

To: Hon Gerry Brownlee  
Minister for Canterbury Earthquake  
Recovery



IN CONFIDENCE

**Port Hills White Zone - Indicative Timeline**

Date	31 January 2012	Priority	Medium
Report No	M/12/0213	File Reference	

**Action Sought**

Hon Gerry Brownlee <i>Minister for Canterbury Earthquake Recovery</i>	Indicate to officials if you would like further advice on an alternative zoning approach	Deadline Wednesday, 1 February 2012
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**Contact for Telephone Discussion (if required)**

Name	Position	Telephone	1st Contact
Diane Turner	General Manager – Strategy, Planning and Policy		
Angela Mellish	Senior Advisor – Strategy, Planning and Policy	Withheld under section 9(2)(a)	<input checked="" type="checkbox"/>

**Minister's office comments**

- Noted
- Seen
- Approved
- Needs change
- Withdrawn
- Not seen by Minister
- Overtaken by events
- Referred to

**Comments**

Released by the Minister for Canterbury Earthquake Recovery

# Port Hills White Zone - Indicative Timeline

## Purpose

1. This paper provides an indicative timeframe for Port Hills White Zone rezoning and suggests an alternative zoning approach for your consideration.

## Recommendations

2. It is recommended that you:

1. Note the indicative timeframe for rezoning the Port Hills White Zone attached to this report, where the Port Hills White Zone could be fully rezoned by the end of May, with decisions made progressively from early March (subject to the scientific and geotechnical information becoming available as expected);
2. Note an alternative faster approach to zoning decisions whereby land zoning is related to actual land damage sustained on properties and future risks such as from rockfall are addressed by the Council in its hazard management role;

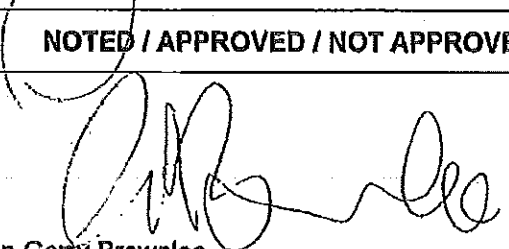
3. EITHER

3.1 Agree to proceeding with the zoning approach referred to in **YES/NO** Recommendation 1;

OR

3.2 Direct officials to provide further advice on the alternative zoning approach referred to in Recommendation 2; **YES/NO**

  
Diane Turner  
General Manager – Strategy, Planning  
& Policy

<b>NOTED / APPROVED / NOT APPROVED</b>

Hon Gerry Brownlee Minister for Canterbury Earthquake Recovery
Date:     /     / 2012

Attachment: Port Hills – Indicative Timeframe for Zoning Decisions

## Background

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3. 19 Jan 2012 we provided you with an update on progress for rezoning decisions in the Port Hills White Zone (CERA Report M/12/0195 refers). You have since requested an indicative timeframe for rezoning.

## Comment

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4. CERA is working to a rezoning timeframe for the Port Hills White Zone as indicated in the timeline attached to this briefing.
5. The timeline indicates the Port Hills White Zone could be fully rezoned by the end of May, with decisions made progressively from early March. The timing is largely determined by the scientific and geotechnical information needed becoming available.
6. Land zoning in this way aims to provide certainty and confidence to all property owners (including properties with significant land damage and those with Building Act s.124 notices attached due to life risk) – but it takes some time to gather the required scientific and geotechnical information to complete all zoning decisions.

