

The Point Mission Bay

Comments

Introduction

As the home owner of [REDACTED] I am facing considerable impact to my home and section as a result of the proposed Point Mission Bay retirement village development. As an immediate neighbour my concerns and disturbances to normal living should be taken into account.

The windows of bedrooms, lounge and all living areas, as well as the balconies and front entrance of [REDACTED] Rukutai Street all face north towards the land of the proposed development.

I understand that the Fast-track process is designed to speed up development, and that new Unitary Plan guidelines and regulations around aspects such as impact on visual amenity and privacy may not necessarily be taken into account, but also trust that the Fast-track process is not intended to allow significant negative effects to bypass into developments, and that my concerns could reasonably lead to adjustments to the plans, especially when effects are looked at from a perspective other than that of the developer.

I refute reports which refer to no more than minor or negligible impacts on aspects of the proposed development when clearly the issues being discussed would have significant effects on adjacent properties, the local residents and community.

After reading of the Fast-track submission documentation there are a series of potential adverse effects on the property that should be taken into consideration.

Adverse effects on [REDACTED] Rukutai Street

1. Drainage	2
2. Hazardous Substances	9
3. Light	9
4. Visual Amenity	12
5. Vibration During Earthworks and Construction.....	14

1. Drainage

According to the Hazard Assessment of the Proposed Development - Attachment 26-Flood-Risk-Assessment – the development site is considered to be in a Low Flood Hazard Zone, with maximum projected floodwaters of depth equal or less than 300mm.

██████████ is one of a number of properties surrounding the development site affected by flooding during Annual Exceedance Probability (AEP) rainfall events (see Figure 12 in Attachment-026). In the more extreme events, this flooding could extend well into the property, saturating the front lawn, and down the sloping driveway into the garage and downstairs areas of the house.

Part of the site is identified as containing an overland flowpath that has an upstream contributing catchment exceeding 4,000m².

A Low Flood Hazard does not mean that significant damage to properties does not occur, and it appears that the proposed development is likely to increase the likelihood of this for ██████████. The development raises the adjacent land and the overall percentage of impermeable land (54% to 69%) while being predicted to increase the catchment area and peak flow through flowpath 4A running adjacent to and onto ██████████ (Table 5). There appears to be no proposed attempt to divert or otherwise collect and redirect this water as there is with flowpath 3 being directed into flowpath 6 (Figure 5 Flowpath Locations)

It is stated that there will be significant reduction in peak flows through overland flowpath SA03 to Node A and an overall reduction in peak flows and water level for surrounding properties. However ██████████ doesn't appear to benefit from this.

