

Media Release

Port Hills announcement delay frustrating but necessary

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The chief executive of the Canterbury Earthquake Recovery Authority Roger Sutton, says the delay in announcing the outcome of the Port Hills zoning review is frustrating but necessary.

The delay comes after the decision from the High Court last week in the Quake Outcasts judicial review. Justice Panckhurst determined that the red zoning process should have been carried out in a different way, and therefore was not lawful.

This is the key reason for needing to delay the Port Hills announcement, as the Crown needs to be certain that the decisions it makes and processes it uses are lawful.

Justice Panckhurst also found the Crown's decision to offer some property owners 50 per cent of their rateable land value was unfair.

Mr Sutton says the Crown stands by its red zoning decisions and is appealing the judgement to seek clarification as quickly as possible. The Court of Appeal has set a date to hear the case next month.

"We know from the judgment that Justice Panckhurst was mindful that more than 98% of flat land property owners who have had an offer have already accepted it. So while he says the process is unlawful, he also seems to say it's too far along now to change," Mr Sutton says.

"We had, however, identified some changes for some Port Hills properties through the review of life risk lines and we had intended to announce zoning changes last week. But if we were to follow through with that now it would go against what Justice Panckhurst has indicated. And we certainly respect the Judge's decision so cannot carry out something he has said is unlawful."

Mr Sutton says he understands the frustrations this delay has caused the Port Hills' property owners. But unless the High Court judgment about the legality of the red zoning process is overturned, it would be wrong to proceed.

"The Court of Appeal may help us understand how we can tell people the zoning review outcomes and, as we have an urgent hearing booked, we will get to that point as quickly as possible. I am also seeking further advice on whether there is any way that a lawful announcement can be made earlier."

Mr Sutton says it is important that people are aware of, and can access, the support and assistance available within their local community and through a range of agencies.

The Earthquake Support Co-ordination service is in regular contact with those property owners they are already working with, and is available to discuss what additional support is necessary.

People in need can also access help through the Canterbury Support Line on 0800 777 846 or Relationships Aotearoa's Christchurch office on 03 7419201.

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“I am acutely aware that this has already been a frustrating, long process. I also know that there are many people who have benefited from some kind of professional support,” Mr Sutton says.

“It’s really important that those in need can make contact with an agency or someone in their community that can help.”