



Canterbury Earthquake Recovery Authority

To Minister of Finance
Minister for Canterbury Earthquake Recovery

Date 2 September 2011

Subject Interim process for progressing rebuilding in some White Zones

Action required Sign the following report by Monday 5th September 2011

First Contact Rosalind Plimmer
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Belinda Mellish
Advisor, Recovery Strategy, Planning & Policy

Withheld under
Section 9(2)(a)
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- 1 Note that the Christchurch City Council is currently putting on hold any building consent applications from property owners within all of areas zoned white;
- 2 Agree that if a -
 - 2.1 non-residential property owner within Waimakariri District Council (WDC) White Zones; or
 - 2.2 non-residential property owner (eg commercial or commercial zoned, community facilities, schools, reserves) within the Christchurch City Council (CCC) White Zone but *outside* of the Central Business District (CBD)¹ and *outside* the Port Hills White Zone; or
 - 2.3 residential or non-residential property owner within the Banks Peninsula White Zone

submits an appropriate geotechnical report to the relevant council when requesting a building consent, the relevant council should not further hold up the consent process on the grounds that the area is unmapped;
- 3 Note if there is another magnitude 5.5 quake or greater, this advice will be reviewed;

¹ As defined in the CER Act as the areas bounded by the 4 avenues that are Bealey Avenue, Fitzgerald Avenue, Moorhouse Avenue, and Deans Avenue; and Harper Avenue


- 4 Direct CERA to write to the Christchurch City Council and the Waimakariri District Council outlining the process and explaining that where non-residential property owners within the White Zones on the flat areas (excluding the CBD and excluding the Port Hills White Zone), and residential and commercial property owners in the White Zone of Banks Peninsula have an appropriate geotechnical report, there is no reason not to consider their applications for consent.

Agree



Hon Bill English
Minister of Finance

Agree



Hon Gerry Brownlee
Minister for Canterbury Earthquake
Recovery

Released by the Minister for Canterbury Earthquake Recovery

Purpose of report

- 1 This report recommends a process to enable some White Zone property owners to begin the rebuilding process prior re-zoning announcements.

Background

- 2 On 27 June 2011 Cabinet agreed to the definitions of 4 zones for residential properties across Christchurch City, and Waimakariri Districts: Green, Orange, Red and White (CAB Min (11) 24/15 refers). The White Zone was defined as 'un-zoned'.
- 3 The zones were developed around residential land damage assessments; and the classified zones were for *residential properties only* and excluded all other property types e.g. schools, parks, commercial areas etc. Commercial areas in Christchurch City and Waimakariri District, and all properties in the CBD were included in the 'un-zoned' area, along with the Port Hills and Banks Peninsula². On the LandCheck website, all of these areas appear as White Zone.
- 4 Subsequently, the Minister of Finance and the Minister for Earthquake Recovery have agreed that White Zone areas in Selwyn and Waimakariri Districts (other than the Kaiapoi Ward) be rezoned green, as there has been no substantial area-wide damage observed.
- 5 On the basis that these White Zone areas are not green, Christchurch City Council has put on hold the processing of any building consents for properties within these areas. For some property owners this is frustrating, especially in areas where there is little or no obvious land damage or risk from geotechnical hazards, or in cases where the owner is prepared to invest in a remediation and rebuild process.
- 6 CERA considers that there is no legal basis for councils to withhold the building consent process on the basis of a property being within a White Zone. Waimakariri District Council has issued at least two building consents for commercial properties within the Kaiapoi commercial White Zone.
- 7 It is not expected that all the White Zone will be mapped, but an overall process is being developed to re-zone these areas. This is likely to be completed within the next month. In the interim, this paper proposes an approach to enable some property owners in the White Zone to commence their rebuilding process.
- 8 The process outlined below has been prepared following geotechnical advice from Dr Jan Kupec CERA's Land Building and Infrastructure team.

White Zone areas the proposed process would apply to

- 9 It is proposed that the approach would apply to:
 - 9.1 All non-residential properties within Waimakariri District Council (WDC) White Zones; and
 - 9.2 All non-residential properties (eg commercial or commercial zoned, community facilities, schools, reserves) within the Christchurch City Council (CCC) White Zone but *outside* of the Central Business District (CBD)³; and

² For the purposes of this report, Banks Peninsula refers to the area of the Banks Peninsula Ward and excludes the Port Hills area of the White Zone

³ As defined in the CER Act as the areas bounded by the 4 avenues that are Bealey Avenue, Fitzgerald Avenue, Moorhouse Avenue, and Deans Avenue; and Harper Avenue

9.3 All residential and non-residential properties within the Banks Peninsula White Zone.

10 The proposed approach will not apply to all property-owners in the White Zone.

White Zone areas the process outlined in this paper would not apply to

11 The approach proposed in this paper **does not apply to:**

11.1 Any properties within the White Zone of the Port Hills. The Port Hills area suffered significant damage in the February and June aftershocks, and several smaller aftershocks. Tonkin and Taylor (T&T) are assessing land damage, and the Port Hills Geotechnical Group is assessing geotechnical hazards. Information from these assessments will lead to the re-classification of the White Zone for the Port Hills. All rebuilding should be delayed in the Port Hills until areas are zoned green to delineate areas free from area-wide damage and geotechnical hazards. Initial Green Zones for the Port Hills are expected to be announced in early September, and will report back on non-residential properties within those Green Zones separately.

