RD
Artworks and marquees	P	P
Arts and cultural activities and/or natural displays within the Pah Homestead building	NA	P
Conferences, meetings and functions	NA	P
Conferences, meetings and functions not provided for as a permitted activities	NC	RD
Food and beverage	NA	P
Food and beverage not provided for as a permitted activity	NC	RD
Informal recreation	NA	P
Musical performances	NA	P
Offices up to 200m ² GFA	NA	P
Public amenities	NA	P
Retail activities up to 25m ² GFA	NA	P
Temporary marquees, stages and similar structures	P	P
Visitor accommodation up to 105m ² GFA	NA	P
Development		
Any activity, building or structure in the Pah Homestead sub-precinct not provided for as a permitted or restricted discretionary activity	NA	D
Buildings or structures within the defined building platform in precinct plan 1	NA	P
Demolition, removal, alteration or addition to buildings	P	P
Earthworks	P	P
Parking, access and manoeuvring within the identified parking and access area in precinct plan 1 where associated with Monte Cecilia Park and activities within the Pah Homestead building	NA	P
Structures and buildings not provided for as a permitted activity	D	D

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Tree alteration and removal or any land use within the protected root zone	P	P
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2. Notification

1. Restricted discretionary activities within the Monte Cecilia precinct will be subject to the normal tests for notification under the relevant sections of the RMA.

3. Land use controls

3.1 Artworks and marquees

1. Artworks and marquees must be consistent with the Site Surrounds Management Plan prepared and approved by the council in accordance with the special information requirements set out below.

3.2 Conferences, meetings and functions

1. Conferences, meetings and functions must not involve any buildings or structures beyond the identified building platform area in precinct plan 1, except for temporary structures provided for in this precinct.

3.3 Earthworks

1. Earthwork activities must not be located within the area of archaeological sensitivity identified in precinct plan 1.
2. Earthwork activities must be located outside the protected root zone of trees or the earthworks must relate to a tree activity that is provided for as a permitted activity within the precinct.
3. Earthwork activities must not exceed a total volume of 5m³ and must affect an area less than 2m² in any one earthworks operation.
4. Earthworks that do not meet these controls will be a restricted discretionary activity.

3.4 Food and beverage

1. Food and beverage within the Pah Homestead building may also include associated tables, seating and umbrellas on the veranda and in the scheduled site surrounds.
2. Food and beverage activities must not involve any buildings or structures beyond the identified building platform area shown in precinct plan 1, except for temporary structures provided for in the precinct.

3.5 Musical performances

1. Musical performances must be associated with arts and informal recreation activities.
2. Musical performances must not involve any buildings or structures beyond the identified building platform area shown in precinct plan 1, except for temporary structures provided for in the precinct.

3.6 Office activities

1. Office activities must be ancillary to arts and cultural activities and/or natural displays within the Pah Homestead building.
2. Office activities must also be located within the Pah Homestead building.

3.7 Public amenities

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1. Public amenities must be limited to park furniture, including seats and rubbish bins.

3.8 Retail activities

1. Retail activities must be ancillary to arts and cultural activities and/or natural displays within the Pah Homestead building.
2. Retail activities must be located within the Pah Homestead building.

3.9 Temporary marquees, stages and similar structures

1. Temporary marquees, stages or similar structures must not have a cumulative area exceeding 100m².
2. The height of all temporary marquees, stages or similar structures must not exceed 5m.
3. All temporary marquees, stages or similar structures must not require footings, fixtures or other disturbance of the ground.
4. All temporary marquees, stages or similar structures must be in place for no longer than 5 days, inclusive of the time required for establishing and removing all structures.
5. These controls will not apply where the temporary marquee, stage or similar structure complies with all the relevant provisions of a Site Surrounds Management Plan approved by the council.

