

RMA FORM 5  
**Submission on publicly notified Proposed Porirua District Plan**



Porirua City Council  
 20 NOV 2020  
 Customer Service

To: Porirua City Council

1. Submitter details:

Full Name	Last <i>Abdee</i>	First <i>Grant</i>
Company/Organisation <i>if applicable</i>		
Contact Person <i>if different</i>		
Email Address for Service	<i>abdee@slingshot.co.nz</i>	
Address	<i>153B Rawhiti Rd, Pukerua Bay</i>	
	City <i>Porirua</i>	Postcode <i>5026</i>
Address for Service <i>if different</i>	Postal Address	Courier Address
Phone	Mobile	Home
		<i>239 8111</i>

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)

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)

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>
- SNA027 should be wholly contained on the rail corridor.
- Reduced solar penetration and SNA encumbrance prejudices opportunities to manage large trees on our private property.
- ECO-R1 should include 'other structures' eg consented decks
- ECO-S1-2 Trimming and pruning on our private property has been undertaken by a qualified arborist.
- ECO-S1-3 "Arboricultural expert" should be amended to 'arborist.'
<b>Do you: Support? Oppose? Amend?</b>
Oppose + Amend
<b>What decision are you seeking from Council?</b>
<b>What action would you like: Retain? Amend? Add? Delete?</b>
- Add (See above) regarding solar penetration and SNA encumbrance.
- Add to ECO-R1 consented decks
- Add tree work has been undertaken by an arborist on <sup>our</sup> private property.
- Amend ECO-S1-3 arborist
- Delete SNA027 from our private property = 153B Rawhiti Rd.

<b>Reasons:</b>
Please see enclosed submission.

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):

G. L. de Lee

Date: 20-11-20

*A signature is not required if you make  
your submission by electronic means*

**Grant Lindsey Abdee & Jane Ann Louise Abdee**

**Private property:**

153B Rawhiti Rd  
Pukerua Bay 5026

**Leased land:**

Licence to Occupy Land Situated at 153B Rawhiti Road, Pukerua Bay, Main Trunk Line, with KiwiRail.  
Licence: L66204

20 November 2020

**Submission on publicly notified Proposed Porirua District Plan**

Council has identified our private property as containing Significant Natural Area(s) (SNA)

I am writing today to ask Council to REMOVE our private property as a Significant Natural Area.

**Introduction**

Jane and I have lived here for 20 years.  
We purchased this property to enjoy and celebrate its trees and natural environment.  
We have no plans to subdivide.

We grow flowers, fruit and vegetables, feed tui, trap pests, remove pest plants and have an indoor cat.

**1.**

Using the Proposed District Plan 'General Residential Zone' map as a guide, our private property is an odd shape:

It is widest at the southern end.

At its narrowest, it is less than six metres wide.

At its northern end is a pair of gates providing vehicle and light machinery access for inspection and maintenance of onsite sewage and storm water systems.

**2.**

Heavy machinery access is beside our garage.

This would require making a (temporary) track beside the boundary of our private property and leased property.

**3.**

The sewage and storm water systems somewhat limit our use of our private property.

**4.**

There are very few flat areas on our private property, which limits its use.

**5.**

On 8 June 2018 we received a letter from the Council:  
Consultation on Landscapes And Significant Natural Areas In Porirua As Part Of The District Plan Review.

Attached to the letter was an aerial photo of Whenua Tapu Highway Forest:  
Site Number: PCC027. Area: 12.0 ha. Scale of the photo: 300mm/325m.  
The scale of the photo, and "PCC027" written over part of our property, makes it difficult to see the vegetation clearly. The SNA is partly obscured.

Paragraph 4 advised us our property has been identified as being part of a SNA.

Paragraph 5: "However, you will **not** need to get a resource consent every time you want to trim trees, remove pest species, or undertake routine maintenance around your house and power lines."

**6.**

On 28 August 2020 we received a letter from the Council advising us the new Proposed District Plan has been publicly notified, submissions are invited, and rules relating to SNA have immediate legal effect.

A map of our property showing SNA(s) was not included.

**7.**

On 2 September 2020 we received a letter from the Council and a "Quick guide" to SNA.

A map of our property showing SNA(s) was not included.

**8.**

Jane and I tried, without success, to view our property's SNA on our home computer (software compatibility issues) and Porirua library's computer/s (unable to locate appropriate map.)

**9.**

On 10 November 2020 Jane met with Louise White, District Plan Team, Porirua City Council.

Louise gave Jane written information and a Natural Environment Values Overlays map showing our property with SNA highlighted.

This was the first time Jane and I had seen this map.

Jane asked Louise if anyone near us has SNA and Louise said No.  
(If Jane remembers correctly, there may be a property with SNA on the eastern side of State Highway 1.)

**10.**

If the information in **9.** is correct, our property is the only property on the western side of the rail corridor, at the southern end of Rawhiti Road, that the Council has identified as having SNA.

Why has Council singled us out?

Some of our Rawhiti Road neighbours have indigenous and non-local indigenous species on their property and, to the best of our knowledge, they have not been identified as SNA(s).

#### 11.

In SCHED8 – Urban Environment Allotments, the Description for our Significant Natural Area/s is “A group of no less than 13 trees...”

Six species are listed: five finger, mahoe, ngaio, tarata, ti kouka and pohutukawa.

