

## Stephen Davis

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**From:** Deelia Mills <admin@onestopplumbing.nz>  
**Sent:** Friday, 2 May 2025 3:29 pm  
**To:** District Plan Review Team  
**Subject:** [EXTERNAL] Submission - Sites and Areas of Significance to Maori

**Categories:** Steve

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To; Chief Executive , Hutt City Council,

1. This is a submission from Deelia and Shamus Mills on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is [Sweetpea.tm@gmail.com](mailto:Sweetpea.tm@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 not** consider presenting a joint case with them at the hearing.

## Introduction

Our submission relates to the section on Sites and Areas of Significance to Māori. We are opposed to including our private land that we have paid for, owned and paid rates on for the past 33 years in the Sites and Areas of Significance to Maori beyond recording that historical or cultural significance, and publicising it. We oppose restrictions on private land because of cultural significance to Maori, and we oppose empowering one group in society to set conditions and withhold approval for private development. We believe this is a racist policy which will only cause division and resentment and a feeling of entitlement between races. It doesn't promote harmony and unite all New Zealanders as one people.

The rules proposed:

- Are not required, nor envisaged, by the Resource Management Act. The Council has gone too far to give effect to the good intentions of the Act toward land of significance to Maori.
- create a dangerous precedent in favour of previous property owners / inhabitants, who gain rights and control over the current owners.
- break a long-standing cultural principle that property rights are only limited by your direct, provable, effect on others.
- relegate property *rights* below *claims* of culture and heritage
- institutionalise and prioritise racism in urban planning

The HCC rules clearly go too far, because the Government has decided to clarify in a new RMA that property rights are the fundamental principle. They will only limited by the effects of changes on owners and users of other land, and on the environment.

## Decisions Requested

#	Chapter	Provision	Position	Reasons	Relief sought
Part 2 – District wide matters	Historical and Cultural Values, Sites and Areas of Significance to Maori	SASM-P1	Support	<p>The Hutt landscape is rich with Māori history.</p> <p>It is important to Māori, and to everyone in the Hutt Valley, to have Māori heritage on the land identified, recorded and honoured.</p> <p>It is understandable that Māori may also want to identify, record and honour their cultural connection to this heritage.</p>	Keep provision
		SASM-P2	Neutral	The language of the provision “protect sites and areas listed as Nga Awa o te Takiwa from inappropriate subdivision, use, or development” is a strong statement. This could potentially make it harder to get consents re non-permitted activities in respect of these bodies of water.	
		SASM-P3	Neutral		<p>Could replace</p> <p>Acknowledge Category 1 in <a href="#">Significance to</a></p>
		SASM-P4	Oppose		<p>Could replace</p> <p>Acknowledge Category 2 in <a href="#">Significance to</a></p>
		SASM-P5	Support		Keep provision
		SASM-P6	Oppose	<p>Our understanding is that the current RMA cannot be used to erode property rights – it can restrict a person’s use of their land, but it cannot allow a third party access/use rights to that person’s land that would not otherwise exist. So enabling tangata whenua to carry out tikanga Māori on land (by making this a permitted activity under SASM-R5) would not entitle Māori to trespass on private land to undertake the activity.</p> <p>I think HCC intends this policy for allowing tikanga to be exercised in these sites as a permitted activity where it would otherwise require resource consent.</p> <p>But recent uncertainty of law in this area suggests it would be wise to have this spelled out clearly. Hence my suggestion:</p>	<p>Enable <a href="#">tangata Māori</a> (including and areas of significance) that the activity is a permitted property right the activity takes</p>
		SASM-P7	Support with change	If my proposal on category 2 rules are not accepted, our rights need protection via the process for determining resource consent applications.	<p>Encourage land</p> <p>1. Engage <a href="#">whenua</a> development</p>

#	Chapter	Provision	Position	Reasons	Relief sought
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		SASM-P9	Oppose	If my proposal on category 2 rules are not accepted, our rights need protection via the process for determining resource consent applications, so I suggest an alteration to SASM-9 which clarifies that each clause in the policy is limited by the extent to which it is reasonable and relevant (to development and use of private property)	<b>Add to each n the following:</b>  a. ... to t reason respon outco  b. ... the reason to refl prope  c. ... to t prope
		SASM-R1	Support in part	Needs clarification to indicate no intention to provide rights over land owners to tikanga Māori on private land.	Agree, with fo  Undertaking t public <a href="#">Site or /</a> or private land
		SASM-R2	Neutral	I support support the accidental discovery protocol requirement for category 2.  I am in favour of providing for protection of SASM in this manner – ensuring recovery - even on private land. But this is all the protection that is needed. Get rid of all the additional rules about restricting new buildings/alterations/additions.	
		SASM-R3	Support		Keep provision
		SASM-R4	Oppose	Adding resource consent requirements for building on private land will tie landowners up with consultation with tangata whenua, limits their property rights, limits commercial development and housing supply.  I understand the application of these rules on category 1 significance, but application on category 2 goes beyond what most people think reasonable.  There is no demonstrated need to restrict building/development in category 2 areas.	Separate Cate with:  1. Activit
		SASM-R5	Support		Keep provision

#	Chapter	Provision	Position	Reasons	Relief sought
		SASM-S1	Support	In the interests of supporting Maori heritage and cultural values, it is reasonable for archaeological monitoring and collection to start if artefacts are found.	Keep provision

Deelia and Shamus Mills