

I601. Bethells Precinct

I601.1. Precinct description

The Bethells Precinct covers a large coastal site at Te Henga – Bethells Beach. The precinct adjoins the Te Henga Precinct and the Wainamu Precinct. It is located in the Waitākere Ranges heritage area, as defined by the Waitākere Ranges Heritage Area Act 2008.

The purpose of the Bethells Precinct is to provide for a range of existing and proposed activities in the modified north-western sector of the area.

The provisions arise from a detailed and comprehensive analysis of the precinct's natural and heritage features and provide for a limited range of development and activities in a manner that enhances and protects the environment. It also reflects the specific ways in which the land use activities have historically been undertaken.

The zoning of land within the Bethells Precinct is Rural – Rural Conservation Zone and the precinct is also subject to the Waitākere Ranges Heritage Area Overlay.

I601.2. Objectives

- (1) Activities, development, and subdivision in this precinct achieve the objectives and policies of the Waitākere Ranges Heritage Area Overlay.
- (2) The precinct provides for an appropriate mix of activities which enable the economic and environmental sustainability of the land.
- (3) The activities and development on the site are compatible with the natural and coastal character, natural landscape and amenity values of the surrounding environment.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

I601.3. Policies

- (1) Manage the scale and effects of activities and/or development so that they are consistent with the objectives of the Waitākere Ranges Heritage Area Act 2008.
- (2) Limit activities and development which will have cumulative adverse effects on the heritage features of the heritage area.
- (3) Require subdivision and development to be of a scale, design and location in keeping with the unique circumstances of the precinct, taking into account existing and past use of the precinct and the opportunities to achieve net environmental benefits in the precinct.
- (4) Provide for a range of activities in the modified north-western sector of the precinct in a way which enhances the landscape and fosters improved land management.

- (5) Concentrate buildings, grazing and viticulture in the north-western sector of the precinct and provide screening to minimise visual effects.
- (6) Avoid subdivision in the Bethells Precinct.
- (7) Manage the ecological and landscape values of the precinct by enabling the use of land for filming, grazing and forestry.
- (8) Require new dwellings and areas for forestry to be located so that the natural character of the landscape is protected.
- (9) Provide for nature-based, rural and wilderness experiences, outdoor recreation and pursuits, that are compatible with, and appropriate to, the character and amenity values of the area and the natural and rural environment.
- (10) Provide for the reuse of existing buildings that relate to the historic and/or rural character of the precinct.
- (11) Recognise and provide for the relationship between Mana Whenua and the area, including the use of traditional resources and food gathering.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

I601.4. Activity table

The provisions in any relevant overlays, Auckland-wide provisions and the zone apply in this precinct unless otherwise specified below.

Table I601.4.1 Activity table specifies the activity status of land use, development and subdivision activities in the Bethells Precinct pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) I601.4.1 to I601.6.8 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

Where there is a rule in the plan that relates to any of the matters listed above then the plan rule will apply. In the event that there is any conflict between the rules in the plan and the NESPF in relation to any of the above, the most restrictive rule will prevail.

If the NESPF does not regulate an activity then the plan rules apply.

Table I601.4.1 Activity table

Activity		Activity status
Development		
(A1)	Buildings	P
(A2)	Buildings not complying with Standard I601.6.1	D
(A3)	Vegetation alteration within areas identified as grazing, horticulture, viticulture, buildings, forestry and farm forestry in I601.10.1 Bethells: Precinct Plan 1	P
(A4)	Vegetation alteration outside areas identified as grazing, horticulture, viticulture, buildings, forestry and farm forestry in I601.10.1 Bethells: Precinct Plan 1	NC
Use		
Rural		
(A5)	Farming	P
(A6)	Farming that does not comply with Standard I601.6.6	NC
(A7)	Forestry activities within the identified areas for forestry in I601.10.1 Bethells: Precinct Plan 1	RD
(A8)	Forestry activities not complying with Standards I601.6.8(2) to I601.6.8(4)	D
(A9)	Forestry outside the identified areas for forestry in I601.10.1 Bethells: Precinct Plan 1	NC
(A10)	Rural commercial services	D
(A11)	On-site primary produce manufacturing up to 200m ² in gross floor area	D
(A12)	On-site primary produce manufacturing greater than 200m ² gross floor area	NC
(A13)	Post-harvest facilities	D
Accommodation		
(A14)	Dwellings that comply with Standard I601.6.4	C
(A15)	Dwellings that do not comply with Standard I601.6.4(1)	NC
(A16)	Dwellings that do not comply with Standard I601.6.4(2)	Pr
(A17)	Minor dwellings that comply with Standard I601.6.5	RD
(A18)	A minor dwelling not complying with Standard I601.6.5	NC
(A19)	Visitor accommodation accommodating up to 20 guests calculated over the entire precinct	RD
(A20)	Visitor accommodation accommodating more than 20 guests calculated over the entire precinct	D
(A21)	Home occupations, including the establishment of a recording studio, inside an existing dwelling	C
(A22)	Home occupations, including the establishment of a recording studio, that do not comply with Standard I601.6.7	NC
Commerce		
(A23)	Restaurants and cafes up to 300m ² in gross floor area	C
(A24)	Restaurants and cafes greater than 300m ² in gross floor area	D
(A25)	Show homes	D

Community		
(A26)	Care centres	D
Subdivision		
(A27)	Subdivision	NC

I601.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table I601.4.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I601.4.1 Activity table and which is not listed in I601.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding 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\(4\)](#).

