

In Confidence

Office of the Minister for Canterbury Earthquake Recovery

Chair
Canterbury Earthquake Recovery Committee

PORT HILLS ZONING REVIEW FRAMEWORK

PROPOSAL

- 1 This paper proposes a framework for a review process for Port Hills zoning decisions and the establishment of a Zoning Review Advisory Group.

EXECUTIVE SUMMARY

- 2 Ministerial decisions, with Power to Act, have resulted in approximately 19,500 properties being zoned green where rebuilding can occur on an individual basis, and 406 properties being zoned red where there is an unacceptable life risk from rock roll or cliff collapse in the Port Hills.
- 3 A review process for zoning decisions was established and completed for properties on the flat land. Accordingly, there is a strong expectation in the Port Hills community that there will be a process for reviewing zoning decisions.
- 4 I seek your agreement that a zoning review be conducted for Port Hills properties in a manner consistent with the review undertaken on the flat whereby an advisory group will be established to make recommendations to me. The advisory group will be independently chaired by Dr Keith Turner. It will include a public policy and legal expert from the Canterbury Earthquake Recovery Authority (CERA) along with an independent geotechnical engineer who has had no involvement in previous zoning decisions. The Christchurch City Council will also have a representative on the advisory group.
- 5 The review applies to land that was at any stage zoned white in the Port Hills. It does not review the section 124 notices applied to properties by the Christchurch City Council under the Building Act, or any individual mitigation options. The advisory group will recommend zoning changes for any properties where it is found that the zoning of a property is inconsistent with the zoning criteria.
- 6 Decisions in regard to individual mitigation and section 124 notices are controlled by the Christchurch City Council as the consent authority, and all queries with regard to these scenarios will be directed to council.
- 7 Property owners will have until 26 October to apply to be part of the review, with the exception of Lucas Lane owners who have yet to have their zones confirmed. These property owners have until 16 November to apply for review.

Released by the Minister for Canterbury Earthquake Recovery

BACKGROUND

PREVIOUS ZONING DECISIONS IN THE PORT HILLS

- 8 On 11 July 2011, the Port Hills were zoned white whilst further assessments were undertaken following the 13 June 2011 earthquakes [CAB Min (11) 26/16 refers].
- 9 On 5 September 2011, approximately 9,700 properties were zoned green by Ministers with Power to Act [CAB Min (11) 26/16 refers]. Data from the Port Hills Geotechnical Group (PHGG) and the Earthquake Commission (EQC) were used to identify properties that had no significant land damage. It was noted that some properties may have a section 124 notice under the Building Act due to localised geotechnical hazards. On 14 October 2011, Banks Peninsula was zoned green as there was no evidence of area-wide land damage. This affected 5,423 properties.
- 10 On 17 November 2011, non-residential land was zoned green on the basis that normal insurance and consenting processes could be used to determine whether rebuild/repair would occur. It noted that a specific engineering assessment would be required. This affected 1,119 properties in the Port Hills [CAB Min (11) 41/10 refers].
- 11 On 20 December 2011, approximately 1,600 properties were zoned green where further geotechnical investigations had identified them as being outside the areas affected by rock roll, cliff collapse and land slippage [CAB Min (11) 44/14 refers].
- 12 Decisions to this point were made on the same basis as on the flat land, properties were zoned green where damage was able to be addressed on an individual basis. All areas where there were questions around elevated life risk due to rock roll, cliff collapse or land slip remained white. It was understood that CCC would focus on natural hazard management issues as part of their role under the Resource Management Act 1991.
- 13 Three studies on life-safety risks associated with rock roll and cliff collapse were undertaken by the Institute of Geological and Nuclear Sciences (GNS). Rockfall modelling, together with a "ground truthing" of the GNS model by the PHGG, and a 3D study by Geovert for CERA. These studies focussed on residential areas defined by PHGG where risk was likely elevated as a result of the earthquakes.
- 14 Results of these studies revealed that the scale of the life risk issues which had been exacerbated by the earthquakes was larger than first anticipated. Crown involvement was required to enable these issues to be resolved in a timely manner and provide certainty to property owners.
- 15 On 18 May 2012, 421 properties which had been identified in studies outlined in paragraph 13 as having a negligible level of life risk were zoned green.
- 16 On 29 June 2012 Joint Ministers approved further rezoning of properties in the Port Hills affected by rock roll, cliff collapse and land damage/ landslips. Of these, 285 properties were zoned red where there was either a life risk associated with cliff collapse, or where there was considered to be an unacceptable life risk due to rock roll (greater than 1 in 1,000 annual individual fatality risk at 2012 risk levels, according to the GNS modelling outlined in paragraph 13). 1107 properties were rezoned green.
- 17 On 17 August 2012, 121 properties were zoned red on the basis that they faced an unacceptable level of life risk associated with rock roll. This was determined as 1 in 10,000 as at 2016. 5 properties were zoned green on the basis that their level of life risk was acceptable.

