

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 Peter Hu on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is hyz3748@gmail.com
3. I could not gain an advantage in trade competition through this submission.
4. ~~I am/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.~~

~~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.~~

~~**You should delete all of paragraph 4 if you answered "could not" in paragraph 3 above.**~~

5. 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.

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.

Introduction

~~8. This is optional. You may wish to provide context about you or your organisation, how the plan affects you and the environment, and your interest in the proposed District Plan. You may also wish to describe at a high level what the changes you request to the plan are expected to achieve.~~

~~9. ...~~

~~{See page below to fill out the decisions you're requesting}~~

Decisions Requested

Use as many rows as necessary. Try to use one row for each provision. Some examples are given in the table – these are made-up provisions- to give you examples of how to write your submission points. You should replace these with your own views.

| # | Chapter | Provision | Position | Reasons | Relief sought |
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| 1 | SCHED6 – Sites and Areas of Significance to Māori | Individual Sites: Puke-Tiroiro (category 3) | Oppose | <p>1. Lack of Transparent Consultation Process</p> <ul style="list-style-type: none"> No direct notification: Despite our property being categorised as a Category 3 site, we received no direct communication from the Council about this specific designation. We were only informed of broader Medium Density Residential Zone changes via a general letter, which failed to mention the Māori heritage site classification. Reactive discovery: We became aware of this proposal only through our own initiative by visiting the Council's consultation platform. This approach undermines the Council's obligation to ensure fair and accessible public participation, particularly for decisions directly affecting property rights. <p>2. Insufficient Evidence for Designation</p> <ul style="list-style-type: none"> Unclear cultural justification: The Council has not provided specific evidence (e.g., | <p>1. Immediate Process Improvements</p> <ul style="list-style-type: none"> Extend the consultation period to allow all affected landowners adequate time to review and respond, acknowledging the current extension remains insufficient given the complexity of Schedule 6 designations. Issue detailed information packs to all affected households via post, including: <ol style="list-style-type: none"> A high-resolution map clearly showing proposed designation boundaries and proximity to private properties. Plain-language explanations of the practical implications of Category 3 status (e.g., consenting requirements, iwi engagement obligations). Direct contact details for both Council planners and relevant iwi representatives. <p>2. Property-Specific Relief Option 1: Removal of private land from designation</p> |
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| | | | | <p>historical records, archaeological reports, or iwi testimony) demonstrating why our property meets the threshold for Category 3.</p> <ul style="list-style-type: none"> • Uncertainty for landowners: The designation creates ambiguity about permitted land use and future development, yet there is no documentation explaining how the cultural significance of this site justifies such constraints. <p>3. Disproportionate Impact on Property Rights</p> <ul style="list-style-type: none"> • Unreasonable constraints: Category 3 imposes obligations to engage with tangata whenua and comply with additional rules for subdivision or development. Without clear evidence of significance, these requirements are unjustified and place an unfair burden on private landowners. | <ul style="list-style-type: none"> • Exclude all privately held land from the Puke-Tirotiro (Category 3) classification. • Justification: No evidence has been provided to demonstrate that privately owned land in this area meets the threshold for cultural significance under Schedule 6 criteria. <p>Option 2: Restrict designations to public land</p> <ul style="list-style-type: none"> • Amend Schedule 6 to apply only to reserve or Crown land where: <ol style="list-style-type: none"> 1. Cultural significance is rigorously documented. 2. Management aligns with public stewardship frameworks. 3. Justification: Private property rights should not be compromised without exceptional justification, per Section 5 of the RMA. <p>Option 3: Voluntary acquisition framework</p> <ul style="list-style-type: none"> • If the Council insists on retaining the designation, establish a process to purchase affected properties at current market |
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|---|---------|-----------|----------|---------|---|
| | | | | | <p>value (as per recent RV or independent valuation).</p> <ul style="list-style-type: none"> • Justification: Compulsory acquisition under the Public Works Act 1981 would be disproportionate; voluntary sale at fair value respects both cultural and private property interests. |