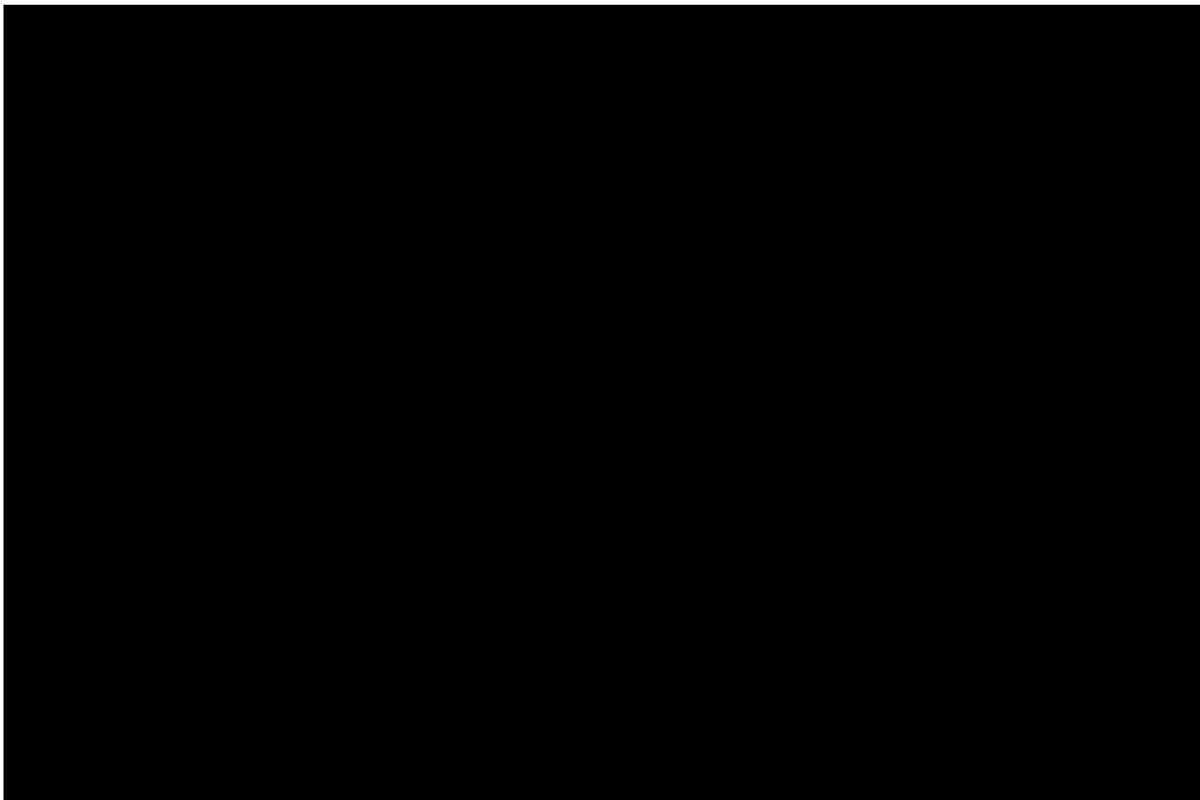
Underground Water

In addition to overland flow, there is a history of underground water across Takaparawhau reserve and the development land, which has affected Rukutai Street in the past and which could lead to issues for the property of ██████████ in the future, particularly in the event of extreme and unpredicted weather patterns which may occur more frequently than previously anticipated.

The photograph below, taken prior to the first development, shows the boundary where originally the land was level between the properties of ██████████ Rukutai Street and where the land either remained flat for some distance or sloped gently to the north.



Below are photos taken in August 2000 from the north western side of [REDACTED] Rukutai Street showing water running across [REDACTED] towards its driveway onto Rukutai Street and towards [REDACTED]. This was a regular occurrence at that time, and not the result of major storm events.



1. Water from across No 106 Rukutai St running down to their driveway then crossing footpath and flowing into the gutter



2. Water over footpath to kerbside from [REDACTED]

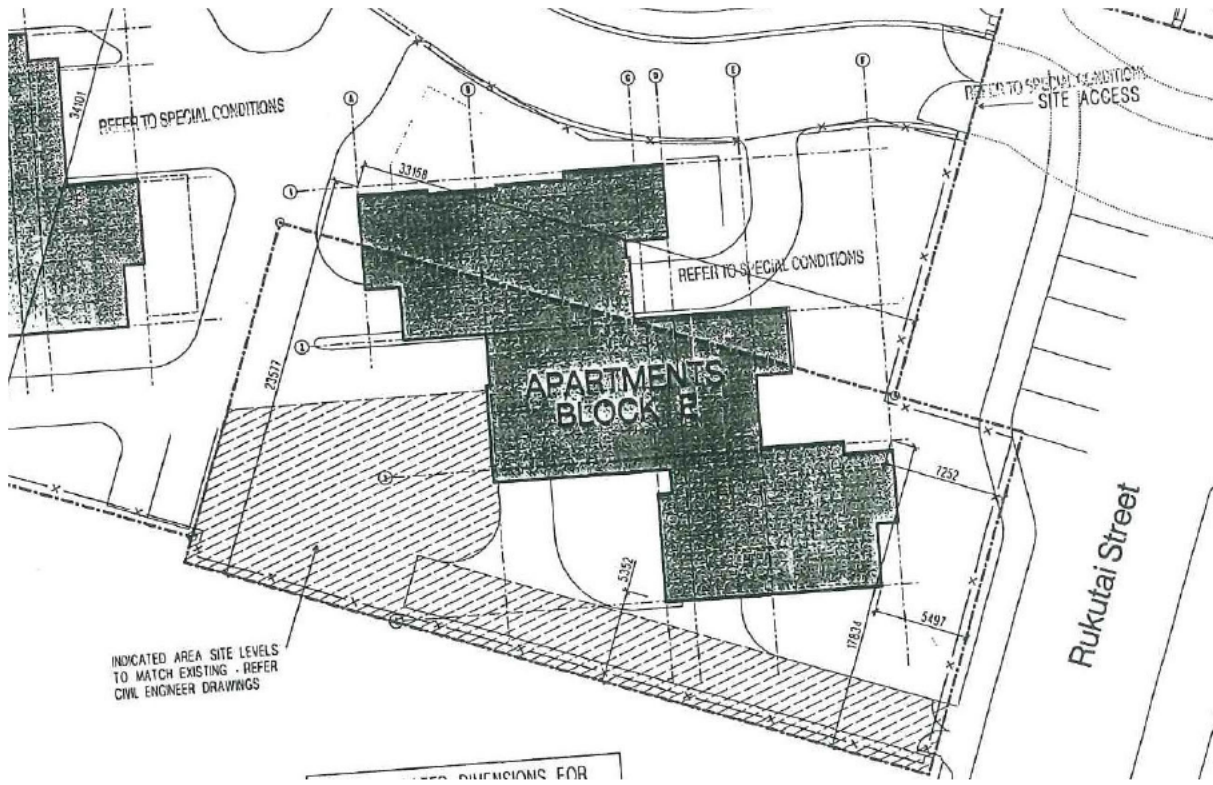
3. Water from [REDACTED] and gully and drain on [REDACTED]