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- 18 On 14 September 2012 a further 37 properties were zoned red on the basis that they faced an unacceptable level of life risk associated with rock roll. Eight properties on Lucas Lane that are at risk from a landslip remain white while further investigation is considered. A decision for these properties is expected by 31 October 2012.
 - 19 Properties on the Port Hills differ from those on the flat land, where the main issues facing residents are lateral spread and liquefaction. Some Port Hills properties face a life risk from rock roll, cliff collapse, land slippage, or a combination of these hazards.
 - 20 Based on the life safety risk reports outlined in paragraph 13, Joint Ministers with Power to Act agreed to the following criteria for properties at risk for cliff collapse or rock roll [CER Min (12) 5/2 refers].
 - 21 For properties affected by cliff collapse red zones have been declared where:
 - 20.1 There is potential for immediate cliff collapse, as assessed by GNS, caused or accentuated by the Canterbury earthquakes with associated risk to life at either the top or bottom of the cliff; and
 - 20.2 An engineering solution to remediate the land damage would;
 - 20.2.1 be uncertain in terms of detailed design, its success and its possible commencement;
 - 20.2.2 be disruptive for landowners as the commencement date is uncertain and the length of time they would need to be out of their homes to allow remediation to occur and new homes built;
 - 20.2.3 not be timely: for example there is also substantial replacement of infrastructure required and/or the work required would probably lead to significant social dislocation for those communities in the short-to-medium term;
 - 20.2.4 not be cost effective: the cost of remediation is greater than the value of the property; and
 - 20.3 The health and wellbeing of residents is at risk from remaining in the area for prolonged periods.
 - 22 For properties affected by rock roll, red zones have been declared where:
 - 21.1 Where annual individual fatality risk associated with residential dwellings in the area is higher than 1 in 10,000 at 2016 risk levels as per the GNS modelling, subject to expert advice in very particular circumstances¹; and
 - 21.2 An engineering solution to mitigate the life risk is judged not to be desirable, as it would (amongst other factors);
 - 21.2.1 be uncertain in terms of detailed design, its success and its possible commencement; and/or
 - 21.2.2 be disruptive for landowners as the commencement date is uncertain and the length of time they would need to be out of their homes to allow mitigation to occur; and/or

¹ This is an exceptional circumstances clause and needs the agreement of both CERA and the Christchurch City Council.

21.2.3 not be timely: for example the work required would probably lead to social dislocation for those communities in the short-to-medium term; and/or

21.2.4 not be cost effective, especially where the cost of mitigation is greater than the value of the properties; and

21.3 The health and wellbeing of residents is at risk from remaining in the area for prolonged periods.

REQUESTS FOR ZONING REVIEWS

23 There is a strong expectation in the Port Hills community that there will be a process for reviewing zoning decisions, as there was for the flat land.

24 Residents have been advised at community meetings there is likely to be a zoning review process. A number of people have already indicated to officials that they wish to apply. There are likely to be property owners who are delaying making decisions on their red zone offer until they have the opportunity to apply for a review of their zoning.

