

Submission on proposed Lower Hutt District Plan 2025

To: Chief Executive, Hutt City Council

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

1. I, Nadia Wheeler, make this submission on the Proposed Lower Hutt District Plan 2025 ("Proposed Plan") in my own name.
2. My email address for service is naw646@gmail.com.
3. I could not gain an advantage in trade competition through this submission.
4. I'm 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.
5. The specific provisions of the proposal that my submission relates to, my submission on those provisions are outlined below.
6. I do not wish to be heard in support of my submission.
7. If others make a similar submission, I will not consider presenting a joint case with them at the hearing.

Background

8. I am a resident and owner of a Lowry Bay property and am very concerned about this councils decision to restrict development on ones own private land.
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 my property was within a site of significance to Maori was when I received a letter in the post earlier this year. We had been away and so only received the letter later on in February. The letter told me that there were restrictions on my property that took effect immediately, but didn't tell me why this had occurred, or give me any details as to what Maori values were protected by restricting my right to develop my land.
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 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.

My submission and requested decisions from the Council are as follows

Schedule 6. Oppose

Category 2 and 3 Sites in Schedule 6 of the Proposed Plan are not well identified, both in respect of their coverage area and also in terms of their significance to Maori. This relates to our area in Lowry Bay the significance of the site is defined by reference to fishing, but the boundary of the site stops halfway around Lowry Bay. Certainly unclear as to what evidence there is that Maori only fished in half of the bay. It would seem that this site is only significant in a general sense and should not justify protection, as it is given significance solely because Maori fished and hunted there, surely this applies to much of New Zealand.

I support genuine Maori cultural sites being protected, provided they are either on public land or where they are both intact and clearly of great cultural significance.

I therefore submit that Category 1 sites only include those that are either a) situated on public land or b) currently intact and of such clear and obvious cultural or spiritual significance to Maori that imposing restrictions on use and development of private land is demonstrably justified.

I submit that categories 2 and 3 be merged into a single category that recognises the sites and enables exercise of kaitiakitanga in land owned or controlled by mana whenua, but otherwise imposes no restrictions on use and development of the land.

In terms of the SASM Objectives

SASM-03. Oppose

I oppose this objective. It is inconsistent with private property rights.

SASM-P4. Oppose

I oppose this policy. The words "avoid, remedy, or mitigate is a high standard of protection and is therefore a greater restriction on land use and development. The greater the protection/restriction, the more stringent the Council should be in identifying the sites, but they have not followed the principle here, which includes Lowry Bay.

As a result I submit that this policy be removed from the Proposed Plan. Category 2 and 3 sites should be combined into a single category as previously described in my submission on Schedule 6.



30 APRIL, 2025