



The Point Mission Bay - Submissions - concerns about the application for fast tracking

From [REDACTED]
 Date Fri 10/04/2026 16:50
 To Substantive <substantive@fasttrack.govt.nz>
 Cc [REDACTED]

Introduction and Standing

1. I am a local resident and have lived in Orakei for over 25 years and in Auckland for 57 years. I live very close to the proposed development.
2. I have had many years of personal experience dealing with elderly relatives in care environments and understand much of the dynamics of them
3. Thank you for the opportunity to submit on this application under s 53 (2) of the Fast Track Approvals Act 2024.
4. I wish to state that I do not oppose a retirement village per se as our society needs more elder accommodation.
5. I oppose the SCALE, INTENSITY and FORMAT of this Village as it is currently proposed. 5 buildings of 5 to 8 levels is an excessive scale. Who will buy these apartments because many villages can't sell their apartments currently?
6. The proximity of the development to the coastline warrants the Panel requiring specific management of its coastal location and deferral of the application to be processed under normal legislation in order to safeguard the interests of the environment and the people directly affected by this development.
7. I oppose the fast tracking of this application because I do not see how many of the concerns of local residents have been dealt with in the application. Why then should the applicants avoid the consenting timeframes and the appeals available to the Environment Court when the concerns of key stakeholders such as adjacent neighbours are not being addressed?
8. The application is extremely vague and at times misrepresentative with promises that cannot be enforced and assertions that cannot be substantiated peppered throughout it.
9. The Fast Track Legislation was not drafted to facilitate fast approvals for private entities with no discernible public benefit.

Concerns

The particular areas that require further explanation and/or some enforceability are as follows

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- a. Clarification of the technical infringements of the Maori Purposes and Open Space Act and how these will be managed to avoid causing any negative effects to the relevant stakeholders on p2 and in 3.1.1. The applicant needs to provide Key Performance Indicators acceptable to key stakeholders in this regard. There need to be financial consequences for failing to meet them.
- b. Evidence to support the assertion on p 20 that the development will be resilient to the likely current and future effects of climate change relative to the site's location and elevation. The contrary appears to be true with the Fast Tracking Legislation offering the applicants a way to escape the provisions of the new National and Regional Coastal Management Plans yet to come into effect. There would appear to be some significant bad faith in the application in that case especially as the National Guidance Risk Assessment of 2020 identifies sea level rise risk and that a rise of a metre could be expected even with medium high emission scenarios. This sea level rise raises the water table and needs to be addressed in a development proposed to last for 125 years. The applicant has not dealt with the real risk to the local environment over the whole lifetime of the development. The comments in the application on carbon emissions are not supported by evidence.
- c. Assurances that local products will actually be used not just a forecast of this use on p23. There needs to be an annual audit programme supplied to monitor the use of local products in order to justify Fast Tracking legislation being used here.
- d. Actual projections of the ages of the local Maori population who wish to use the facility and more importantly who can afford to pay the likely premium room rates

that are becoming the industry standard in rest homes p25. It is well accepted that Maori have a lower life expectancy than other ethnicities in New Zealand and that even paying superannuation at the age of 65 disproportionately discriminates against Maori when many do not live to see this age. Who in Ngati Whatua will be still alive and wanting to enter The Point? Will the Ngati Whatua pay the premiums to allow their hapu to live at The Point or will their own land be used to provide them accommodation of a lesser standard to other ethnicities eg no ensuites, no garden access and very small rooms and no views? The applicant needs to be propose quotas for Ngati Whatua residents with financial consequences for failing to serve Ngati Whatua.

- e. Why is the fast tracking legislation which is supposed to be used for being used to accelerate infrastructure, housing an projects of significant regional or national benefit? The Point is in fact an upmarket private residential development and the rights of the public to participate in the process of the application should not be removed to facilitate such a development. The evidence of local financial gain is not supported by forecasts or spreadsheets or even anecdotal evidence. Here is my statement of fact – in my many years of entering a huge number of rest homes and retirement villages while attending to my elderly family members I have barely met any Maori staff in these establishments. I can recall meeting one such woman over 3 years ago. The application doesn't adequately demonstrate real evidence of future tangata whenua employment or residence at The Point. The Panel should recognise the disingenuousness of the "evidence" provided. Quotas for Maori employment and professional development to ensure that Maori achieve management roles need to be agreed by the Applicant with the onus on the applicant to pay for professional development not just a few scholarships for 10 of the 125 years of the lease.
- f. Evidence to support the assertion on p 28 that the extremely high towers do not negatively affect the character of the area – in whose opinion and on the basis of what evidence is this assertion made? Why were key stakeholders not asked eg those who will see the towers from all over Auckland, from nearby homes, from the North Shore and from vantage points all over the harbour and on nearby islands for example. The Applicant should pay into a fund to be used to recompense property owners affected by negative effects of the excessively high towers. Bastion Point is an area of National and International not just regional significance.
- g. Evidence of the enhancement of relationships through the design elements on p37. Who is saying this and why and where is their evidence?
- h. Why is there no evidence to explain why this development should be permitted to exceed the permitted building heights on p40 and p42? Why is there no recognition of the significant environmental effects eg wind amplification endangering terraces balconies and other outdoor features of nearby properties, acoustic effects of sound bouncing off the buildings especially during events on Bastion Point and at the local marae, loss of sunlight to other properties, loss of views, loss of amenity value from losing the low impact of a low level retirement village to the very high visual impact of multiple linked high towers. Why is there no mention of ANY of the volcanic view shafts being affected or any explanation of why they should be ignored?
- i. Where is the detail on the set backs proposed and how they mitigate risk on p 39 to 40
- j. Why should the development be fasttracked before it comes under the auspices of the National and Regional Coastal Plans and new legislation replacing the Resource Management Act 1991?
- k. Where is the evidence that the local transport and roading environment can sustain the new large scale development. Rukutai St can barely support a bus service with the number of cars parked on both sides. The suggestion that families will use bicycles to visit their elderly is absurd especially as we carry in laundry, food, flowers, other elderly relatives, babies and small children, and we often take our elderly out in the cars that we have used to visit them. That is until they become wheelchairbound and need mobility vans. Who wrote this material and have they ever visited a rest home? With the ACC providing a residents parking scheme on nearby streets visitors will be discouraged from using local streets for parking.
- l. Where is the evidence on how that earthworks will be managed on this high water table area so that local properties do not experience water egress onto their land p41. The applicant needs to pay a bond to the Council and to create a fund to pay for remediation costs in the event that nearby properties experience flooding.
- m. How will stormwater and other water issues be dealt with? The local pipes break all the time and we have repeated water outages. How will this development not

