

Porirua City Council

23 OCT 2020

Customer Service



RMA FORM 5

**Submission on publicly notified Proposed**

**Porirua District Plan**

Clause 6 of the First Schedule, Resource Management Act 1991

To: Porirua City Council

1. Submitter details:

Full Name	Last <b>SEXTON</b>	First <b>PHYLLIS</b>
Company/Organisation <i>if applicable</i>		
Contact Person <i>if different</i>		
Email Address for Service		
Address	<b>47 OXFORD STREET TAWA</b>	
	City <b>WELLINGTON</b>	Postcode <b>5028</b>
Address for Service <i>if different</i>	Postal Address	Courier Address
Phone	Mobile <b>027 4916164</b>	Home
		Work

2. This is a **submission** on the **Proposed District Plan** for Porirua.

3. I could  I could not   
gain an advantage in trade competition through this submission.  
*(Please tick relevant box) I do not know what this means*

If **you could** gain an advantage in trade competition through this submission please complete point four below:

4. I am  I am not   
directly affected by an effect of the subject matter of the submission that:  
(a) adversely affects the environment; and  
(b) does not relate to trade competition or the effects of trade competition.  
*(Please tick relevant box if applicable) I do not know what this means*

Note:

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

5. I wish  I do not wish   
 To be heard in support of my submission  
 (Please tick relevant box)

6. I will  I will not   
 Consider presenting a joint case with other submitters, who make a similar submission, at a hearing.  
 (Please tick relevant box)

Please complete section below (insert additional boxes per provision you are submitting on):

<b>The specific provision of the proposal that my submission relates to:</b>	
I want the Porirua City Council to rescind the decision to take the land marked in green <del>on</del> on the attached map at 25 Waikō Tce., Elsdon, and not to confiscate it from me. To leave the land for my future use unencumbered -	
Do you: Support? <input type="checkbox"/> Oppose? <input checked="" type="checkbox"/> Amend? <input type="checkbox"/>	I oppose the amendment on 25 Waikō Tce Elsdon
What decision are you seeking from Council? What action would you like: Retain? <input type="checkbox"/> Amend? <input type="checkbox"/> Add? <input type="checkbox"/> Delete? <input checked="" type="checkbox"/>	Amendment be deleted so I can retain the use of my land.

<b>Reasons:</b>	My Submission outlining the reasons is attached
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Please return this form no later than **5pm on Friday 20 November 2020** to:

- Proposed District Plan, Environment and City Planning, Porirua City Council, PO Box 50-218, PORIRUA CITY or
- email [dpreview@pcc.govt.nz](mailto:dpreview@pcc.govt.nz)

Signature of submitter  
(or person authorised  
to sign  
on behalf of submitter):

*J. a. Sexton*  
*A signature is not required if you make  
your submission by electronic means*

Date: 23/11/2020

SUBMISSION ON PROPOSED DISTRICT PLAN CHANGE  
25 WAIHO TCE., ELSDON.

The changes in the proposed District Plan, of most importance to me is that the Council wishes to retain the bush that covers over half of my land. The reason given is that this is a significant natural area. No details of the significance were given in schedule 1, what in the Council's opinion, is the significant vegetation worthy of retention? It is only regenerated bush. There does not appear to be anything of significance on my land.

I feel more information regarding this decision should have been provided to me, as this decision affects me hugely - both financially and not having any certainty on the future use of my land.

I purchased this property many years ago, with a view to building further residential property on the vacant land at the rear of the property in the future. At this time there were no encumbrances on the land that would prevent me from doing this; and no indication that the bush had to be retained.

I have been advised by the Penrith City Council that I cannot build further residential property on the land in the future under the proposed District Plan change. However I can apply for a Resource consent to build further residential property on this land, but it would be unlikely an application for a Resource consent would be granted.

This means the land has been rendered useless for any proposed development to take place. The use of half my land has effectively been confiscated from me. By restricting the use of half my land the Council has devalued the capital value of my property by over half of the land value.