25 There is a strong case for any decision to change the zoning decisions to be made as soon as possible. Property owners may have acted in reliance of the current zoning, and will continue to do so. The sooner the zoning review process is completed, the less chance there is owners will suffer financial losses because of decisions made with regards to the current zoning.

PORT HILLS ZONING REVIEW

26 I recommend that so as to clarify expectations as soon as possible, a decision be made on scope, criteria and timeframes for the review process, and that these parameters be publicly announced. Subject to your agreement, I intend to instruct officials to conduct a review process for Port Hills properties. This will cover all Port Hills properties which have ever been zoned white.

PORT HILLS ZONING REVIEW ADVISORY GROUP

27 The review will be conducted in a manner consistent with the review undertaken on the flat whereby an advisory group will be established [CER Min 12 (3/2) refers]. I propose the advisory group will comprise two senior CERA officials with expertise in public policy and law [redacted], a geotechnical engineering expert (that has not been involved in decisions to date) and an independent chairperson.

Withheld under section 9(2)(a)

28 The independent chairperson of the advisory group will have experience with both regulatory decisions and ensuring good governance in public decision making, for example an ex-chief executive of a relevant Government agency. Dr Keith Turner, who undertook this role for the flat land review process has been approached to undertake this role.

29 Due to the contribution that CCC has made to the zoning process in the Port Hills, a senior representative from CCC will also be appointed to the advisory group. This representative will be either second tier management or above.

30

Withheld under section 9(2)(g)(i)

Withheld under section 9(2)(g)(i)

31

32 The advisory group will operate under the Canterbury Earthquake Recovery Act 2011.

SCOPE OF THE REVIEW

33 The objective of the advisory group is to complete a sound and impartial review of zoning decisions for:

- Properties whose owners have requested a review; and
- Properties identified by officials as being anomalously zoned.

34 The review does not include a review of section 124 notices applied to properties by the CCC under the Building Act, or any mitigation options.

35 While Lucas Lane properties at risk of land slip are yet to be rezoned, the review criteria should encompass these properties. I consider that this review should cover all Port Hills zoning decisions.

CRITERIA

36 I seek confirmation of the following criteria to be used for zoning decisions in the Port Hills which incorporate criteria previously agreed by Joint Ministers and encompassing land slip properties. These will form the basis for the zoning review advisory group.

37 Outside of the residential areas identified by the Port Hills Geotechnical Group (PHGG) as at elevated risk (as referred to above, properties have been zoned green where land damage and any unacceptable life risk could be addressed on an individual basis.

38 For properties within the areas identified by the PHGG as elevated risk areas, red zones have been declared where:

38.1 Annual individual fatality risk associated with residential dwellings in the area is higher than 1 in 10,000 at 2016 risk levels as per the GNS modelling, subject to expert advice in very particular circumstances²; or

38.2 There is potential for immediate cliff collapse or land slip, as assessed by GNS, caused or accentuated by the Canterbury earthquakes with associated risk to life; and

38.3 An engineering solution to mitigate the life risk is judged not to be desirable, as it would (amongst other factors);

² This is an exceptional circumstances clause and needs the agreement of both CERA and the Christchurch City Council.

- 38.3.1 be uncertain in terms of detailed design, its success and its possible commencement; and/or
 - 38.3.2 be disruptive for landowners as the commencement date is uncertain and the length of time they would need to be out of their homes to allow mitigation to occur; and/or
 - 38.3.3 not be timely: for example the work required would probably lead to social dislocation for those communities in the short-to-medium term; and/or
 - 38.3.4 not be cost effective, especially where the cost of mitigation is greater than the value of the properties; and
- 38.4 The health and wellbeing of residents is at risk from remaining in the area for prolonged periods; and
- 39 For properties within the areas identified by the PHGG as elevated risk areas, green zones have been declared where land damage and any life risk could be addressed on an individual basis and any life risk was less than 1 in 10,000 at 2016 risk levels as per the GNS modelling.
- 40 The advisory group will recommend zoning changes for any properties where it is found that:
- The zoning of a property is inconsistent with the criteria outlined above; or
 - The boundary lines have not been drawn sensibly leaving a property or a small group of properties isolated; or
 - The green zoning of an individual property, or a small number of properties, would result in clearly not viable infrastructure servicing costs. (This would typically be because such properties are serviced by infrastructure wholly or partly in a red zone, or the main purpose of the infrastructure is to service properties in a red zone.)