Planners for the previous development recognized water issues on the development land. The measures taken i.e. adequate drainage, not raising land and building Apartment 1 on level ground, managed runoff onto [REDACTED]

Environment Court Document 26/2/2002 Item 39 states:

The existing ground levels on the area of the site shown shaded on Drawing 05 Rev A on the attached plans shall not be raised.

The plan below identifies the area of land which “shall not be raised” on [REDACTED] Rukutai Street.



4. Arrow points to hatched area of ground to not be raised next to [redacted] Rukutai St per Environment Court document



5. Apartment 1 built on ground level at [redacted] Rukutai Street (Google Earth 2009)

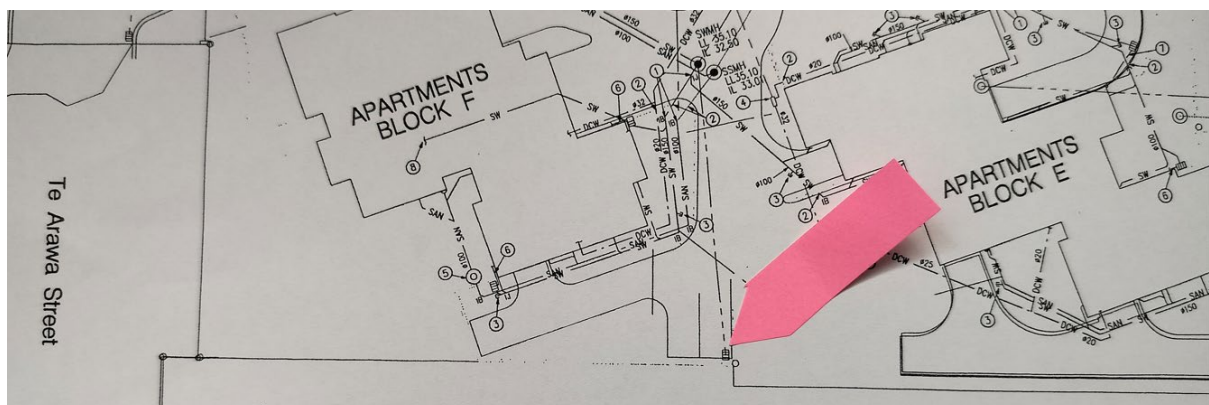
Recent Changes to the Drainage

On the 9 July 2025 we requested information regarding drainage from the Director of Generus Living and quoted a ruling by the Environment Court:

Quote from Environment Court Document 26/2/2002: Item 21

Public stormwater drainage shall be provided in the design to service and drain the proposed development so as to avoid the discharge of stormwater) wherever it may originate) from the proposed development site onto adjacent residential properties, with specific provision to cater for the existing heavy stormwater runoff which flows from the south western corner of 106 Rukutai Street and subsequently onto the property at 104 Rukutai St. These works may include a pipeline diversion from the proposed development to the discharge point in the Atkin Road open watercourse. This shall be undertaken to the satisfaction of the Team Leader, Compliance Monitoring, Auckland City Council.

