

30 April 2025

Chief Executive
Hutt City Council
Private Bag 31-912
Lower Hutt 5040
Via email: district.plan@huttcity.govt.nz

Submission by Rowan Swain & Kim Weber-Swain on the Proposed Lower Hutt District Plan, Under Clause 6 of Schedule 1 of the Resource Management Act 1991

This is a submission by Rowan Swain & Kim Weber-Swain on the Proposed Lower Hutt District Plan (PDP).

We will not gain an advantage in trade competition through this submission.

We wish to be heard in support of this submission.

Introduction:

We appreciate this opportunity to submit on the Proposed Lower Hutt District Plan 2025.

We own the property at 273 Muritai Road, Eastbourne, Lower Hutt.

This is a 2593m² residential property that has frontage to Muritai Road. The site contains a two-storey timber dwelling that stands elevated above the front and the flat part of the property. The land behind the house rises at a reasonably steep grade. The rear and side boundaries abut three properties, including Council reserve, 271, 275 and 277 Muritai Road.

We have lived in this house since 1991 and have been members of the Eastbourne community since that date. Part of our long-term plan is to have the option to build on our section behind the current house.

Scope of Submission:

We note the purpose of the Plan is to assist Hutt City Council in carrying out its functions in order to achieve the purpose of the RMA. We **support** the need for an appropriate District Plan to ensure our community can thrive and where resources are managed and maintained effectively. We generally **support** the Proposed District Plan as notified, subject to resolution of the matters raised in this submission.

Without limiting the generality of this submission, the following particular provisions are not supported and changes are sought as set out below.

For context, under the Proposed District Plan we now have four new and substantive impacts to our property compared to the Operative District Plan (ODP).

Specific Submission Points:

The specific matters of the Proposed District Plan that our submission relates to include:

- 1) The new Large Lot Residential zone.

- 2) The new Low Flood Hazard Overlay.
- 3) The new Slope Assessment Overlay.
- 4) The new High and Very High Coastal Natural Character Area.
- 5) The new Constrained Road Overlay
- 6) Sites and Areas of Significance to Maori

The submission points, changes sought, alternative solutions and the reasons for those changes can be found in this letter and within Appendix 1 of this submission.

We seek the following decisions from Hutt City Council:

- The deletion of the Large Lot Residential Zone for our and all properties in Eastbourne/Eastbourne Bays, to be replaced with the current zoning that applies across the rest of Eastbourne and within the ODP.
 - There is no compelling justification or evidence to support the introduction of this new zone.
 - Neither the application site, nor other properties, with this new zone have special characteristics that need protection from future development, or suffer from a lack of reticulated water, wastewater, or storm water services.
 - The zone should remain Medium Density Residential as there is nothing unique or unusual about the local environment or built character which is worthy of this special protection and limitation of future subdivision.
 - The change in zone is inconsistent and “one size doesn’t fit all”. One of the key criteria is access constraints and avoidance of subdivision or change to any properties that have access issues, from actually viewing the properties in question a number of properties have no access constraints and therefore there is no need or requirement for this zone for these properties, further investigation is required by HCC.
 - Our 273 Muritai Road property should not be zoned Large Lot as the zoning provides an inconsistent and unbalanced approach to future housing development in Eastbourne, neighbouring properties are medium density and this will create a distorted built environment
 - This new zone is contrary to the District Plan objectives to provide for sufficient residential development capacity to meet expected demand for housing into the future.
 - The impact of this change in lot size effectively reduces the future options for the application site and all properties placed under this proposed zone, the impact is a reduction in the value of the properties.