PROCESS

- 41 Property owners who wish to apply for a review would have until 19 October 2012 to request a review of their property. The 8 Lucas Lane property owners will not be zoned until late October 2012 therefore they would have until 16 November 2012 to apply.
- 42 I will report back to the Canterbury Earthquake Recovery Committee by 10 December 2012 with the review findings and make recommendations for any rezoning of individual properties.

OTHER CONSIDERATIONS

MITIGATION PROPOSALS

- 43 In the case of rock roll properties officials examined a variety of possible large scale mitigation options. A number of property owners have expressed interest in proceeding further with exploring smaller scale mitigation options. Property owners have a right to explore these options.
- 44 Under existing legislation, if a land owner makes an application for a building consent for a protection structure, CCC, as regulator, must consider the application. If they deem it appropriate (approved design, engineering signoff, the structure is on the owner's land), then they are likely to approve the construction on it, and to lift any section 124 notices. As such, a process in regards to mitigation structures can be argued to exist already. The Crown's

involvement would be supporting CCC by assisting the development of this process. This would help ensure that it happens in a timely manner, so not to impinge on a property owners ability to accept the red zone offer.

- 45 The key question with regards to properties where mitigation is a possibility is whether CCC will agree to remove section 124 notices from said property if mitigation works are undertaken. This is a judgement that CCC must make.
- 46 I do not intend recommendations for rezoning due to mitigation to come through the advisory group. I may however seek Cabinet's agreement to zoning changes at a later date as a result of the CCC decision making process, on the basis that mitigation is in place that sufficiently reduces the life risk to within an acceptable level.

LARGE MIXED USE PROPERTIES

- 47 In some situations in the Port Hills, there is a horticultural undertaking on the same land as a residential dwelling. Some property owners have indicated that they wish to continue to operate the horticultural operation even though ongoing occupation of the residential dwelling is not considered appropriate. CCC has indicated they are continuing to permit horticultural operations in areas which are deemed to be at a high risk for residential purposes.
- 48 It is intended that this be dealt with in the offer process for the property in question rather than through the review.
- 49 I am confident with the overall concept, but the details of individual properties will need to be worked out on a case by case basis. I will instruct my officials to investigate a process for the subdivision of properties so that these property owners can access a red zone offer for the residential improved portion.
- 50 I seek Cabinet's authorisation for the Minister of Finance and the Minister for Canterbury Earthquake Recovery to have joint power to act for decisions on the process and transaction design for such subdivisions to occur and red zone offers to be made in the situation referred to above.

RELOCATION OF DWELLINGS ON PROPERTIES

- 51 It is possible that in some cases, where a property owner has a large section of land, the dwelling could be moved to another part of the property where the life risk is at an acceptable level. The length of time it would take to consider and arrange this suggests that this will not be easy to consider as part of a review process.
- 52 This has similarities to mitigation in that consent is required, and CCC will need to re-evaluate any s124 notices. It is intended that consideration of rezoning these properties would occur as part of the analysis mentioned above.

CONSULTATION

- 53 The Treasury, the Ministry of Business, Innovation and Employment (Building and Housing), the State Services Commission and the Christchurch City Council were consulted on this paper. The Department of the Prime Minister and Cabinet was informed.

FINANCIAL IMPLICATIONS

- 54 This paper seeks Cabinet's agreement to a reassessment process which may result in recommendations for rezoning a small number of properties. This paper does not directly commit the government to any rezoning decisions at this stage.
- 55 A subsequent Cabinet paper will be lodged to seek agreement to any further red zoning and the cost implications outlined with it. The number of properties involved is likely to be small and the cost will be covered by the Canterbury Earthquake Recovery Fund.