However, during July to September 2025 the drain (Figure 6) on the development property just north of the western boundary of 106 Rukutai St was in fact demolished and changed into what appears to be a soak hole. This resulted in seepage onto the property of [REDACTED]. This seepage did not occur previously. This has now made lawn maintenance difficult and created a wet area on the north-west corner of [REDACTED] close to where the drain was dismantled.



6. Location of drain on the site which previously directed water north to the site drainage system



7. Drain being dismantled and removed



8. Pipe which replaced the drain

Photos below show significant water influx into the lawns on [REDACTED] after the drainage was changed.



9. Water with unknown substance running down northern side of [REDACTED]



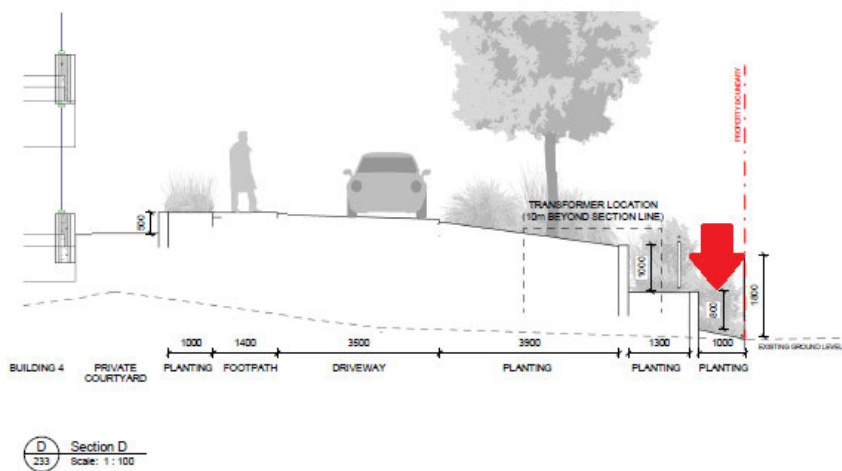
10. More water running down the northern side of [REDACTED]

Section 71 of the New Zealand Building Act identifies a Natural Hazard as: *inundation (including flooding, overland flow, storm surge, tidal effects, and ponding)*: The lawns and gardens of [REDACTED] should be able to be maintained and used without sinking into mud during normal weather conditions.

Raised Ground near the Boundary

Raising the ground level on [REDACTED] Rukutai Street and the ground to the west between buildings 4 and 5 could direct more water onto the property of [REDACTED]. Past incremental changes in land level on the boundary changed the course of water flow towards the rear half of the section.

In particular we object to the metre wide sloped portion of land next to the boundary (shown in Attachment 019B, Page 52) beginning at Te Arawa Street and continuing down the full length of [REDACTED]. This can only send water into the adjacent property. This strip would also be difficult to maintain, being narrow and hard to access for any weed control. This strip of land should not be sloped nor raised, but lowered to take the water from the site to the street and there should be drainage beneath ground to capture underground water.



11. Cross section of raised land next to [REDACTED] Rukutai St

A significant portion of land next to the road is being raised. Changing the land level this far out from the road creates a slope that forces water and accompanying contaminants towards an adjacent property, which is already drained for the current land form for underground and overland water. We do not want to be flooded again during ground excavation, construction or landscaping, nor in the future.

The road has a permeable surface to allow water to infiltrate but we have not been able to determine from the plans where it is meant for the water to end up.

2. Hazardous Substances

Spraying

Glyphosate is a hazardous substance regulated by the Environmental Protection Authority (EPA). EPA guidelines warn against spraying near stormwater drains or water.

On a previous occasion human health was affected by spraying of the site, when imminent surgery had to be cancelled. The product of this spraying seeped into the earth and through the underground drain to [REDACTED]. This occurred in a dry weather spell.