- degrade the quality of our local water services even further? Will The Point's elderly residents be expected to go outside to tankers to get water to wash their hands as Hillsborough rest home residents have had to do this week? Are new residents in the 252 proposed apartments going to have reliable water supply and 3 waters at the expense of their immediate neighbours who have been paying rates and water rates for years? The Applicant should be paying a very substantial developer levy to improve local water infrastructure.
- n. Why is there no explicit mention that several streets in the area eg Rukutai St will lose the access to Bastion Point that has been enjoyed by visitors and locals alike for many many years?
 - o. Where is the evidence that the development supports the social and economic wellbeing of the local community. The residents losing their sunlight, views, privacy, safety from wind and noise attenuation would not agree with these broad brush statements.
 - p. What about evidence of the prevention of excess run off of water from the development that will exacerbate the existing problem of the run off from this area that causes flooding in streets and properties below it?
 - q. This development is not at all in keeping with the local developments as asserted on p48. In fact with the downzoning of so many properties nearby due to alleged coastal erosion there will be fewer properties with 3 buildings of 3 storeys as envisaged under PC78 and more properties with 2 buildings of 2 storeys outside the Ngati Whatua land holdings. The local properties will be utterly dwarfed by The Point. Why isn't the Applicant offering to buy out negatively impacted local properties?
 - r. There is no geotechnical data to deal with the very real risk of slope stability being affected by the development as mentioned on p48. The writer notes that just this week there was a landslide very close to the proposed site that resulted in closures of Tamaki Drive. We do not need greater risk of this thanks to the development. If properties es on streets such as Rukutai St are being downzoned because of what the council has called coastal erosion risk why is there this huge development going in at the end of Rukutai St? The panel should not be allowing the Applicant to misuse Fast Tracking legislation for personal gain at the expense of other property owners in the local community
 - s. The basement carparks and the podium structures of approximately 1.7 hectares on brownfield land pose significant risk for stormwater run off that will be contaminated with carpark runoff and heavy metals and hydrocarbons that pose a risk to marine water quality. There is a risk of sedimentation and construction run off. There needs to be a demonstrable plan for managing the run off and monitoring stormwater run off during both construction and operation and compliance with ACC standards for sensitive receiving environments. An environmental bond and financial assurance should be paid prior to construction to cover potential remediation costs. There needs to be a Construction Environmental Management Plan (CEMP)

Relief Sought In Combination or in Part

1 Decline to approve the use of the Fast Tracking legislation for this private commercial retirement village with no evidence of the appropriateness of the use of legislation designed to meet PUBLIC needs and direction back to the standard process for an application of this type so that the concerns of key stakeholders may be addressed

2 Decline to approve the development in its current form unless height and scale are reduced to be consistent with the character of the Mission Bay/Orakei coastal environment and THAB restrictions.

3 Decline to approve the development due to the huge gaps in the evidence as outlined in a) to s) above that would be required to adequately support the application

4 Decline to approve the development unless the Applicant provides programmes and funding and bonds to support promised initiatives outlined in a) to s) above.

5 Impose binding conditions to protect and formalise the public pedestrian access through the site from all streets that currently have this access

3 Require an independent Coastal and Hazard Sea Level Rise Assessment covering the full 125 year life of the development

4 Require a comprehensive stormwater management and coastal water quality assessment with ongoing monitoring conditions

5 Require a CEMP with specific coastal management provisions

6 Direct the Applicant to update their application to deal with the emerging PC 120 Provisions and the new legislation replacing the Resource Management Act 1991 because this is a significant development and there is immense uncertainty with the amount of change being pushed by both the Auckland City Council and the government and in particular the Ministry of Housing.

7 Direct that the Applicant reapply and address infrastructure issues as required under the Resource Management Act 1991 instead of ignoring these legal requirements

7 Direct the Applicant to reapply when PC120 hearings and final determinations have been achieved

8 Commit to an assessment of the proposal for protection of Bastion Point as an area of National Significance and not just significance to Ngati Whatua and or World Heritage Protection due to the significant recent history of the area and its importance to all New Zealanders and all indigenous peoples.

9 Consider whether a hearing and a site visit would assist the Panel in understanding the scale and character implications of the proposal.

Yours faithfully,

Fleur Nixon

A large black rectangular redaction box covering the signature and contact information of Fleur Nixon.