- There is no specific compelling analysis or evidence to support a minimum lot size under the PDP of a proposed minimum 1,000 sqm.
- With other residents of Muritai Road, we made a joint application to the draft plan in 2023 when this change in zoning was first proposed. In our submission we requested the supporting evidence to prove that this new zone is necessary, how the 1,000 sqm minimum lot size was determined, what additional rules would be applied to enhance not constrain the future use and development of this special group of properties. The 1,000 sqm rationale has not been explained in any PDP material nor has the introduction of further constraints to development.
- The proposed zone rules are significantly detrimental to future use of the all properties with this proposed zoning compared to the ODP, specifically reduced site coverage, reduced height limits, greater constraints to height in relation to boundaries, and increased setbacks at the front yard. We seek the removal of these new rules in favour of the rules set out in the current ODP zone.
- There has been limited consultation or evidence provided by HCC on the evidence to support the new zone and 1,000 sqm lot minimum, we have set out some alternatives for consideration in the table below.
- Remove the Low Flood Hazard Overlay from the applicant property and neighbouring properties
 - There is limited historical basis and accurate future modelling that provides compelling evidence for this overlay on the applicant property and neighbours on Muritai Road.
 - The flood zone outline on the applicant property bears no resemblance to any historical flooding or the topography of the property, it needs to be removed or justification provided for the zone outline.
 - None of the referenced floods (in the evidence outlined in the Wellington Water report) over the last 20 years have impacted the application property or neighbouring properties.
 - Any surface flooding on Muritai Road has been substantially a result of the lack of maintenance of a council or Wellington Water owned culverts, streams, lack of storm water system capacity, ineffective run off measures and outlets subject to the sea tides, and less about excessive/extreme weather events.
 - The suggested 1% AEP or 1 in 100 year flood analysis by Wellington Water is noted as best practice in the PDP but is hypothetical and not proven fact, the supporting documentation highlights a wide range of assumptions which suggest that confidence in the modelling needs to be taken with a grain of salt or used as a guide at best. To use this data to set flood hazard zones is irresponsible given the lack of unequivocal evidence in the technical report and the fact that the categorisation of this area as being flood prone is contrary to the empirical evidence to us and our neighbours, who have lived in this street for many years.

- The supporting evidence provided by Wellington Water simply highlights the inefficiencies of storm water management and system capacity. The impacts of the 1 in 100 year flood can be mitigated through prioritisation of investment in these overall systems (from streams to storm water outlets). The lack of planning and investment in infrastructure in this area unfairly places the burden on private properties and owners who have paid rates and tax to ensure this future planning and maintenance of infrastructure is implemented.
- The suggested overlay places an unnecessary consenting burden on all affected properties, and removes the obvious necessity for Hutt City Council and Wellington Water to mitigate and remedy these flood risks through maintenance or changes to the stream/s, storm water capacity, run offs in question, which has been raised previously by landowners.
- While we acknowledge that there is a consenting pathway to develop the front part of our property, the inclusion of the flood overlay adds risk to any future redevelopment project that we might put forward. An overly cautious Council planner could see the flood overlay as a red flag and become obstructive, even though the actual risk as noted by “low flood zone” is low or non-existent.
- There has been **no consultation** with Hutt City Council over the implementation of this zone or how the zone line has been derived, or assessment of how the pervious surfaces of many of these properties act to support the storm water drainage.
- Remove the Slope Assessment Overlay as this adversely constrains the future use and development of the affected areas, and unnecessarily raises concerns over stability and run out impacts.
 - There is no Slope overlay in the ODP.
 - The report material provided by WSP is substantial and generated from a desk top assessment, and they recommend this is not used as a property by property assessment without actual on-site inspection. So we question why the HCC has ignored that advice and have introduced a one size fits all approach to this overlay without that inspection.
 - The WSP report suggests there is a clear differentiation between areas across the Hutt Valley (with a range of very low to very high slope instability risk, differing geology, differing slope %'s, existing retention, per property). As a minimum, these key factors should have been advised to landowners with the underlying analysis that supports this rating for their property, nothing is provided in the PDP other than a one size fits all, the same rules, the same risk levels which is again not consistent with WSP's recommendations.
 - We appreciate that the WSP modelling includes a wide range of factors with different weightings, given the seriousness of this and the impacts on private property, this modelling should be peer reviewed to confirm that the factors, weightings and rankings are appropriate for the Hutt Valley and for individual properties.

