

Category 2P: Elevating Tairāwhiti Policy

INTRODUCTION

Funding has been approved by the Government for Gisborne District Council (**Council**) to assist recovery and improve future resilience to natural hazards for Category 2P and 2C properties. Specifically, funding of \$15m has been granted for elevating Dwellings that were flooded in Tairāwhiti during the North Island Severe Weather Events in 2023.

Council will administer the majority of this fund, which will be used to assist Owners to elevate their Dwellings. The remainder will be administered by Te Aitanga a Māhaki.

All work referred to under this policy is subject to funding availability.

Who does this policy apply to?

This policy applies to Owners with a residential Dwelling on a property that has been categorised as Category 2P and the Dwelling was impacted by flooding in the North Island Severe Weather Events.

At the time the policy was developed there were approximately 175 properties that fit these criteria; however, these numbers may change as further assessments are conducted and categorisations are finalised.

How will future flood risk be effectively mitigated?

As storm magnitudes and sea levels increase with climate change, as well as increasing riverbed and river berm sedimentation and aggradation trends, the height of flood waters is anticipated to increase over time. Dwellings in low-lying areas may be flooded more often and to a greater extent than previously experienced.

The risk of flooding can be mitigated by elevating Dwellings above the Cyclone Gabrielle water levels and adding a minimum 500mm freeboard component. Freeboard is the term given for an allowance in floor levels above the modelled flood level – in this instance the lower level (measured from the finished floor level) must be a minimum of 500mm above the designated flood level.

Elevating Dwellings by lifting or relocating to higher ground directly mitigates flood-related risks, reducing risk to life and potential damage to property and infrastructure. This leads to minimised financial losses for homeowners, insurance companies, and the government, resulting in a more resilient community.

Is funding available?

Capped funding, as detailed in this policy, will be made available to eligible Owners for the purpose of undertaking necessary property level interventions, namely elevating a residential Dwelling by lifting or relocating on-site with a design that meets new minimum floor levels, appropriate engineering standards and consenting requirements.





Funding is also available in the following circumstances:

1. Where the Dwelling will be replaced or relocated on-site, provided that the Dwelling meets the new minimum floor levels;
2. Where the property has been through a sale and purchase process following the North Island Severe Weather Events;
3. For insured and uninsured properties.

Please note that this is a voluntary process, and impacted Owners will be able to decide whether they wish to apply for funding and complete necessary property level interventions.

Who will complete the works?

Council has established a Category 2 Recovery Programme Office. This team will be responsible for assessing and approving applications and providing agreed funding to an approved Service Provider.

Council is intending to approve one or more Service Providers that are capable of being engaged by any eligible Owner, to project manage all aspects of the approved works undertaken in relation to the Dwelling. This will ensure efficient and effective use of the limited funding available.

The same Service Provider may manage both Stage 1 and Stage 2.

The Service Providers will:

1. Manage all aspects of the feasibility assessment through Stage 1, including Geotech assessment, design and any other requirements to complete the feasibility report and cost assessment;
2. Manage all aspects of the physical works through Stage 2, including managing all trades required to complete physical works covered by the Policy; and
3. Be the direct point of contact with the Owner in relation to all aspects of Stage 1 assessment and Stage 2 physical works.

The Service Provider will ensure the Stage 1 report will be prepared by a suitably qualified person e.g. a Licensed Building Practitioner (LBP) and/or aCPEng or PEngGeol geotechnical professional. This would include confirmation of the ability to receive relevant consenting

The Service Provider will not be responsible for approval of any funding required. Council will pay Service Providers directly for works completed within the scope of the Policy.

OBJECTIVES OF THE POLICY

The primary objectives of this policy are:

1. To reduce the risk to life of people living in Dwellings that were impacted by flooding as a result of the North Island Severe Weather Events in 2023;
2. To increase the likelihood of Owners obtaining insurance on their Dwellings for future flood events of a scale like Cyclone Gabrielle; and
3. To maximise the number of Owners that can receive funding for property level interventions that are effective in mitigating future flood risk.





STAGE 1: INVESTIGATION AND FEASIBILITY

At Stage 1, funding is provided for investigation into the feasibility of property level interventions, specifically lifting or relocating a Dwelling on a property classified as Category 2P.

If the property level intervention is considered to be practical and feasible, the Owner may progress to Stage 2: Physical Works Stage.

