



# Proposed Plan Change 120 - Housing Intensification and Resilience (PC120)

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## to the Auckland Unitary Plan (Operative in part)

**Section 32 and Schedule 3C of the Resource Management Act 1991 for  
qualifying matter:**

**Lake Pupuke**

**EVALUATION REPORT**

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## Executive Summary

The following report addresses the evaluation required by Section 32 and Schedule 3C of the Resource Management Act 1991 (**RMA**). It relates to the application of Lake Pupuke as a qualifying matter (**QM**), as proposed zoning adjacent to it is incompatible with the level of development required by clause 4(1)(b) or (c) of Schedule 3C of the RMA and the implementation of policy 3 of the National Policy Statement on Urban Development (**NPS-UD**). The scale and significance of the issues are assessed as being low-medium.

Lake Pupuke is a 110 hectare lake on the North Shore of Auckland which was formed by volcanic activity. It is located between the suburbs of Takapuna and Milford. The Lake and much of its shoreline is recognised for its geological, ecological and landscape significance, as well as its cultural and amenity value. The following AUP overlays apply to the Lake and its margins:

- D6 Urban Lake Management Overlay;
- D8 Wetland Management Areas Overlay;
- D9 Significant Ecological Area Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay, and
- D17 Historic Heritage Overlay.

The following evaluation and findings have been informed by the requirements of the RMA, as well as geospatial analysis and expert landscape assessment, included as **Attachment 1** to this report, which identifies that intensification in proximity to Lake Pupuke may result in adverse effects on the lake's landscape legibility, natural character, and experiential values. These include dominance effects, loss of vegetation, and obstruction of views to and from the Lake. The evaluation is also supplemented with a cultural narrative attached to this report as **Attachment 2**.

It is concluded that the additional development enabled by policy 3 would adversely affect the values managed by the AUP overlays which apply to Lake Pupuke and its margins. As such, Lake Pupuke is identified as a qualifying matter pursuant to section 77I(a), in accordance with Schedule 3C clause 8(1) of the RMA, as a matter of national importance that decision makers are required to recognise and provide for under section 6 (a), (b), (c), (d) and (e) of the RMA.

Two responses are proposed:

- (1) retention of operative zoning for 144 properties adjacent to the lake to limit intensification;
- (2) removal of the 50 metre Height Variation Controls (**HVCs**) from 110 properties within the Takapuna walkable catchment to mitigate visual dominance and preserve landscape legibility.

The proposed application of the Lake Pupuke qualifying matter (**LPQM**) has a reasonably substantial impact on the provision of development capacity across the walkable catchment of Takapuna Metropolitan Centre and intensification area around Milford Town Centre. However, the effect on development is considered against the irreversible loss of landscape and environmental significance, as well as a reduction in cultural and amenity values.

The reduction in development capacity and potential on identified sites is considered to be appropriate. Controls are applied only to the extent necessary to accommodate the qualifying matter, and that is consistent with the NPS-UD and the purpose of the RMA.

## Introduction

1. This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the RMA for proposed Plan Change 120 (**PC120**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).
2. The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations.
3. This report discusses the implications of applying Lake Pupuke as a QM to the requirements of clause 4(1)(b) of Schedule 3C of the RMA and the implementation of policy 3 of the NPS-UD. This report also evaluates the provisions which have been included in PC120 relating to Lake Pupuke and its margins.
4. The Council may make the relevant building height or density requirements of clause 4(1)(b) and (c) of Schedule 3C of the RMA and policy 3 of the NPS-UD less enabling of development in relation to an area within any zone in an urban environment only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:
  - (a) a matter listed in section 77I(a) to (i) of the RMA
  - (b) any other matter that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C of the RMA or policy 3 of the NPS-UD, inappropriate in an area but only if subclause (4) of clause 8 of Schedule 3C is satisfied.
5. Under clause 8(2) of Schedule 3C of the RMA, the evaluation report required under section 32 must in relation to a proposed amendment to accommodate a QM under subclause (1)(a) or (1)(b) of clause 8:
  - (a) demonstrate why the Council considers:
    - (ii) that the area is subject to a qualifying matter; and
    - (iii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and
  - (b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and
  - (c) assess the costs and broader impacts of imposing those limits.

6. Under clause 8(4) of Schedule 3C of the RMA, the evaluation report required under section 32 of the RMA must, in relation to a proposed amendment to accommodate a QM under subclause (1)(b) (an "other" qualifying matter), also:
- (a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and
  - (b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and
  - (c) include a site-specific analysis that—
    - (i) identifies the site to which the matter relates; and
    - (ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and
    - (iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.
7. Under clause 8(5) of Schedule 3C of the RMA, the Council may, when considering existing qualifying matters (a qualifying matter referred to in clause 8(1)(a) of Schedule 3C of the RMA that is operative in the AUP when PC120 is notified), instead of undertaking the evaluation process described in clause 8(2), do all of the following things:
- (a) identify by location (for example, by mapping) where an existing qualifying matter applies;
  - (b) specify the alternative heights or densities (as relevant) proposed for those areas identified under paragraph (a);
  - (c) identify in the evaluation report why the Council considers that one or more existing qualifying matters apply to those areas identified under paragraph (a);
  - (d) describe in general terms for a typical site in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or policy 3;
  - (e) notify the existing qualifying matters in the Auckland housing planning instrument.

### **Integrated evaluation for qualifying matters**

8. For the purposes of PC120, evaluation of Lake Pupuke as a QM has been undertaken in an integrated way that combines section 32 and Schedule 3C of the RMA requirements. The report follows the evaluation approach described in Table 1 below.
9. The preparation of this report has involved the following:
- assessment of the AUP to identify any relevant provisions that apply to this qualifying matter;
  - development of draft amendments to the operative district plan provisions of the AUP to implement this matter as a QM in accordance with the requirements of Schedule 3C of the RMA;

- review of the AUP(OP) to identify all relevant provisions that require a consequential amendment to integrate the application of this qualifying matter;
  - review of the AUP Maps to assess the spatial application of this qualifying matter;
  - section 32 options analysis for this QM and related amendments;
  - preparation of a Cultural Narrative which details the cultural significance of Lake Pupuke to Mana Whenua, and
  - preparation of a Landscape Assessment to understand the landscape significance of Lake Pupuke.
10. The scale and significance of the issues is assessed to be low-medium. Low with respect to the scale of the effects, and medium with respect to the loss of values which could occur if intensification is not managed appropriately.
11. This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

**Table 1**

**Integrated approach for:**

- any matter specified in section 77I(a) to (i) that is not currently operative in the AUP
- any other matter that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C of the RMA or policy 3 of the NPS-UD inappropriate in an area

| Standard section 32 steps                                                                                                              | Plus clause 8Schedule 3C steps                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Issue</b><br><br><b>Define the problem-<br/>provide<br/>overview/summary<br/>providing an analysis<br/>of the qualifying matter</b> | Identify whether an area is subject to a qualifying matter and describe the qualifying matter.                                                                                                                                                                                                                                                               |
| <b>Identify and discuss<br/>objectives / outcomes</b>                                                                                  | Identify relevant ARPS / district level objectives and policies.<br>Describe why the Council considers that 1 or more qualifying matters apply to the identified areas, and whether the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) of Schedule 3C of the RMA or policy 3 of the NPS-UD for that area. |
| <b>Identify and screen<br/>response options</b>                                                                                        | Consider a range of reasonably practicable options for achieving the objectives including alternative standards or methods for these areas having considered the particular requirements in clause 4(1)(b) of Schedule 3C of the RMA and/or Policy 3 of the NPS-UD and assess the efficiency and effectiveness of the provisions.                            |

|                                                                                                      |                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Collect information on the selected option(s)</b>                                                 | Assess the impact that limiting development capacity, building heights or density (as relevant) will have on the provision of development capacity.                                                                      |
| <b>Evaluate options – costs for housing capacity</b>                                                 | Assess the costs and broader impacts of imposing those limits on development capacity.                                                                                                                                   |
| <b>Evaluate option(s) - environmental, social, economic, cultural benefits and costs</b>             | Provide an assessment of the benefits and costs of the options in the light of the new objectives introduced by the NPS-UD relating to well-functioning urban environments.                                              |
| <b>Selected method / approach</b>                                                                    | Describe how the preferred approach to implementing the qualifying manner is limited to only those modifications to the extent necessary to accommodate the qualifying matter; and how the qualifying matter is applied. |
| <b>Overall judgement as to the better option (taking into account risks of acting or not acting)</b> | Conclusion as to the implications of the qualifying matter for development capacity to be enabled by NPS-UD in the areas where the qualifying matter applies.                                                            |

## Issues

12. The QM being evaluated is the new Lake Pupuke Qualifying Matter (**LPQM**), which has been introduced to manage and protect the landscape of Lake Pupuke from inappropriate intensification. Lake Pupuke is a 110 hectare lake on the North Shore located between the suburbs of Takapuna and Milford which was formed by volcanic activity. The Lake and much of its shoreline is recognised for its geological, landscape and ecological significance, as well as its cultural and amenity value. The following AUP overlays apply to the Lake and its margins:
  - D6 Urban Lake Management Overlay;
  - D8 Wetland Management Areas Overlay;
  - D9 Significant Ecological Area (**SEA**) Overlay;
  - D10 Outstanding Natural Features (**ONF**) Overlay and Outstanding Natural Landscapes (**ONL**) Overlay, and
  - D17 Historic Heritage Overlay;
13. AUP Chapter I539. Smales 2 Sub-Precinct B, which covers one large undeveloped site adjoining the west side of the lake, is to be developed for intensive residential purposes. Sub Precinct B contains controls pertaining to the comprehensive planning and development of the site so that it achieves a high level of residential amenity while avoiding, remedying or mitigating adverse effects of earthworks, activities and buildings on the amenity of nearby residential zones, Lake Pupuke and public spaces,

including Northcote Road. The provisions of Smales 2 Sub-precinct B will be addressed where they are considered relevant below.

14. Residential zones directly adjoin Lake Pupuke, which is the only lake in the urban environment with residential zoning directly adjoining its edge (no open space buffer). A significant portion of the shoreline is under private ownership, predominately in a low density residential typology. Public access to the lakefront is limited to Killarney Park to the south, Sylvan and Kitchener Parks to the north, Henderson Park to the northeast and Hospital Lakefront Park, associated with North Shore Hospital, to the southwest. Blocks adjoining the north and east of the Lake are subject to intensification under policy 3 of the NPS-UD through their proximity to Takapuna Metropolitan Centre (policy 3(c)) and Milford Town Centre (policy 3(d)).
15. Plan Change 78 (**PC78**), as notified, proposed to apply a QM to properties which contain an ONF overlay which would rezone affected properties to be the proposed Low Density Residential Zone. That zone was proposed to be applied to residential sites where the presence of ONFs required a lower intensity of development to protect features from inappropriate development. Through PC78 the ONF QM applied to every residential property directly adjoining the lake, except where Designation 4531 for Milford School applies. PC78 also proposed Height Variation Controls (**HVCs**) of 22.5 metres to be applied to some residential blocks in proximity to Takapuna Metropolitan Centre.
16. The section 32 evaluation report which assessed the application of ONLs and ONFs in PC78 provides the following reasoning for this approach:

*This option provides for more protection re development controls and avoids or minimises adverse effects by allowing a “balanced” assessment as opposed to one driven by the NPSUD/MDRS zonings. It also provides a safeguard against the cumulative loss of outstanding natural features and outstanding natural landscapes maintaining the integrity of these landforms.<sup>1</sup>*
17. The zoning, controls and extent of policy 3 areas proposed to apply to Lake Pupuke through PC78 can be seen in Figure 1 below:

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<sup>1</sup> Plan Change 78 Section 32 Evaluation Report: Outstanding Natural Landscape and Outstanding Natural Features

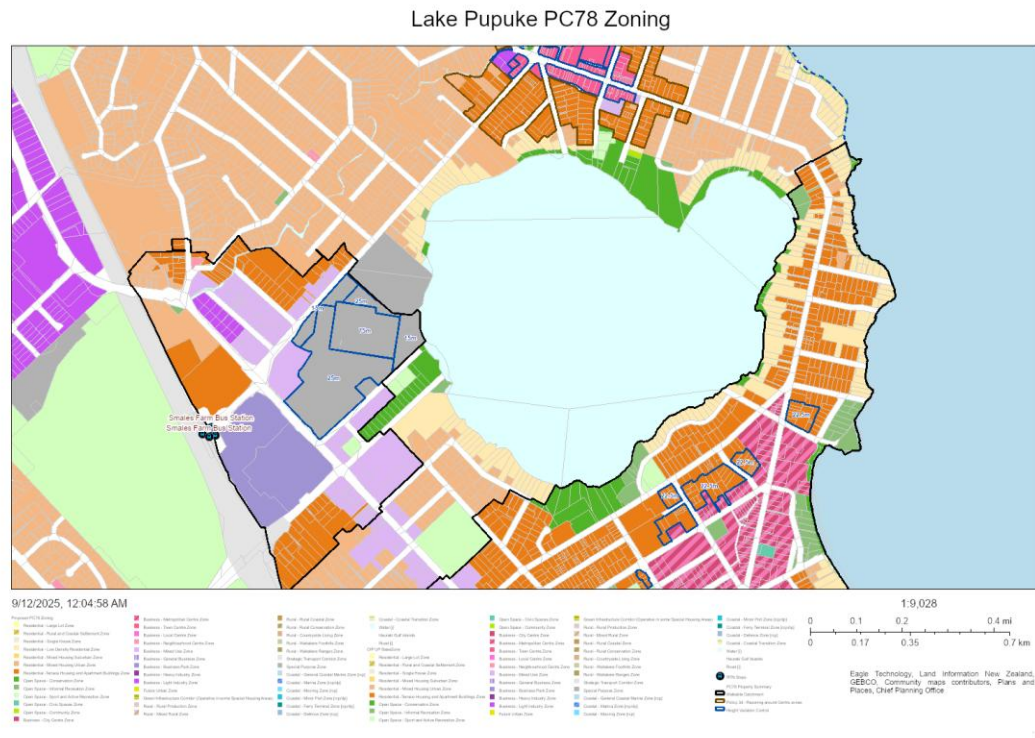


Figure 1 Zoning, HVCs and policy 3 areas as notified in PC78.