- The Slope Assessment Overlay line needs to be tested on a property by property basis. The line on the applicant property and neighbouring properties contains areas where this is minimal slope (using the % parameters contained in the WSP report) and we question the accuracy of the mapping and robustness of the research undertaken by Council before preparing these maps.
- The PDP creates a number of overlapping overlays that simply avoid future stability considerations (irrespective of the actual risk level) through limiting the ability to undertake development in these affected areas, it is folly to think that risks are best managed by avoidance, when appropriate development can also reduce risks to slope, land cover, soil drainage and hardness.
- The development potential of land in the Overlay areas may not only be limited by the new rules, but also could be prevented, depending on how the overlay provisions are interpreted and implemented by Council officers.
- Existing development on the subject property and adjacent properties demonstrates that the land can be successfully built on. We wish to avoid a situation where a processing planner sees the overlay as a red flag to development and is consequently obstructive to any development proposal that we or our neighbours put forward in the future.
- Our concern is that the ability for potential future subdivision is effectively removed through this becoming a restricted discretionary activity, this would seem to be a short sighted view and seems to ignore that our residential development specification and building code is world class to cater for our variable and diverse property conditions.
- Our position is that any assessment of slope hazard, instability, or run out will be reflected in the engineering designs for building foundations and earthworks for all land sloping or otherwise and is best covered by existing Building Act and Building consenting processes, which is where this evaluation of all slope conditions should actually take place, through expert reports provided in support of any building consent application.
- The proposed overlay places restrictions on earthworks and development; if the overlays/rules cannot be removed it should be made clear in the PDP that there is a permitted pathway to development of land in the Slope Assessment Overlay area.
- Of concern to property owners is the Stability and Runout areas that relate to areas owned by the HCC. The neglect of these areas can certainly have an impact on the future of the properties in question and this has been raised with the HCC previously, we see no measures reflected in the PDP as to how the HCC will manage its own estate to protect landowners. There is the concern that the presence of this overlay on private property may indicate an acceptance of risk from adjoining landowners and effectively rule out any legal avenues for redress from negligence or nuisance.

- There has been no consultation on the introduction of this assessment overlay despite the original WSP report being completed in 2021.
- Remove the new High and Very High Coastal Natural Character Area from our property and other Eastbourne properties
 - There is already precedence of housing being built in elevated areas near the applicant property, either side of the property and across Eastbourne, and many of these houses have been there for at least 30 years.
 - We would dispute the assertion (page 68 of the Section 32 evaluation) that it will be the first time that development has had to take into account natural hazard risks. The Building Code, Building Act and RMA have been in place for many years and set high standards for the development of property to mitigate all natural hazards.
 - This new overlay is not about development management, it is about the prevention of any further development of these areas and retention of Coastal Natural Character. We contest this needing to be provided by private owners, when it can be preserved with the many hectares of Council reserve surrounding Eastbourne.
 - The Boffa Miskell Coastal Natural Character Assessment report summary findings 4.1.2 and section 4.17.4 provides an assessment of Moderate Abiotic, Biotic and Experiential Natural Character Attributes for the Eastern Bays. The report does not suggest there is any High or Very High Natural Character areas within the area depicted in the report.
 - We would argue the assertion, on page 69 of the Section 32 report, that insurance of the property may somehow be affected by poor development, that may be the case, but what is missing from the s32 report is that insurance will be more heavily impacted by having detrimental overlays on property such as outlined in the PDP across Eastbourne. We would challenge the HCC to prove their case and provide the insurance industry evidence to support their claim.
 - The same comments apply to the “Reasonableness test” outlined on page 82 of the Section 32 report; again there is a statement on how the insurance markets will react. We dispute this and ask for the evidence to suggest how insurance markets will react or respond to these changes. This is important as the PDP suggests there is a positive insurance impact and is part of the justification for these new overlays and rules.
 - With respect to “Acceptable level of uncertainty and risk” (page 87 of the Section 32 report), this is all focussed on the community, developers and stakeholders but seems to ignore the landowner impacts and the risks to owners from having this overlay. The risk is obtaining affordable insurance and the potential effect of any exclusions in that insurance from having this overlay, as well as increased

saleability risks, and Resource or Building consenting risks if urgent repairs or changes or a rebuild is required to any property with this overlay.

