



Future use of former Red Zone land at Pines and Kairaki Beaches

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This page contains the main points. Details relating to each point are in the following pages. Some relate to CERA issues, some to WDC issues.

“Recovery” is the R in CERA.

Kairaki and Pines Beaches have been decimated by the post earthquake situation and need some obstacles removed to be able to recover and move forward.

1 The “Red Zone” is over.

- 1.1 It was only an area where an offer was made.
- 1.2 That offer is finished.
- 1.3 The “red zone” label has created many misconceptions and problems.
- 1.4 **We will refer to the area in this document as the “recovery area”**
- 1.5 **Action required: replace the red zone label to enable recovery.**
 - 1.5.1 When : Now Who: CERA

2 The Community is staying

- 2.1 Twenty properties remain in Kairaki recovery area.
- 2.2 All services are staying in Kairaki.
- 2.3 It has been proved that it is viable and safe to build in most of the area.
- 2.4 Pines has a few recovery area stayers and a functioning green zone.
- 2.5 It is a strong eclectic community who have endured much.
- 2.6 The strong residents association has been going for more than 90 years.
- 2.7 The community is capable of looking after the area.
- 2.8 **Action required: remove threat of compulsory acquisition.**
 - 2.8.1 When : Now Who: CERA
- 2.9 **Action required : Complete demolitions , sow grass and fence.**
 - 2.9.1 When : Now Who: CERA
- 2.10 **Action Required: Rebuild the road and stormwater.**
 - 2.10.1 **Update: The road and drainage is about to be rebuilt and should be complete by the end of July.**

3 This plan considers the needs of the

- 3.1 Resident community
- 3.2 CERA
- 3.3 WDC
- 3.4 the wider community.

The Future Use Plan

4 Short term solutions:Low impact and capital uses while other decisions are made.

- 4.1 Community initiated uses.
- 4.2 Community maintenance.
- 4.3 Maintain eclectic nature of the beach.
- 4.4 **Action required : Licences to occupy and Lease arrangements.**
 - 4.4.1 When : Now Who: CERA, WDC?
 - 4.4.2 Governance: Wdc, CERA or residents association.

5 Long Term Uses

- 5.1 Sell back into individual ownership.
- 5.2 Possibly retain some licences to occupy.
- 5.3 **Action required: Sell back into individual ownership.**
 - 5.3.1 When: as soon as politically and practically possible Who: CERA

6 The Land and Technical Categories

- 6.1 Uses appropriate for the land.
- 6.2 Engineered foundation solutions are required.

1 The “Red Zone” is over.

1.1 It was only an area where an offer was made.

1.1.1 The “Red Zone”

In reference to the court of Appeal case Minister for Canterbury Earthquake Recovery v Fowler Developments Limited [2013] NZCA 588 (3 December 2013) The judge defined what the red zone did and didn't do.

“[27] ... I set out what the red zone did not do:

(a) It did not prohibit building or the granting of building consents in the area for repair or rebuilding.

(b) it did not prohibit residents from continuing to live in the red zone.

(c) It did not require residents to demolish or repair their houses.

[28] In terms of what the creation of the red zone did do, it created an area in which CERA would make offers to purchase the properties of insured residents.”

1.1.2 The criteria for the red zone included many things but timeliness and uncertainty were key elements. They are no longer relevant three and a half years after the event.

1.2 That offer is finished.

1.2.1 All Sales have been completed and past owners have moved on.

1.2.1.1 So the “Red Zone” now has no meaning.

1.3 The “red zone” label has created many misconceptions and problems.

1.3.1 Many people and businesses still believe that there is an issue with living or owning in a red zone simply because of the title. This has made life as normal, impossible for residents.

1.3.2 The laughable QV valuations, which sees a road butt valued at many times an adjoining serviced residential property with a house on it are one example of that.

1.3.3 The use of the term “zone” was criticized by the judge in the above case. It is normally used in conjunction with district plans and the RMA. What are the legal ramifications in perpetuating the “zone” label after it's usefulness?

1.4 Action required: remove the “red zone” label to enable recovery and replaced with another term. “RECOVERY AREA”? Has a positive ring to it.

1.4.1 When : Now Who: CERA

1.4.2 This is essential for our communities **recovery**.

1.4.3 It is understood that other red zones are in a different situation and time frame. However there is no reason for this not to happen in our case.

1.4.4 **Recovery is the R in CERA**. Without removing the label our communities recovery is severely impeded.

