

RMA Form 5

# Submission on publicly notified proposed district plan

Clause 6 of Schedule 1, Resource Management Act 1991

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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.

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To: Chief Executive, Hutt City Council

Via email to [district.plan@huttcity.govt.nz](mailto:district.plan@huttcity.govt.nz).

1. This is a submission from NRG Holdings Limited C/ Niru Govind and Greg O'Connor (Owners) on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is [gmkoco@xtra.co.nz](mailto:gmkoco@xtra.co.nz)
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 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.

## Introduction

7. Niru Govind and Greg O'Connor are directors of NRG Holdings Ltd, the owners of the property located at 8 Waione Street, Petone, legal description being Lot 89 DP 384 74/238, as contained in Title WN 74/238, property currently occupied by a sole tenant Flagmakers see Figure 1.
8. The property is located off the southern side of Waione Street, just east of its intersection with Marine parade and situated within the proposed zoning under the Proposed District Plan (PDP) is General Industrial Zone (GIZ) which is supported, noting the that GIZ provides for new buildings up to 22 meters in height and therefore enables significant redevelopment opportunities for 8 Waione Street as a permitted activity under Rule GIZ-R, subject to compliance with identified standards.
9. The PDP also identifies 8 Waione Street as a "Site or Area of Significance to Māori - Hikoikoi Pā (Category 2)" which if retained would adversely impact any potential future redevelopment and thus impacting value of the site, see Figure 2.
10. The purpose of this submission is to request the removal of 8 Waione Street from being categorised as a Site or Area of Significance to Māori - Hikoikoi Pā.

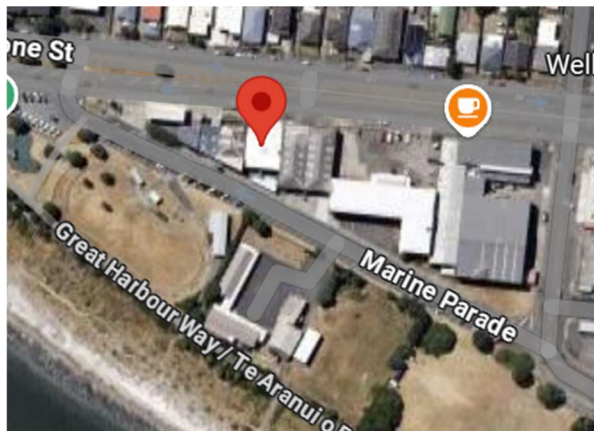


Figure 1 8 Waione Street, Petone



Figure 2 Proposed Site or Area of Significance to Māori – Hikoikoi Pā

## Decisions Requested

#	Chapter	Provision	Position	Reasons	Relief sought
1	Part 4 - Appendices Maps – Historical and Cultural Values – Sites and Areas of Significance to Māori	The mapped outline of the “Site or Area of Significance to Maori – Hikoikoi Pā”	Oppose	The inclusion of 8 Waione Street, Petone, and adjoining properties fronting Waione Street identified on the Planning Map as being within the “Site or Area of Significance to Māori – Hikoikoi Pā” is not based on verifiable evidence and thus unjustifiably included. The impact of such inclusion will adversely impact the Hutt City District Plans anticipated and enabled redevelopment opportunities for the property and therefore the owners’ legitimate property interests.	Removal of the 8 Waione Street, and the Waione Street fronting properties north of the western end of Maine Parade up to Kirkcaldy Street proposed for inclusion within the scope of the “Site or Area of Significance to Māori – Hikoikoi Pā and amend the planning maps accordingly.  The preferred alternative, the northern bound of the SASM should align with Hautonga Street and the western end of Marine Parade west of Kirkcaldy Street.
2	Part 4 - Appendices Schedule 6 Sites and Areas of Significance to Māori	Schedule 6 SASM, Individual Sites Hikoikoi Pā (Category 2)	Oppose	Private property rights are being degraded by the inclusion in the PDP in SASM	Removal of all private properties from being identified as SASM under the Proposed District Plan. .

## Further Commentary

The area shown on the Planning Maps for the Hikoikoi Pā as some 63 acres as opposed “1847 Colonel McCleverty estimated that it covered an area of over three acres” the proposed area is some 20 times more than identified. No physical evidence eg remains or archaeological evidence is available to support the proposed 63 acres. In the absence of verifiable evidence Council should reference back to the 3 acres rather than the overestimated area suggested by Iwi. If Council is relying solely on Iwi and hapu to identify the extent of the area for the SASM, then in our opinion there are conflicting interests at play. Given the significant increase to the proposed area for the SASM through District Plan update, this will inevitably hinder/constrain/deter any potential development of the properties within in the proposed SASM area. Council needs to seek independent expert specialist advice/evidence to support the location of the Pā rather than property owners having to prove where the Pā was not located.

8 Waione Street is historically and geographically separated from the original Pā. Much of the peninsula where the Pā was located has been lost to coastal erosion and urban development approved under previous district plans.

The lack of verifiable evidence connecting 8 Waione Street, Petone cannot equitably warrant the inclusion within the Category 2 Site or Area of Significance to Māori – Hikoikoi Pā to the detriment of the reasonable and legitimate property owners' expectations to develop or redevelop in accordance with the provision for the General Industrial Zone.

The Taranaki Whanui Claims Settlement Act of 2009 does not identify the Pā as SAGM. Historians who investigated the historical grievances to settle the Treaty claim could not find any evidence for the inclusion of the Pā.

We appreciate and support Council to recognise the relationship of Māori and their culture for ancestral lands, water, wahi tapu, etc as provided by the RMA however in this instance it appears that the location of the Pā has been lost through environmental and urban development and cannot be resurrected.

Niru Govind and Greg O'Connor  
Directors  
NRG Holdings Ltd