

RMA Form 5

Submission on publicly notified proposed district plan

Clause 6 of Schedule 1, Resource Management Act 1991

Privacy Statement

Your submission must include your name, and an address for service (preferably email, but you can use a postal address). All information you include in this submission, including your name and address for service, will be provided to other submitters and published on Hutt City Council's website. Paper copies may also be made available. Hutt City Council is required to collect and publish this information to carry out its functions under the Resource Management Act 1991 and to enable others to take part in the district plan process. The Council, other submitters, and the Environment Court may need to contact you during this process.

If your submission does not include your name and an address for service, it will be rejected.

While the Council will retain all information provided in your submission in secure council systems, all contact details will be removed from any documents published on Council's website once the district plan process is complete. However, your name and the contents of your submission will still appear in these documents.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at contact@huttcity.govt.nz, call 04-570-6666, or write to us at Private Bag 31912, Lower Hutt 5040.

To: Chief Executive, Hutt City Council

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

1. This is a submission from **Mary and Robin Walker** on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is **1146mw@gmail.com**.
3. I **could not** gain an advantage in trade competition through this submission.

4. The specific provisions of the proposal that my submission relates to, my submission on those provisions, and the decisions I seek are shown in the below table. I also seek all further, alternative, necessary, or consequential relief as may be necessary to fully achieve the relief sought in this submission.
5. I **do not wish** to be heard in support of my submission.
6. If others make a similar submission, I **will** consider presenting a joint case with them at the hearing.

Note: you can change your mind about this later.

Introduction

We, Mary and Robin Walker, are the owners and residents of the property at 46 Oxford Terrace, which the Proposed District Plan intends to rezone from High Density Residential Activity Area to Mixed Used Activity Area, along with the properties at 45 and 47 Oxford Terrace. We are particularly concerned at the lack of sunlight and light in general that will reduce our quality of life, our ability to tend our gardens as we currently do, and our property value, if the proposed plan is to go ahead.

Decisions Requested

Relevant Provision	Support / Oppose	Reasons	Decision sought
Part 3 / Area - Specific Matters / Zones / Mixed Use Zone in its entirety as it pertains to the properties at 45, 46, and 47 Oxford Terrace.	Oppose	Not appropriate for this location: The group of properties at 45 - 47 Oxford Terrace directly abuts the group of properties at 48 - 52 Oxford Terrace, which have a current and proposed zoning of High Density Residential Activity Area. There is no physical or logical boundary between 47 Oxford Terrace and 48 Oxford Terrace, and there is a similarity of style and use among all the properties from 45 to 52 Oxford Terrace. In the Jacobs NZ Urban Development Plan produced for district Plan Change 43, the writers state "It should be	That the properties at 45, 46, and 47 Oxford Terrace are zoned as the same zone for the adjoining properties at 48- 52 Oxford Terrace, currently proposed as High Density Residential Activity Area.

		<p>noted that a change in ‘intensification type’ generally does not occur mid block to avoid adverse boundary effects”. This current proposal has a change of zoning mid block. There is a physical boundary between the current commercial zoned properties along Birch St and the residential property at 45 Oxford Terrace - they are separated by a 4.85m service lane. This would be the logical boundary between Mixed Use and Residential Activity Areas, and would provide a good buffer between the two, as it currently does between the existing commercial and residential zones. The Mixed Use zone permits a building with no setbacks on the side or rear boundaries, and also permits a building with no recession planes on the first 21.5 metres of a side boundary. There are no protections in the rules for a building next to a site within the zone already being used for residential activity. It is only when these rules are breached that the Urban Design Outcomes in MUZ-P7 for adequate privacy and daylight for residential activities can be considered. Accordingly, we could end up with effectively a 22 metre high wall sitting only 1-1.5 metres from our house, and stretching the whole length of our house. The three properties at 45 - 47 Oxford Terrace already comprise seven dwellings, and are, and always have been, solely residential properties. The sections have already been fully developed, with multiple dwellings and landscaped gardens, including orange, mandarin, lemon, nectarine and peach trees and seasonal vegetable growing, all requiring as much sun as we</p>	
--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

		currently have on the properties. The properties are in long-term private ownership, 33 years in our case, and are well maintained. There is no parking available, along this stretch of road for commercial activity - all on-street parking spaces as well as the Park and Ride carparks at the Waterloo Station are at capacity during the working day and already spill over onto Pohutakawa St and Oxford Terrace north of the Waterloo Bridge. This is confirmed in the Harriet Fraser Transport Report prepared for District Plan Change 43. This lack of parking would affect residents, workers, customers and deliveries.	
Part 3 / Area - Specific Matters / Zones / High Density Residential Zone in its entirety as it pertains to properties more than 500 metres from the CBD edge, train stations, and commercial centres.	Oppose	Too broad an area: We would again like to record our opposition to the provision of high-density residential activity areas throughout the whole of Lower Hutt, as we did at the time of District Plan Change 56. Although Lower Hutt is a city in its own right, it is generally regarded as a satellite city of Wellington, with a suburban lifestyle. We choose to live in the suburbs for the benefit of space in our own property and in neighbouring properties, rather than living in built-up central city areas. District Plan Change 43 showed a high level of concern from the community with regard to intensification. The broad swathe of the city that has been redesignated as highdensity residential could see the majority of the valley floor covered with six-storey buildings. This is not the neighbourhood we want to live in. We feel that the distance of 1200m from the CBD edge and	That properties located more than 500 metres from the CBD edge, train stations and commercial centres be rezoned as Medium Density Residential.

		<p>800m from commercial centres and train stations is too broad an area, for two reasons. Firstly, the shape of the valley and rail lines means that this metric sees almost the whole valley floor designated as high density residential, with six-storey buildings permitted across the majority of the city. Secondly, the distances of 1200m and 800m are too large. However good the public transport intentions may be, connections are not good and our windy and wet weather is not conducive to walking much of the year, hence the high proportion of households that have cars. We realise that the rezoning in DP56 was instigated by central government, but with the change of government and a new district plan, there is the opportunity to revisit this and reduce the size of the areas zoned as high-density residential to areas within 500m of the CBD edge, railway stations and commercial centres. That would ensure that we retain the suburban character that makes Lower Hutt a desirable place to live, and ensure that our city does not become a concrete jungle. Does not meet policy requirements: The High Density Residential HRZ-P12 policies 1-3 are to ensure adequate privacy and adequate access to daylight for residential activities on adjacent sites, and to ensure adequate access to sunlight for outdoor living spaces on adjacent sites. How can this be ensured when a 22m high building can be built 1m from the boundary, with minimal recession planes?</p>	
--	--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--