

SUBMISSION ON PROPOSED LOWER HUTT DISTRICT PLAN 2025

To: Chief Executive, Hutt City Council


Via email to district.plan@huttcity.govt.nz

1. I, James Rex McArley make this submission on the Proposed Lower Hutt District Plan 2025 ("Proposed Plan") as an affected party and a person with concerns about Council due process.
2. My email address for service is jim@cambridgemanagement.co.nz
3. I will not gain an advantage in trade competition through this submission.
4. My submission relates to SASM-R4. I'm extremely oppose this new rule. It directly affects the investment my family Trust has made in land at 19 Seaview Road, Seaview. (Lots 2 DP 12095 & SEC 20 BLK LXII Hutt Valley Settlement & Lot 2 DP391446 & Lot 2 DP 370621 WN484/277 & WNA1/1178 & 367) and the saleability of that land. This rule is fundamentally inconsistent with private property rights. I do NOT object to protecting Māori Culture and sites generally. However, this approach which Council has adopted is neither fair nor logical. Please explain the logic of Council behind allowing additions and alterations to a building or structure that is less than 200m2 but apply these restrictions for such that are over 200m2. To me this is not logical at all and very inconsistent. Furthermore, it seems Council's rule is a blanket cover of numerous properties as the location of sites of importance can't be identified.
5. The specific provisions of the proposal that my submission relates to, my submission on those provisions, and the decisions I seek are details within this submission. I also seek all further, alternative, necessary, or consequential relief as may be necessary to fully achieve the relief sought in this submission.
5. If this plan change is going to be adopted, it would be only fair that affected property owners will be compensated by reducing the rates charges as the value of our land will be reduced considerable when comparing ours to others that do not have this very concerning restriction place upon them.
6. I wish to be heard in support of my submission
7. If others, make a similar submission I will consider presenting a joint case with them at the hearing.

Background

8. I am a director and hold shares via my family Trust in 19 Seaview Road -details of the land above.
9. I am appalled by the Council's total lack of consultation with landowners before these changes took effect. I understand that the sites were not included in the draft plan that the Council released for consultation in late 2023. It seems that Council consulted with mana whenua before including the sites in the Proposed Plan, but didn't bother to consult with landowners.
10. The first I heard that the property I have invested in was within a site of significance to Māori was when I was told a letter was received via the post earlier in 2025 this year. The letter stated that there were restrictions on my investment property that took effect immediately, but didn't tell why this had occurred, or give specific details as to what Māori values were protected by restricting the right to develop the land my Trust part owns.

11. This lack of consultation and advance notice is outrageous. I've been told that a section of the RMA says that the Proposed Plan is in immediate effect even though it hasn't even been voted on by the Council. If the Council is going to impose rules on local landowners, it should have the common decency to give them some advance notice and an opportunity to give their views on the changes. These ambush tactics have shaken my trust in the Council and its elected members.



James Rex McArley

2/05/2025