3.10 Tree alteration and removal

1. Tree alteration and removal activities are limited to the following activities, all of which must be carried out by, or under the instruction of, a council parks arborist.
2. Tree alteration and removal activities must be limited to the following activities:
 - a. any pruning or maintenance in accordance with accepted arboricultural best practice
 - b. removal of any self-seeded or volunteer juvenile exotic tree less than 6m high
 - c. removal of any tree or part of a tree that is dead or that is suffering from an untreatable disease which has caused a significant decline in its health. Evidence of this must be produced if required. Where uncertainty exists as to the likely fate of the tree, the tree must not be removed until its irreversible decline is obvious.
 - d. work immediately necessary to avoid injury to persons or damage to property
 - e. removal of any tree (regardless of its state of health) which has been identified as suffering from any notable dangerously infectious disease such as Dutch elm disease, or which is required to be removed under the Biosecurity Act 1993 or subsequent amendments
 - f. any tree subject to an order made under s. 129c of the Property Law Act 1952. For the purposes of this clause the council considers itself to be an interested party in any proceedings where an order is sought.
3. Tree alteration and removal that does not comply with these controls will be a restricted discretionary activity.
4. Any use of land within the protected root zone of any tree is restricted to the activities listed in 3.10.2 above. Any other use of land within the protected root zone of a tree will be a restricted discretionary activity.

3.11 Visitor accommodation

1. Visitor accommodation activities must be ancillary to arts and cultural activities and/or natural displays within the Pah Homestead building.
2. Visitor accommodation activities must be located within the Pah Homestead building.

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3.12 Demolition, removal, alteration or addition to buildings

1. The demolition, removal, alteration or addition of buildings must not relate to those buildings that are subject to a historic heritage overlay.
2. The alteration or addition of buildings must not relate to the buildings located at 595 Mt Albert Road.

4. Development controls

1. The development controls in the Auckland-wide rules: General chapter and the Public Open Space – Conservation zone apply unless specified below.
2. Any infringement of the development controls for the Monte Cecilia Park and Pah Homestead sub-precincts will be a discretionary activity.

4.1 Height

1. Buildings must not exceed the following height limits:

Table 1

Sub-precinct	Maximum height (m)
Monte Cecilia Park	5m
Pah Homestead	8m

4.2 Parking and loading

1. For parking and loading in the Pah Homestead sub-precinct refer to the parking, loading and access controls of the Auckland-wide rules Transport chapter, except that parking for permitted activities within the sub-precincts shall be provided at a ratio of one space for every three people.

4.3 Screening

1. Storage, service and/or waste and recycling areas must be screened from all open space areas that are open to the public and from adjoining residential properties.

5. Assessment - Restricted discretionary activities

5.1 Matters of discretion

Monte Cecilia Park and Pah Homestead sub-precincts

1. The Council will restrict its discretion to the following matters for the activities listed as restricted discretionary activities in the Monte Cecilia Park and Pah Homestead sub-precincts:
 - a. compatibility with the Monte Cecilia character statement specified in [Appendix 9.2.11](#) and Precinct Plan 1
 - b. compatibility with other events and activities in the precinct and the activities provided for in the underlying zone
 - c. heritage landscape values
 - d. Maori cultural and archaeological values
 - e. geological, arboricultural and ecological values
 - f. trees

Pah Homestead sub-precinct

2. The Council will restrict its discretion to the following matters for the activities listed as restricted

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discretionary activities in the Pah Homestead sub-precinct, except that items a and e will not apply to works of art located beyond the identified building platform area in Precinct Plan 1.

- a. compatibility with other events and activities in the Pah Homestead sub-precinct
- b. amenity and functioning of surrounding land uses
- c. heritage landscape values
- d. Maori cultural and archaeological values
- e. trees
- f. traffic and vehicle safety

