

Neighbour Submission – Fast-track Approvals Act 2024

The Point Mission Bay – Substantive Application (FTAA-2503-1030)

To: Environmental Protection Authority (EPA)

Fast-track Approvals Panel

From:

Dianne and Peter Burgham

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Date: April 6, 2026

Subject: Neighbour submission – The Point Mission Bay fast-track substantive application

Dear Panel Members

We make this submission as an invited neighbouring landowner under the Fast-track Approvals Act 2024.

We are long term residents of [REDACTED] having purchased our home in 1990 and experienced significant changes to the landscape in that time... from cow paddocks where locals would collect wild mushrooms, to a retirement home/village development to a demolition area, to its current state. We understand and have been expecting further development on that ribbon of land that has been set aside for Maori purposes, but do not believe that “The Point Mission Bay” is appropriate.

We appreciate that the site of the proposed development is on land set aside for Maori purposes, but fail to comprehend the reasoning for building seven and eight story buildings down the slope causing many residents of Aotea St, Rukutai St, Te Arawa St, Matua St, Kurahaupo St, to lose a significant portion of their current outlook towards Rangitoto, Mission Bay and the Hauraki Gulf.

Consequently we oppose the application in its current form due to the scale, height, bulk and intensity of the proposed development, as well as the resulting adverse effects on residential amenity, construction impacts, traffic, and infrastructure capacity affecting Te Arawa Street and surrounding residential properties.

The proposal represents an exceptionally large and intensive redevelopment within an established residential neighbourhood. The extent of non-compliance with the Auckland Unitary Plan (AUP) is significant and goes well beyond what could reasonably be characterised as minor or acceptable. In our submission, this proposal should be declined.

If approval is contemplated, it should only be granted subject to substantial redesign and strict, enforceable conditions that materially reduce adverse effects on neighbouring properties, including our own.

1. Height exceedances and dominance effects

The Rule Compliance Assessment identifies extensive building height exceedances across multiple zones:

(a) Terrace Housing and Apartment Buildings (THAB) Zone

The maximum permitted building height is 16 metres. “The Point Mission Bay” proposal exceeds this standard by approximately 2.3 metres to 13.7 metres, with proposed building heights (excluding plant and lift overruns) ranging from approximately 18.3 metres up to 29.7 metres.

(b) Mixed Housing Suburban (MHS) Zone

The maximum permitted building height is 8 metres. The proposal exceeds this standard by approximately 1.64 metres to 5.4 metres, with proposed building heights ranging from approximately 9.64 metres to 13.4 metres.

(c) Special Purpose – Māori Purpose Zone

The maximum permitted building height is 8 metres. The proposal exceeds this standard by approximately 16.8 metres to 18.4 metres, with proposed building heights ranging from approximately 24.8 metres to 26.4 metres.

These height exceedances are extreme. Buildings of five to eight storeys, with podium structures, will dominate views from Te Arawa Street and my property at 57 Te Arawa Street,

resulting in significant loss of outlook, increased shading, reduced openness, and adverse effects on residential character and amenity.

2. Bulk, coverage and impervious area exceedances

The proposal also fails to comply with several key site intensity controls, including:

- Exceedance of the maximum permitted building coverage of 50 percent within the Māori Purpose Zone;
- Exceedance of the maximum permitted impervious area of 60 percent;
- Non-compliance with minimum yard and setback standards.

The cumulative effect of these infringements is an over-developed site with excessive built form and hard surfaces. This intensification exacerbates visual dominance, reduces open space, and materially increases stormwater runoff risk affecting adjoining residential streets and properties.

3. Non-complying activity status

The proposal requires consent overall as a non-complying activity, including because integrated residential development is not provided for within the Open Space – Informal Recreation Zone.

This non-complying status is a clear signal that the proposal is inconsistent with the planning framework. In my submission, the applicant has not demonstrated that the adverse effects on neighbouring residential amenity are outweighed by any claimed benefits.

4. Construction noise, vibration and duration

The application documentation acknowledges predicted construction noise exceedances of approximately 71 dB to 79 dB LAeq at several nearby Te Arawa Street addresses, as well as construction vibration exceedances at nearby residential properties.

The anticipated construction duration exceeds 24 months. This represents a prolonged and unacceptable period of disturbance for neighbouring residents, including exposure to high noise levels, vibration, dust, heavy vehicle movements, and loss of amenity.

5. Traffic and construction access impacts

The scale of the development exceeds transport trip generation thresholds and requires consent for multiple transport-related non-compliances, including heavy vehicle access, manoeuvring, gradients, and parking standards.

Construction traffic, servicing movements, and contractor parking are likely to affect Te Arawa Street and nearby residential streets, which are not designed to accommodate intensive construction activity. Residential safety and amenity must be prioritised.

6. Infrastructure capacity and stormwater effects

The development proposes approximately 252 independent living units, in addition to refurbishment of an existing building containing approximately 90 care suites. This represents a substantial increase in demand on stormwater, wastewater and water supply infrastructure.

Given the acknowledged impervious area exceedances and network constraints, there is a real risk of adverse effects such as surface flooding, wastewater overflows, or construction-related discharges affecting neighbouring properties and streets. These risks must be addressed conservatively and through binding consent conditions.

7. Relief sought

We respectfully request that the Panel:

(a) Decline the application due to the scale of non-compliance and the unacceptable adverse effects on neighbouring residential amenity; or

(b) If approval is contemplated, require substantial redesign and stringent conditions, including:

- Significant reductions in building height and bulk adjacent to Te Arawa Street;
- Increased setbacks and step-downs to protect neighbouring outlook and amenity;
- Neighbour-specific shading, privacy and dominance assessments;
- Strict construction noise, vibration and traffic controls, including real-time monitoring;
- Limits on construction duration and staging;
- Binding infrastructure upgrade and capacity confirmation prior to occupation;
- Lighting and privacy controls at residential boundaries.

8. In Conclusion

The Point Mission Bay proposal seeks approval for extensive and multiple departures from the Auckland Unitary Plan. As neighbouring residents, we will experience the adverse effects directly and continuously.

In our submission, the proposal prioritises development yield over residential amenity and should not be approved in its current form.

Yours faithfully,

Dianne and Peter Burgham

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