Extensive monthly spraying on raised land where the ground water and overland flow is not controlled on the development land is not safe for residents on lower ground. Flow of herbicides is inevitable. A notice period of 24 hours for spraying is also insufficient notice to rearrange plans and take precautions.

3. Light

Intrusive Artificial Lighting

The Auckland Unitary Plan distinguishes between Terrace Housing and Apartment Buildings (THAB) - the zone of the proposed development - and Mixed Housing Urban/Suburban zones - on which [REDACTED] is located as a residential home - with the regulations for the lower density zone applying near the boundary between zones.

Where a development is located on a site which adjoins or is directly across a road from a different lighting category, the most sensitive classification of the two categories will apply

Current regulations are based on the principle that high density developments should not seriously affect the sleep quality of nearby residents or ability to enjoy their homes. Residents cannot be expected to install heavy blackout curtains and close up the home before dusk to mitigate installed lighting or line-of-sight impact of vehicles directly facing into the property at eye level.

While the lighting measurements near Driveway 2/Walkway 3 and Driveway 1 pass standard AS/NZS 1158.3.1:2020 for exterior lighting of roads and public spaces, this fails to take into account the fact that these lights would be installed on raised land in relation to an adjacent residential home, which could result in obnoxious and persistent light invasion into the bedrooms and living rooms.

Pole lights should be shielded and directed downwards to prevent glare/spill onto neighbouring properties, and façade lights installed with shielded or recessed fixtures.

The proposed bollard and façade lighting around the southern side of Building 4 next to the two-way road would light up the full length of the property of [REDACTED]. The pole lights on the intersection between the walkway and road could result in significant light spill and light invasion. Metal Halide (MH) lights are described as suitable for industrial and retail zones, stadiums, street lighting and parking lots.

Car Headlights

Also concerning is the issue of bright car headlights shining directly into the property from the downward sloping part of Driveway 1, across the kitchen and dining windows, the front entrance, down and into all living areas and bedrooms, as well as onto the balcony and grounds of [REDACTED] Rukutai Street, impacting living conditions. At over 3 metres above ground level, car headlights facing the property would be at eye level for people in the lounge, bedrooms and balcony. Fencing on the boundary does little to help here. Halogen headlights emit around 700-1200 lumens per bulb. At 20 metres - the approximate distance between the north facing side of the house and downward sloping portion of Driveway 1 - modern headlights typically produce a high concentrated beam intended to illuminate road signs and hazards. There is currently no clear plan to mitigate line-of-sight impact of cars facing directly into the property.



LEGEND

- LIGHTING POLE
- LIGHTING BOLLARD
- EMBEDDED/SURFACE MOUNTED STRIP LIGHTING
- FEATURE UPLIGHT/WALL GRAZING LIGHT
- BUILDING AND PODIUM FACADE LIGHTING

12. Aerial view of light strategy from Attachment 19C showing the proposed location of artificial light

Access to Daylight

Shadow diagrams (Attachment-017D) indicate the property of [REDACTED] would be in near or complete shadow for a good part of winter. In fact, the height of buildings in the proposed development put [REDACTED] including the roof, completely in shadow all day on June 21st (winter solstice), including 12pm where the property is still completely in shadow from Building 4.

Auckland Council Technical Report TR2022/11 states:

This is the coldest time of year when indoor and outdoor living spaces most need the sun to provide passive heating, enable washing to dry outside (to avoid dampness inside), reduce energy use with less lighting requirements during the day and support residents wellbeing (page 77)

The effects of overshadowing in mid-winter by new developments on adjoining sites can compromise the quality and functionality of outdoor living spaces (page 82)

The consequence of lack of sunlight would not only affect the interior of the home but would also create lawns difficult to maintain.

Considering the already serious impact from the proposed height of buildings, we object to tall varieties of trees being planted between the road and the boundary, as this would worsen shadowing. The proposed tree variety - Alectryon Excelsa (Titoki) (page 68 of Attachment-019C) grows far too large. Mature Titoki can grow up to 15-20 metres. This is unnecessary for the purpose or blocking light and forming a natural barrier. They would intensify shading of the property and worsen the problem of ground remaining wet throughout much of the year. Privacy and light invasion can be minimized with smaller varieties of plants that do not grow higher than 2 metres.