HUMAN RIGHTS IMPLICATIONS

- 56 The proposals in this paper are not inconsistent with the New Zealand Bill of Rights Act 1990, or the Human Rights Act 1993.

LEGISLATIVE IMPLICATIONS

- 57 There are no legislative implications arising from this paper.

REGULATORY IMPACT AND COMPLIANCE COST STATEMENT

- 58 A regulatory impact statement is not required at this time as there are no regulatory changes.

GENDER IMPLICATIONS

- 59 There are no gender implications associated with the proposals in this paper.

DISABILITY PERSPECTIVE

- 60 There are no disability implications associated with the proposals in this paper.

PUBLICITY

- 61 If you agree to the recommendations in this paper, I propose to make a public announcement about the criteria for the zoning review. Officials will develop a communications plan to clearly publicise the scope of the review process and the zoning criteria agreed by Cabinet that are used consistently throughout all zoning decisions.
- 62 Officials will also prepare a letter to be sent to all property owners who have already requested or subsequently request a review. The letter will explain the process and criteria to be used in the review. It will request that they advise CERA if they no longer wish to have their zoning reviewed and give them an opportunity to provide any additional written material to support their request for review.
- 63 Once this review has been completed, officials will draft responses to those who have requested reviews to outline the criteria used for zoning to advise that their zoning has been reviewed and whether or not there are grounds for the zoning of their property to be changed.
- 64 Officials will develop a communication plan for the owners of any properties that have not requested a review but have been identified as being impractical or not cost effective to remain zoned as they are currently and require rezoning.

RECOMMENDATIONS

65 It is recommended that the Committee:

BACKGROUND

- 1 **Note** that on 11 July 2011, the Port Hills was zoned white whilst further assessments were undertaken [CAB Min (11) 26/16];
- 2 **Note** that by 20 December 2011, approximately 18,000 properties in the Port Hills area had been rezoned green by Joint Ministers with Power to Act [CAB Min (11) 26/16, CAB Min (11) 41/10, CAB Min (11) 44/14 refer].
- 3 **Note** that Joint Ministers decisions referred in recommendation 2 were made:
 - 3.1 Were made on the same basis as on the flat land, properties were zoned green where damage was able to be addressed on an individual basis;
 - 3.2 Left some areas in the Port Hills zoned white where there were questions around elevated life risk due to rock roll, cliff collapse or land slip remained white as it was understood that the Christchurch City Council (CCC) would focus on natural hazard management issues as part of their role under the Resource Management Act 1991.
- 4 **Note** that three studies on life-safety risks associated with rock roll and cliff collapse were undertaken by the Institute of Geological and Nuclear Sciences (GNS) relating to:
 - 4.1 Rockfall modelling, together with a "ground truthing" of the GNS model by the Port Hills Geotechnical Group,
 - 4.2 a 3D study by Geovert for CERA.
- 5 **Note** that the results of these studies revealed that the scale of the life risk issues which had been exacerbated by the earthquakes was larger than first anticipated which meant that the government's involvement was required to enable these issues to be resolved in a timely manner and provide certainty to property owners.
- 6 **Note** that on 18 May 2012, Joint Ministers with Power to Act zoned green 421 properties which had been identified in studies outlined in recommendation 4 as having a negligible level of life risk;
- 7 **Note** that on 29 June 2012 Joint Ministers with Power to Act approved further rezoning of 406 properties in the Port Hills affected by rock roll, cliff collapse and land damage/ landslips including:
 - 7.1 285 properties were zoned red where there was either a life risk associated with cliff collapse, or where there was considered to be an unacceptable life risk due to rock roll (greater than 1 in 1,000 annual individual fatality risk at 2012 risk levels, according to the GNS modelling outlined in recommendation 4).
 - 7.2 1107 properties were zoned green.
- 8 **Note** on 17 August 2012, Joint Ministers with Power to Act rezoned a further 121 properties red on the basis that they faced an unacceptable level of life risk

associated with rock roll, with 5 properties were zoned green on the basis that their level of life risk was acceptable.

