

Draft Hutt City District Plan

This submission is from Owen and Jenny Symmans on the draft Lower Hutt District Plan.

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Our Submission relates to the Section on Sites and Areas of Significance to Māori.

We are impacted by proposals in the draft District Plan

We do not want to present this submission but would like to be notified when the submissions are being heard.

The consultation process for this proposal is totally unsatisfactory. Council has been reluctant to attend public meetings to explain and discuss the proposals with affected communities, opting to hide behind websites and information sheets.

We are opposed to the proposal to include private land in the Sites and Areas of significance to Māori, on the basis that the areas “maybe “of significance to Māori, without any hard evidence. Council has taken the word of Māori and drawn a line around large tracts of private land, without any prior consultation or discussion with land owners. This is a Council inspired erosion of property rights, without basis in the Resource Management Act. The approach by Council empowers one group within society to set conditions and rules to withhold approval for private development. This is completely unacceptable.

Should Council unilaterally decide to erode private property rights, the proposed protocol requires amendment to make it clear that it is only activated if an item of significance is identified by the landowner undertaking a subdivision.

The draft is silent on who should pay for any intervention enabled by the proposed protocol. As it is written it could impose significant costs on private landowners. We submit that landowners should not be required to bear any cost as the result of an intervention. Therefore, we would submit that any intervention triggered by the protocol should be funded by either Māori or Council who have eroded the landowner’s property right. This would ensure that either the Council or Māori would do a business case and would put a commercial price on any intervention under the protocol. If the landowner was required to pay it would be impossible to control costs and could be held to ransom over the cost of any required approval for a subdivision.

In summary the proposal to include private property in sites and areas of significance to Māori is an erosion of property rights and must be rejected. If there is to be an intervention triggered by the proposed protocol the costs must be covered by either the Council or Māori.