5.2 Assessment criteria

Monte Cecilia Park and Pah Homestead sub-precincts

1. The Council will consider the relevant assessment criteria below for the restricted discretionary activities listed above:
 - a. The proposal should be compatible with the Monte Cecilia character statement specified in [Appendix 9.2.11](#) and Precinct Plan 1.
 - b. Any proposed use or development should promote:
 - i. appropriate temporary events within Monte Cecilia Park
 - ii. the dominant arts, cultural activity, natural display activities and significant ancillary conferences, meetings or functions activities provided for in the Pah Homestead sub-precinct
 - iii. the passive recreation activities provided for in the underlying Public Open Space - Conservation zone
 - c. Adverse effects on the heritage landscape values of Monte Cecilia Park and the visual/spatial relationship between Monte Cecilia Park and the Pah Homestead building should be avoided, remedied, or mitigated.
 - d. Maori cultural values of the land should be recognised and provided for and any adverse effects on these values should be avoided, remedied, or mitigated (this may include cultural monitoring).
 - e. Any proposed use or development should avoid, remedy or mitigate any adverse effects on the archaeological values of Monte Cecilia Park including in particular, the features identified on Precinct Plan 1.
 - f. Where earthworks are proposed within the landform protection area identified on Precinct Plan 1, adverse effects on the geological values of the Park should be avoided, remedied, or mitigated.
 - g. Adverse effects on arboricultural and ecological values of the Park should be avoided, remedied, or mitigated.
 - h. Adverse effects on the health or viability of trees and their roots and root zones arising from any use, excavation, deposition of material, construction work, placement of services, storage or other activity should be avoided, remedied or mitigated.
 - i. Activities and development should be consistent with the provisions of the Pah Farm Conservation Plan (or any update or replacement thereto).
 - j. Any relevant outstanding matters arising from consultation undertaken with the New Zealand Historic Places Trust should be addressed.
 - k. An application for use or development should include a review of the Pah Farm Conservation Plan. If the application has the potential to erode the values of Monte Cecilia Park (as identified in the Monte Cecilia Park Character Statement in [Appendix 9.2.11](#)) it will require a revision of the Pah

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Farm Conservation Plan and preparation of a management plan with systems and processes (including provision for monitoring and review) to enable the use or development while not eroding the identified values.

Pah Homestead sub-precinct

2. The Council will consider the relevant assessment criteria below for the activities listed as restricted discretionary activities in the Pah Homestead sub-precinct, except that items a and f will not apply to works of art located beyond the identified building platform area in Precinct Plan 1.
 - a. The proposed use or development should promote the dominant arts, and cultural activity and/or natural display activities and significant ancillary conferences, meetings and functions activities provided for in the Pah Homestead sub-precinct.
 - b. Adverse effects on the amenity and functioning of surrounding land uses should be appropriately avoided, remedied or mitigated. Discretion may be exercised, and conditions may be imposed over the following, but is not limited to:
 - i. hours of operation
 - ii. noise levels
 - iii. lighting levels
 - iv. the number and frequency of events
 - v. the number of people
 - vi. the number, nature and frequency of vehicle movements having regard to any concurrent activities and the capacity and operation of the intersection of Delargey Avenue with Hillsborough Road
 - vii. the number of parking spaces available having regard to any concurrent activities and mechanisms included in any parking/travel management plan
 - c. Adverse effects on the heritage landscape values of Monte Cecilia Park and the visual/spatial relationship between Monte Cecilia Park and the Pah Homestead building should be avoided, remedied, or mitigated.
 - d. Adverse effects on archaeological values of the Park should be avoided, remedied, or mitigated.
 - e. Maori cultural values of the land should be recognised and provided for and any adverse effects on these values should be appropriately avoided, remedied, or mitigated.
 - f. Adverse effects on trees should be appropriately avoided, remedied, or mitigated.
 - g. Adverse effects on vehicular, pedestrian and cycle safety and function should be avoided, remedied or mitigated.

6. Assessment - Discretionary activities

1. Without limiting its discretion the council will consider the matters specified above for restricted discretionary activities, and the cumulative effects of other activities occurring within and adjacent to Monte Cecilia Park (including frequency of activities, hours of activities, parking requirements, and alternative transport modes) and the proximities of these activities to neighbours.