- 9 **Note** on 14 September 2012, Joint Ministers with Power to Act rezoned a further 37 properties red on the basis that they faced an unacceptable level of life risk associated with rock roll.
- 10 **Note** that this leaves eight properties in Lucas Lane that are at risk from a landslip remain white zoned while further investigation is considered with a decision expected by 31 October 2012.
- 11 **Note** that Joint Ministers with Power to Act agreed that for properties affected by cliff collapse, red zones have been declared where:
 - 11.1 There is potential for immediate cliff collapse, as assessed by GNS, caused or accentuated by the Canterbury earthquakes with associated risk to life at either the top or bottom of the cliff; and
 - 11.2 An engineering solution to remediate the land damage would; and
 - 11.2.1 be uncertain in terms of detailed design, its success and its possible commencement;
 - 11.2.2 be disruptive for landowners as the commencement date is uncertain and the length of time they would need to be out of their homes to allow remediation to occur and new homes built;
 - 11.2.3 not be timely: for example there is also substantial replacement of infrastructure required and/or the work required would probably lead to significant social dislocation for those communities in the short-to-medium term;
 - 11.2.4 not be cost effective: the cost of remediation is greater than the value of the property; and
 - 11.3 The health and wellbeing of residents is at risk from remaining in the area for prolonged periods;
- 12 **Note** that Joint Ministers agreed that for properties affected by rock roll, red zones have been declared where:
 - 12.1 Where annual individual fatality risk associated with residential dwellings in the area is higher than 1 in 10,000 at 2016 risk levels as per the GNS modelling, subject to expert advice in very particular circumstances³; and
 - 12.2 An engineering solution to mitigate the life risk is judged not to be desirable, as it would (amongst other factors);
 - 12.2.1 be uncertain in terms of detailed design, its success and its possible commencement; and/or

³ This is an exceptional circumstances clause and needs the agreement of both CERA and the Christchurch City Council.

- 12.2.2 be disruptive for landowners as the commencement date is uncertain and the length of time they would need to be out of their homes to allow mitigation to occur; and/or
- 12.2.3 not be timely: for example the work required would probably lead to social dislocation for those communities in the short-to-medium term; and/or
- 12.2.4 not be cost effective, especially where the cost of mitigation is greater than the value of the properties; and

12.3 The health and wellbeing of residents is at risk from remaining in the area for prolonged periods;

REVIEW OF ZONING

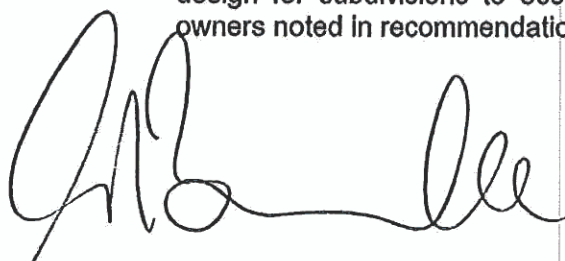
- 13 **Note** that there is a strong expectation in the Port Hills community that there will be a process for reviewing zoning decisions;
- 14 **Agree** that an advisory group that completes a review of zoning decisions be set-up comprising an independent chairperson, two senior Canterbury Earthquake Recovery Authority (CERA) officials with expertise in public policy along with an Independent geotechnical engineer who has had no involvement in previous zoning decisions and a senior representative from the Christchurch City Council.
- 15 **Authorise** the Minister for Canterbury Earthquake Recovery to appoint the independent chairperson referred to in recommendation 14.
- 16 **Authorise** the Minister for Canterbury Earthquake Recovery to approve the fees for the independent chairperson up to a maximum of \$1400 (excluding GST) per day, in line with the fees paid to the independent chairperson for the flat land zoning review and approve the reasonable market fee for the independent geotechnical expert.
- 17 **Confirm** the following criteria used for zoning decisions in the Port Hills which will form the basis for the advisory group to review zoning:
 - 17.1 Outside of the areas identified by the Port Hills Geotechnical Group (PHGG) as high risk, properties have been zoned green where land damage and any life risk could be addressed on an individual basis.
 - 17.2 In the areas identified by the PHGG as high risk, red zones have been declared where:
 - 17.2.1 Annual individual fatality risk associated with residential dwellings in the area is higher than 1 in 10,000 at 2016 risk levels as per the GNS modelling, subject to expert advice in very particular circumstances⁴; or
 - 17.2.2 There is potential for immediate cliff collapse or land slip, as assessed by GNS, caused or accentuated by the Canterbury earthquakes with associated risk to life; and