2 The Community are staying

2.1 **Twenty properties remain in Kairaki recovery area.**

2.1.1 Just under one third. The highest percentage in any recovery area.

2.2 **All services are staying in Kairaki.**

2.2.1 To Quote Jim Palmer CEO Waimakariri District Council *“The Council has restored essential services of Water and Sewer to Kairaki and had done so prior to any rezoning decisions. Clearly that infrastructure will remain in place and is also required to service the Kairaki motor camp. As for all parts of our district, should there be another major event all infrastructure issues will have to be reconsidered at that time. Roading improvements have yet to be undertaken in Kairaki and will be considered as part of the decisions on the future use of the Red Zones, but the road access will need to remain, in any event, to service the River mouth and motor camp.”*

2.2.2 The road and stormwater is about to be rebuilt , completing or infrastructure.

2.3 **It is viable and safe to build in most of the area.**

2.3.1 Several owners have done testing and have engineered solutions for building in the area.

2.3.2 A number of geotechnical tests have been done by insurance companies the results being that generally a TC3 type foundation is suitable.

2.3.3 The new community centre is under design at the moment.

2.3.4 Owners understand that additional foundations are required but consider that worthwhile given the special nature of the area.

2.3.5

To quote a recent flood risk report for a Kairaki property by ECAN .

“The property is located on the floodplains of the Waimakariri and Ashley Rivers. ECAN flood modelling for the Ashley River does not show the property flooded in the 100 and 200 year return period scenarios modelled. The flood level in the 500 year return period scenario is 1.66 metres above mean sea level (m.a.m.s.l.) which equates to depths up to about 300mm across the property.

ECAN has modelled several breakout scenarios for the Waimakariri River. On the north side of the river these have been breakouts upstream of the Kaiapoi River junction and have not resulted in flooding at Kairaki Beach. Breakouts downstream of the Kaiapoi River junction have not been modelled because of the likely low probability of occurrence.”

2.4 **Pines has a few recovery area stayers and a functioning green zone.**

2.5 **It is a strong eclectic community who have endured much.**

2.5.1 Very wide socio-economic range.

2.5.2 A diverse range of buildings from very basic baches to substantial homes.

2.5.3 The remaining residents are scattered throughout the zone.

2.5.4 The generic development of the area as happens with most new subdivisions would destroy the special eclectic nature of the beach.

2.5.5 Strong recreational interests.

2.6 **The very strong residents association going for more than 90 years.**

2.7 The community is capable of looking after the area.

2.7.1 The PKBA is building a new community centre.

2.8 **Action required: remove threat of compulsory acquisition.**

2.8.1 When : Now Who: CERA

2.8.2 The well being of residents will be greatly improved if this possibility is no long hanging over their heads.

2.8.3 **We understand that it is part of the Cera act and will remain But a letter stating that there is no intention to use it in Pines Kairaki would do.**

2.9 Action required : Complete demolitions , sow grass and fence.

- 2.9.1 When : Now Who: CERA
- 2.9.2 The now abandoned buildings cause several problems. Arson, fly dumping, flooding, rats, mosquitoes, speeding traffic, crime.
- 2.9.3 Residents well being is affected by those issues as well as the unsightliness of abandoned properties.
- 2.9.4 For the large number of recreational visitors the unsightliness is an issue.
- 2.9.5 Trees are highly valued by the residents, all existing trees should remain.

2.10 Action Required: Rebuild the road and stormwater- The road and stormwater are about to be rebuilt.**3 This plan considers the needs of the****3.1 Resident community**

- 3.1.1 **The PKBA put up posters and used a postcard drop to get ideas and survey residents . This has been very successful, around 100 ideas are on the list. This survey was completed in 2012.**
- 3.1.2 The Residents hold the eclectic nature of the beach and “beach values “ very dearly.
- 3.1.3 We continue to survey the “ recovery area” residents by email pole.

3.2 CERA

- 3.2.1 The PKBA believe that CERA will need to find solutions which enable communities to recover from the earthquakes.
- 3.2.2 This plan provides a clear way forward and clear governance models.

3.3 WDC

- 3.3.1 Reduce liability for maintenance. ie.Grass mowing by letting the residents occupy and maintain the land.
- 3.3.2 Residents have a history of doing this and continue to maintain the stopbank along saltwater creek.
- 3.3.3 Ensure security for facilities with residential occupation.

3.4 The wider community.

- 3.4.1 Provide a valuable asset for the wider community. Relaxation and Recreation is what the beach community is about.
- 3.4.2 The river end of Kairaki has been developed along with the public park by the camp ground, the oval at The Pines, and Featherstone reserve provide more than enough picnic areas.
- 3.4.3 Safe recreational activities.
- 3.4.4 The beach environment is a major recreational asset for the Waimakariri District. With the river, lagoon and mouth providing unequalled recreational opportunity.
- 3.4.5 Possibly develop economic activities.

