

Notes from the meeting of the Piha, Karekare and Anawhata Stickered Residents Group - Sunday 6 August 2023

- Attendees included:
 - Affected residents (red/yellow and some white stickered from Karekare, Piha, Anawhata and the wider Waitakere ranges (including Muriwai and Titirangi areas)
 - Matt Tucker (Group Recovery Manager Auckland Council)
 - Ross Roberts (Head of Engineering Resilience Auckland Council)
 - Linda Greenlough (Group Community and Social Recovery Lead Auckland Council)
 - Simon Fraser (Community Liaison Lead for Piha and Karekare Auckland Council)
 - Nick Vigar – Head of Planning Healthy Waters Auckland Council)
 - Deborah Russell – MP for New Lynn, EQC Minister
 - Penny Hulse (Chair of Auckland Advisory Group to Minister for Auckland, Carmel Sepuloni)
 - Shane Henderson (Waitakere Ward Councillor Auckland Council)
 - Linda Potauaine (Waitakere Ranges Local Board)
 - Paulo Garcia (National Candidate for New Lynn Electorate)

DISCUSSION AROUND THE CATEGORISATION PROCESS

MATT TUCKER -Group Recovery Manager Auckland Council

There are approximately 7,000 – 10,000 affected homes in Auckland.

Council are working with insurers to figure out which need is first.

The scale and complexity hasn't previously been seen requiring multiple agencies needing to co-ordinate to get results.

Council are moving as quickly as possible although it may not feel like it.

Council est approx. 5,000 homes need to be individually assessed in Auckland to look at the future risk as everyone has been impacted differently by the event.

In Hawkes Bay (for example) they are able to assess a large number of properties as a 'whole' as their problems and the solutions to repair are not so complex – i.e. stopbank failed, repair the stopbank, homes repaired and communities can rebuild.

Landslips are more complex.

Trying to firstly identify those properties in Cat 3 then 2C & 2P.

The categorisation process is brand new, therefore the details are still being worked out.

Risk thresholds and policy are still ongoing between local and central Govt.

There isn't an existing plan that can be rolled out.

Negotiations continue with the Crown to figure out the funding for the cost share arrangements for the Cat 3 buyouts plus funding the interventions needed for 2P & 2C.

It is likely that public consultation will be needed on the funding of the buyouts. The size of the budget commitment will probably trigger the need to consult with Ratepayers to agree.

Details of how the process will work in practice are still being worked through – includes how buyouts, valuations, negotiations of offers, financial contributions for remediations, process for disputes or further investigation. Once this is clear, the community will be informed.

It is possible we will know the category before the details of the processes are complete but not wanting work to slow down on the categorisation so we know asap which category we will land in.

The risk categorisation policy that has already been announced should not be affected by the election and/or any change in Govt.

Once Geotech study is completed for Piha/Karekare (estimated to be the end of September) Council will look to move with categorisations as soon as possible – hopefully within 2-3 weeks (est end of Oct) ensuring property owners are at the centre of this. This is going to be measured in months (not weeks). The buyout process is vexing and will take time.

A FAQ's and factsheet are being prepared for affected property owners.

ROSS ROBERTS -Head of Engineering Resilience Auckland Council

Emphasised difference between placard process and categorisation process – they are separate but there are links.

Key difference is: the placard process is short term risk (ie within the next year). Categorisation process is long term risk (ie risk over a century).

The process for both is the same to look at the risk in the short term and the long term.

Even though the categorisation process isn't fully defined, risk is going to be one of the fundamental inputs.

How to define what is 'unacceptable risk'.

Working with other councils to make sure consistent.

Using international best practice (Aust Guidelines).

Category 2 and Category 3 are broadly the same in terms of having an unacceptable risk.

The difference being Category 2 can be mitigated in an **affordable** or cost effective manner / Cat 3 cannot be mitigated in a cost effective manner.

'Cost effective' has not yet been defined.

This needs further work between local and central Govt.

If land can be reinstated at a reasonable cost, likely to be Category 2.

If cost is too high, likely to be Category 3.

NB: This hasn't been formally agreed and what Ross was telling us was only his opinion (he's confident it's correct) but it needs to have endorsement from the governing body and central Govt.

Risk Categorisation Process:

The input required to assess risk categorisation process is made up of technical assessments (Geotech & flood modelling), placard data and info submitted by property owners.