11.2 Any properties within the CBD White Zone. Extensive investigations are underway by Tonkin and Taylor to enable re-classification of the CBD White Zone. This should be completed by early October.

11.3 Selwyn District Council (SDC) properties - all areas within SDC were zoned Green in July by joint Ministers with Power to Act (CAB min (11) 26/16 refers).

Summary table of how the process in this paper applies

Applies to	Does not apply to
WDC non-residential properties in the White Zone	-
CCC non-residential (excluding CBD and Port Hills) in the White Zone	CCC residential and non-residential in the CBD White Zone
Banks Peninsula residential and non-residential in the White Zone	Port Hills residential and non-residential in the White Zone

12 This process does not apply to any property within a Red Zone, or properties surrounded by the Red Zone.

Interim approach

13 A geotechnical report is generally required for all commercial properties if they fall outside New Zealand Standard 3604:2011 for timber-framed buildings, or 4229:1999 for concrete masonry buildings not requiring specific engineering design. These standards define 'good ground' as a function of bearing capacity and do not consider liquefaction and lateral spread.

14 In order to expedite the rebuilding process for property owners prior to re-classification of the White Zones, it is proposed that CERA advises the Christchurch and Waimakariri councils that if a non-residential property owner within the CCC (excluding CBD), WDC

or Banks Peninsula White Zone submits an appropriate geotechnical report to the relevant council when requesting building consent, the relevant Council should not hold up the consent process on the grounds that the area is unmapped.

Non-residential properties within WDC and CCC White Zones (excluding CBD White Zone, Port Hills White Zone and Banks Peninsula White Zone)

- 15 Where property owners submit an appropriate geotechnical report prior to re-classification of the White Zones, the following should be taken into account:
 - 15.1 The investigations for the geotechnical report must have been undertaken after the 13 June 2011 aftershock (ie after the most recent M6+ quake).
 - 15.2 Site specific investigations and assessments are required, and the geotechnical report should address the susceptibility of the land to seismically induced liquefaction and subsequent lateral spreading.
 - 15.3 CCC or WDC may wish to peer-review the geotechnical report using IPENZ Practice Note 02 'Peer Review' to ensure robust decision making.
 - 15.4 Matters relating to the New Zealand Building Code will be addressed as part of the building consent application.
 - 15.5 Insurance is a matter for the building owner and their insurers. EQC cover does not apply to commercial properties.
- 16 If there is another magnitude 5.5 quake or greater, this advice will be reviewed

All properties within the Banks Peninsula White Zone

- 17 Preliminary investigations from Tonkin and Taylor have not shown any area-wide land damage on Banks Peninsula. The Port Hills Geotechnical Group has not been made aware via public reporting or CCC contacts of any major seismically triggered major geotechnical hazards. However, localised properties may be affected by geotechnical hazards arising from recent aftershocks.
- 18 For commercial and residential property owners on Banks Peninsula wishing to progress the rebuilding process ahead of any re-zoning decisions they must follow the same process as above (described in paragraphs 16.1 – 16.5) but include additional information in the geotechnical report that addresses **rock fall, cliff collapse, debris inundation and land movement on elevated ground.**

Next steps for re-zoning of remaining White Zones

- 19 A paper for joint Ministers on the initial Green Zones for the Port Hills is being separately prepared.
- 20 Re-classification of the remainder of the Port Hills is dependant on the adoption of a tolerable life-safety risk level by the CCC, and subsequent decisions by council and Cabinet on the funding of possible remediation options.
- 21 Information from T&T is due in early October which will enable decisions on zoning for the CBD White Zone.
- 22 The White Zones on the flat areas of WDC and CCC (excluding the CBD White Zone) will be rezoned by the end of September - an updated legend and zone map will be produced and this will be covered in a separate paper.

- 23 Re-zoning of Banks Peninsula is dependant on further assessment of any potential geotechnical hazards. A rapid assessment is planned in September which may allow some re-zoning. A research investigation is planned to provide more detailed assessment and has been commissioned by the CCC from GNS and the University of Canterbury.

Consultation

- 24 Treasury has been consulted on this paper. The Department of the Prime Minister and Cabinet has been informed of this paper.

Recommendations

It is recommended that you:

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