- There is no evidence provided stating what the Coastal Natural Character is that needs to be protected, we have disputed this previously as far back as the SNA process, where the special Natural Character that was proposed to be preserved was disputed. We have had no meaningful dialogue with HCC on this.
- Finally, we **dispute the “extensive community engagement”** referenced in the Evidence report specifically in Eastbourne relating to this proposed overlay, we have not seen or been invited to any community engagement where the benefits of this change has been outlined.
- There is no valid reason for this overlay on private property, the imposition equates to an easement as the new rules make any future subdivision a discretionary activity and potentially impossible to develop. There is the opportunity of a win-win solution here and if the HCC want this overlay preserved for the benefit of the wider community and stakeholders, there is the opportunity to show some leadership by providing incentives or compensation for the loss of use or development. This is also an aspiration of the Government and the Expert Advisory Group as part of the Resource Management reform under “Protection against regulatory takings (paragraph 104).
- The limiting clearance to 50sqm per annum is noted but takes no account of necessity, for example should there be a warranted health and safety (to the landowner, neighbours, public) situation then there should be no limit to the area and no consent required. This should include any flora, fauna or foliage indigenous or not, dead, dying, diseased or not dead dying or diseased.
- Remove the rules relating to Private Land in the section on Sites and Areas of Significance to Māori.

We oppose including private land 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 land use and development.

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

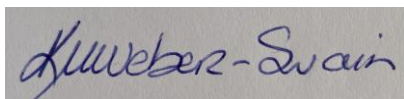
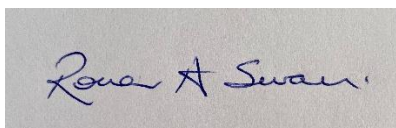
The HCC rules go too far, because the Government has decided to clarify in a new RMA that property rights are the fundamental principle. They will only be limited by the effects of changes on owners and users of other land, and on the environment.

The PDP introduces new provisions which need either removal in favour of retaining the status quo, but if introduced need further qualification to prevent the PDP simply becoming an onerous constraint to the future use of our property and the many other impacted properties in Eastbourne.

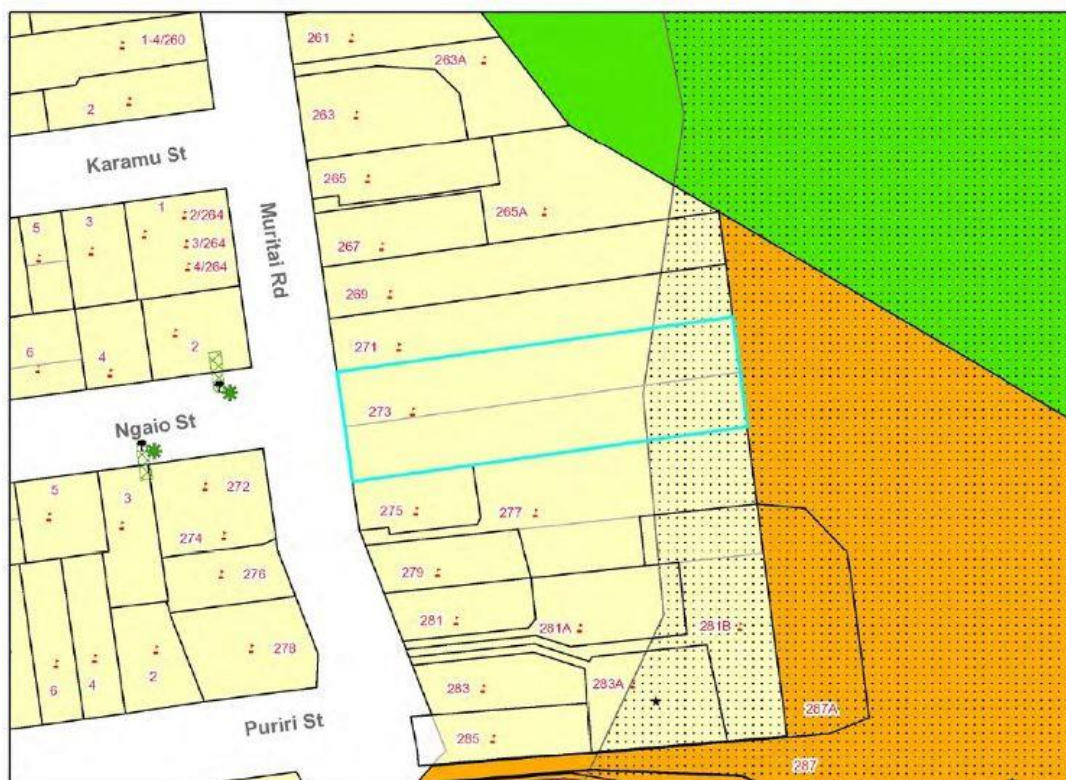
We wish to be heard in respect of its submission.