High risk properties will include hydrology and stormwater factors if applicable.
Detailed onsite risk assessment.

Confirmation of Category 3 Properties:

Property owners will receive technical details which have informed the categorisation.

If further info is required to finalise category, it is undecided who pays for this – Council or property owner? i.e. If Council thinks risk is high enough to warrant the investigation, they will pay but if they don't think so and owner wants it, then owner will need to pay.

GHD work is ongoing.

First pass is to map the landslides – correlate those landslides with features of the land. Geology, topography, vegetation, land use, direction slope facing, where water is – all the factors that influence the stability of the slope use it to assess the risk in the future. (short and long). On track for reports in late Sept.

Question about the need for deep ground investigation:

not scheduled for Piha/Karekare because it wouldn't add significant value to the broad scale landslide risk assessment – it would only slow down the process and extend timelines. If there was a change to the landslide risk this may be considered in the future.

Rockfall – risk from rockfall is small. The landslides are the risk in Piha/KK.

Wanting to treat people equally and fairly when it comes to the categorisation process.

No answer yet on what happens if part of a section is safe and other parts are not. Reasonable to say you should be able rebuild on the safe portion – will come down to individual negotiation .

What happens if property owner doesn't want to accept the buyout offer:

lit is a voluntary process. Sounds simple but there are consequences, might not get insurance, perhaps all your neighbours have left so no road, drainage etc maintenance by Council?

What happens to the properties post buyout:

Hasn't been decided yet. Assume it becomes council land or council reserve but details are still being worked through. May be able to work with property owner for salvageable parts.

Will council commit to not developing the land again

Will not develop if it's not safe, but risk and mitigation can change over time. What is safe can change over time due to technology/events etc.

SEA's and resource consent for Category 2:

Resource consent (and working around an SEA) needs to be possible to be Category 2. Cat 2 is very much about what is economically possible or affordable. If not economically possible because the consenting process is too challenging then that is something that will be part of figuring out Cat 2 vs Cat 3. The cost of doing works includes costs of design, consenting, building, maintaining.

Catchfences - can work in some cases but are expensive to maintain and require regular maintenance. Need to make sure you consider the ongoing liability and to make sure they are maintained otherwise the risk isn't diminished.

There are many places they wouldn't work so would only be appropriate in very specific circumstances.

LIM's – Reflect knowledge Council has about hazards relating to the land.

Under the legislation, if Council are aware of something to do with a property, they have to put it on the LIM. If work is undertaken to remedy the problem, then that will also be added to the LIM.

If you decide to sell the land before work is completed, the Cat 2 work necessary to repair will transfer with the sale (this is the same model as was used in Christchurch).

People may decide to sell house 'as is' as they can't afford to do the repairs.

2C/2P – 2C is community level intervention – doesn't necessarily mean it's done by council.

2P is private level intervention - doesn't necessarily mean it's done by the private land owner.

What the funding split and who pays for these things hasn't been defined.

It's still part of the local/central govt negotiation process.

Minister Robertson has said that Central Govt will contribute to 2P.

Can you move back into your home during 2P/2C remediation:

Depends on the risk. The placard is about the short term risk – quite likely some properties will have an acceptable short term risk but an unacceptable long term risk.

Short term risk is always lower than long term risk, so it is likely that with Cat2 properties the risk is small enough that you can mitigate it.

Good chance that if in Cat2 the short term risk is low enough that you will have placard removed and can move back in to homes whilst being repaired. Case by case.

If adjacent neighbour is council – rules are the same as with a private neighbour about getting agreement that you can do work on their land. AT – similar process.

Council trying to get AT to be more responsive. Especially with regards to roadways and looking to waive repair costs.

Timelines to placard being removed:

Placard not related to the categorisation process.

As soon as Council have valid info on risk being different to what was first assessed the placard can be changed. ie as soon as GHD report is finalised.

Brown/Purple colours regarding categorisation.

NOT a map of risk or hazard – it doesn't go on LIMs – purely who Council are dealing with first and second.

Brown – risk is uncertain so need full GHD report to assess. Too complicated and too much uncertainty to categorise without this further info.

Purple – properties that are further away from the uncertain zones, there is more info already available on these properties so hoping to assess earlier than GHD report.

It's just about RBA placards – nothing to do with categorisation.

GHD report:

Property owners will get a copy of the report

Intent is to get a draft to affected home owners before it gets finalised so we get a chance to see it, understand it, feedback if we see anything wrong with it and understand it before it becomes a public document.