18. Through PC120 ONFs have been evaluated as a QM, but the preferred response does not propose to apply rezoning or changes to planning provisions to manage effects. Residential sites along Lake Pupuke are subject to upzoning to Terrace Housing and Apartment Buildings (**THAB**) Zone where they are within policy 3 areas and Mixed Housing Urban (**MHU**) Zone elsewhere along the lake edge. 50m HVCs are also proposed to be applied within the walkable catchment of Takapuna Metropolitan Centre at a greater extent than PC78, including within blocks that directly adjoin the lake.
19. The zoning and controls proposed to apply to Lake Pupuke through PC120, without the application of a QM can be seen in Figure 2 below:

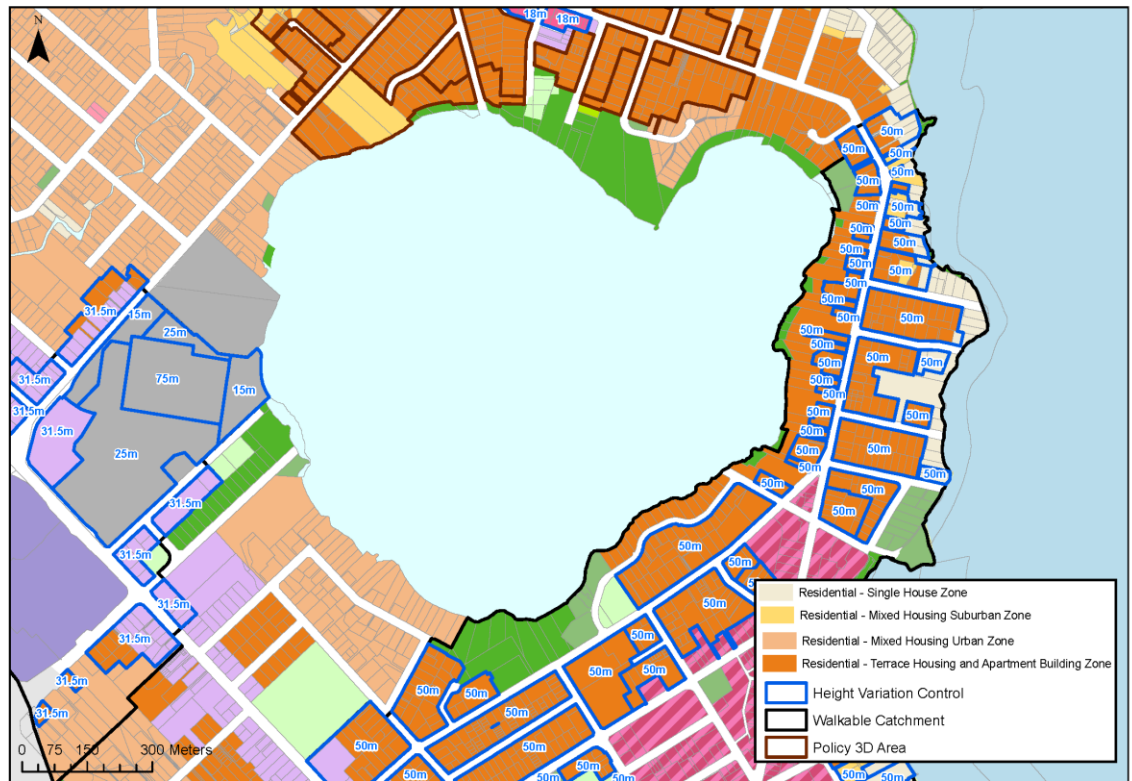


Figure 2 Zoning, HVCs and policy 3(c) and (d) areas applied to Lake Pupuke through PC120 without the application of a QM

20. The AUP overlays listed above apply to Lake Pupuke and its margins. Typically, these overlays cover the Lake and are contained within the open space and first 'row' of residential properties abutting the lakefront. However, for the reasons discussed in relation to the relevant objectives and policies in the section below, the outcomes these overlays seek are considered to be adversely affected by intensification in PC120 beyond the extent of shoreline these overlays cover.
21. As set out in the Landscape Assessment included as **Attachment 1** to this report *"Intensification on and in proximity to the Lake margins has the potential to compromise the visual integrity and the experiential values that contribute to the feature and values of this ONF."*
22. The following are considered by the Landscape Assessment to be possible adverse effects on Lake Pupuke:
  - *reduce the openness and experiential qualities of the Lake's natural characteristics and natural character;*
  - *create visual and physical dominance effects on the Lake and its margins, including in parks and reserves;*

- *reduce the integration of vegetation and associated amenity from the Lake's margins back to the surrounding built environment due to increased building coverages and impermeable areas, and reduced side yards and landscaped areas; and*
- *reduce the opportunity for public and private views to the Lake from further back, as could be obstructed by tall buildings surrounding the Lake. For example, lake views from Kowhai Street could be obscured by intensification in accordance with three-storey Mixed Housing Urban zoning on Lake View Road without the LPQM.<sup>2</sup>*

23. The adverse effects of intensification are considered to be contrary to the matters managed by the objectives and policies of the AUP overlays and the relevant provisions of the Auckland Regional Policy Statement (**ARPS**) which apply to the Lake and its margins. The council proposes that a QM should apply to recognise a matter specified in section 77I (a), being matters of importance identified in section 6 (a), (b), (c), (d) and (e).
24. The Landscape Assessment informing this report has considered the topographical characteristics of the landscape which contributes to Lake Pupuke as a volcanic feature and its identification as an outstanding natural feature. This includes the slope of the volcanic crater leading down to the lake level and how the natural and experiential qualities of Lake Pupuke can be affected by changes in the landscape legibility resulting from an increase in built form around the lake edge.

## Objectives and Policies (existing)

25. The relevant AUP objectives and policies, that support the LPQM are as shown below in **Table 2** below:

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<sup>2</sup> Lake Pupuke Qualifying Matter – Landscape Assessment

**Table 2 Provisions that support the Lake Pupuke QM**

| AUP Chapter                           | Objective / Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Summary of matter addressed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <p><b>B2 Urban Grown and Form</b></p> | <p><b>B2.3.1 Objective (1)</b> <i>A well-functioning urban environment with a quality built environment where subdivision, use and development do all of the following:</i></p> <p>(a) <i>respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;</i></p> <p><b>B2.3.2 Policy (1)</b> <i>Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and does all of the following:</i></p> <p>(a) <i>supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;</i></p> <p><b>B2.4.2 Policy (5)</b> <i>Avoid intensification in areas:</i></p> <p>(a) <i>where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or</i></p> <p><b>B2.7.1 Objective (2)</b> <i>Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.</i></p> <p><b>B2.7.1 Objective (3)</b> <i>Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.</i></p> <p><b>B2.7.2 Policy (7)</b> <i>Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities</i></p> | <p>Objectives and Policies within Chapter B2 Urban Growth and Form provide overarching principles which contribute to well-functioning urban environments.</p> <p>Provisions in B2.3 outline that development should be responsive to the qualities and characteristics of the landscape and heritage matters.</p> <p>Provisions in B2.4 provides direction to avoid intensification in areas where natural and physical resources have been scheduled. Overlays covering Lake Pupuke schedule matters related to natural heritage, Mana Whenua, natural resources, and historic heritage.</p> <p>Provisions in B2.7 require that the adverse effects of development on open space should be managed and the public's access to water bodies should be maintained and enhanced.</p> |

| AUP Chapter                | Objective / Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Summary of matter addressed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <b>B4 Natural Heritage</b> | <p><b>B4.2.1 Objective (1)</b> <i>Outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.</i></p> <p><b>B4.2.1 Objective (2)</b> <i>The ancestral relationships of Mana Whenua and their culture and traditions with the landscapes and natural features of Auckland are recognised and provided for.</i></p> <p><b>B4.2.1 Objective (3)</b> <i>The visual and physical integrity and the historic, archaeological and cultural values of Auckland's volcanic features that are of local, regional, national and/or international significance are protected and, where practicable, enhanced.</i></p> <p><b>B4.2.2 Policy (6)</b> <i>Protect the physical and visual integrity of Auckland's outstanding natural features from inappropriate subdivision, use and development.</i></p> <p><b>B4.2.2 Policy (7)</b> <i>Protect the historic, archaeological and cultural integrity of regionally significant volcanic features and their surrounds.</i></p> <p><b>B4.2.2 Policy (8)</b> <i>Manage outstanding natural landscapes and outstanding natural features in an integrated manner to protect and, where practicable and appropriate, enhance their values.</i></p> | <p>Objective and Policies in Chapter B4 Natural Heritage require that outstanding natural features are protected from inappropriate subdivision, use and development, including visual integrity. The ARPS connects the maintenance of landscape values to amenity values and recognises the ancestral connection of Mana Whenua to natural features.</p> <p>Objective B4.2.1(3) places Auckland's volcanoes in a special category as their visual and physical integrity needs to be protected whether the volcanic features are of local, regional and/or national importance. B4.2.2 Policy (7) supports the objective.</p> <p>The factors which contribute to Lake Pupuke's status as an ONF in B4.2.2 Policies (4) are addressed in the discussion underlying this table.</p> |

| AUP Chapter                  | Objective / Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Summary of matter addressed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <p><b>B6 Mana Whenua</b></p> | <p><b>B6.3.1 Objective (2)</b> <i>The mauri of, and the relationship of Mana Whenua with, natural and physical resources including freshwater, geothermal resources, land, air and coastal resources are enhanced overall.</i></p> <p><b>B6.3.2 Policy (2)</b> <i>Integrate Mana Whenua values, mātauranga and tikanga:</i></p> <p style="padding-left: 40px;">(a) <i>in the management of natural and physical resources within the ancestral rohe of Mana Whenua, including:</i></p> <p style="padding-left: 80px;">(i) <i>ancestral lands, water, sites, wāhi tapu and other taonga;</i></p> <p style="padding-left: 80px;">(ii) <i>biodiversity; and</i></p> <p style="padding-left: 80px;">(iii) <i>historic heritage places and areas.</i></p> <p><b>B6.3.2 Policy (6)</b> <i>Require resource management decisions to have particular regard to potential impacts on all of the following:</i></p> <p style="padding-left: 40px;">(a) <i>the holistic nature of the Mana Whenua world view;</i></p> <p style="padding-left: 40px;">(b) <i>the exercise of kaitiakitanga;</i></p> <p style="padding-left: 40px;">(c) <i>mauri, particularly in relation to freshwater and coastal resources;</i></p> <p style="padding-left: 40px;">(e) <i>sites and areas with significant spiritual or cultural heritage value to Mana Whenua; and</i></p> | <p>Objective and Policies in Chapter B6 Mana Whenua require the protection of Mana Whenua culture, landscapes and historic heritage. This includes enhancing the relationship between Mana Whenua and Auckland's natural environment.</p> <p>Broadly the provisions direct that a holistic approach to the management of natural and physical resources is appropriate. This approach should integrate Mana Whenua values into the practice of kaitiakitanga (stewardship).</p> <p>A supplementary Cultural Narrative for Lake Pupuke is provided as <b>Attachment 2</b>.</p> |

| AUP Chapter                              | Objective / Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Summary of matter addressed                                                                                                                                                                                                                                                                                                                    |
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| <b>B7 Natural Resources</b>              | <p><b>B7.2.1 Objective (1)</b> <i>Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision use and development.</i></p> <p><b>B7.3.2 Policy (4)</b> <i>Avoid the permanent loss and significant modification or diversion of lakes, rivers, streams (excluding ephemeral streams), and wetlands and their margins, unless all of the following apply:</i></p> <p style="padding-left: 40px;"><b>(a)</b> <i>it is necessary to provide for:</i></p> <p style="padding-left: 80px;"><b>(i)</b> <i>the health and safety of communities; or</i></p> <p style="padding-left: 80px;"><b>(ii)</b> <i>the enhancement and restoration of freshwater systems and values; or</i></p> <p style="padding-left: 80px;"><b>(iii)</b> <i>the sustainable use of land and resources to provide for growth and development; or</i></p> <p style="padding-left: 80px;"><b>(iv)</b> <i>infrastructure;</i></p> <p style="padding-left: 40px;"><b>(b)</b> <i>no practicable alternative exists;</i></p> <p style="padding-left: 40px;"><b>(c)</b> <i>mitigation measures are implemented to address the adverse effects arising from the loss in freshwater system functions and values; and</i></p> <p style="padding-left: 40px;"><b>(d)</b> <i>where adverse effects cannot be adequately mitigated, environmental benefits including on-site or off-site works are provided.</i></p> | <p>Objective and Policies in Chapter B7 Natural Resources require that the effects of activity on natural resources, including freshwater resources are managed.</p> <p>B7.3.2 Policy (4) specifically sets a high standard when considering the loss and modification of lakes and their margins where no practicable alternatives exist.</p> |
| <b>D6 Urban Lakes Management Overlay</b> | <p><b>D6.2 Objective (1)</b> <i>Open-space, recreational and amenity values of urban lake management areas are maintained or enhanced.</i></p> <p><b>D6.2 Objective (3)</b> <i>Margins of lakes in urban lake management areas are maintained or enhanced.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The D6 Urban Lakes Management Overlay requires that open-space, recreational and amenity values of Lake Pupuke are maintained and enhanced. This requirement includes that the margins of the lake should be maintained or enhanced.</p>                                                                                                    |

| AUP Chapter                                                                                | Objective / Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Summary of matter addressed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Additional requirements in D6 relate to managing the water quality of the lake.                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>D9 Significant Ecological Areas Overlay</b>                                             | <p><b>D9.2 Objective (1)</b> <i>Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision, use and development.</i></p> <p><b>D9.2 Objective (2)</b> <i>Indigenous biodiversity values of significant ecological areas are enhanced.</i></p> <p><b>D9.3. Policy (2)</b> <i>Adverse effects on indigenous biodiversity values in significant ecological areas that are required to be avoided, remedied, mitigated or offset may include, but are not limited to, any of the following:</i></p> <ul style="list-style-type: none"> <li><i>(d) loss of buffering of indigenous ecosystems;</i></li> <li><i>(i) effects which contribute to a cumulative loss or degradation of habitats, species populations and ecosystems;</i></li> </ul> | <p>The D9 Significant Ecological Areas Overlay sets a strong requirement for the protection and enhancement of significant ecological areas.</p> <p>D9.3. Policy (2) includes the consideration of the downstream effects of activity which may be outside of Significant Ecological Area overlays and the cumulative effects of modification on ecosystem values.</p>                                                                                                                                                      |
| <b>D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay</b> | <p><b>D10.2 Objective (1)</b> <i>Auckland's outstanding natural features and outstanding natural landscapes are protected from inappropriate subdivision, use, and development.</i></p> <p><b>D10.2 Objective (2)</b> <i>The ancestral relationships of Mana Whenua with outstanding natural features and outstanding natural landscapes are recognised and provided for.</i></p> <p><b>D10.3 Policy (3)</b> <i>Protect the physical and visual integrity of outstanding natural features, including volcanic features that are outstanding natural features, by:</i></p> <ul style="list-style-type: none"> <li><i>(a) avoiding the adverse effects of inappropriate subdivision, use and development on the natural</i></li> </ul>                                                                                                          | <p>The provisions of the D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay provide broad protection where ONFs are identified, including the qualities and characteristics which contribute to its identified value.</p> <p>D10.2 Objective (2) and D10.3 Policy (4) support the recognition of Mana Whenua values in relation to ONFs, more generally addressed in the ARPS B6 Mana Whenua Chapter.</p> <p>D10.3 Policy (4) supports a response to managing adverse effects which is</p> |

| AUP Chapter | Objective / Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Summary of matter addressed                                                                                                                                                                                                                                 |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             | <p><i>characteristics and qualities that contribute to an outstanding natural feature's values;</i></p> <p><i>(b) ensuring that the provision for, and upgrading of, public access, recreation and infrastructure is consistent with the protection of the values of an outstanding natural feature; and</i></p> <p><i>(c) avoiding adverse effects on Mana Whenua values associated with an outstanding natural feature.</i></p> <p><b>D10.3 Policy (4) Protect the physical and visual integrity of outstanding natural features, while taking into account the following matters:</b></p> <p><i>(a) the value of the outstanding natural feature in its wider historic heritage, cultural, landscape, natural character and amenity context;</i></p> <p><i>(b) the educational, scientific, amenity, social or economic value of the outstanding natural feature;</i></p> <p><i>(c) the historical, cultural and spiritual association with the outstanding natural feature held by Mana Whenua;</i></p> <p><i>(d) the extent of anthropogenic changes to the natural characteristics and qualities of the outstanding natural feature;</i></p> <p><i>(e) the presence or absence of structures, buildings or infrastructure;</i></p> <p><i>(f) the temporary or permanent nature of any adverse effects;</i></p> <p><i>(g) the physical and visual integrity and the natural processes of the location;</i></p> <p><i>(h) the physical, visual and experiential values that contribute significantly to the</i></p> | <p>proportional to the significance of the feature and the quality of its natural characteristics. This requirement should be balanced with D10.3. Policy (5) which seeks that activity which allows for and increases appreciation of ONFs be enabled.</p> |

| AUP Chapter                                                        | Objective / Policy                                                                                                                                                                                                                                                                                                                                    | Summary of matter addressed                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                    | <p><i>outstanding natural feature's values;</i></p> <p><i>(i) the location, scale and design of any proposed subdivision, use or development; and</i></p> <p><b>D10.3. Policy (5)</b> <i>Enable use and development that maintains or enhances the values or appreciation of an outstanding natural landscape or outstanding natural feature.</i></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>D21 Sites and Places of Significance to Mana Whenua Overlay</b> | <p><b>D21.2. Objective (1)</b> The tangible and intangible values of scheduled sites and places of significance to Mana Whenua are protected and enhanced.</p> <p><b>D21.3. Policies (2)</b> Avoid significant adverse effects on the values and associations of Mana Whenua with sites and places of significance to them.</p>                       | <p>The provisions of D21 Sites and Places of Significance to Mana Whenua Overlay apply where D17 Historic Heritage Overlay has identified historic heritage sites of significance to Mana Whenua.</p> <p>The provisions of D21 require that the tangible and intangible values of scheduled sites are protected and enhanced. D21.3. Policies (2) supports this requirement in that significant adverse effects on the values of these sites should be avoided.</p> |