It is our hope that we can work collaboratively with the Council and would welcome the opportunity to discuss this submission on the PDP with Council officers and fellow Muritai Road residents prior to the hearing.

ADDRESS FOR SERVICE:

Rowan Swain & Kim Weber-Swain
273 Muritai Road
Eastbourne
Lower Hutt
5013



**273 Murtai Road
EASTBOURNE**

Property Key 7115000
Area 2,593 m²
Legal Description LOTS 5-6
DP 3393 WNC2/254

Map Tools

Legend

- Fault Location Area**
 - Uncertain/Constrained
 - Uncertain/Poorly Constrained
 - Well Defined
 - Well Defined Extended
- Heritage Buildings and Structures**
 - Heritage Buildings and Structures
- Outstanding Coastal Natural Character Area**
 - Outstanding Coastal Natural Character Area
- High and Very High Coastal Natural Character Area**
 - High and Very High Coastal Natural Character Area
- Outstanding Natural Feature**
 - Outstanding Natural Feature
- Outstanding Natural Landscape**
 - Outstanding Natural Landscape
- Quarrying Activity Overlay**
 - Quarrying Activity Overlay

Help

Decisions Requested

#	Chapter	Provision	Position	Reasons	Relief sought
1	LLRZ - Large Lot Residential Zone	(whole chapter – Objectives 02,03, Policies – P4, Rules - R3 Standards – S1-S7 Figures 1 & 2)	oppose	No compelling reason or evidence to support the interdiction of this zone or the rules to be applied No evidence in any report as to why 1,000 sqm has been selected.	Removal of Zone in favour of retention of ODP zone
2			oppose in part (alternative solutions)	Alternative solution to removal 600 sqm allows for some future subdivision of some of the properties All sites whether below or above 600 sqm get the same rules as other properties across Eastbourne.	Permitted activity Reduce 1,000 sqm to 600 sqm Increase site coverage to 50% Increase height limit to 12m Retain ODP recession plan, setbacks, permeable surfaces and landscaped areas Permitted use subdivision and earthworks pathway
3					If the 1,000 sqm minimum is retained then the HCC will provide 100% enduring rates relief for the area above 1,000 sqm or purchase that area, at the current market value, above 1,000 sqm. As the new rules effectively mean there is no future subdivision and compensation should be paid for the loss of property rights.

