

- **To: Chief Executive, Hutt City Council**

This is a submission from **Teh Meng Hing** on the Proposed Lower Hutt District Plan 2025

My email address for service is **menghing1996@gmail.com**

I could not gain an advantage in trade competition through this submission.

I am directly affected by this proposal in a way that:

- Adversely affects the environment, and
- Does not relate to trade competition.

Introduction

I am a homeowner at 14 Main Road, Wainuiomata, and I appreciate the Council's intent to manage slope risks through the Slope Assessment Overlay. However, I am concerned about its potential unintended consequences on property owners, particularly in terms of property values, insurance, development rights, and financial stability.

I urge the Council to take a balanced, evidence-based approach that considers the real financial impact on homeowners while ensuring responsible land management. The overlay should not unintentionally create financial hardship or limit homeowners' ability to manage their properties.

The Hutt City Council has a legal duty under the Resource Management Act (RMA) 1991 and the Local Government Act (LGA) 2002 to ensure policies are:

1. Backed by robust evidence – **RMA Sections 32 & 74** require an evaluation of costs and benefits. The classification should be based on site-specific assessments rather than general modeling.
2. Fair and consultative – **LGA Section 82** requires the Council to genuinely engage with affected property owners and consider economic and social impacts before making decisions.
3. Legally reviewable – **New Zealand Bill of Rights Act 1990, Section 27**, protects homeowners' right to challenge administrative decisions. There must be a clear, accessible process for reassessment.

I hope the Council considers solutions that balance safety concerns with the financial realities for homeowners, ensuring a fair and practical approach.

#	Chapter	Provision	Position	Reasons	Relief Sought
1	Slope Assessment Overlay	Property Classification	Oppose in part	The classification is based on general modeling, not site-specific data, shifting the burden to homeowners. This contradicts RMA Section 32, which requires a thorough cost-benefit analysis.	Establish a transparent, low-cost appeal process where homeowners can provide independent geotechnical evidence to challenge their classification.
2	Slope Assessment Overlay	Property Value Impact	Oppose in part	The overlay may significantly lower property values without any mitigation for affected homeowners. Under LGA Section 82, the Council must properly assess economic impacts before implementing such classifications.	Conduct an independent market impact assessment and provide support for affected homeowners, such as assistance with geotechnical reports.

3	Slope Assessment Overlay	Insurance & Lending	Oppose in part	Many insurers and banks may restrict coverage or financing based on the overlay, making it harder to insure or sell properties. RMA Section 74 requires councils to consider practical consequences of zoning changes.	Work with insurers and lenders to ensure fair treatment for homeowners. Provide written clarification on what this classification actually means for risk.
4	Slope Assessment Overlay & MRZ	Development Restrictions	Oppose in part	This classification could conflict with Medium Density Residential Zone (MRZ) provisions, making it unclear whether affected homeowners can still develop under intensification policies.	Clearly define how the overlay interacts with MRZ zoning. If restrictions apply, allow exemptions or case-by-case reviews.
5	Slope Assessment Overlay	Costly Compliance	Oppose in part	Homeowners will face extra costs and barriers for	Exempt minor renovations and landscaping

		for Renovations		simple renovations due to unclear guidelines. This contradicts RMA principles of efficient land use.	that do not significantly impact slope stability. Provide clear guidelines on what does or does not require consent.
6	Slope Assessment Overlay	Lack of Homeowner Support	Oppose in part	There is no guidance or financial assistance for affected homeowners, despite the Council making the decision to classify their land. LGA Section 82 requires fair treatment of affected parties.	Provide resources and financial support, including subsidized geotechnical assessments for homeowners forced to prove stability.

Hearing Participation

I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Final Statement

This Slope Assessment Overlay has serious financial and legal consequences for homeowners. It is not just a planning tool—it directly affects our property values, ability to insure, ability to sell, and future financial security.

The Council has a legal and ethical duty to ensure that affected homeowners:

- Have access to a fair and affordable appeal process
- Are not financially disadvantaged due to an arbitrary classification
- Are given clear guidance on future development rights
- Receive genuine consultation and proper economic assessment before decisions are finalized

We urge the Council to reassess the impact of this overlay, provide a fair review process, and offer meaningful support to affected homeowners before approving this change.

Ngā mihi,
Teh Meng Hing