26. ARPS Policy B4.2.2 (4) provides factors which are used to identify and evaluate ONF's. The factors cover a range of values which are recognised, to varying extent, within different ONF's. Reference to the values of an ONF is important to considering how a feature may be impacted by new activities. The ARPS includes, in regard to ONF's that,
- "These features are vulnerable to damage from new development, and the Unitary Plan promotes the recognition and protection of their physical and visual integrity, and the integrated management of their multiple values."*<sup>3</sup>
27. Lake Pupuke meets the following unitary plan criteria as an ONF in **Schedule 6: Outstanding Natural Features Overlay Schedule**:
- (a) *the extent to which the landform, feature or geological site contributes to the understanding of the geology or evolution of the biota in the region, New Zealand or the earth, including type localities of rock formations, minerals and fossils;*

<sup>3</sup> RPS Chapter B4 Natural Heritage – B4.9 Explanation and principal reasons for adoption

- (b) *the rarity or unusual nature of the site or feature;*
  - (c) *the extent to which the feature is an outstanding representative example of the diversity of Auckland's natural landforms and geological features;*
  - (d) *the extent to which the landform, geological feature or site is part of a recognisable group of features;*
  - (e) *the extent to which the landform, geological feature or site contributes to the value of the wider landscape;*
  - (f) *the extent of community association with, or public appreciation of, the values of the feature or site;*
  - (g) *the potential value of the feature or site for public education;*
  - (h) *the potential value of the feature or site to provide additional understanding of the geological or biotic history;*
28. Lake Pupuke fulfils eight of the eleven evaluation criteria for ONFs. ARPS Chapter B4 Natural Heritage is supported in the district plan by D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay. D10.3 Policy (3) provides the ways in which ONF's should be protected. D10.3 Policy (4) describes the matters which should be taken into account when considering the protection of the physical and visual integrity of ONFs. The provisions acknowledge that landscapes with their associated volcanic features gives a unique sense of place and identity. Further, D10.3 Policy (4) requires that the existing level of anthropogenic modification to the ONFs features and whether adverse effects are temporary or permanent should be considered.
29. The matters considered by D10.3 Policy (4) identify a broad range of values. For the purposes of evaluating the effect of PC120 the effect of intensification on landscape values are most acutely understood through the supporting Landscape Assessment, attached as **Attachment 1** and supplemented by the cultural narrative, attached as **Attachment 2**. Effects on social, historic and cultural values can be understood to lead on from impacts to the physical and visual integrity of ONFs. The visual and physical integrity of ONF's and the experiential values they provide is, in part, dependant on their relationship to the surrounding landscape and level of modification by urbanisation. The landscape assessment, included as **Attachment 1** to this report includes that:

*I consider these values are contributed to by the existing scale and typology of development in proximity to the Lake. The typically low density typology is subservient to the qualities that make up the natural character, enabling development to integrate amongst the vegetation of the margins. This prevents the Lake and its margins from being physically and visually enclosed or dominated by taller built form, which could occur as a result of unconstrained intensification within the walkable catchment areas.<sup>4</sup>*

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<sup>4</sup> Lake Pupuke Qualifying Matter – Landscape Assessment

30. Currently in the AUP, residential zones apply a Lakeside Yard which sets buildings 30m back from the lake edge. For Lake Pupuke this is measured from the 5.73m contour, which has been accepted as mean winter lake level. AUP Chapter J also sets site specific requirements for Lakeside Yards to be provided at five sites along Lake View Rd. In the Smales 2 Sub-Precinct B the Lakeside Yard is enhanced by an additional height limit of 8m on buildings within 10m of the Lakeside Yard.<sup>5</sup> The Lakeside Yard creates space on the margins of Pupuke which ensures buildings are adequately distanced from the Lake to maintain water quality and provide protection from natural hazards. A key concern which this QM addresses is the 30m Lakeside Yard being insufficient, in this context, to manage the scale of development which would be enabled by PC120 and its effects on the landscape and cultural values of Lake Pupuke.
31. The provisions considered relevant to the Lake Pupuke QM in ARPS Chapter B2 reinforce the role of ONFs and the natural environment more broadly in the well-functioning urban environment. B2.3.1 Objective (1) and B2.3.2 Policy (1) describe a well functioning urban environment (**WFUE**) as one which is supportive and responsive to its landscape setting. Access to freshwater resources (B2.7.1 Objective (2)) and the protection of open spaces from reverse sensitivity (B2.7.1 Objective (3) B2.7.2 Policy (7)) also reinforce the role natural resources will play in a WFUE. It is understood through the direction of B2 and the NPS-UD more broadly that a WFUE benefits from and utilises high quality open space and natural resources.<sup>6</sup>
32. ARPS Chapter B6 supports a holistic approach to planning decisions in which the relationship of Mana Whenua with natural and physical resources is enhanced. The significance of ONFs to Mana Whenua is supported by B4.2.1 Objective (2) and D10.2 Objective (2). A holistic approach to the protection and enhancement of an ONF must therefore consider the mauri of the feature and the practice of kaitiakitanga (stewardship) in decisions which are made relating to it.
33. The relationship of Mana Whenua to Lake Pupuke is further reinforced by the presence of three middens/terraces sites identified under D17 Historic Heritage Overlay (provisions of D21 Sites and Places of Significance to Mana Whenua Overlay apply) in the open space zones adjoining the lake.<sup>7</sup> The tangible and intangible values of these sites are required to be protected and enhanced. The cultural values of Lake Pupuke are discussed further in the **Lake Pupuke Qualifying Matter – Cultural Narrative** attached to this report at **Attachment 2**. Additional information on the engagement with Māori informing PC120 can be found in the **Māori Engagement Consultation Summary Report**.

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<sup>5</sup> I539 Smales 2 Precinct - Table I539.6.8.1: Total building heights for Sub-precinct B

<sup>6</sup> National Policy Statement on Urban Development, Policy 1(c)

<sup>7</sup> These are Midden R10\_718 and Terrace/middens R10\_719 on the northern shore in Kitchener Park and Terrace R11\_972 on the southern shore in Killarney Park.

34. The role of Lake Pupuke in the open space network of Auckland and as a significant natural resource to the local community is recognised by provisions in the D6 Urban Lakes Management Overlay which refer to maintaining the open-space, recreational and amenity values of Lake Pupuke (D6.2 Objective (1)). Lake Pupuke is a popular fishing, boating, and scuba diving location. Other provisions in D6 Urban Lakes Management Overlay (D6.2 Objective (3) and D6.3 Policy (2)) identify and reinforce the protection from pressures to the Lake's margins and water quality which may result from its location in the urban environment.
35. Although not the primary purpose for this QM, the interrelationship of Lake Pupuke as a SEA with identified wetlands and the effects of intensification on natural values is considered to be important to understanding the appropriate management regime which should apply to the lake. Properties where over 30% of the extent of the property is within an SEA are zoned Residential – Single House Zone (**SHZ**). While only a few properties along the lakefront are subject to this rezoning due to the extent of SEA coverage, many properties along the lakefront have at least some SEA coverage. B7.2.1 Objective (1) requires that indigenous ecological values are protected from the adverse effects of activity. Schedule 3 Significant Ecological Areas – Terrestrial Schedule identifies several factors which determine the areas subject to SEA overlays. The Lake Pupuke SEA meets four of the five possible defining factors, the full definition of which can be found in Schedule 3: Significant Ecological Areas - Terrestrial Schedule:
- representativeness;
  - threat status and rarity;
  - stepping-stones, migration pathways and buffers, and
  - uniqueness and distinctiveness.<sup>8</sup>
36. Degrading trends in water quality have been observed at Lake Pupuke, which demonstrates the pressures from the urban environment on lake ecology and the vulnerability to further decline in the future.<sup>9</sup> The provisions considered to be relevant in Chapter D9 SEA require that indigenous biodiversity protected from the adverse effects of activity and that biodiversity values are enhanced (D9.2 Objective (1) and D9.2 Objective (2)). Policy D9.3 (2) defines those adverse effects which should be managed as the *loss of buffering of indigenous ecosystems and effects which contribute to a cumulative loss or degradation of habitats, species populations and ecosystems*.
37. B7.3.2 Policy (4) sets a high standard for activities, separate to that created by SEAs, to be avoided where they lead to significant modification or loss to the margins of a lake. Margins, as they relate to lakes, are not defined by the AUP. The Environment Court has stated that "*Margins are likely to be areas beyond the wave action of a lake or extending away from the banks of a river for, depending on topography and other*

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<sup>8</sup> Schedule 3 Significant Ecological Areas – Terrestrial Schedule

<sup>9</sup> Te oranga o te taiao o Tāmaki Makaurau – The health of Tāmaki Makaurau Auckland's natural environment in 2025

*factors, at least 20-50 metres and sometimes more.*"<sup>10</sup> Therefore, it is reasonable to assume that the margins of Lake Pupuke exceed the 30m Lakeside yard and can be affected by the intensification of properties adjoining the lake.

## Development of Options

38. Section 32 of the RMA requires an examination of the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The overall objective (purpose of the proposal) of Plan Change 120 has two key objectives – it proposes:

- measures to better manage significant risks from natural hazards region-wide; and
- an amended approach to managing housing growth as a result of no longer incorporating the medium density residential standards (MDRS), but providing for intensification in a way that complies with clause 4 of Schedule 3C of the RMA by:
  - providing at least the same amount of housing capacity as would have been enabled if Plan Change 78: Intensification (PC78), as notified, was made operative, including by providing for additional intensification along selected Frequent Transit corridors and modifying zoning in suburban areas through an amended pattern of Residential - Mixed Housing Urban and Mixed Housing Suburban zones;
  - enabling the building heights and densities specified in clause 4(1)(b) and (c) of Schedule 3C of the RMA within at least the walkable catchments of Maungawhau (Mount Eden), Kingsland, Morningside, Baldwin Avenue and Mount Albert Stations;
  - giving effect to Policy 3 (c) and (d) of the National Policy Statement on Urban Development 2020 (NPS-UD) through intensification in other walkable catchments and land within and adjacent to neighbourhood, town and local centres;
  - enabling less development than that required by clause 4(1)(b) and (c) of Schedule 3C or Policy 3 of the NPS-UD where authorised to do so by clause 8 of schedule 3C.

Section 32 requires a range of options to be considered.

39. The Lake Pupuke QM is distinguished from other QM's, such as those related to viewshafts or special character, in that it is not spatially defined by the AUP. The AUP recognises the values of the Lake through multiple overlays, zoning provisions, and overarching ARPS chapters. The values identified by the AUP and the methods through which effects on Lake Pupuke are managed in the operative plan have been assessed in the development of options for this QM.

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<sup>10</sup> High Country Rosehip Orchards Ltd v Mackenzie DC [2011] NZEnvC 387, at [140]

40. The development of options has also been informed by the Landscape Assessment supporting this report and attached as **Attachment 1**, which identified how the characteristics and qualities of Lake Pupuke would be affected by development intensification as enabled by policy 3 and planning responses in PC120. The options considered have also had regard to the capacity requirements PC120 is required to enable, and where downzoning or providing less development capacity would not be consistent with the approach proposed to similar QMs in PC120. Additionally, the role natural resources have in contributing to amenity, health and wellbeing in a WFUE have been considered. An appropriate response is one which balances the protection of the landscape and natural values with the cultural and social benefits it provides to the community.
41. It was also considered whether to develop a bespoke response through the application of a precinct to the area surrounding the Lake. This approach would allow the modification of zoning rules or application of additional controls over a discrete area. This option has not been progressed as the matter the QM seeks to address are already acknowledged in the overlays which apply in the AUP. The matters which a precinct would address would be redundant to existing AUP provisions.
42. The Lake Pupuke QM proposes two possible responses:
- **Response 1:** A 'zoning response' setback whereby properties subject to the response retain their operative (and lower intensity) AUP zone. The extent of sites proposed to be subject to the zoning response can be seen in **Figure 3** below. The extent of the zoning response has been informed by a landscape assessment, included as **Attachment 1**, which examined the topography and AUP overlays affecting sites. Sites within the extent of the setback are proposed to retain their zoning to deliver a precautionary approach which reflects that natural values and landscape character are unlikely to be recoverable if subject to inappropriate subdivision, use, and development.
  - As part of this QM response the retention of zoning is intended to:
    - i. respond to Lake Pupuke as a unique and geologically significant landform representative of Auckland's volcanic landscape;
    - ii. recognise the significant ecological, landscape, amenity, and cultural values which are scheduled by the AUP within and on the margins of the Lake;
    - iii. mitigate the potential for sedimentation and contamination resulting from increased building coverage and impervious area;
    - iv. reduce boundary effects on the SEA overlay identified along the lake edge;
    - v. reduce the intensity, consistency, urbanisation (yard dimensions; subdivision, height in relation to boundary) of the appearance of built form on the margins of the Lake, and
    - vi. preserve the lake's natural character from inappropriate subdivision, use, and development.

