

I612. Te Henga Precinct

I612.1. Precinct description

The Te Henga Precinct covers a large coastal site at Te Henga – Bethells Beach. The precinct adjoins the Bethells 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 Te Henga Precinct is to recognise and provide for the unique cultural, historic and ecological value of this area. In a limited number of instances, the precinct provisions will take precedence over certain provisions in the natural heritage overlays.

Environmental assessments of this precinct have provided detailed information on which to base individual management plans for the property. The subdivision and development provisions have been tailored to the unique circumstances of the property, taking into account existing and past use of the property and the opportunities to achieve net environmental benefits.

The zoning of land within this precinct is Rural – Rural Coastal Zone and the precinct is also subject to the Waitākere Ranges Heritage Area Overlay, the Outstanding Natural Character Overlay, High Natural Character Overlay, Outstanding Natural Landscape Overlay and the Ridgeline Protection Overlay.

I612.2. Objectives

- (1) Subdivision, use and development 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 Outstanding Natural Character Overlay, High Natural Character Overlay, Outstanding Natural Landscape Overlay and the Ridgeline Protection Overlay and amenity values of the surrounding environment that is protected by these overlays.

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

I612.3. Policies

- (1) 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.
- (2) Manage the ecological and landscape values of the precinct by enabling the use of land for grazing and forestry.
- (3) Require new dwellings and areas for forestry to be located so that the natural and coastal character of the landscape is protected.

- (4) Provide for nature-based, rural and wilderness experiences, outdoor recreation and pursuits, that are compatible with, and appropriate to, the natural and coastal character and amenity values of the area and the natural and rural environment.
- (5) Provide for the reuse of existing buildings that relate to the history and/or natural and coastal character of the precinct.
- (6) 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 underlying zone policies apply in this precinct in addition to those specified above.

I612.4. Activity table

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

Table I612.4.1 specifies the activity status of land use, development and subdivision activities in the Te Henga 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) I612.4.1 to I612.6.7 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 I612.4.1 Activity table

Activity		Activity status
Development		
(A1)	Buildings	P

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(A2)	Buildings that do not comply with Standard I612.6.2	D
Subdivision		
(A3)	Subdivision complying with Standard I612.6.7	RD
(A4)	Subdivision that does not comply with Standard I612.6.7	D
Use		
Rural		
(A5)	Farming	P
(A6)	Farming that does not comply with Standard I612.6.6	NC
(A7)	Forestry	P
(A8)	Rural commercial services	D
(A9)	On-site primary produce manufacturing up to 200m ² gross floor area	D
(A10)	On-site primary produce manufacturing greater than 200m ² gross floor area	NC
(A11)	Post-harvest facilities	D
Accommodation		
(A12)	One dwelling per site located in the areas identified as proposed dwelling (as shown on I612.10.1 Te Henga: Precinct Plan 1)	P
(A13)	Dwelling located outside the areas identified as proposed dwelling (as shown on I612.10.1 Te Henga: Precinct plan 1)	NC
(A14)	Minor dwellings	RD
(A15)	Minor dwellings that do not comply Standard I612.6.5	NC
(A16)	Subdivision of a minor dwelling from the site on which the principal dwelling is located	Pr
(A17)	Visitor accommodation accommodating no more than 20 guests	P
(A18)	Visitor accommodation accommodating more than 20 guests	D
Commerce		
(A19)	Restaurants and cafes up to 300m ² in gross floor area	D
(A20)	Restaurants and cafes greater than 300m ² in gross floor area	NC
(A21)	Show homes	D

I612.5. Notification

- (1) Any application for resource consent for an activity listed in Table I612.4.1 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) 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\(4\)](#).

I612.6. Standards

The overlay, Auckland-wide and underlying zone standards apply in this precinct unless otherwise specified.

All activities listed in Table I612.4.1 must comply with the following standards.

I612.6.1. Dwellings, buildings and structures

- (1) The provisions in [D11 Outstanding Natural Character and High Natural Character Overlay](#) for dwellings, buildings and structures including accessory to pastoral farming do not apply to buildings in this precinct.

I612.6.2. Building height

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

I612.6.3. Minimum yard setback requirement

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the natural and coastal character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunities for reverse sensitivity effects to arise.