This is a severe financial loss to me. It also affects the resale value of the property, as the council restrictions on the use of the land would be reflected in the sale price of the property should I need to sell it in the future. I have been doubly financially

affected by this council decision:

My land has been depreciated by at least half of its capital value by this decision, while the neighbouring land will appreciate over the years. Is this a fair and equitable decision in the view of the Peruvia City Council - how can they justify this decision? I am the only property in the street that has been disadvantaged by this proposal - where is the fairness in this?

This is a virtual caveat on the future <sup>use</sup> of my land. In all fairness the original boundary line should be retained for future development of housing. Therefore my land would be unencumbered for the future use intended when I originally brought the land. This would be in line with the neighbouring properties in the area, and would be more ethical and just.

I feel the use and value of my land has been surreptitiously taken from me under the proposed District Plan change. This also does not appear to be a fair and equitable decision, and again I would ask the council how can they justify this decision?

I am further financially disadvantaged by the proposed District Plan change. Apart from the capital loss on the land, there is also the loss I have incurred on paying full rates over many years on the land, and will have to pay in the future on land that will be virtually useless to me in the future, as it is being removed from me for the purpose it was purchased for originally i.e. property development. How can the council justify charging full rates, when they deny me the use of the land? This seems illogical, and not fair in any sense.

In comparison, when the Peruvia City Council gave approval for the development of the land bordered by Raiha Street and Hospital Drive, the land was completely cleared of all existing vegetation. There were a great number of established and beautiful trees that were over 80 years old on the land, that were cut down to the ground. These trees should have been retained, not only for their historical value, but also for their uniqueness and diversity; and also they were a beautiful and green asset, in an otherwise <sup>now</sup> drab area. By the Council approving this

total clearance of the land, it appeared that a precedent was set. Yet the straggly regrowth bush on my land was deemed as worthy of retaining. Where is the logic in this? Or is there one rule for large development companies, and another rule for the small private land owner. Surely all people should be treated equally. As the Government succinctly puts it "We are all one of the 5 million".

Rather than send you photographs, I invite you to come and look at the site. I feel the points I have raised in my submission will be evident, and you will understand the predicament this Council decision puts me in.

Phyllis Sexton.

027 4916164.



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Significant Natural Areas



Parcel

FULL\_APP

Road Segment



Parcel

Proposed Plan Change 18



Zone

ZONE

General Residential Zone

Medium Density Residential Zone

Rural Lifestyle Zone

General Rural Zone

Settlement Zone

Neighbourhood Centre Zone

Local Centre Zone

Large Format Retail Zone

Mixed Use Zone

City Centre Zone

General Industrial Zone

Open Space Zone

Sport and Active Recreation Zone

Special Purpose Zone (BRANZ)

Future Urban Zone

Hospital Zone

Māori Purpose Zone (Hongoeaka)

**Correspondence between  
Council and submitter which  
forms part of this submission**

27 October 2020

## File note – PDP submission

Submitter:	Phyllis Sexton
Council officer(s):	Louise White
Subject:	Submission received on PDP on 23 October 2020 – Trade competition clarification

Phyllis Sexton provided a hardcopy submission to the Council and noted on her submission that she did not understand what trade competition meant and therefore did not select a position on this.

I rang Ms Sexton on 27 October 2020 to explain what trade competition meant and afterwards asked her what her selection would be for me to update her submission form. Ms Sexton confirmed that she could not gain trade competition through her submission and asked for her submission to be updated to reflect this.

I have updated Ms Sexton's submission in Isovist to reflect this. Her original submission will remain unchanged.

Louise White

Intermediate Policy Planner  
Kaihanga Kaupapahere Māhuri

The logo for Porirua City, featuring the word "porirua" in a bold, blue, lowercase sans-serif font, followed by "city" in a lighter blue, lowercase sans-serif font.