Boundary Fencing

We also object to the construction of a solid 1.8m fence along the boundary, which would worsen the impact of shadowing, affecting gardens and lawn maintenance near this boundary.

This would reduce airflow while contributing to a gloomy 'closed-in' atmosphere on the property. The existing open pool-style fence, or a similar open fence of 1.5 metres in height, is more than adequate for purpose while maintaining an open and appealing appearance. We note that fencing elsewhere at the end of Rukutai Street is either a 1.4 or 1.2 permeable fence and would be more appropriate visually from all directions.

In our 9th of July 2025 correspondence to the Director of Generus Living, we stated it was important that landscaping not shadow the lawns of [REDACTED]

Given the negative impact of the development on the property's amenity value, we believe this is a more than reasonable request.

4. Visual Amenity

There has been no pattern of intensification in the area to anywhere near the scale of the proposed The Point Mission Bay development, including that of the previous Eastcliffe Retirement Village.

The proposed buildings are massive and would dominate surrounding residential properties located on Mixed Urban Zone (MHU or MHS) land. This would inevitably result in a wall effect separating the development buildings from the local community.

The development in its current form of 252 living units, would place additional pressure on narrow and winding streets where street parking is prevalent and cars need to give way to one another to proceed. This is not evident in the submission documents where streets are presented as empty and easily navigable.

With reference to urban intensification, to the south of the Site on Rukutai Street and the surrounding area, development has taken the form of attached and detached dwellings extending up to two or three storeys, replacing older homes. This is not comparable to an up-to-eight storey development of this scale. The proposed buildings' size and style of construction are very much out-of-place in relation to the mix of 20th Century weatherboard homes and modern dwellings.

Even if rule PC120 were to come into effect, three storey buildings would prevail. There is no surrounding high-density urban built character of *predominantly five, six or seven storey buildings* in the vicinity. The nearest example would be on Kapa Road, which does not compare in overall size.



13. View of the local built environment from Takaparawhau

The imposing impression of the proposed development will be particularly obvious while facing up towards the cul-de-sac end of Rukutia Street.



14. View of the proposed development from a favourable perspective at end of Rukutai St.

Auckland Unitary Plan policies in relation to the Terrace Housing and Apartment Building (THAB) zone state that a development should:

Manage the height and bulk of development to maintain daylight access and a reasonable standard of privacy, and to minimise visual dominance effects to adjoining sites and developments (page 6, H6 - Terrace Housing and Apartment Buildings Zone)

In the submitted plans, the southern end of Building 4 appears to extend three floors above the Auckland Unitary Plan zone height limit of 16 metres to a total approximate height of 26 metres. This side of the building faces down towards the property of [REDACTED] which is on lower ground that slopes away. Most of the outdoor area and habitable room windows from the southern side of Building 4 will be facing the front entrance, balcony and living areas of the home. This will be very overbearing and clearly impact the perception of privacy for the home owner and visitors, and there do not appear to be any mitigating factors on the buildings for privacy to properties to the south.

The Auckland Design Manual (ADM) encourages designing buildings to avoid direct views into neighbouring private spaces by offsetting windows and balconies. Recommended techniques include using solid or frosted glass railings and wing walls on balconies, introducing screening, and placing non-habitable rooms (like bathrooms) on boundaries facing neighbours.

5. Vibration During Earthworks and Construction

The previous development caused significant shaking of the home.

There are concerns relating to vibration during earthworks and construction from such activities as:

- Hydraulic concrete breaking
- A 10-t vibratory compactor used for access ways
- Excavation
- Sheet Piling
- Bored piling
- Breaking slabs
- Drilling for retaining walls

There needs to be a contact available, including on Saturdays, to immediately respond if vibration is causing significant shaking of the home to prevent damage to the structure of the building – a 1940s weatherboard house.

I sincerely hope the Fast-track panel takes these concerns into account.

If there are any further questions regarding my comments, please do not hesitate to contact me at this email address.

Kathleen Mathers