⁴ This is an exceptional circumstances clause and needs the agreement of both CERA and the Christchurch City Council.

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- 17.2.3 An engineering solution to mitigate the life risk is judged not to be desirable, as it would (amongst other factors);
- 17.2.3.1 be uncertain in terms of detailed design, its success and its possible commencement; and/or
- 17.2.3.2 be disruptive for landowners as the commencement date is uncertain and the length of time they would need to be out of their homes to allow mitigation to occur; and/or
- 17.2.3.3 not be timely: for example the work required would probably lead to social dislocation for those communities in the short-to-medium term; and/or
- 17.2.3.4 not be cost effective, especially where the cost of mitigation is greater than the value of the properties; and
- 17.2.4 The health and wellbeing of residents is at risk from remaining in the area for prolonged periods.
- 17.3 In the areas identified by the PHGG as high risk, green zones have been declared where land damage and any life risk could be addressed on an individual basis and any life risk was less than 1 in 10,000 at 2016 risk levels as per the GNS modelling.
- 18 **Agree** that the advisory group will make recommendations for zoning changes for any properties where it is found that:
- the zoning of a property is inconsistent with the criteria confirmed in recommendation 17; and/or
 - the boundary lines have not been drawn sensibly; and/or
 - the green zoning of an individual property, or a small number of properties, would result in clearly not viable infrastructure servicing costs. (This would typically be because such properties are serviced by infrastructure wholly or partly in a red zone, or the main purpose of the infrastructure is to service properties in a red zone.)
- 19 **Note** that property owners will have until 26 October 2012 to apply for a review of their zoning;
- 20 **Note** that 8 properties in Lucas Lane remain white zoned, with decisions expected by the end of October 2012;
- 21 **Note** that property owners of the 8 white zone properties in Lucas Lane will have until 16 November 2012 to apply for a review of their zoning;
- 22 **Note** that the review panel will report the findings of the review to the Minister for Canterbury Earthquake Recovery who will recommend any changes to zoning to the Cabinet Committee for Canterbury Earthquake Recovery by 10 December 2012;

ALTERNATIVE OPTIONS

- 23 **Note** that a number of property owners have expressed interest in proceeding further with exploring small scale mitigation options for their properties;
- 24 **Note** that Christchurch City Council is required to consider any consent application that they may receive for mitigation works;
- 25 **Note** that I have instructed CERA officials to work with the Christchurch City Council and any other relevant agencies to develop a policy framework to give property owners an opportunity to have mitigation options considered before their red zone offer expires;
- 26 **Agree** that the advisory group will not consider any zoning implications as a result of Christchurch City Council's decisions on mitigation proposals referred to above.
- 27 **Note** that I may seek Cabinet's agreement to zoning changes as a result of Christchurch City Council's decisions on mitigation proposals at a later date.
- 28 **Note** that I have instructed officials to investigate a process for subdivision so a small number of owners who have large mixed use properties can access a red zone offer for the residential portion of their property.
- 29 **Authorise** the Minister of Finance and the Minister for Canterbury Earthquake Recovery to have joint power to act for decisions on the process and transaction design for subdivisions to occur and red zone offers to be made to the property owners noted in recommendation 28.



Hon Gerry Brownlee
Minister for Canterbury Earthquake Recovery

24, 09 2012