#	Chapter	Provision	Position	Reasons	Relief sought
4	NH – Natural Hazards – Flood zones	[whole chapter – objectives - NH-02, NH R12 Policies P2, P8, P9, R9, R10, R11, R12	oppose	<p>In accuracies in maps presented. No historical evidence to support requirement. Future modelling is untested and is a guide only. Its use is not appropriate on private properties especially in areas of low historic flooding.</p> <p>The risks can be mitigated by HCC and Wgtn Water not shifted to private owners to resolve through building changes to each property</p> <p>Remove the various new rules that apply to low hazard and medium hazard sites.</p>	<p>Removal of the hazard overlays until better data can be provided.</p> <p>Remove R8 compliance requirement in existing properties, where the existing property does not meet this standard.</p> <p>P9 and R9 - Remove the requirement within Medium Flood Hazard overlays for all subdivision, use and development to provide for unimpeded and unobstructed conveyancing of flood waters as this will require major changes to property and a major loss of utilisation and value.</p>
5			oppose in part (alternative solution)	<p>Maps are not accurate and place unnecessary burden on landowners</p> <p>Remove R8 compliance requirement, due to the impracticalities of providing finished floor levels to the required standard in existing properties where the balance of the property does not meet this standard.</p> <p>The risks can be mitigated by HCC and Wgtn Water not shifted to private owners to resolve through building changes to each property</p>	<p>Recognition that flood risks exist in District Plan.</p> <p>Recognition that some areas historically have been affected but do not place any zones on individual properties as this cannot be done with any degree of accuracy.</p> <p>Ensure the building consent processes consider the type of construction for new standalone structures where the existing construction meets the new hazard rules. Otherwise the ODP rules apply.</p>

#	Chapter	Provision	Position	Reasons	Relief sought
6	NH – Natural Hazards – slope Assessment	[whole chapter – objectives - NH-02, Policies P2, P12 Rules R8 Subdivision SUB – R20 Earthworks – EW P8	oppose	<p>The slope assessment information provided to the HCC was a desk top exercise and was qualified in WSP report that the data is not meant for use on individual properties and slope lines and risks need testing on individual properties.</p> <p>The slope assessment rules are minimal and allow for earthworks but make any subdivision activity restricted discretionary therefore reducing future options for any property with the overlay</p> <p>The run out areas need to be reviewed collaboratively first so any upstream risk is understood – e.g. pine trees on HCC land may cause landslide if trees die and collapse.</p>	Remove slope assessment overlay. Needs consultation with landowners to find the best solutions, and incentives to improve stability (which may include development/earthworks)
7			oppose in part	The slope overlay needs adjustment per property to match the real risk not a one size fits all approach adopted in the PDP	Reduce overlay to high risk stability areas only by consultation

#	Chapter	Provision	Position	Reasons	Relief sought
8	CE – Coastal Environment	High, Very High coastal Natural Character areas CE-O2 CE-P2 CE-R2 CE-R4 CE-R7 CE-S2 SCHD 5	Oppose in part	<p>There is no provided evidence or supporting data to prove the merits of this overlay.</p> <p>This is aspirational at best and there are no benefits provided for the inclusion of this area in Eastbourne. This issue was rejected by the Community in the SNA debacle and the same community sentiment remains.</p> <p>The Boffa Miskell and NIWA assessment suggests the applicant areas are Moderate – not High or Very High.</p> <p>There is plenty of local good quality precedent that these areas can be developed and housing established that meets the intent of the Natural Character provisions.</p> <p>Eastbourne is not short of Council or Central Government Natural Character.</p> <p>The very small area outlined on the applicants (our) property is irrelevant and should simply be removed.</p> <p>The rules will prevent any subdivision or meaningful use of these areas – the one concession of a 50sqm structure is ridiculous and again there is no evidence provided to support this maximum</p>	Removal of the Natural Character area from the applicant property