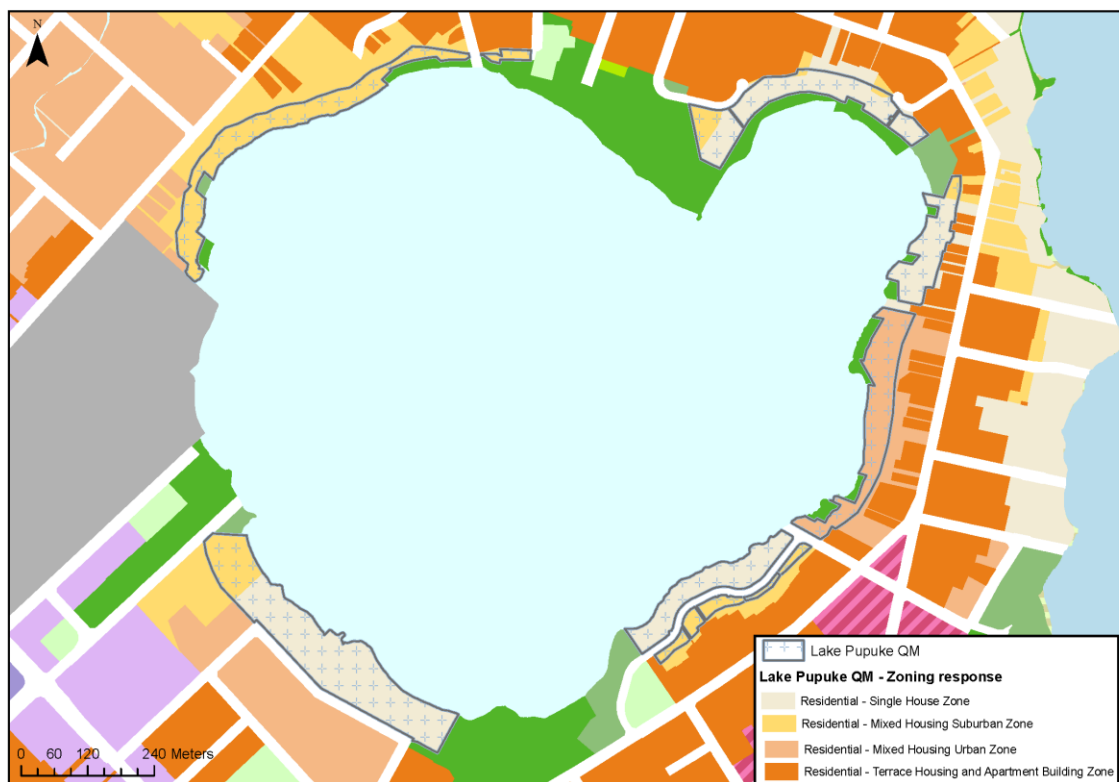


Figure 3 Sites proposed to retain AUP zoning through Lake Pupuke QM

- **Response 2:** An 'HVC Response'. Lake Pupuke as a qualifying matter has been used to inform the extent to which HVC's should be removed within the urban environment surrounding the Lake. The extent of the removal of HVC's has been informed by a landscape assessment, included as **Attachment 1**. The HVCs proposed to be removed by the QM are proposed by PC120 and enable heights up to 50m in the walkable catchment of Takapuna Metropolitan Centre. The extent of the HVC removal includes blocks adjacent to the southern and eastern parts of the Lake. The HVC heights are over double the heights which are provided for in the underlying THAB zone. The extent of HVCs proposed to be removed can be seen in **Figure 4** below.
- As part of this QM response the removal of the HVC is intended to:
  - i. retain landscape legibility and cultural connection between Lake Pupuke, the nearby coastline, and Rangitoto;
  - ii. protect public and private views to the Lake and from the surrounding environment;
  - iii. avoid dominance effects and enclosure of the Lake and open space along its boundaries, including parks and reserves;
  - iv. transition heights between the sensitive lake edge and greater urban intensity within Takapuna Metropolitan Centre, and

- v. respond to changes in the topography which would lead to increased building dominance in the landscape, relative to actual height, so that buildings are more sympathetic to natural ground form.

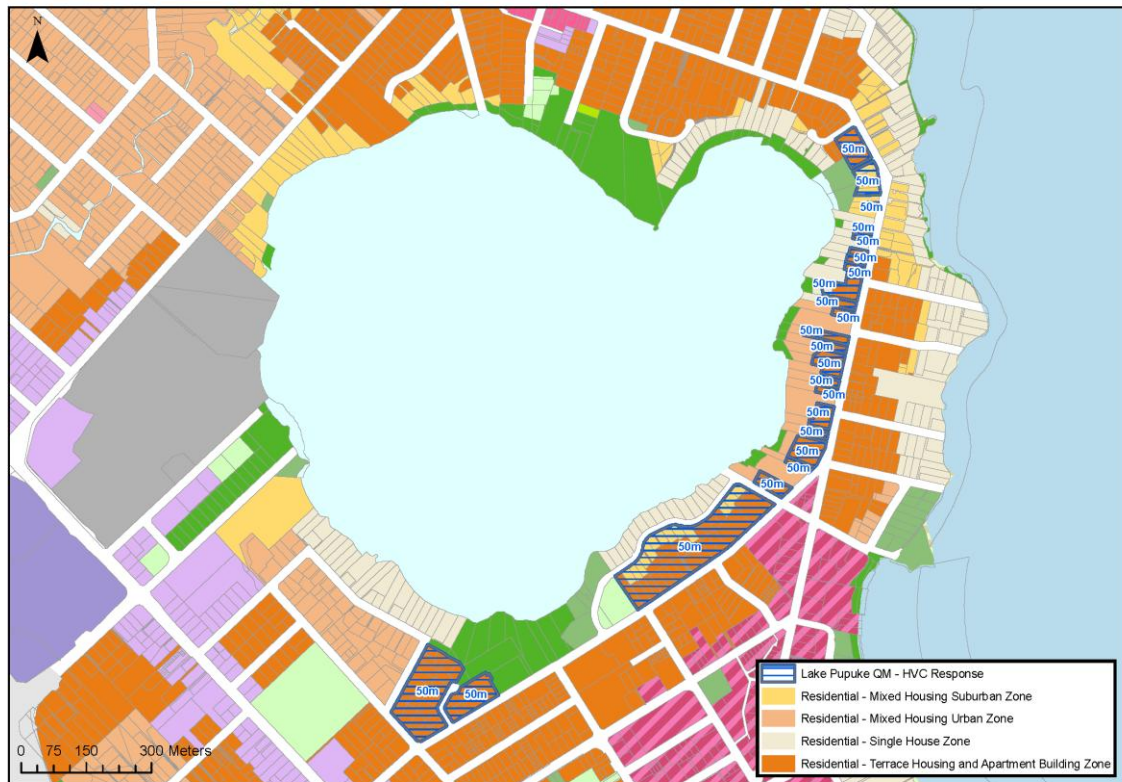


Figure 4 50m HVCs proposed to be removed by Lake Pupuke QM

43. It is noted that rezoning outside of policy 3 areas and the application of 50m HVC's in Takapuna Metropolitan Centre is not specifically directed by clause 4(1)(b) or (c) or policy 3 of the NPS-UD, and therefore application of the Lake Pupuke QM does not need to assess these amendments as a QM. However, on the basis that the landscape assessment has provided it is considered appropriate to evaluate the 'complete' response appropriate to manage inappropriate intensification around Lake Pupuke. This both provides for a consistent evaluation and application of the principles contained in the ARPS and underlying chapters and creates a record for the reasoning behind the response for future reference.
44. The 4 options that have been evaluated in the section 32 and Schedule 3C assessment of the LPQM are:
- **Option 1:** Upzone sites surrounding Lake Pupuke and apply 50m HVC's (No QM)
  - **Option 2:** Retain operative zoning, apply 50m HVC's (Zoning Response)
  - **Option 3:** Intensify sites surrounding Lake Pupuke, remove 50m HVCs (HVC response)

- **Option 4:** Retain operative zoning and remove 50m HVC's around Lake Pupuke

## Consequences for development capacity

45. The impacts on development capacity of accommodating the Lake Pupuke QM relate to the retention of zoning and the reduction in heights (caused by the removal of HVCs allowing greater than zone enabled height in Takapuna Metropolitan Centre).
  46. Several practicable options have been considered with respect to the management of the identified values of Lake Pupuke relative to the need to provide for intensification as directed by clause 4(1)(b) of Schedule 3C of the RMA and/or by policy 3 of the NPS-UD. The 'default' position for the consideration of options is not the status quo of the operative AUP. This is because PC120 is required to achieve the greater heights and densities as specified by either clause 4(1)(b) and (c) of Schedule 3C of the RMA and policy 3 of the NPS-UD. Therefore, the 'default' or 'status quo' refers to the situation where these requirements are incorporated into the AUP without Lake Pupuke as a qualifying matter moderating heights and densities as provided for either via zoning and/or the introduction of HVCs. The 'status quo' development capacity is assessed against is shown in **Figure 2** above, which shows the outcome of PC120 in the Lake Pupuke area without a QM applied.
  47. The effect of the application of the Lake Pupuke QM on development capacity are limited to sites within blocks which are adjacent to the Lake and those properties neighbouring the QM where the rules which apply to activities may be impacted by the zoning of the surrounding sites (such as rules related to Height in Relation to Boundary or outlook).
- **Response 1:** A zoning setback from the lakeside in which zoning is retained as operative in the AUP. 144 properties overall are affected by the proposed extent of the zoning setback, within and outside of Policy 3 areas. 65 of these sites are within a policy 3c area (walkable catchment of Takapuna Metropolitan Centre) and 14 of these sites are within a policy 3d area (intensification around Milford Town Centre).
    - i. Properties on the eastern and northern side of the Lake are a mixture of SHZ and MHU Zoning as operative. These properties would retain their respective operative zoning instead of being intensified to THAB.
    - ii. Properties to the northwest and southwest of the Lake are a mixture of SHZ and Mixed Housing Suburban (**MHS**) zoning as operative. These properties would retain their respective zoning instead of being upzoned to MHU.
    - iii. The land area and number of sites, by zone in each intensification response, which is proposed to retain its operative zoning through the zoning setback is shown in **Table 3** below. It is understood that the information provided in **Table 3** has been used to inform the broader capacity assessments.

**Table 3 Total land area and number of sites, by zone, within each intensification mechanism subject to the zoning setback.**

| <b>Intensification response through PC120</b>         | <b>Zone - AUP</b>                         | <b>Land Area (ha)</b> | <b>Number of sites</b> |
|-------------------------------------------------------|-------------------------------------------|-----------------------|------------------------|
| <b>Total Extent (Policy 3 and planning response)</b>  | Residential - Mixed Housing Suburban Zone | 10.04                 | 49                     |
|                                                       | Residential - Mixed Housing Urban Zone    | 3.52                  | 17                     |
|                                                       | Residential - Single House Zone           | 8.55                  | 78                     |
| <b>Policy 3(c)<br/>(Takapuna Metropolitan Centre)</b> | Residential - Mixed Housing Suburban Zone | 1.65                  | 20                     |
|                                                       | Residential - Mixed Housing Urban Zone    | 3.52                  | 17                     |
|                                                       | Residential - Single House Zone           | 2.67                  | 28                     |
| <b>Policy 3(d)<br/>(Milford Town Centre)</b>          | Residential - Mixed Housing Suburban Zone | 3.83                  | 14                     |

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- **Response 2:** A reduction in heights within blocks adjacent to the lake through the removal of 50m HVCs within the Takapuna Metropolitan Metro Centre. 110 properties are affected by the proposed extent of the HVC response.
  - i. 50m HVCs were proposed to apply to some properties within blocks adjacent to the eastern and southern edge of the Lake which are within the policy 3(c) walkable catchment of Takapuna Metropolitan Centre. These properties would still be upzoned to THAB zoning if the response is applied which would enable development heights in line with the zone.

48. 17 properties are affected by both responses and would retain their operative zoning and zone height.
49. The majority of development capacity lost through the application if either or both responses for the QM are implemented is within the Takapuna Metropolitan Centre,

<sup>11</sup> Mapping used to assess sites affected by the QM is based on data from 8 September. This report will be updated with further information related to development capacity and the extent of the effect of the Lake Pupuke QM as it becomes available.

where all properties are upzoned to THAB through policy 3(c) and a portion of these were increased to 50m heights through the application of HVCs. Properties which are retaining their operative zoning and heights may have the opportunity to take up additional development capacity if this is currently unrealised by the existing building occupying the site.

## Evaluation of options

50. To determine the most appropriate response for Lake Pupuke as a qualifying matter, each of the options needs to be evaluated in the context of the objectives and of clause 4(1)(b) or (c) of Schedule 3C of the RMA and policy 3 of the NPS-UD.

**Table 4 Evaluation of options**

| Qualifying matter                                       | Option - 1<br>Upzone and apply 50m HVCs (No QM)                                                                                                                                                                                                                                                                                                                                                                                                                                    | Option – 2<br>Retain Operative Zoning, apply 50m HVCs (Zoning Response)                                                                                                                                                                                                                                                                                                                                                                 | Option 3 –<br>Upzone, remove 50m HVCs (HVC response)                                                                                                                                                                                                                                                                                                                                                                     | Option 4 – Retain Operative Zoning and remove HVC                                                                                                               |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Costs</b>                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                 |
| <b>Costs of applying QM – housing supply / capacity</b> | No cost                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Small Cost<br><br>As discussed above                                                                                                                                                                                                                                                                                                                                                                                                    | Small Cost<br><br>As discussed above                                                                                                                                                                                                                                                                                                                                                                                     | Moderate cost<br><br>As discussed above                                                                                                                         |
| <b>Costs: Social</b>                                    | <b>Moderate-High Cost</b><br>Increased heights of development in surrounding blocks, coupled with intensification on the lake edge creates a 'wall' of built form which dominates and encloses the lake. Development intensity creates visual and physical dominance effects on the Lake and its margins, including in parks and reserves. Natural character of the lakefront is reduced. Significant and irreversible reduction in the experiential qualities of the lake and the | <b>Low-Moderate Cost</b><br>There are social costs to limiting the number of individuals able to live and work in close proximity to transport, amenities, and services.<br><br>Increased development intensity creates visual and physical dominance effects on the Lake and its margins, including in parks and reserves. Dramatic difference between 50m THAB and Single House zoning on adjacent sites, creating dominance effects. | <b>Low - Moderate Cost</b><br>There are social costs to limiting the number of individuals able to live and work in close proximity to transport, amenities, and services.<br><br>The intensity, consistency, urbanisation (yard dimensions, subdivision, height in relation to boundary) of the appearance of built form on the margins of the Lake increases and reduces natural character and landscape significance. | <b>Low Cost</b><br>There are social costs to limiting the number of individuals able to live and work in close proximity to transport, amenities, and services. |

