

PROPOSED PLAN CHANGE 1B - LIQUEFACTION MANAGEMENT (REMOVAL OF DUPLICATION WITH BUILDING CODE)

These changes seek to amend the District Plan to avoid potential duplication of requirements for managing liquefaction hazard, between the District Plan and the Building Code, occasioned by amendments to the Building Code Acceptable Solutions B1/AS1 for buildings on land prone to liquefaction. These amendments to the Building Code come into effect on 29 November 2021.

Following the 2010 Canterbury earthquakes, the New Zealand Building Code (B1 Structures) Acceptable Solution B1/AS1 was amended to exclude foundations for buildings built on ground that has the potential for liquefaction or lateral spread. This meant that foundation designs for buildings on land in Canterbury that has the potential for liquefaction require specific engineering design. The B1/AS1 amendments were introduced in 2019 and currently apply only to a defined 'Canterbury earthquake region'.

The Ministry of Business, Innovation and Employment (which administers the New Zealand Building Code) has advised Councils that the exclusion from B1/AS1 for liquefaction-prone land will be extended to all of New Zealand in November 2021. This means that the management and mitigation of risks to new buildings located on land that has the potential for liquefaction or lateral spread will, from 29 November 2021, be addressed by the New Zealand Building Code through the building consent process.

The District Plan currently contains a policy (NH-EQ-P17) and a rule (NH-EQ-R23), within the Natural Hazards Chapter, that seek to manage the risks to buildings caused by land that is prone to liquefaction. The Plan provisions pre-date the 2019 Building Code Acceptable Solutions B1/AS1 amendments.

The Council is satisfied that the risks to buildings from liquefaction-prone land will be effectively managed using the specialist processes and skills of the New Zealand Building Code, informed by the work done since the Canterbury earthquakes.

The Council therefore intends to delete the Plan's liquefaction hazard management provisions, as they relate to buildings, after November 2021 when the changes to the Building Code Acceptable Solution B1/AS1 take effect. This will avoid any potential conflict or confusion between the requirements of the New Zealand Building Code and the Plan. The Plan's liquefaction management provisions for land subdivision will, though, be retained unchanged.

The Proposed Plan Change 1B amendments are as follows:

In the following District Plan provisions:

Text that is struck through and in bold (**example**) is to be deleted from the District Plan

Text that is underlined and in bold (**example**) is to be inserted into the District Plan

1. Amend Policy NH-EQ-P17 as follows:

NH-EQ-P17	Liquefaction Prone Land
<p>When assessing applications for <i>subdivisions</i> which are located on sandy, alluvial or peat soils, a <i>risk</i> management approach shall be adopted and <i>Council</i> will consider a range of matters that seek to reduce the <i>risk</i> to people and property, including:</p> <ol style="list-style-type: none"> 1. geotechnical information from a suitably qualified person on <i>liquefaction</i> provided with any <i>subdivision</i> or development application; 2. the intensity of the <i>subdivision</i> and nature of future <i>development</i> of the <i>allotment</i>, including building design and construction techniques; and 3. the risk to people and property posed by the <i>liquefaction</i> hazard and the extent to which the activity could increase the <i>risk</i> posed by the <i>natural hazard</i>. <p>These investigations may result in identifying that some <i>allotments</i> are not suitable for <i>development</i> and any such proposal would be declined.</p>	

2. Delete restricted discretionary activity rule NH-EQ-R23 as follows:

NH-EQ-R23	Any new <i>building</i> (excluding <i>minor buildings</i>) defined as <i>BIC</i> Type 2c, 3 and 4 located on <i>land</i> with sand or peat soils.	
Restricted Discretionary Activity	Standards	Matters of Discretion
	<ol style="list-style-type: none"> 1. Geotechnical information must be provided by a suitably qualified and experienced person (to building consent level) on <i>liquefaction</i>. 	<ol style="list-style-type: none"> 1. The outcomes of the geotechnical investigation on <i>liquefaction</i> by a suitably qualified and experienced person. 2. Whether the potential <i>risk</i> to the health and safety of the people and property from <i>liquefaction</i> can be avoided or mitigated. 3. The design and location of the <i>building</i>.

3. Amend discretionary activity rule NH-EQ-R24 as follows:

NH-EQ-R24	Any activity listed as restricted discretionary in NH-EQ-R22, NH-EQ-R23 , and SUB-DW-R9 that does not comply with one or more of the associated standards, unless otherwise specified.
Discretionary Activity	