#	Chapter	Provision	Position	Reasons	Relief sought
9			oppose in part	Alternative solution	Alternative solution HCC purchase the land in question where there is no dwelling or structures within the area as a means of preserving the Natural Character. As the new rules effectively mean there is no future subdivision and compensation should be paid for the loss of property rights.
10		High, Very High coastal Natural Character areas CE-O2 CE-P2 CE-R2 CE-R4 CE-R7 CE-S2 SCHED 5		Subdivision as a restricted discretionary activity impedes any future development opportunity and is not consistent with the Boffa Miskell/Niwa assessment.	Provide a revised rating to Moderate as outlined in the Boffa Miskell/ Niwa report and a consenting pathway that allows for exceptional development outcomes – many examples across the Hutt Valley hills already.
11		High, Very High coastal Natural Character areas CE -R3 CE- S1 SCHED 5		Removal of 50 sqm per year limit as this ignores the realities of life, and what may be required in an emergency situation. The 50 sqm per annum limit fails to address the removal of “live” vegetation that may be an imminent threat, and may be outside 3 m of an external wall or existing building but still be a life safety issue.	Maintain 50 sqm as a limit, and add in carve out where emergency and danger require the removal of more than 50 sqm and includes living indigenous vegetation. Where development requires the removal of vegetation, this vegetation is replaced elsewhere on the property and is confirmed by a Landscape Architect within any consent application.

#	Chapter	Provision	Position	Reasons	Relief sought
12	Transport	Highly Constrained Roads overlay – TR-P6 and TR-R4	Oppose in part	<p>The policy, rules and standards relating to the overlay are not clear.</p> <p>The intent appears to be to stop any future development or subdivision of properties or increase in traffic to properties who require access via these constrained roads?</p> <p>Restricts land use, development and economic growth within the Highly Constrained Roads Overlay.</p> <p>Most new activities in the overlay will require resource consent and there will be a cost to applicants in seeking resource consent approval.</p>	Removal of the overlay for Waitohu Rd York Bay – or for HCC to provide the engineering assessments on the condition of the road and why additional traffic is a major risk, traffic reports into crash history, what traffic mitigations have been considered by HCC.
13	Part 2 District Wide matters Historical and Cultural Values, Sites and Areas of Significance to Maori	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.	Amend language to confirm pathway for non permitted activities in respected to these bodies of water
14		SASM-P3	Neutral		<p>Could replace with:</p> <p>Acknowledge sites and areas listed as Category 1 in SCHED6 – Sites and Areas of Significance to Māori.</p>

#	Chapter	Provision	Position	Reasons	Relief sought
15		SASM-P4	Oppose		Replace with: Acknowledge sites and areas listed as Category 2 in SCHED6 – Sites and Areas of Significance to Māori .
16		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>	Enable tangata whenua to carry out tikanga Māori (including mahinga kai) within sites and areas of significance to Māori, provided that the activity is consistent with the property rights of the landowner on which the activity takes place.

#	Chapter	Provision	Position	Reasons	Relief sought
17		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.	Encourage landowners to: Engage with tangata whenua where subdivision , use, or development has the potential to adversely affect sites or areas of significance to Māori , and Work with tangata whenua to manage, maintain, preserve and protect sites and areas of significance to Māori, where doing so is practicable and proportionate in the circumstances.
18		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)	Alternative wording proposed - Add to each numbered paragraph one of the following: ... to the extent to which it is reasonable for the proposal to respond to or incorporate the outcomes of that consultation, or ... the extent to which it is reasonable to expect the proposal to reflect those values in private property, or. ... to the extent relevant to private property.
19		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 following change: Undertaking tikanga Māori within a public Site or Area of Significance to Māori , or private land with approval of the owner.

#	Chapter	Provision	Position	Reasons	Relief sought
20		SASM-R2	Neutral	<p>I support the accidental discovery protocol requirement for category 2.</p> <p>I am in favour of providing for protection of SASM in this manner – ensuring recovery - even on private land.</p>	<p>Please amend as this is all the protection that is needed. Get rid of all the additional rules about restricting new buildings/alterations/additions</p>
21		SASM-R4	Oppose	<p>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.</p> <p>I understand the application of these rules on category 1 significance, but application on category 2 goes beyond what most people think reasonable.</p> <p>There is no demonstrated need to restrict building/development in category 2 areas.</p>	<p>Separate Category 2 and replace all wording with:</p> <p>Activity Status: Permitted</p>

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