| Qualifying matter                                                             | Option - 1<br>Upzone and apply 50m HVCs (No QM)                                                                                                                                                                                                      | Option – 2<br>Retain Operative Zoning, apply 50m HVCs (Zoning Response)                                                                                                                                                                                                                                                                                                                              | Option 3 –<br>Upzone, remove 50m HVCs (HVC response)                                                                                                                                                                             | Option 4 – Retain Operative Zoning and remove HVC                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                               | natural values and amenity it provides to the local community.                                                                                                                                                                                       | Increased tower and apartment development along the lakefront reduces the openness and experiential qualities of the Lake's natural characteristics and natural character.                                                                                                                                                                                                                           |                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                         |
| <b>Costs:<br/>Economic (not otherwise covered by housing capacity issues)</b> | <p><b>Low Cost</b><br/>No administrative and/or resource consenting costs associated with implementing provisions in these areas.</p> <p>However, there will be costs to economic activity associated with reduction in visitors to Lake Pupuke.</p> | <p><b>Low Moderate Cost</b><br/>Loss of redevelopment /intensification opportunity for lakefront properties.</p> <p>Loss of commercial viability in Takapuna and Milford driven which would otherwise be generated by higher intensity development.</p> <p>Dramatic difference between 50m THAB and Single House zoning on adjacent sites will limit the outcomes available for intensification.</p> | <p><b>Low Moderate Cost</b><br/>Loss of some intensification of high rise tower typology enabled in Takapuna.</p> <p>Loss of commercial viability driven which would otherwise be generated by higher intensity development.</p> | <p><b>Moderate Cost</b><br/>Loss of redevelopment /intensification opportunity for lakefront properties.</p> <p>Loss of some extent of high rise tower typology enabled in Takapuna.</p> <p>Loss of commercial viability driven which would otherwise be generated by higher intensity development.</p> |
| <b>Costs:<br/>Environmental</b>                                               | <p><b>Moderate Cost</b><br/>Increased dominance effects on the Lake and its margins.<br/>Increased impervious area and building coverage within proximity to the lake.</p>                                                                           | <p><b>Moderate Cost</b><br/>Increased dominance effects on the Lake and its margins.</p> <p>Likely to result in greater emissions (albeit less than Option 4) as a result of business/residential</p>                                                                                                                                                                                                | <p><b>Low Cost</b><br/>Increased impervious area and building coverage within proximity to the lake. Increased built form intensity on sites including SEA extent.</p> <p>Potential for the increase in</p>                      | <p><b>Low Cost</b><br/>Likely to result in greater emissions as a result of residential activities having to locate further from transport, services, and amenities.</p>                                                                                                                                |

| Qualifying matter                           | Option - 1<br>Upzone and apply 50m HVCs (No QM)                                                                                                                                                                                                  | Option – 2<br>Retain Operative Zoning, apply 50m HVCs (Zoning Response)                                                                                                                                                                                                                                                                                                                 | Option 3 –<br>Upzone, remove 50m HVCs (HVC response)                                                                                                                                                                                                                                                                    | Option 4 – Retain Operative Zoning and remove HVC                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                             | Increased built form intensity on sites including SEA extent. Potential for the increase in sedimentation and runoff to the lake.                                                                                                                | activities having to locate further from transport, services, and amenities.                                                                                                                                                                                                                                                                                                            | sedimentation and runoff to the lake. Likely to result in greater emissions (albeit less than Option 4) as a result of business/residential activities having to locate further from transport, services, and amenities.                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Benefits</b>                             |                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Benefits of applying the QM - social</b> | <b>Low - Moderate Benefit</b><br>Increase in housing capacity in a high density typology able to be realised within and around Takapuna Metropolitan Centre and Milford Town Centre, giving greater access to transport, services and amenities. | <b>Low Benefit</b><br>Natural and amenity values at the immediate lakefront are retained partially at current density, retaining some experiential values. More dwellings are supported in proximity to open space and natural resources.<br><br>There is considered to be social benefit to enabling more development close to transport, amenities and services relative to Option 4. | <b>Low Benefit</b><br>Greater opportunity for lakefront development and views of the Lake. More dwellings are supported in proximity to open space and natural resources.<br><br>There is considered to be social benefit to enabling more development close to transport, amenities and services relative to Option 4. | <b>Moderate - High Benefit</b><br>Continued protection of the existing and recognised values of Lake Pupuke and community activities associated with the Lake are unaffected. Natural and experiential values of the Lake are maintained.<br><br>'Graduated' development scale keeps views to and from the Lake and preserves significance and cultural value of volcanic feature. |
| <b>Benefits - economic</b>                  | <b>Moderate-High Benefit</b><br>Possibility for affordability benefits and competitive development markets from increased accommodation supply in the local area.<br><br>Greater commercial growth viability in                                  | <b>Moderate Benefit</b><br>High rise tower redevelopment within Takapuna Metropolitan Centre is enabled to a greater extent, supporting compact urban form.                                                                                                                                                                                                                             | <b>Moderate Benefit</b><br>Despite reduction in heights significant redevelopment options are available due to extent of THAB upzoning.<br><br>The proliferation of THAB zoning over a wider area increases the opportunity for small scale commercial opportunity within the block and the viability                   | <b>Low Benefit</b><br>Increased economic activity in the local community from visitors to the Lake, local clubs and activity groups.                                                                                                                                                                                                                                               |

| Qualifying matter               | Option - 1<br>Upzone and apply 50m HVCs (No QM)                                                                                                                                     | Option – 2<br>Retain Operative Zoning, apply 50m HVCs (Zoning Response)                                                      | Option 3 –<br>Upzone, remove 50m HVCs (HVC response)                                                                                                           | Option 4 – Retain Operative Zoning and remove HVC                                                                                                                                                                                                                                                                                       |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                 | Takapuna Metropolitan Centre and Milford Town Centre resulting from increased density in surrounding urban area.                                                                    |                                                                                                                              | of commercial development in Takapuna Metropolitan Centre and Milford Town Centre.                                                                             |                                                                                                                                                                                                                                                                                                                                         |
| <b>Benefits – environmental</b> | <b>Low Benefit</b><br>Redevelopment of lakefront properties may allow for remediation or mitigation of increased runoff and/or impact on environmental values through revegetation. | <b>Moderate Benefit</b><br>Potential impacts on the buffering effects on SEA's and the lake's margins generally are avoided. | <b>Low Benefit</b><br>Redevelopment of lakefront properties may allow for remediation or mitigation of increased runoff and/or impact on environmental values. | <b>Moderate-High Benefit</b><br>Intensity of development enabled on the lakefront is retained and not subject to cumulative effects of intensification on the SEA buffer or the Lake's margins more generally.<br><br>No further loss of vegetation and landscaping through increased impervious areas or building coverage is enabled. |

## Analysis

51. Option 1 would provide for the full implementation of policy 3(c) and (d) and is considered to be the most beneficial option relative to the other options economically as it allows for the greatest development capacity in proximity to Takapuna Metropolitan Centre and Milford Town Centre, contributing to a compact urban environment. However, Option 1 generates significant social and environmental cost from the effect to Lake Pupuke as a natural resource and the amenity value it provides to the local community. The social and cultural impacts and environmental effects of this option are irreversible and should be considered in regard to their cumulative impact on natural resources. As stated above access to high quality open spaces and natural resources contributes to a well functioning urban environment.
52. It is considered that options 2 and 3 are very similar in terms of costs and benefits. While the outcomes of options 2 and 3 moderate the cost to environmental effects and economic impact of imposing the QM the application of either QM will still create a significant and permanent social and cultural impact on the lake. In regard to the

Zoning response this would also create a dramatic difference between Single House zoned sites and THAB zoned sites with 50m HVCs.

53. While Option 4 is the least enabling in terms of development capacity and provides the least overall contribution to economic growth it realises the highest social and environmental benefits. Whereas development capacity and economic outcomes are realised by development enabled across the urban environment, the social and environmental values of Lake Pupuke are unique and discrete to the site. It is acknowledged that application of Option 4 has a reasonably high impact on development capacity, however greater heights and densities than what is enabled by the operative plan are proposed to be applied to Takapuna Metropolitan Centre and Milford Town Centre through PC120.
54. It is considered that **Option 4 is the most appropriate method for achieving the purpose of PC120** and the direction afforded by Chapters B2, B4, B6 B7 and the underlying chapters in the AUP. Lake Pupuke is an important part of local identity and impacts to it would have a high cost to social and environmental outcomes.

#### **Risks or acting or not acting.**

55. Section 32(2)(c) of the RMA requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. In this instance there is no 'discrete' planning control which applies to Lake Pupuke, but the evaluation been informed by an assessment carried out by an expert landscape architect.
56. Risks of not acting:
- landscape feature is lost and unrecoverable due to inappropriate subdivision, use and development;
  - lake margins and associated ecological values are impacted and subject to adverse effects of intensification;
  - intensification of built form along the lake edge reduces the experiential qualities of the natural environment;
  - reduce the integration of vegetation and associated amenity from the Lake's margins back to the surrounding built environment due to increased building coverages and impermeable areas, and reduced side yards and landscaped areas;
  - a 'wall' of large scale development forms along the eastern and southern edge of the Lake;
  - reduce the opportunity for public and private views to the Lake from further back, and
  - Mana whenua values and the mauri of Lake Pupuke is impacted by adverse effects to its cultural values.
57. Risks of acting:
- less housing availability within the walkable catchment of Takapuna Metropolitan Centre and the area of intensification around Milford Town Centre;
  - less opportunity to live in proximity to established RTN and FTN, and
  - less overall economic benefit from intensification of residential zoning in proximity to centres.

## **Effectiveness and efficiency**

58. The objective of the plan change is to implement clause 4(1)(b) or (c) of Schedule 3C of the RMA and policy 3 of the NPS-UD. The primary objective of the Lake Pupuke QM is to provide for the protection of the Lake's landscape and environmental significance, as well as its cultural and amenity value.
59. Based on the above evaluation, it is considered that Option 4 is the most effective of the four options of achieving both the objectives of the plan change and providing for the protection Lake Pupuke as it provides a precautionous approach to development where significant adverse effects are likely to arise from development intensification and impacts are irreversible.
60. Option 4 is also considered to be the most efficient of the four options as it provides a 'staggered' approach to managing development through its two responses. The combined effect of the response through the QM is that controls are less enabling of development in closer proximity to Lake Pupuke and more enabling where development heights 'graduate' away from the lake towards the centres of Milford and Takapuna. Option 4 also utilises existing controls which apply to sites in the AUP as operative and do not require the implementation of a bespoke approach which may complicate the resource consenting process.

## **Description of how the qualifying matter is to be implemented**

61. The Lake Pupuke QM is to be implemented through the retention of operative zoning and the removal of HVCs on the PC120 planning maps. No amendments to provisions or overlays are required.

## **Overall conclusion**

62. It is proposed that Lake Pupuke is identified as a QM pursuant to s771(a), as a matter of national importance that decision makers are required to recognise and provide for under section 6 (a), (b), (c), (d) and (e) of the RMA.
63. An evaluation has been carried out in relation to a number of options identified as reasonably practicable means of achieving the purpose of the RMA, which was informed by assessment carried out by an expert landscape architect. This determined that the benefits associated with applying the QM outweigh the costs.
64. It is considered that the approach proposed strikes an appropriate balance between the costs and benefits and is an effective and efficient means of providing for the management of Lake Pupuke's values whilst enabling development capacity required by policy 3 of the NPS-UD where it will not be incompatible with these values.
65. In conclusion, the council considers that Lake Pupuke should function as a QM in PC120 as:
  - the Lake and much of its shoreline is recognised for its geological, ecological and landscape significance, as well as its cultural and amenity value;

- the recognised social, cultural and environmental values of the lake are considered to be important to a WFUE and are subject to cumulative adverse effects and negative outcomes arising from intensification;
- loss of Lake Pupuke's values to intensification are likely irrecoverable;
- the application of a QM which manages zoning next to the lake and heights further back applies a response which is reflective of the effects being managed.

## Appendices

- **Attachment 1:** Lake Pupuke Qualifying Matter – Landscape Assessment
- **Attachment 2:** Lake Pupuke Qualifying Matter – Cultural Narrative

## Information Used

1. The following reports, documents, evidence, and plan versions were used to help the development of the plan change and assess Lake Pupuke as a qualifying matter.

| Name of document, report, plan                                                                                                                             | How did it inform the development of the plan change                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lake Pupuke Qualifying Matter – Landscape Assessment                                                                                                       | Expert Landscape assessment supporting the s32 report.<br>Identified landscape impacts from development intensification around Lake Pupuke                                                                                                                                                                                                                                       |
| Auckland Unitary Plan (Operative in Part 2016)                                                                                                             | Chapters B2 Urban Form and Growth, B4 Natural Heritage, B6 Mana Whenua, B7 Natural Resources and AUP Chapters D6, D9, D10, D17, D21 and I539 Smales 2 Precinct reviewed and considered in assessment of views and restrictions on development. AUP maps and Schedule 3, Schedule 6, and Schedule 14.1 to identify factors of landscape, environmental and historic significance. |
| Plan Change 78 Section 32 Evaluation Report: Outstanding Natural Landscape and Outstanding Natural Features                                                | Approach to managing ONFs in PC78                                                                                                                                                                                                                                                                                                                                                |
| High Country Rosehip Orchards Ltd v Mackenzie DC [2011] NZEnvC 387, at [140]                                                                               | Environment court commentary on extent of lake margins.                                                                                                                                                                                                                                                                                                                          |
| Lake Pupuke Geology and Groundwater Report No. KC55, The Kokopu Connection and Lake Pupuke Inspection Report No. KC71, The Kokopu Connection, 20 June 2006 | Background information on geology of Lake Pupuke and its immediate environment.                                                                                                                                                                                                                                                                                                  |
| Te orange o te taiao o Tāmaki Makaurau – The health of Tāmaki Makaurau Auckland’s natural environment in 2025                                              | Environmental monitoring of water quality in Lake Pupuke.                                                                                                                                                                                                                                                                                                                        |

## Consultation summary

1. Limited consultation on PC 120 has been undertaken, and this is detailed in the Auckland Council September 2025 reports entitled:
  - a. Consultation and Engagement on a Proposed Plan Change Potentially Replacing Proposed Plan Change 78 – Intensification Summary Report
  - b. Māori Engagement Consultation Summary Report

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Subject: Lake Pupuke Qualifying Matter – Landscape Assessment

## 1 INTRODUCTION

- 1.1 Lake Pupuke / Pupukemoana is freshwater lake occupying a volcanic crater between the centres of Takapuna and Milford and is a popular destination for local residents and visitors for a range of aquatic and passive land based recreational activities. The Lake and its margins have outstanding natural landscape qualities and values associated with its volcanic geomorphology, the open expanse of water and its proximity to the coast.
- 1.2 The purpose of including the margins of Lake Pupuke as a qualifying matter is to reduce the intensity and density of development (intensification) on land that adjoins the Lake. Inappropriately scaled built form and building typology adjoining the Lake can adversely modify the natural character, landscape values and amenity of the Lake environment.
- 1.3 This memo outlines the relevant policy framework, assesses the potential landscape effects created by intensification on the margins of Lake Pupuke, and describes the landscape analysis that was applied in creating the proposed qualifying matter.

## 2 RELEVANT POLICY FRAMEWORK

- 2.1 There are several strategic documents that set out the relevant policy framework for PC 120, including the NPS-UD, the RMA as amended by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**RMAEHS**) and the Regional Policy Statement (**RPS**) section of the Auckland Unitary Plan: Operative in Part (**AUP:OP**).
- 2.2 From a landscape perspective, the planning instruments and plan provisions that are of particular relevance to my assessment of merits for the proposed Lake Pupuke Qualifying Matter (**LPQM**) are a number of RPS provisions.