I601.6. Standards

The overlay, Auckland-wide and zone standards apply in this precinct unless otherwise specified in the standards or excluded below:

- The provisions in [D11](#) Outstanding Natural Character and High Natural Character Overlay for dwellings, buildings and structures including accessory to pastoral farming;
- [H19](#) Rural – Rural Conservation Zone – Standard [H19.10.2](#) Building height;
- [H19](#) Rural – Rural Conservation Zone – Standard [H19.10.3](#) Minimum yards setback requirement;
- [H19](#) Rural – Rural Conservation Zone – Standard [H19.10.6](#) Free-range poultry farming;
- [H19](#) Rural – Rural Conservation Zone – Standard [H19.10.7](#) Forestry; and
- [H19](#) Rural – Rural Conservation Zone – Standard [H19.10.11](#) Minor dwelling.

All activities listed in Table I601.4.1 Activity table must comply with the relevant standards.

I601.6.1. Building height

- (1) Buildings must not exceed 8m in height.

I601.6.2. Yards

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise adverse effects of buildings on the character and

amenity values enjoyed by occupiers of adjoining properties; and the opportunity for reverse sensitivity effects to arise.

- (1) Buildings must be set back a minimum of 10m from front, side or rear boundaries.
- (2) A building that does not comply with Standard I601.6.2(1) is a restricted discretionary activity provided that the building must be set back a minimum of 3m from the front, side or rear boundary.
- (3) A building that is set back less than 3m from a front, rear or side boundary is a discretionary activity.

I601.6.3. Building coverage

- (1) The total building coverage within the precinct must not exceed 2,500m².
- (2) The building coverage of accessory farm buildings existing on the site as at 30 September 2013 is excluded from the calculation of the total building coverage.
- (3) The maximum building coverage of a single building must not exceed 300m².
- (4) Non-compliance with I601.6.3(1) to (3) is a discretionary activity provided the total building coverage within the precinct does not exceed 3,500m² and no single building has a building coverage greater than 500m².
- (5) Total building coverage within the precinct exceeding 3,500m² is a non-complying activity.
- (6) Any single building with building coverage exceeding 500m² is a non-complying activity.

I601.6.4. Dwellings

- (1) Dwellings must be located in the areas identified for proposed dwellings in I601.10.1 Bethells: Precinct Plan 1.
- (2) The number of additional dwellings (not including minor dwelling) constructed after 30 September 2013 within the precinct must not exceed six.

I601.6.5. Minor dwelling

- (1) Minor dwellings must be located in the areas identified for dwellings in I601.10.1 Bethells: Precinct Plan 1.
- (2) There must be no more than one minor dwelling.
- (3) The minor dwelling must have a floor area less than 65m², excluding decks and garaging.
- (4) The minor dwelling must share the same driveway access as the principal dwelling to which it relates.

I601.6.6. Farming

- (1) Farming activities must be limited to grazing, beekeeping, horticulture and viticulture.

- (2) Viticulture must be located in the areas identified as 'horticulture and viticulture' in I601.10.1 Bethells: Precinct Plan 1.
- (3) Grazing must be located in the areas identified as 'pasture' in I601.10.1 Bethells: Precinct Plan 1.

I601.6.7. Home occupation – recording studio

- (1) Where a home occupation involves a recording studio, the activity must occur within the same building as the dwelling.
- (2) The dwelling or minor dwelling must be located in areas identified for dwellings in I601.10.1 Bethells: Precinct Plan 1.

I601.6.8. Forestry

- (1) Forest activity must be located in the areas identified for forestry in I601.10.1 Bethells: Precinct Plan 1.
- (2) Forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or the adjoining site is an area identified in the Significant Ecological Areas Overlay or the adjoining site is already afforested.
- (3) Forestry must be carried out at least 5m from the bank of any permanent stream, river, lake, wetland or coastal edge.
- (4) Forestry must be carried out at least 5m from the Significant Ecological Areas Overlay.

I601.7. Assessment – controlled activities

I601.7.1. Matters of control

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application, in addition to the matters specified for the relevant controlled activities in the overlay, Auckland-wide or zone provisions:

- (1) visual impact, amenity values and natural and coastal character;
- (2) landscape treatment;
- (3) design;
- (4) appearance (including colour); and
- (5) sewage/stormwater management.