Will be public as it is being paid for by the public.

Will get the report out to us in parallel with meetings with the affected residents, where they can take questions on it, talk us through the findings and explain some of the details.

Process being designed where we can dispute decision.

LINDA GREENLAGH - Group Community and Social Recovery Lead Auckland Council

Offering support to navigate finding out our category:

Working alongside communities to figure out the best way to communicate this information and put in place a bespoke process which is based on what we want.

Assumptions are simply sending us a letter advising our category is NOT the appropriate way to do it.

Interested in what we want? Phone call, email, drop in clinics with experts on hand?

Help & wellbeing assistance available. Email recoverywellbeing@aucklandcouncil.govt.nz

Comments from meeting attendees:

Residents would like to find out category before being made public.

Geotech report will have lots of words we won't understand so we feel the need to have experts available for consultation who can understand and explain to us.

SIMON FRASER- Community Liaison Lead for Piha and Karekare Auckland Council

Resource consent:

Setting up a streamline process for flood and cyclone damage.

There will be a fast track process.

Application to be flagged if it is flood or land damage repair.

Will be prioritised.

At this stage no agreed relief to cost.

Consents will still have to comply with regulatory planning rules including SEA's.

Looking into options for disposing of rubbish and debris.

No local sites currently consented and available for this.

Very aware of the transport costs to property owners of this.

Cross lease sections and risk categorisation:

will depend on the risk impacts to the properties in question. ie. is the risk the same or different.

Future debris flow and instability will be the responsibility of the property owner if it is causing issues.

Unsure what role EQC and insurance will play in the final buyout/remediation settlements.

NB: Hawkes Bay Councils are contributing to the net cost (ie agreed buyout value less any insurance proceeds received).

This wasn't the case in Chch.

They got 2 bites of the pie.

Still working with AT trying to get info on the road repairs.

Upper Nihotupu track to reopen Friday.

Timeline to accept buyout offers:

is being determined but there was one for Christchurch, but it was a fairly lengthy timeline.

Insurance:

Existing customers should continue to be covered but uncertain how that will play out in the future re risk.

Premiums will increase (across the whole of NZ).

Mortgages and banking – questions will be passed to the appropriate people to see how they can help.

A 'Simon' is being actively recruited for Titirangi/Green Bay.

DEBORAH RUSSELL -MP for New Lynn, EQC Minister

Brightline test:

Taxation under a forced sale due to buy out.

Measure in place to make sure we are not penalised if we fall into this category.

Measure hasn't gone through legislation yet, will be through before March 2024 and will apply retrospectively.

Comments from meeting attendees:

This process Council and Government are developing is a one off... and it will take an extended period of time. Affected residents have to wait longer after this event as this process is developed for use in future events.

Accommodation assistance that's being provided is a really important issue and although affected residents are grateful, it's not effective in its current form.

The way it is 'mean tested' doesn't account for our unique circumstances. People are using up retirement savings to live during this process. **It needs to be less means tested to help.**

Questions have been forwarded to Grant Robertson, Deborah Russell and Carmel Sepuloni and awaiting answers.

Minister Sepuloni has committed to reviewing this and some of the rules around eligibility. ie having a tenancy agreement – many of us don't have them as we are bouncing from home to home.

APPENDIX:

1. IINTRODUCTIONS

PENNY HULSE

- Penny is Chair of Auckland Advisory Group to Minister for Auckland, Carmel Sepuloni, on the Recovery. The issues we are facing and our recovery has been acknowledged as huge. Her role is to listen and connect, take feedback to the Minister and to provide support to Residents to form a clear network to have 'seats at the table' for decision making and policy.

SIMON FRASER

- Simon is the information conduit for Piha and Karekare to Auckland Council.
simon.fraser@aucklandcouncil.govt.nz

MATT TUCKER

- Civil Engineer / 5 years consulting after the CHCH earthquake – ½ with housing recovery and ½ with infrastructure recovery

ROSS ROBERTS

- Geotech Specialist / Engineering Consultant for Landslides worldwide. Spent time looking at Port Hills in CHCH and the lessons learned from that.

NICK VIGAR –

- Head of Planning for Healthy Waters and dealing with flooding rather than landslides.

LINDA GREENLAGH – Introduction

- To co-ordinate and advocate for our social recovery needs with both local and central Govt.