### *RPS*

- 2.3 Natural heritage is identified within the RPS as a significant resource management issue for the region (B 1.4 Issues of Regional Significance). Lake Pupuke and its margins are identified as an Outstanding Natural Feature Overlay ID 74, as per the schedule below:

| ID | Name                | Location    | Site type | Description                                                                                                                                                                                                                                                                                                                                | Unitary Plan criteria  |
|----|---------------------|-------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 74 | Lake Pupuke Volcano | Lake Pupuke | E         | Pupuke volcano is large compound explosion crater (about 1500m diameter) partly filled with a fresh water lake covering 104 ha and 55m deep. Lava is mostly mantled with tuff, but has been quarried inside the crater. A lapilli knoll to the southwest forms the highest point. Lava chemistry supports two eruptions from this volcano. | a, b, c, d, e, f, g, h |

2.4 In the AUP:OP, the following criteria are determined to contribute to the values of the Lake Pupuke Volcano ONF:

- a) the extent to which the landform feature or geological site contributes to the understanding of the geology or evolution of the biota in the region, New Zealand or the earth (includes type localities of rock formations, minerals and fossils);*
- b) the rarity or unusual nature of the site or feature;*
- c) the extent to which the feature or site is an outstanding representative example of the diversity of natural landforms and geological features in Auckland;*
- d) the extent to which the landform or geological feature or site is a component of a recognisable group of geologically associated features;*
- e) the extent to which the landform or geological feature or site contributes to the aesthetic value or visual legibility of the wider natural landscape;*
- f) the community association with, or public appreciation of the values of the feature or site;*
- g) the potential value of the feature or site for public education;*
- h) the potential value of the feature or site to provide additional understanding of the geological or biotic history of the region;*

2.5 The relevant landscape objective under B4.2 Outstanding Natural Features and Landscapes states “(1) *Outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.*” Policies B4.2.2(3) and (8) reinforce this objective.

2.6 Objective B4.2.1 also states “(3) *The visual and physical integrity and the historic, archaeological and cultural value of Auckland’s volcanic features that are of local, regional and / or international significance as protected and, where practicable, enhanced.*” Policy B4.2.2 (6) and (8) reinforce this objective.

2.7 I have also considered the following RPS provisions in relation to the built environment:

*B2.1. Issues*

*Growth needs to be provided for in a way that does all of the following:*

*(1A) contributes to well-functioning environments*

*(6) maintains and enhances the quality of the environment, both natural and built;*

*B2.3. A quality built environment*

*B2.3.1. Objectives*

*(1) A well-functioning urban environment with a quality built environment where subdivision, use and development do all of the following:*

*(a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;*

*B2.3.2. Policies*

*(1) Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and does all of the following:*

*(a) supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;*

2.8 The RPS (B.2.9.) explains that “a *quality built environment is one which enhances opportunities for people’s well-being by ensuring that new buildings respond to the existing built and natural environment in ways that promote the plan’s objectives and maintain and enhance the amenity values of an area*”.

### **3 LANDSCAPE EFFECTS FROM INTENSIFICATION ON MARGINS OF LAKE PUPUKE**

3.1 Objective D10.2.1 states “*Auckland’s outstanding natural features and outstanding natural landscapes are protected from inappropriate subdivision, use, and development*”.

- 3.2 In relation to this objective, the ONF policies focus on protecting the visual and physical integrity of the feature by “*avoiding the adverse effects of inappropriate subdivision, use and development on the natural characteristics and qualities that contribute to an outstanding natural feature’s values*” (D10.3(3)(a)); while taking into account (D10.3(4)):
- a) *the value of the outstanding natural feature in its wider historic heritage, cultural, landscape, natural character and amenity context;*
  - e) *the presence or absence of structures, buildings or infrastructure;*
  - g) *the physical and visual integrity and the natural processes of the location;*
  - h) *the physical, visual and experiential values that contribute significantly to the outstanding natural feature’s values; and*
  - i) *the location, scale and design of any proposed subdivision, use or development.*
- 3.3 The Lake Pupuke volcanic feature is surrounded by urban development, including parks and reserves, sport and school facilities, and typically low-density residential typology around the Lake margins. Residential development of various scales is situated further back from the Lake’s margins, including *The Circle* apartments in Milford and the consented retirement village adjoining Killarney Park and *The Windermere* Apartments on the corner of Killarney Street and The Promenade, as well as the North Shore Hospital.
- 3.4 I consider the key landscape values of the Lake Pupuke ONF are:
- the circular shape and expansiveness of the 104ha water filled crater;
  - the physical and visual legibility of the volcanic tuff ring;
  - the water, and enclosing topography and vegetation that contribute to the lake’s natural characteristics and natural character<sup>1</sup>; and
  - the sense of openness and amenity that is experienced when on the lake and in park and reserves on the Lake’s margins.
- 3.5 I consider these values are contributed to by the existing scale and typology of development in proximity to the Lake. The typically low density typology is subservient to the qualities that make up the natural character, enabling development to integrate amongst the vegetation of the margins. This prevents the Lake and its margins from being physically and visually enclosed or dominated by taller built form, which could occur as a result of unconstrained intensification within the walkable catchment areas.
- 3.6 Intensification on and in proximity to the Lake margins has the potential to compromise the visual integrity and the experiential values that contribute to the feature and values of

<sup>1</sup> In reference to Objective D5.2(2) to maintain and enhance natural character of lake management areas.

this ONF. In particular, I consider that intensification could have the following adverse effects:

- reduce the openness and experiential qualities of the Lake's natural characteristics and natural character;
- create visual and physical dominance effects on the Lake and its margins, including in parks and reserves;
- reduce the integration of vegetation and associated amenity from the Lake's margins back to the surrounding built environment due to increased building coverages and impermeable areas, and reduced side yards and landscaped areas; and
- reduce the opportunity for public and private views to the Lake from further back, as could be obstructed by tall buildings surrounding the Lake. For example, lake views from Kowhai Street could be obscured by intensification in accordance with three-storey Mixed Housing Urban zoning on Lake View Road without the LPQM.



Image 1: View to Lake Pupuke from Kowhai Street.

3.7 To ensure these adverse effects do not occur as a result of the proposed plan change's intensification, in my opinion it is necessary to create a qualifying matter that ensures an appropriately integrated response of the built environment to the values of the ONF.

- 3.8 I consider the LPQM that is proposed provides an appropriate response to manage the values of the ONF from a landscape effects perspective. Retaining the existing AUP:OP zoning on the Lake's margins and removing the 50m HVCs from THAB zoning on the western side of Hurstmere Road and Killarney Street will avoid the adverse effects noted above. Importantly, the QM will protect the ONF's values from inappropriate development.

#### *Māori Cultural Landscape Effects*

- 3.9 The AUP recognises the need to protect cultural values associated with landscape features of significance in RPS provisions B4.2.1 (2) and (3), B4.2.2 (7), B6.3.1. (1) and (2), B6.3.2. (1), (2), (4), and (6), B6.5.1 (1) and (3), B6.5.2 (1) and (2). How the LPQM responds to Māori cultural values is discussed in the Lake Pupuke Qualifying Matter - Cultural Narrative of Myles Anderson, which I have relied on to inform my assessment. Reference has been made to the Māori alert layer and the mana whenua layers on GIS to understand the relationship between the QM to scheduled and unscheduled sites of significance.
- 3.10 Overall, I consider the LPQM is responsive to cultural values by maintaining the natural landform of the ONF and its margins. This is achieved by maintaining the operative zoning around the margins, which will restrict development opportunities that could occur from upzoning. It also ensures that the heights of future development transitions down to the Lake edge thereby maintaining legibility of the natural landform.

## **4 METHODOLOGY AND LANDSCAPE ASSESSMENT**

- 4.1 The LPQM is proposed through two planning mechanisms:
- a) A zoning response whereby properties setback from the edge of the Lake retains their operative AUP zoning; and
  - b) Removing the HVCs (that would otherwise be applied through the plan change) in THAB zoning west of Killarney Street and Hurstmere Road (section north of Killarney Street).
- 4.2 The a) proposed setback responds to the cumulative effects of height, dominance and enclosure on the values of the ONF, as well as the effects of site intensity that can occur from upzoning. In this regard, retaining the existing zoning around the edges of the Lake ensures the existing spacious character and amenity of buildings integrated amongst vegetation is maintained through the zoning standards, including building coverages, side yards, landscaped areas, and maximum impervious areas. Whilst this is predominantly Single House Zoning, there is an area of Mixed Housing Urban Zoning on the east side of the Lake. Some of the development in accordance with this zoning has created continuous

rows of housing fronting the Lake and, in my opinion, it would be inappropriate to increase this development typology to other areas surrounding the Lake that are lower density.

- 4.3 In determining the extent of the Lake's margins to include in a) the setback, a GIS analysis was undertaken. The GIS layers that were analysed include the AUP:OP zoning, the proposed plan change's zoning without the LPQM, the ONF extent and contours at 1m intervals. Aerial imagery was also analysed, and I undertook site visits to the Lake and its surrounds. A visualisation was prepared to analyse effects of building envelopes that created through intensification without the QM and compared to effects with QM applied.
- 4.4 The setback incorporates the ONF extent as well as some additional margin in some areas to account for steeper topography that associates with the tuff crater and lake margins, and rational boundaries for a change of zoning response, for example, Lake View Road.
- 4.5 The areas of b) where HVC's were removed from considered the extent of the application of the 50m HVC, the existing zoning and development, and the topography. The analysis also considered the application of the proposed Coastal Environment Qualifying Matter as it applies to removing the HVCs on the eastern side of Hurstmere Road. In this regard, the Lake and the coastal environment have a strong physical, visual and cultural relationship due to the narrow separation of land, and formations from the volcanic eruptions that created the Lake and lava flow into the coast, as well as the views and cultural connections across the Hauraki Gulf and towards Rangitoto (refer Image 1 below). In this regard, having a cohesive and legible development pattern with transitions that are responsive to the natural landform between the Lake and the coast, supports these relationships.



Image 2: Oblique aerial looking east to the Hauraki Gulf from above the Smales Farm / Akoranga vicinity.  
Photo credit : <https://nztraveltips.com/auckland-volcanoes/>

- 4.6 Killarney Street and the section of Hurstmere Road north of Killarney Street run along the ridge of the volcanic crater's tuff ring on its south-eastern and eastern sides, which can be seen to the left of and in front of the Lake in the oblique aerial image below.



Image 3: Oblique aerial looking west from above the Takapuna coastline. Photo credit: Arno Gasteiger for New Zealand Geographic <https://www.nzgeo.com/stories/the-fire-beneath-us/>

- 4.7 As can be seen in the image above, Killarney Street provides a rational boundary to separate THAB with 50m HVC on the edges of the Metropolitan Centre Zone from THAB without a HVC. THAB without a HVC on the western side of Killarney Road would be enabled, providing for similar scale apartments as *The Windermere* apartments at the intersect of The Promenade. In conjunction with the proposed setback, this response would provide an appropriate transition of building heights from the Metropolitan Centre Zone, down to THAB with 50m HVC on the eastern side of Killarney Street, then dropping to THAB with no HVC (22m) in accordance with the LPQM on the western side of Killarney Street, and then retaining the operative zoning on the Lake's margins. This transition down to the Lake to ensure that the built environment is responsive to the Lake's natural character, natural characteristics and landscape values.
- 4.8 The different responses as provided by the available building envelopes with and without the LPQM are shown in the images below (also included as **Appendix 1** to this memo). These images have been developed using geospatial software to identify the locations of the relevant parcels and to 3-dimensionally extrude the maximum building heights according to the zoning and HVC maps, with and without the LPQM, as provided in the

section 32 report of Myles Anderson. The 3D building envelopes have then been referenced to existing buildings in the photos that have known locations and heights to ensure the scale is proportionate, noting they are indicative and not as accurate as visual simulations. The building envelopes in closer proximity are shown in a darker shade of grey, and operative zoning that is being retained in accordance with the LPQM is not represented by a building envelope, as the existing development patterns illustrate the operative zoning. The final visuals were produced using ArcGIS and Photoshop software for presentation clarity.



Image 4 – View from north side of Lake Pupuke towards Takapuna Metropolitan Centre Zone showing building envelopes created by the plan change without the application of the LPQM

- 4.9 The above image shows that without the LPQM, the development potential of THAB (no HVC) on the margins adjoining the Lake with THAB and 50m HVC immediately behind, including on the western side of Killarney Street, would enclose and dominate the Lake. The natural landform associated with the volcanic crater is no longer legible as tall buildings fronting the Lake removes the finer grain, spacious and stepped response provided by the low-density housing. The vegetation associated with this residential typology is also removed, changing the amenity on the Lake margins from low scale housing integrated with vegetation, to one characterised by the vertical walls of buildings.



Image 5 – View from north side of Lake Pupuke towards Takapuna Metropolitan Centre Zone showing building envelopes created by the plan change with the application of the LPQM

- 4.10 In contrast, the above image shows that with the LPQM applied, the natural landform of the Lake's margins remains intact through the retention of the existing zoning, the vegetation pattern integrated amongst this housing would also be maintained, and the dominance and enclosure effects over the Lake are significantly reduced. The development pattern provides a transition of intensity and height up from the Lake and towards the Takapuna Metropolitan Zone, which is responsive to the values of the ONF.
- 4.11 On Hurstmere Road, north of the fork to Killarney Street, the land width between Lake Pupuke to the west and the coastline to the east is narrow – ranging between approximately 200m and 400m. At the ridge it is elevated up to 20m above the surface of the Lake. Without the LPQM, 50m tall buildings would stand 70m above the Lake surface. This would introduce dominance effects and significantly compromise the experiential values that contribute to the feature and values of this ONF. In contrast, removing the HVCs in the THAB zoned areas along this section of Hurstmere Road, in conjunction with the zoning setback on the Lake's margins, would provide for an appropriate scale of built form and a transition of heights down to the Lake. This would be responsive to the values of the ONF by ensuring that they are not dominated and marginalised by very tall buildings.

- 4.12 This response would also mirror the response of the Coastal Environment Qualifying Matter on the eastern side of Hurstmere Road, thereby providing an integrated and legible built form pattern that is responsive to this sensitive coastal / volcanic / lake landscape.

## **5 CONCLUSION**

- 5.1 In conclusion, I consider the LPQM that is proposed to manage and reduce development intensity and density on the margins of Lake Pupuke, will:
- deliver a clear distinction in the expectations for development to ensure the character and ONF values of the Lake are maintained within an appropriate limit;
  - ensure that overly tall development is avoided in sensitive areas that are not necessarily managed or controlled by an existing overlay or control in the AUP:OP;
  - sets height of development back from the Lake, where practicable and reasonable, to protect the natural character, open space and amenity values of the Lake;
  - preserve the Lake's natural character from inappropriate subdivision, use, and development;
  - protect the Lake Pupuke ONF from inappropriate subdivision, use, and development; and
  - ensure the Lake and its margins are not dominated by built form, and people's experience of natural character, amenity and sense of openness is maintained.
- 5.2 Overall, the application of the proposed LPQM is consistent with the relevant provisions of the RPS and will ensure the visual integrity and experiential values of the ONF are safeguarded from potentially significant adverse effects from unconstrained intensification. The proposed LPQM will enable a more balanced and context sensitive approach to urban growth – one that is responsive to the values of the ONF.

**Stephen Quin**

Principal Landscape Architect  
Auckland Council



# Memorandum

25 August 2025

**Subject:** Lake Pupuke Qualifying Matter – Cultural Narrative

## Introduction

1. The purpose of this memorandum is to outline the known values of Lake Pupuke/Pupukemoana to mana whenua and how this understanding has informed the approach adopted for applying the margins of Pupukemoana as a qualifying matter (**QM**) in the Integrated Intensification Plan Change (**IIPC**).
2. Due to the time pressure in developing the IIPC, this memo has been drafted to clarify the council team's understanding of the cultural significance of this lake and positions held by mana whenua with respect to development surrounding it. These values and aspirations are intended to inform the approach adopted for managing and moderating urban intensification next to the Lake.