7. Special information requirements

1. Site Surrounds Management Plan
 - a. A Site Surrounds Management Plan must be prepared, approved and, as deemed necessary from time to time, amended by the council for that area denoted area 'A' in Precinct Plan 1 in consultation with the James Wallace Arts Trust and any other party that is considered to have a

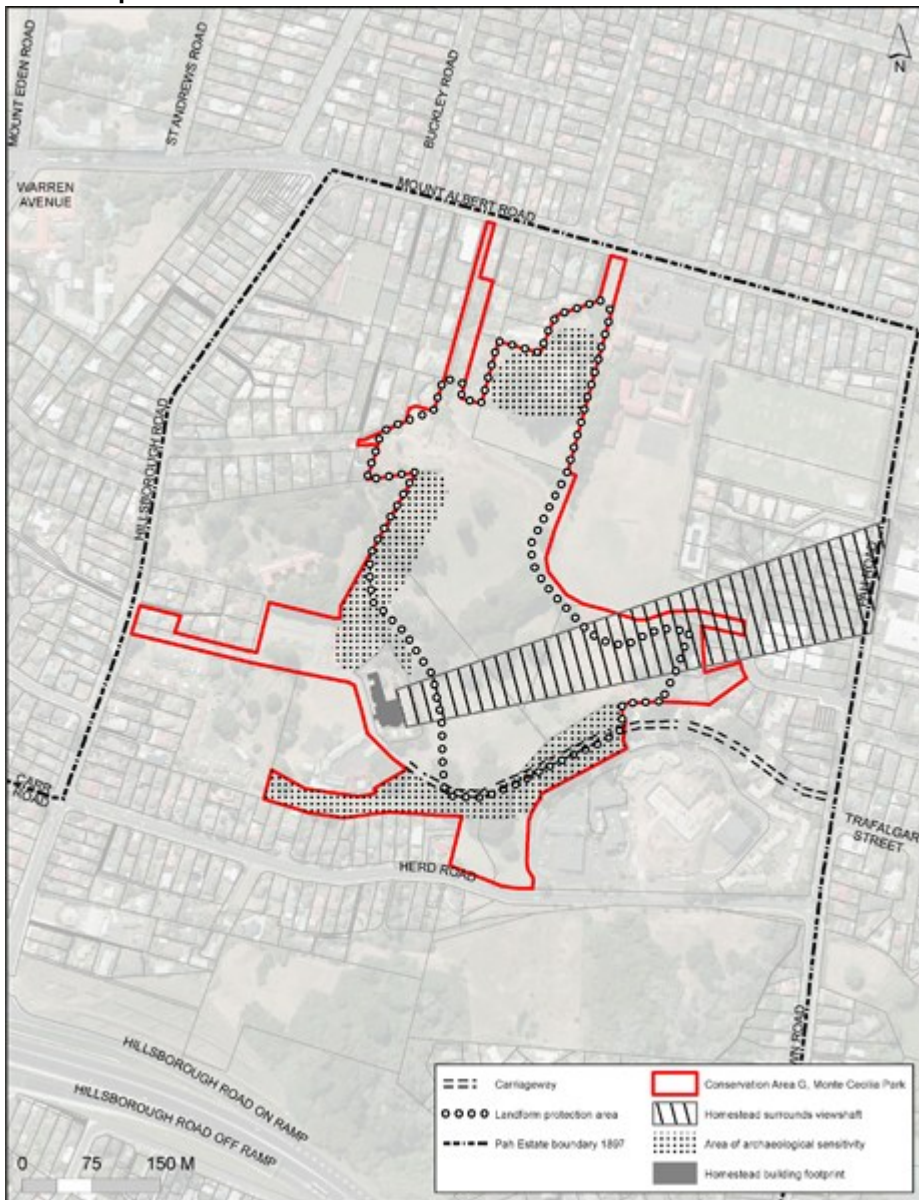
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relevant interest.

- b. The Site Surrounds Management Plan must include but not be limited to the following:
 - i. specifying the number, location, dimensions and duration of works of art that may be displayed within Area A
 - ii. specifying the location, type, spatial extent, maximum height and duration of any marquee or marquees permitted to be erected within Area A
 - iii. specifying requirements for the reinstatement of lawn and/or plantings adversely affected by the permitted activity
- c. In preparing, approving and/or amending the Site Surrounds Management Plan, the council must take into account the expected outcomes for the Public Open Space – Conservation zone and the Monte Cecilia precinct.

8. Precinct plan

Precinct plan 1: Monte Cecilia Precinct



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