- (1) A building or parts of a building must be set back from the relevant boundary by a minimum depth of 10m.
- (2) A building that does not comply with Standard I612.6.3(1) is a restricted discretionary activity provided that the building has front, side and rear yards with a minimum depth of not less than 3m.
- (3) Buildings with front, side and or rear yards which have a minimum depth of less than 3m are a discretionary activity.

I612.6.4. Building coverage

- (1) The maximum building coverage must not exceed 15 per cent of the net site area or 350m² whichever is the lesser.
- (2) The maximum building coverage of a single building is 300m².
- (3) A building that does not comply with Standard I612.6.4(1) and (2) is a restricted discretionary activity provided that the total building coverage on the site does not exceed 15 per cent of the net site area.
- (4) Building coverage that exceeds 15 per cent of net site area is a non-complying activity.

I612.6.5. Minor dwelling

- (1) Minor dwellings must be located in the areas identified for dwellings (as shown on I612.10.1 Te Henga: Precinct plan 1).
- (2) There must be no more than one minor dwelling per site.

- (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.

I612.6.6. Farming

- (1) Farming activities must be limited to grazing and beekeeping.
- (2) Farming must be located in the areas identified as pasture (as shown on I612.10.1 Te Henga: Precinct plan 1).

I612.6.7. Subdivision

The provisions in [E39 Subdivision – Rural](#) apply to this precinct unless otherwise specified below.

- (1) Any sites created by the subdivision must generally coincide with the location of proposed lot boundaries as shown on I612.10.1 Te Henga: Precinct plan 1.
- (2) No more than five sites can be created in the Te Henga Precinct.
- (3) The Lakeside Enhancement Area (as shown on I612.10.1 Te Henga: Precinct plan 1) must be provided with established planting as required by the Council prior to the issue of a section 224(c) certificate for the first subdivision within the precinct.

I612.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I612.8. Assessment – restricted discretionary activities

I612.8.1. 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 overlay, Auckland-wide or zone provisions:

- (1) all restricted discretionary activities (excluding standard infringements):
 - (a) natural and coastal character and amenity values;
 - (b) location in relation to sensitive ridges;
 - (c) the design, scale and intensity of buildings and activities;
 - (d) retention and maintenance of vegetation;
 - (e) landscape treatment of sites;
 - (f) parking, access and traffic movement; and
 - (g) infrastructure.

- (2) infringement of yard standard:
 - (a) location, privacy, screening and planting.
- (3) infringement of building coverage standard:
 - (a) building bulk, screening and landscape treatment; and
 - (b) provision of outdoor space.
- (4) subdivision:
 - (a) design, scale and location of proposed sites, building platforms and driveways;
 - (b) landscaping treatment;
 - (c) protection and enhancement of vegetation and natural features;
 - (d) drainage works and infrastructure; and
 - (e) road/site access.

I612.8.2. 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) all restricted discretionary land use activities (excluding standard infringements):
 - (a) the extent to which buildings are obtrusively visible on or above sensitive ridgelines when viewed from a public place;
 - (b) the extent to which buildings and development compromise the visual landscape qualities of sensitive ridgelines, and other natural landscape elements;
 - (c) whether development adversely affects the visual, historic, cultural and spiritual significance for iwi of sensitive ridges; and
 - (d) the extent to which landscape treatment is used to mitigate the visual impact of buildings and development.
- (2) Infringement of yard standard:
 - (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.

(3) infringement of building coverage standard:

(a) the extent to which buildings are compatible with the natural landscape, 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.

(4) subdivision:

(a) the extent to which the subdivision design avoids the need for clearance of native vegetation, retains or links significant vegetation and fauna habitat areas, contains proposals to plant with native vegetation those areas of the site outside of the Significant Ecological Areas Overlay;

(b) the extent to which the subdivision avoids enabling development on natural landscape elements and heritage features;

(c) whether the subdivision minimises soil erosion and encourages on-site water retention;

(d) the extent to which the subdivision avoids development on floodplains and uses drainage methods that protect and enhance streams; and

(e) whether the subdivision provides formal legal protection for the natural environment, including riparian margins, areas of outstanding natural features or outstanding indigenous vegetation.

I612.9. Special information requirement

There are no special information requirements in this precinct.

I612.10. Precinct plans

I612.10.1. Te Henga: Precinct plan 1