## The Planning Context Steering the IIPC

3. The Auckland Unitary Plan (**AUP**) enables significant development, especially housing intensification in suitable areas. Under the previous government, Auckland Council was required to amend the AUP to allow for greater intensification, resulting in Proposed Plan Change 78 (**PC 78**).
4. Since early 2023, Auckland Council has advocated for a more balanced approach— supporting development while addressing natural hazard risks like flooding and coastal erosion.
5. With the passing of the Resource Management (Consenting and Other System Changes) Amendment Act, Council can now partially withdraw PC 78 and introduce a replacement plan change. This new plan (known as the Replacement Plan Change or IIPC) must enable at least the same development capacity as PC 78 and meet specific intensification requirements.
6. These specific intensification requirements relate to:
  - Enabling 15-storey (50m) buildings within at least walkable catchments of Maungawhau, Kingsland, and Morningside Stations.
  - Enable 10-storey (34.5m) buildings within at least walkable catchments of Baldwin Avenue and Mount Albert Stations.
  - Reflect housing demand and accessibility to services.
  - Give effect to Policy 3 of the National Policy Statement on Urban Development (**NPS-UD**).<sup>11</sup>
7. In giving effect to Policy 3, the approach to intensification around town, and local centres has largely been retained with some adjustments to the areas subject to rezoning to enable greater densities and heights. The potential to extend intensification along key arterial road corridors that provide for bus priority is also addressed through the IIPC.
8. Policy 4 of the NPS-UD allows council to ease intensification requirements where one or more specified Qualifying Matters (**QMs**) apply.
9. The Amendment Act retains Auckland Council's discretion to lower the building heights set for the five train-station areas and other Policy 3 areas — but only to the extent necessary to accommodate one or more of QMs specified in section 77I(a) to (i).

<sup>11</sup> These specific intensification requirements are set out under Schedule 3C, Part 1, section 4 of the Resource Management (Consenting and Other System Changes) Amendment Act.

10. Pupukemoana has been introduced as a new QM under the IIPC. The application of a QM will provide for matters of national importance recognised by RMA section 6(a), (b), (c), (d), and (e).
11. The purpose of Pupukemoana as a new QM is to moderate the impact of high residential densities and taller buildings on the margins of Pupukemoana and align with environmental outcomes in the Auckland Plan 2050 and the provisions of the Regional Policy Statement (**RPS**) – Chapter B2, B4, B6, and B7.
12. The effect of the Amendment Bill is that all QMs, must be accompanied by an evaluation that considers their broader costs and impacts.
13. The IIPC has been developed rapidly amid shifting RMA reforms (Going for Housing Growth, Amendment Bill), limiting the time available for Local Board and iwi input, and thorough public engagement.

### **Pupukemoana and its significance to Mana Whenua**

14. Pupukemoana is a freshwater lake located on the North Shore of Tāmaki Makaurau / Auckland between the suburbs of Takapuna and Milford. The 110-hectare lake has a circumference of 4.5km and reaches 57m in depth. The eastern boundary of the Lake is less than 200m from the coastline, separated by Hurstmere Road.<sup>2</sup>
15. The Lake is geologically significant as it was formed by an extinct volcano that was last active around 140,000 years ago. The shape of the Lake today is formed by two linked volcanic craters or maar. Most other explosion craters within Auckland have since their formation been inundated by the sea. However, Pupukemoana has survived because the lava field that surrounds it has acted as a barrier against erosion whilst allowing water to escape by way of joints in the hard rock.<sup>3</sup> The western edge of the Lake was quarried for basalt. A section of this quarry has been flooded to form a lagoon known as Quarry Lake. In the 19th century the Lake provided water supply for Devonport.<sup>4</sup>
16. Much of the shoreline of Pupukemoana is in private ownership, including that of Milford School, Carmel College and North Shore Hospital. Public access to the lakefront is limited to Killarney Park to the south, Sylvan and Kitchener Parks to the north, and Henderson Park to the northeast. The Lake is popular for water sports, including boating, fishing and scuba diving.
17. Pupukemoana is associated with Māori pūrākau (legends) which tell of the creation of Rangitoto. There are several variations of the pūrākau which follow similar themes.<sup>5678</sup> The following retelling is attributed to Ngāi Tai ki Tāmaki:

*Ohomatakamokamo lived in a mountain that once stood on low land now occupied by Lake Pupuke. One day he asked his wife Matakerepo and her maid to cut flax and make him some new clothing. However, he did not like the finished product and quarreled bitterly with his wife. In the argument they cursed the fire goddess Mahuika. Their fire went out and could not be relit. Furious that she had been cursed, Mahuika asked the parent god Mataoho to send a volcanic eruption to punish the quarrelsome couple. Their mountain home was destroyed and sank down leaving in its place Lake Pupuke which which means 'overflowing sea'. Ohomatakamokamo, Matakerepo and the maid Tukiata quickly fled but were thrown underground by violent eruptions, the remains of which are the craters at Awataha, near Northcote. As their mountain home sank, Rangitoto emerged from the sea nearby. Mataoho then placed three peaks on Rangitoto so that the troublemakers, exiled underground, might emerge and look*

<sup>2</sup> Teacher Guide Lake Pupuke, Water Safe Auckland

<sup>3</sup> Lake Pupuke Geology and Groundwater Report No. KC55, The Kokopu Connection

<sup>4</sup> Lake Pupuke Inspection Report No. KC71, The Kokopu Connection, 20 June 2006

<sup>5</sup> Turei, P (2006) Evidence for Notice of Requirement: Victoria Park Tunnel. (Retrieved from Cultural Values Assessment: AC36 Consent Application (Te Waitematā), Mahuika Rāwiri, 24 August 2018)

<sup>6</sup> Tank Farm Volcano Geology, Bruce Hayward, December 2009

<sup>7</sup> Rangitoto Archived 13 July 2006 at the Wayback Machine (from the Auckland Regional Council website)

<sup>8</sup> History of Rangitoto, Department of Conservation, <https://www.doc.govt.nz/parks-and-recreation/places-to-go/auckland/places/rangitoto-island/historic-rangitoto/>

*across at the site of Pupuke. When those peaks are covered by cloud or rain, it is said that those three weep for their former home.*<sup>9</sup>

18. It is believed that 1200AD is the earliest time that Māori may have visited the area from the islands in the Hauraki Gulf and that within 100-200 years they occupied the area on a full-time basis, settling in the vicinity of the Lake sometime during the 1400 -1500s. Māori occupation continued for three centuries prior to arrival of the first European settlers in the early 1800s. Pupukemoana was used to gather kai, including eels, freshwater mussels and birds, for the flax that grew abundantly on the shores, for the beaches nearby with their shellfish and readily accessible fishing grounds, and for the areas surrounding the Lake suitable for gardening and the growing of kumara. A Māori portage also once passed from the east coast via Pupukemoana to Shoal Bay.<sup>10</sup>
19. Schedule 14: Historic Heritage of the AUP, identifies three middens/terraces of significance to mana whenua located within the immediate surroundings of Pupukemoana. These are Midden R10\_718 and Terrace/middens R10\_719 on the northern shore in Kitchener Park and Terrace R11\_972 on the southern shore in Killarney Park. Land directly adjoining the Lake occupied by North Shore Hospital and adjacent to Killarney Park occupied by Takapuna Primary School is subject to right of first refusal in favour of local Iwi.
20. Pupukemoana and much of its shoreline is recognised in the AUP for its geological, ecological and landscape significance through the Outstanding Natural Features Overlay (**ONF**): Lake Pupuke Volcano and Significant Ecological Area (**SEA**): Terrestrial. The value the Lake provides for amenity and recreational values is also recognised through the Urban Lake Management Areas Overlay. The AUP recognises the need to protect cultural values associated with landscape features and ecology of significance in RPS provisions B2.2.1 (1) B4.2.1 (2) and (3), B4.2.2 (7), B6.3.1. (1) and (2), B6.3.2. (1), (2), (4), and (6), B6.5.1 (1) and (3), B6.5.2 (1) and (2), B7.3.2 (4).
21. Māori possess an ancestral connection to the natural environment, which is fundamental to identity and underpins their role as kaitiaki. Kaitiakitanga is acknowledged in legislation, being defined as "...the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship" (Section 2 RMA).
22. Kaitiakitanga and tribal identity is linked to freshwater systems, with each water body having its own mauri (life force).<sup>11</sup> Mauri is sustained by a range of environmental, social, cultural, and economic values held by iwi and a community.<sup>12</sup> Mauri can be impacted by pressures in the environment and affected by cumulative changes in the landscape. Understanding the effects of decisions on mauri forms part of the cultural and social wellbeing considerations under section 5 of the RMA and are protected as matters of national importance under section 6(e) of the RMA.<sup>13</sup> The Auckland Water Strategy 2022-2050 includes in its aims that the cumulative effects of land use are understood and managed to protect the mauri of freshwater systems.<sup>14</sup>

### Pressures on Pupukemoana

23. Pupukemoana is the only lake in urban Auckland which has residential zoning at its edge and as stated above, much of the lake edge is in private ownership. This has enabled the lake side to be modified by various human activities. Development has been intensified by the nearby growth

<sup>9</sup> Pegman, David M (August 2007). "The Volcanoes of Auckland" (PDF). Manukau City Council. Mangere Mountain Education Centre. Archived from the original (PDF) on 24 March 2012. Retrieved 24 August 2025.

<sup>10</sup> Lake Pupuke Inspection Report No. KC71, The Kokopu Connection, 20 June 2006

<sup>11</sup> Environment Aotearoa 2022, Ministry for the Environment, 14 April 2022

<sup>12</sup> Ministry for the Environment & Stats NZ (2020). New Zealand's Environmental Reporting Series: Our freshwater 2020. Available from environment.govt.nz and www.stats.govt.nz

<sup>13</sup> Māori Values Supplement

<sup>14</sup> The Auckland Water Strategy 2022-2050, Auckland Council

of Takapuna as a metropolitan centre and Milford as a town centre. NPS-UD Policy 3 (c) and (d) require:

- building heights of at least six storeys within at least a walkable catchment of the edge of metropolitan centres, and
- within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.

24. The walkable catchment from the edge of Takapuna Metropolitan Centre includes properties along the south and southeastern edge of Pupukemoana, extending up Hurstmere Road. Intensification of residential zones to Terrace Housing and Apartment Buildings (**THAB**) of six storeys around Milford Centre is oriented adjacent to the northern edge of Pupukemoana but is buffered partially by Sylvan and Kitchener Park.

25. Planning responses outside of Policy 3 requirements also affect the urban environment within the margins of Pupukemoana. These planning responses are intended to recognise demand for development and relative access to nearby centres, as well as meet capacity requirements in the Resource Management (Consenting and Other System Changes) Amendment Bill. These planning responses are:

- a 50m height variation control (**HVC**) within the walkable catchment of Takapuna Metropolitan Centre;
- intensification of residential zoning to THAB along Kitchener Road to reflect its role as an arterial road and Frequent Transit Network, and
- properties elsewhere would intensify to Mixed Housing Urban Zone, which allows 3 storey development.

26. Areas subject to intensification through Policy 3 and zoning and HVC policy responses which would apply through the replacement plan change without the application of a QM are show in **Figure 1** below.

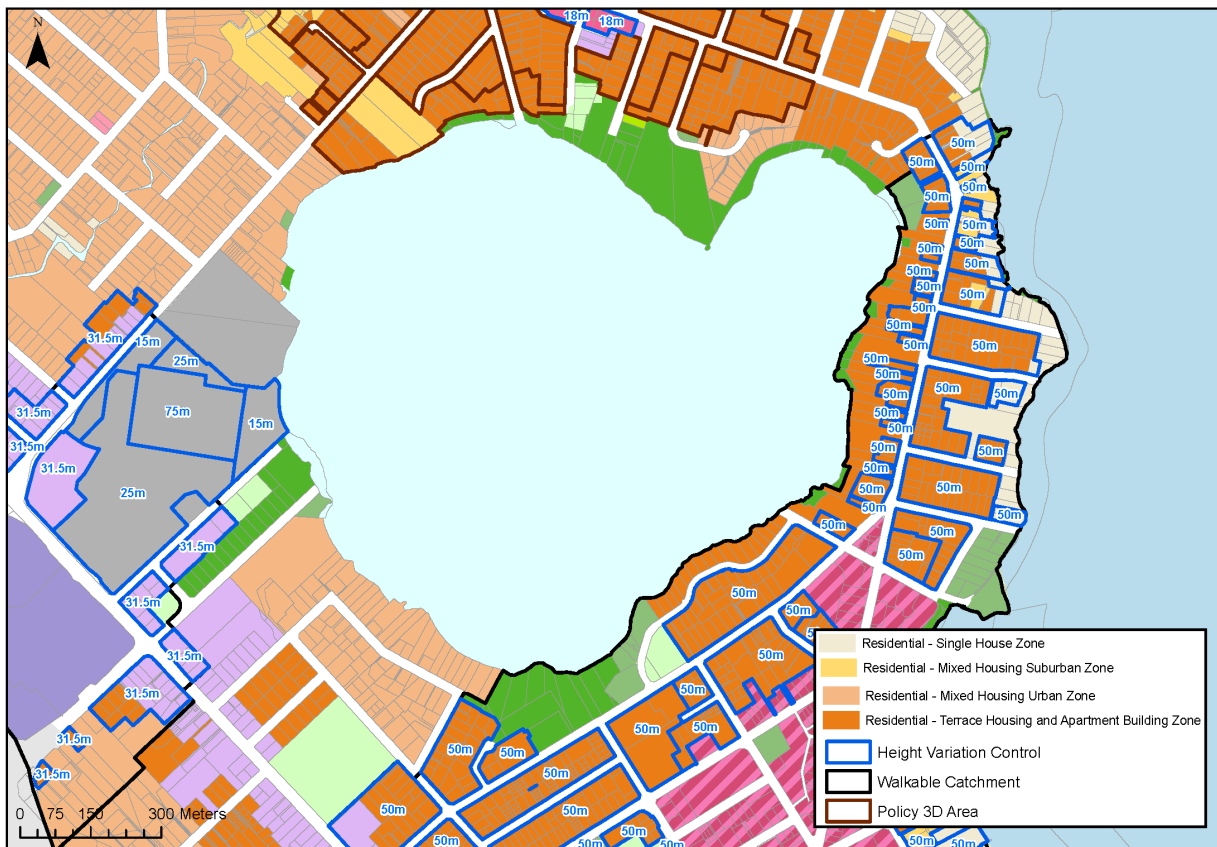


Figure 1: Policy 3 and planning responses in the replacement plan change around Pupukemoana (without a QM applied).