## *An alternative rezoning approach*

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7. An alternative approach to Port Hills rezoning would be to relate the land zoning decisions to actual land damage sustained on properties (i.e. land on which residential properties are situated).
8. White Zone areas with area-wide land damage could be assessed against similar criteria to flat land zoning. This may mean:
  - 8.1 Where there are significant barriers to remediate the land on an area-wide basis a Red Zone (or something similar) is appropriate in some areas (e.g. cliff collapse) – *could be in the order of 100 properties.*
  - 8.2 Where the land is undamaged or expected to be repairable via the usual EQC/insurance process could be zoned Green – *could be in the order of 1300 -1600 properties.*
  - 8.3 People would be protected from life safety risk through Christchurch City Council's (CCC) application of Building Act s.124 notices until such time as the risk is mitigated or a more permanent avoidance approach is put in place – *could be in the order of 400-700 properties.* This could mean some property owners are permanently unable to reside their properties.
9. With this approach, rezoning decisions for all of the Port Hills White Zone could be achievable by early March. CERA would then work with CCC on an ongoing programme of recovery for the Port Hills, aimed initially at providing certainty and confidence to property owners with s.124 notices attached to their properties. This would likely include further consideration of a financial contribution for owners permanently unable to reside in their properties.

10. CERA support for CCC could include:

- 10.1 Providing the 3D modelling study by Geovert to support the Council's consideration of rockfall mitigation measures;
- 10.2 Engaging with the insurance sector on risk issues in the Port Hills (and central government involvement here is particularly appropriate given potential implications for ongoing provision of insurance cover nationwide).
- 10.3 Enabling recovery mechanisms via the Canterbury Earthquake Recovery Act and/or a Recovery Plan (if appropriate).
- 10.4 Fulfilling the Crown's responsibilities/obligations as landowner of some of the rockfall source areas. (Much of the rockfall source areas are owned and managed by the Department of Conservation and Christchurch City Council.)
- 10.5 Funding support from central government (via the cost-sharing process currently under consideration and led by Treasury).

11. An initial assessment of this alternative zoning approach is shown in the table below:

Benefits	Risks
<ul style="list-style-type: none"> <li>• Zoning decisions made faster</li> <li>• Provides certainty and confidence to property owners with significantly damaged properties and those without life-safety risks (at-risk properties indicated by the Council's application of s.124 notices)</li> <li>• Simplifies the processes for properties with CCC s.124 notices (CERA zoning is no longer an issue)</li> <li>• Removes the barrier for insurance claims settlements with properties no longer in the White Zone</li> <li>• Provides correct incentives for CCC on efficiently and effectively managing hazards</li> <li>• Avoids setting precedents for central government action on addressing local hazards ahead of the outcome of the RMA review</li> </ul>	<ul style="list-style-type: none"> <li>• Continued lack of certainty or confidence for property owners with s124 notices attached because of rock fall risk</li> <li>• Confusion about meaning of green zone when some very high risk areas may be identified by the Council as unsuitable for ongoing residential use</li> <li>• Future insurability of these areas is unclear (but could be considered as part of the ongoing recovery in the Port hills)</li> <li>• Council capacity to quickly and effectively resolve life risk issues and provide certainty to property owners</li> </ul>

12. The best approach to land zoning is a difficult judgement call and depends on relative weighting of priorities such as timeliness of decisions, certainty of outcome for many property owners versus all property owners, simplicity of process (and the ease of clear public communication), and incentives on the Council to efficiently and effectively manage natural hazards.
13. If you consider there may be merit in the alternative approach outlined above, officials will provide further advice about options for government intervention in this regard.

**Cliff collapse properties**

14. ERA previously advised that "EQC has advised that of its initial assessment for the 80 properties referred to above, 11 properties are a write-off and for a further 12 properties, the building may be a write-off but the land is repairable. For the remaining properties, it considers damage to the land and/or buildings can be repaired." (CERA Report M/12/0195 refers.)
15. CERA understands that EQC requires further information from Vonkin & Taylor before it can finalise its assessment of the 11 properties it considers are likely to be full write-offs. CERA is seeking further information from EQC to help understand the insurance payout situation for these property owners. The exact insurance outcome for these property owners is unlikely to be identified before a final zoning decision as the private insurers' assessments and the nature of each insurance policy for these properties are unknown.

Released by the Minister for Canterbury Earthquake Recovery



# Port Hills Rezoning - Indicative Timeframes

