

A landslide from neighbouring council land

This example shows how natural hazards insurance (NHCover) applies only to land within 8 metres of a house after a landslide. The landslide comes from land owned by the local council. The homeowner is advised to speak to the council about repairing the damage as it isn't covered by his natural hazards insurance.

James owns a home on a section in a hilly suburb in Nelson. Behind his property is a steep bank that forms part of a reserve owned and maintained by the local council.

After a period of prolonged heavy rain, part of the bank above his property failed. Soil, rock and vegetation slid downhill from the council land and came onto James's section, covering part of his backyard and damaging a fence and his terraced garden near the boundary.

The slip stopped 10 metres from his house. However, the land at the back of the property, about 25 metres from his house, was left unstable and James was concerned about the risk of further slips from the slope above.

Making a claim

James called his private insurer to report the damage. While he understood that his home insurance covered his house, garage and garden shed, he was unsure how damage caused by a landslide from neighbouring land would be treated.

His claim manager explained that insurance from the Natural Hazards Commission Toka Tū Ake, called NHCover, was included in his home insurance policy and it provides limited cover for land. She also said an assessment would be needed to determine which parts, if any, of James' land damage would be included under NHCover.

After an assessor had been round to look at the damage, James' claim manager explained that the land damage was not covered under his home insurance policy as NHCover only covers land up to 8 metres from his house and the damaged land was further away.

The claim was not accepted, and James did not receive an insurance settlement for the land damage. He was disappointed by this, particularly because the damage had come from outside his property boundary and was not something he could have prevented.

James talked to a friend about the situation, who suggested he get in touch with the council to see if they were planning to fix the land so this wouldn't happen again. He also decided to speak to a lawyer about who was responsible for fixing the land.

Next steps

James called the council about next steps, including whether the slope would be assessed and stabilised to reduce the risk of further damage. The council advised that they had put the bank above James' house on their list of repairs, but it might be some weeks before they got to it.

The experience highlighted for James how complex landslide situations can be, especially when multiple landowners are involved.

"It feels unfair when the problem starts somewhere else but ends up on your property. I assumed insurance would help, but it wasn't covered as the slip didn't come near my house. I now know that it's important to understand not just your own property, but what's around it as well and who's responsible when things go wrong."

For more information

Visit: www.naturalhazards.govt.nz

Call: 0800 DAMAGE (0800 326 243)

If English is not your first language you can ask for an interpreter, at no cost to you.

This document provides a general summary of the insurance we provide under the Natural Hazards Insurance Act 2023, and the Earthquake Commission Act 1993. The relevant Act will always prevail over the content of this flyer.