27. The combination of the Policy 3 and planning responses would enable six storey THAB development along the northern shoreline of the Lake, 50m (or 15 storey) development extending along the southern and eastern shoreline of the Lake and 3 storey development along remaining residential lakefront blocks to the northwest and northeast.
28. Intensified residential zoning does not just increase the heights of buildings enabled, it also allows for less distance between buildings, an increase in building coverage, a reduction in total landscaped area, smaller yard dimensions, and increased opportunity for subdivision. An increased scale of built form and building typology adjoining the Lake can adversely modify the natural character, landscape values and amenity of Pupukemoana.
29. Currently in the AUP, residential zones apply a Lakeside Yard which sets buildings 30m back from the lake edge. The Lakeside Yard creates space on the margins of Pupukemoana which ensures buildings are adequately distanced from the Lake to maintain water quality and provide protection from natural hazards. A key concern which this QM addresses is the 30m setback being insufficient, in this context, to manage the scale of development which would be enabled by the IIPC and its effects on the landscape and cultural values of Pupukemoana.
30. With respect to cultural and landscape values of Pupukemoana, intensification is understood to pose the following challenges and threats:
  - reduce the openness and experiential qualities of the Lake's natural characteristics and natural character;
  - create visual and physical dominance effects on the Lake and its margins, including in parks and reserves;
  - reduce the integration of vegetation and associated amenity from the Lake's margins back to the surrounding built environment due to increased building coverages and impermeable areas, and reduced side yards and landscaped areas; and

- reduce the opportunity for public and private views to the Lake from further back, as could be obstructed by tall buildings surrounding the Lake. For example, lake views from Kowhai Street could be obscured by intensification in accordance with three-storey Mixed Housing Urban zoning on Lake View Road without the LPQM.<sup>15</sup>

31. Managing intensification on the margins of Pupukemoana is not about preventing growth or capacity but rather is about ensuring that urban form respects the sensitivities associated with natural character, landscape, amenity, public access and cultural values.

32. Therefore, subdivision, use and development within the margins of Pupukemoana needs to be managed and strategically considered to ensure it occurs in appropriate locations and is of an appropriate form.

### **Mana Whenua Insights and Views on the Natural Environment, Landscape, and Urban Development**

33. It is understood that effective whenua (land) and wai (water) management for mana whenua means recognising and responding to pressures on natural and cultural landscapes. While no specific concerns pertaining to Pupukemoana were raised by mana whenua representatives in the documents reviewed for this narrative, principles expressed by mana whenua related to the environment, landscape, and cultural values are considered relevant to this QM.

34. The Schedule of Issues 2021 - 2025 identifies several issues of significance to Māori in Tāmaki Makaurau. These includes issues under the following values:

- *Kaitiakitanga: Māori are empowered and treasured in their customary role as kaitiaki over lands, cultural landscapes, sites of significance and wāhi tapu, and*
- *Manaakitanga: The mauri of our waterways is restored, maintained and preserved for future generations.*<sup>16</sup>

35. The National Policy Statement on Urban Development also directs local authorities to take into account the values and aspirations of hapū and iwi for urban development when preparing plan changes to give effect to the policy statement (Policy 9(b)). Through the PC78 process the Council Project Team drew together a Kete on Iwi and Hapū Values and Aspirations for Urban Development as they are understood from existing plans and documents. The following focus areas and actions are considered relevant:

- *Wāhi tapu and wāhi taonga:*
  - *Preserve, restore and rehabilitate natural and cultural landscapes, including celebrating, maintaining and enhancing sites and places of significance to mana whenua and their relationships with them.*
- *Access to clean parks and reserves with a tangible cultural identity, including native planting and enhancements.*
- *Mana whenua expression of their mātauranga and pūrakau in urban design and placemaking, including development of Tāmaki Makaurau specific design principles by mana whenua kaitiaki.*
- *Built Environment – new developments incorporate and/or support:*
  - *Minimising earthworks (land disturbance) and maintaining the natural landform and its features, including: encouraging building designs which follow the shape of the land.*<sup>17</sup>

36. The Auckland Council engaged with Mana Whenua from October 2021 to August 2022 through collective and individual hui to discuss the implementation of PC78. In summary the discussion and thoughts of mana whenua included the following concerns which are considered relevant:

<sup>15</sup> Refer Attachment 1

<sup>16</sup> Schedule of Issues of Significance 2021 - 2025

<sup>17</sup> Kete 3: Iwi and Hapū Values and Aspirations for Urban Development

- *Avoid effects on sites of significance such as surface flooding, blocking access, views, removal of vegetation, discharges.*
- *Support protection of areas with recognised ecological and landscape importance, including SEA's and ONF's, as important components of the cultural landscape. Seeking to avoid boundary effects on SEAs. Support the application of lower density zones to avoid degradation of these sites and features.*
- *Open space must be retained as it is important for the health and wellbeing of people in an intensifying city. Many scheduled sites of significance are on open space sites and must be protected. An ability to access the coast, rivers and other sites to undertake customary activities is important.*<sup>18</sup>

37. These principles suggest a holistic approach is appropriate in response to recognised values of Pupukemoana, emphasizing environmental sustainability, cultural preservation, and landscape cohesiveness to support the well-being of people and the environment.

38. Through PC78 sites subject to the ONF overlay were proposed to be retained as Low-Density Residential Zone to reflect their recognised ecological and cultural importance. THAB within the walkable catchment of Takapuna Metropolitan Centre was not subject to a 50m HVC and was instead limited to six storeys. The proposed QM is more consistent with the urban environment anticipated around Pupukemoana through the PC78 process.

### **Pupukemoana as a QM in the IIPC**

39. Application of a QM to Pupukemoana recognises the matters of importance set out in RMA section 6 (a), (b), (c), and (e) and gives effect to environmental outcomes in the Auckland Plan 2050 and provisions in the RPS – Chapters B2, B4, B6, and B7, while also ensuring that growth is sustainable, resilient, and consistent with the principles of Te Tiriti o Waitangi.

40. In this way, management of development on the margins of Pupukemoana presents both a constraint and an opportunity: a constraint in terms of where and how intensification can occur, and an opportunity to embed design responsive to the landscape, protect ecological function, and honour cultural connections.

41. The application of a QM on the margins of Pupukemoana is based on our understanding of the views and issues of significance to Mana Whenua expressed in the Schedule of Issues 2021 - 2025 and as understood through engagement undertaken for the PC78 process. A precautionary approach has been adopted to ensure development occurs in appropriate places and is of appropriate forms which reflect the ecological, landscape and cultural value of Pupukemoana.

42. In the development of the IIPC, Pupukemoana as a qualifying matter has been applied in two ways:

#### **Removal of Height Variation Controls (HVCs)**

43. Pupukemoana as a qualifying matter has been used to inform the extent to which HVC's should be removed within the urban environment surrounding the Lake. The extent of the removal of HVC's has been informed by a landscape assessment, included as **Attachment 1**. The HVCs proposed to be removed by the QM all enable heights up to 50m in the walkable catchment of Takapuna Metropolitan Centre and extend along the south and eastern parts of the Lake. These heights are generally greater than what would otherwise be provided for in the underlying THAB zone. The extent of HVCs proposed to be removed can be seen in **Figure 2** below.

<sup>18</sup> Mana Whenua and Mataawaka Insert into the NPSUD Engagement S32

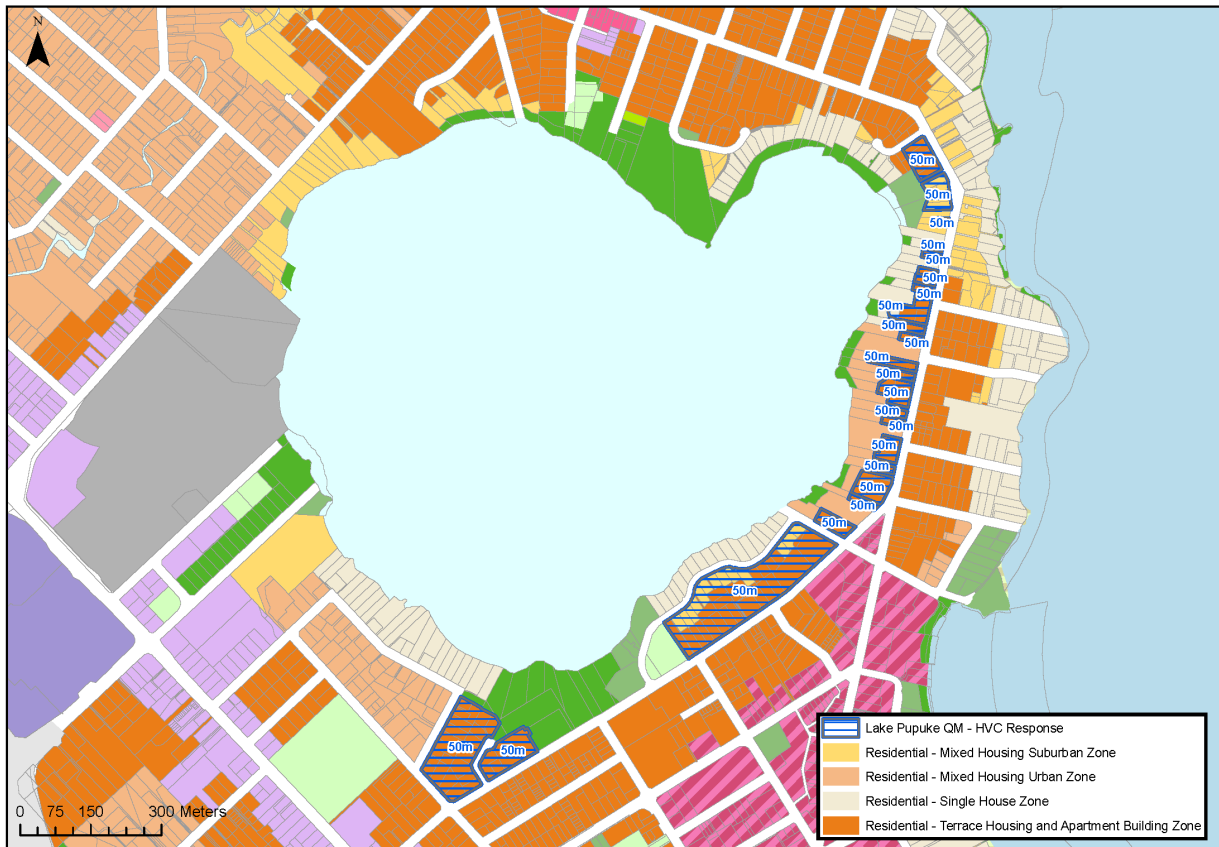


Figure 2 HVC's to be removed through Pupukemoana QM response. Zoning as proposed through IIPC.

44. As part of this QM response the removal of the HVC is intended to:

- retain landscape legibility and cultural connection between Pupukemoana, the nearby coastline, and Rangitoto;
- protect public and private views to the Lake and from the surrounding environment;
- avoid dominance effects and enclosure of the Lake and open space along its boundaries, including parks and reserves;
- transition heights between the sensitive lake edge and greater urban intensity within Takapuna Metropolitan Centre, and
- respond to changes in the topography which would lead to increased building dominance in the landscape, relative to actual height, so that buildings are more sympathetic to natural ground form.

#### Retain operative zoning controls (AUP OP zoning)

45. The second way in which this qualifying matter has been applied is through a 'zoning response principle' whereby properties subject to the response revert to their operative (and lower intensity) AUP zone. The extent of HVCs proposed to be removed can be seen in **Figure 3** below. The extent of the zoning response has been informed by a landscape assessment, included as **Attachment 1**, which examined the topography and AUP overlays affecting sites. Sites within the extent of the response are proposed to retain their zoning to deliver a precautionary approach which reflects that natural values and landscape character are unlikely to be recoverable if subject to inappropriate subdivision, use, and development.

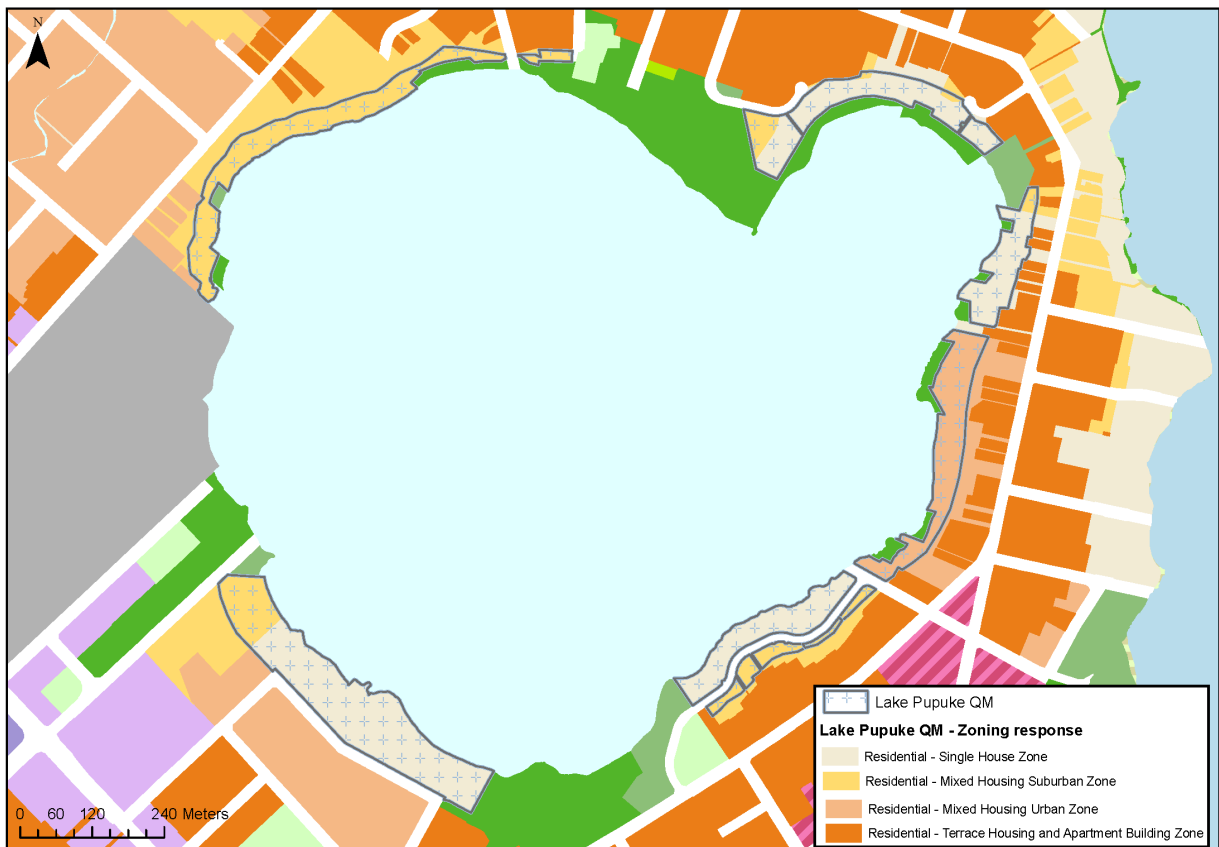


Figure 3 Sites to retain zoning as operative through Pupukemoana QM response

46. As part of this QM response the retention of zoning is intended to:

- respond to Pupukemoana as a unique and geologically significant landform representative of Auckland's volcanic landscape;
- recognise the significant ecological, landscape, amenity, and cultural values which are scheduled by the AUP within and on the margins of the Lake;
- mitigate the potential for sedimentation and contamination resulting from increased building coverage and impervious area;
- reduce boundary effects on the SEA overlay identified along the lake edge;
- reduce the intensity, consistency, urbanisation (yard dimensions, subdivision, height in relation to boundary) of the appearance of built form on the margins of the Lake, and
- preserve the lake's natural character from inappropriate subdivision, use, and development.