4 Short term solutions:

4.1 Low impact and capital uses while other decisions are made.

4.1.1 Flexible solutions that can still be implemented while decisions are made.

4.1.2

4.2 Community initiated uses.

4.2.1 It is envisaged that these will evolve of their own accord.

4.2.2 The beach community is quite resourceful.

4.2.3 Community gardens

4.2.3.1 We are developing a model for an "allotment" type scheme.

4.2.3.2 Low impact, changeable land use.

4.2.3.3 Providing garden areas for people with small sections from the Kaiapoi area as well as the camp.

4.2.3.4 Good gap fillers.

4.2.3.5 Could be on a "license to occupy" ownership model.

4.2.3.6 Would be self maintaining.

4.2.4 Community maintenance.

4.2.4.1 On an individual basis this could be on a "license to occupy" governance model.

4.2.4.2 A resident might occupy the neighbouring section (ie park a boat) in return for maintaining it.

4.2.5 Mobile cafe area (Kairaki)

4.2.5.1 A gravel area for a mobile coffee, cafe operator.

4.2.5.2 Room for parking, and chairs and table.

4.2.5.3 Sheltered from easterly wind.

4.2.5.4 Whitebait and salmon seasons as well as campers, weekend boaters and beach users provide potential customers a day for much of the year.

4.2.5.5 Might have power.

4.2.5.6 Could be on a "license to occupy" ownership model to begin with.

4.2.5.7 Could be administrated by PKBA or a community trust.

4.2.5.8 Would generate some income.

4.2.5.9 Would be self maintaining.

4.2.5.10 Could establish a case for more permanent facility.

4.2.6 Canoe Hire

4.2.7 Secure Boat Storage Compound.

4.2.7.1 Visually suitable fenced gravelled lockup area.

4.2.8 Outdoor entertainment. Mini golf, maze. (Pines)

4.3 Maintain eclectic nature of the beach.

4.4 Action required : Licences to occupy and Lease arrangements.

4.4.1 When : Now Who: CERA, WDC?

4.4.2 **Governance:** CERA, WDC, or residents association.

4.4.2.1 The beach has been leasehold land before with some still remaining up until the end of the red zone.

4.4.2.2 The **WDC have traditionally administered leases** at the beach.

4.4.2.3 Simple short term leases or licences to occupy could be administered by CERA.

4.4.2.4 The PKBA could take one that roll.

5 Long Term Uses

5.1 Sell back into individual ownership.

- 5.1.1 Long Term Uses that require more capital investment and certainty.
- 5.1.2 Maybe with a note on the LIM?
- 5.1.3 There still is a demand for Kairaki property.
- 5.1.4 Again different uses for different land. Some would be bought for residential building. Some would be used for other uses ie.:
 - 5.1.4.1 If **Café** is viable then a permanent solution. (Kairaki)
 - 5.1.4.2 **Boat storage** area developed. Covered boat sheds. Boat wash down area. (Kairaki)
 - 5.1.4.3 **Tennis courts?** (Kairaki by camp)

5.2 Possibly retain some licences to occupy, leases.

5.2.1 **Outdoor Entertainment Adventure.** (Pines)

- 5.2.1.1 Mini golf,
- 5.2.1.2 Obstacle course,
- 5.2.1.3 Flying fox,
- 5.2.1.4 Giant slide,
- 5.2.1.5 Maze.
- 5.2.1.6 Adult exercise circuit.

5.3 Any Unused Areas

- 5.3.1 Plant in Natives.

5.4 Action required: **Sell back into individual ownership.**

When: as soon as politically and practically possible Who: CERA

- 5.4.1 If a single buyer for all of the land was preferred by CERA then residents would do that.
 - 5.4.1.1 Would need to keep the character of the beach intact.
 - 5.4.1.2 Many Past and current residents have already approached Cera to do this. Previous owners should be given the first right of refusal.

6 The Land and Technical Categories

6.1 Uses appropriate for the land.

- 6.1.1 Within Kairaki Pines recovery area the land is suitable for different things.
- 6.1.2 The creek side of Kairaki is very desirable and despite some reports to the contrary, sustained less damage.
- 6.1.3 Some of the Eastern area of the Pines recovery area was badly affected.
- 6.1.4 The plan would allow different uses to develop of their own accord by people making informed decisions.

6.2 Engineered foundation solutions.

- 6.2.1 It is acknowledged that the land has not been given a technical category. However it falls within an area that requires an engineered solution for the foundations so that means an appropriate solution would have to be found.
- 6.2.2 If it were necessary to make any other changes and note on the LIM requiring, that would ensure that must be done and that future owners are fully informed of the requirements.