I601.7.2. Assessment criteria

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant controlled activities in the overlay, Auckland-wide zone or zone provisions:

- (1) the extent to which buildings are visible from beyond the site, particularly from a public place such as a road or beach;

- (2) the extent to which buildings compromise the visual landscape qualities of the area;
- (3) the extent to which the proposed development adversely affects amenity values and natural and coastal character;
- (4) the extent to which buildings are of a colour and reflectivity compatible with local amenity values and the natural landscape, particularly as viewed from beyond the site, from roads and other public places;
- (5) whether buildings are screened from views if necessary; and
- (6) the extent to which buildings create pressure on the ability of the surrounding natural environment to adequately absorb the effects of wastewater disposal and stormwater drainage.

I601.8. Assessment – restricted discretionary activities

I601.8.1. Matters of discretion

The Council will restrict its discretion to all 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 overlay, Auckland-wide or zone provisions:

- (1) for all restricted discretionary activities (not including non-compliance with yards and building coverage):
 - (a) sewage/stormwater management;
 - (b) visual impact, natural and coastal character and amenity values;
 - (c) the design, scale and intensity of buildings and activities;
 - (d) retention and maintenance of vegetation;
 - (e) landscape treatment;
 - (f) the duration and hours of operation of activities; and
 - (g) parking, access and traffic movement.
- (2) additional matters for forestry:
 - (a) the natural functioning of water courses;
 - (b) fire safety;
 - (c) protection of mauri and sites of significance and sites of value to iwi; and
 - (d) operations management plan.
- (3) for yards:
 - (a) location, privacy, screening and planting.

(4) for building coverage:

- (a) building bulk, screening and landscape treatment; and
- (b) the provision of outdoor space.

I601.8.2. 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 overlay, Auckland-wide or zone provisions:

(1) for all restricted discretionary activities (not including yards and building coverage):

- (a) the extent to which buildings are visible from beyond the site particularly from a public place such as a road or beach;
- (b) the extent to which buildings compromise the visual landscape qualities of the area;
- (c) the extent to which the proposed development should not adversely affect amenity values and natural and coastal character;
- (d) the extent to which buildings are of a colour and reflectivity compatible with local amenity values and the natural landscape, particularly as viewed from beyond the site, from roads and other public places;
- (e) whether the building is screened if necessary; and
- (f) the extent to which buildings create pressure on the ability of the surrounding natural environment to adequately absorb the effects of wastewater disposal and stormwater drainage.

(2) for forestry:

- (a) the extent to which proposed development adversely affects the overall resilience, biodiversity and integrity of the natural environment;
- (b) the extent to which the activity adversely affects or contributes to the degradation of the water table or of natural watercourses in a way that destroys or reduces their ability to support in-stream vegetation and fauna;
- (c) whether adequate provision is made for fire safety;
- (d) whether the proposed development adversely affects the mauri (life force) of native vegetation and fauna habitat within the natural environment; and
- (e) whether the activity adversely affects the historical, cultural or spiritual significance of any site or waahi tapu.

(3) for yards:

- (a) the extent to which buildings are located a sufficient distance back from the site boundary to avoid more than minor adverse effects on the natural landscape;
 - (b) the extent to which buildings are located in a position which maintains opportunities to retain vegetation around the edges of the site; and
 - (c) the extent to which buildings are located a sufficient distance back from site boundaries to ensure a minimum level of privacy.
- (4) for building coverage:
- (a) the extent to which buildings are compatible with the natural and coastal character, in particular, the following will be considered:
 - (i) the extent of landscape modification, including earthworks and vegetation alteration;
 - (ii) the visual prominence of the building; and
 - (iii) the relationship with neighbouring sites.

I601.9. Special information requirement

I601.9.1. Forestry Management Plan

- (1) A forestry management plan must be submitted with any resource consent application for forestry activities. The following information must be included:
- (a) the location and dimensions of areas proposed for production planting;
 - (b) the location and extent of any archaeological sites or historic sites within the areas proposed for planting and how those sites will be protected;
 - (c) the measures to be used to protect and enhance any area of native vegetation;
 - (d) the methods to be used to prevent erosion during any planting or harvesting work;
 - (e) the time period over which any planting will take place;
 - (f) the measures to be used to protect water flow and quality of any waterbodies or wetlands in the vicinity;
 - (g) the methods to be employed to inhibit the spread of fire within and in the vicinity of the area to be forested;
 - (h) the likely methods to be employed in harvesting operations;
 - (i) the anticipated dates and time periods of harvesting;
 - (j) the estimated volumes of timber produced and intended methods of transport of harvested timber for milling;

- (k) the likely demands placed on roads through the transportation of harvested timber;
- (l) the details of an appropriate rehabilitation programme for the area to be subject to forestry activities;
- (m) the species to be used; and
- (n) the method of management to be used.

I601.10. Precinct plans

I601.10.1. Bethells: Precinct Plan 1