We understand that this self-seeding succession is throughout much of Pukerua Bay, with the exception of pohutukawa which was probably planted by hand.

Regarding pohutukawa... Several years ago a Council inspector told us pohutukawa was a weed.

How does the Council know the approximate number of trees and their species? Did someone inspect our property?

It would appear that the Council’s decision has been made on the inspection of an aerial photograph.

I would question the inspection’s accuracy, both as to the location of the trees, and its identification of them as being a SNA is doubtful.

I cannot accept that this group of trees is so significant and/or rare, that they require protection enforced by the Council.

What have been the criteria to determine this, and how was our property inspected to determine that they have met these criteria?

I understand that only KiwiRail employees and/or their representatives, and Jane and I, are allowed on our leased land.

The Council is proposing a significant restriction on our personal property rights and the enjoyment of our property without informing us of the criteria for its decision or its rationale.

I object most strongly to this arbitrary imposition.

#### 12.

I think there are doubts that the trees listed in 11. are on our title.

A Quickmap aerial view suggests that almost all the trees referred to in “A group of no less than 13 trees” are on KiwiRail’s land/rail corridor and not our private property at 153B Rawhiti Road.

#### 13.

I rang KiwiRail’s Property and Lease section, Wellington, 17 November 2020, and spoke with a team member.

The team member advised me they were not aware of Council’s rules relating to SNA(s) and SNA027 and that a piece of our private property has been included in SNA027.

KiwiRail employs Treescape as its arborist.

Will Council require KiwiRail to also employ an ecologist and apply/pay for Resource Consent/s? I assume not.

If KiwiRail is not required to pay for an ecologist and Resource Consent/s, why should Jane and I be required to pay for them?

We are parties in the same Licence Agreement: Kiwirail as Licensor and Jane and I as Licensee.

**14.**

Referring to the trees that are on our private property, we should not have to apply for Resource Consent - \$1200.00?! - to maintain them.

If a registered arborist carries out the maintenance, Resource Consent should not be required.

**15.**

One species not mentioned in your “A group of no less than 13 trees” is kawakawa, which grows, sometimes prolifically, on much of the boundary of our grass lawn. No one should have to apply for Resource Consent to prune kawakawa.

**16.**

Self-seeding flowering cherry trees are an invasive problem on both our private land and leased land.

Each year we remove hundreds, possibly thousands, of seedlings.

Would Council consider implementing a public education programme?

**17.**

Seven or eight of our Rawhiti Road neighbours’ properties are lower than the road and higher than our property.

The Hazards and Risks Overlays ‘Flood Hazard – Ponding’ map of our private property and leased property highlights two areas.

The map, however, does not highlight storm water run off, which has resulted in some scaring/erosion damage on our private property.

Soil structure is sandy and fragile in places.

Sadly, Council appears to have done little to improve problems relating to surface water and Council’s past poor planning.

**18.**

Occasional flooding and sewerage infrastructure compromises the use of some parts of our private property.

**19.**

To conclude, we hope and trust Council finds this submission helpful and it reviews its Plan in our favour.

In particular, we would like Council to REMOVE FORTHWITH our private property as a Significant Natural Area.

Yours sincerely

G. L. Abdee

Grant Lindsey Abdee

Enclosed:

Proposed District Plan map showing 153B Rawhiti Road

Photograph of Whenua Tapu Highway Forest

Sewage and storm water, 153B Rawhiti Road

Photograph from house facing north, 153B Rawhiti Road

Photograph of storm water drain on our leased land / rail corridor  
Storm water and sewerage systems - pipes + manholes.



# Proposed District Plan

Search for an address...

Legal Desc: Lot 2 DP 51486

- Property Specific Proposed District Plan Chapters
- Read the full Proposed District Plan
- Zoom to selected property
- Make Submission

The following information applies to this property

### District Plan Zone

Zone

General Residential Zone

### General District-Wide Matters Overlays

Noise Corridor

Type: Railway Corridor 100m

Note: Check the Noise chapter for potential additional land use requirements.

### Natural Environment Values Overlays

Significant Natural Areas

ID: SNA027

Name: Whanua Tapu Highway Forest

### Hazards and Risks Overlays

Flood Hazard - Ponding



Source: LINZ Data Service and Esri and licensed for use under the Creative Commons Attribution 4.0 International License

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### Significant Natural Area



Site Name: Whenua Tapu Highway Forest

Site Number: PCC027

Dominant Habitat: Forest, Treeland, Reedland, Grassland

Area: 12.0 ha

Site Summary: A narrow strip of seral broadleaved forest and treeland, which protects the Taupo Stream riparian area and enhances ecological connectivity along the stream. Includes small areas of raupō reedland, including puha (*Sonchus kirkii*; At Risk-Declining), and contains indigenous vegetation on Acutely and Chronically Threatened land environments. This site also provides important habitat for indigenous fauna, including barking gecko (*Naultinus punctatus*; At Risk-Declining), bush falcon (*Falco novaeseelandiae ferox*; At Risk-Recovering), bellbird (*Anthornis melanura melanura*; regionally scarce) and possibly four freshwater species.





VIEW FROM HOUSE  
FACING NORTH  
153B RAWHITI RD.

PCC - Submission Number - 238





Storm water drain on our leased land / rail corridor.