Eligibility criteria

In determining eligibility for funding under Stage 1, the applicant must satisfy the following considerations:

1. Council has advised the Owner in writing that their property is provisionally or confirmed Category 2P; and
2. There is a Dwelling on the property that has been classified as Category 2P and that Dwelling was impacted by flooding in the North Island Severe Weather Events in 2023.

An Owner can lodge more than one application where there are multiple Dwellings on their property. Each Dwelling will be assessed on its own merits and funding applied where the eligibility criteria is satisfied on each Dwelling.

Funding

Up to \$5,500 plus GST per residential Dwelling is available under Stage 1 for investigation and feasibility assessments.

It is a condition of funding that Owners engage with Council's Recovery Programme Office to undertake the services. If an Owner wishes to utilise the services of an alternate Service Provider, then approval must be sought by Council.

Council considers it unlikely that the costs of investigation and feasibility assessments will exceed the Stage 1 funding cap. In the rare circumstance that the funding cap is exceeded, Owners may apply for additional funding under the Special Circumstances clause of this policy.

Process steps

1.	The Owner, or their authorised agent, applies to Council for funding for an investigation and feasibility assessment.
2.	Council confirms the Owner satisfies the Stage 1 eligibility criteria and accepts the application.
3.	Council will appoint a Service Provider to undertake the investigation and feasibility assessment through Council's Recovery Programme Office.
4.	The Service Provider conducts investigation and provides a report on whether necessary property level interventions are practical and feasible.
5.	Where additional works not covered by this policy are required to make the Dwelling habitable based on requirements of New Zealand Building legislation, the Owner must provide assurance that these works will be personally funded and completed in line with the timeframes set out under this policy. The Owner will be requested to provide this assurance in a written form that will be provided by Council.





6.	If a practical and feasible solution is identified, the Owner may progress to Stage 2.
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Timeframes

Applications must be lodged **within 6 months** from notification of Stage 1 being opened. Owners with property categorised as Category 2P will be notified in writing when the Stage 1 process opens.

Council may extend any of the timeframes at their discretion.

STAGE 2: PHYSICAL WORKS STAGE

If the property level interventions are determined to be practical and feasible, the Owner may progress to Stage 2: Physical Works.

Eligibility Criteria

A Service Provider engaged under Stage 1 has provided a report which confirms it is practical and feasible for the Dwelling to be elevated and capable of meeting minimum floor level that is equal to or above Cyclone Gabrielle flood level (+500mm freeboard).

Funding

Up to \$74,214 plus GST per Dwelling is available under Stage 2 for necessary property level interventions. This includes project management costs.

The funding may be used towards the following:

1. Design and consenting:
 - a) Building consent application fees;
 - b) Design costs, resource consent fees and application costs - where necessary, e.g. if new height exceeds standards in the Tairāwhiti Resource Management Plan;
 - c) Geotechnical and structural engineering advice costs; and
 - d) Architect or Planner costs.

2. Labour and material:
 - a) New and extended foundations (including earthworks);
 - b) External stairs, landing and ramps necessary to enable access to the Dwelling;
 - c) Connecting services: to the extent necessary to enable connection to the elevated Dwelling, specifically includes extension of power, telecommunications, stormwater, wastewater and freshwater services;
 - d) Internal remediation (e.g. plastering and repainting work associated with any house lifting damage);
 - e) Reinstatement of existing underfloor insulation;
 - f) Safety fencing and scaffolding costs directly attributable to lifting;
 - g) Demolition and associated building material removal costs directly attributable to lifting process (e.g., basement demolition, waste disposal costs, site preparation for house lifters); and
 - h) Site remediation & asbestos removal where directly associated with the Dwelling.





The Owner will be responsible for funding any work outside of this policy, including any work exceeding the payment cap under this policy and work required under the resource consent. The Owner will be required to provide assurance that they have the means to fund works over the capped amount to ensure the Dwelling is fully completed and is safely able to be lived in.

Funding cannot be used for any of the following:

- a) Costs covered by Insurance Proceeds;
- b) Costs not directly related to the property level interventions;
- c) Temporary alternative accommodation costs;
- d) New or replacement wastewater systems;
- e) New or replacement stormwater detention systems;
- f) New or replacement power systems (e.g. solar panels) and telecommunication systems;
- g) New building extensions, internal alterations, new decks (replacement only);
- h) New insulation (note EECA funding for free insulation may be available: <https://www.eeca.govt.nz/co-funding/insulation-and-heater-grants/warmer-kiwi-homes-programme/check-eligibility/>);
- i) External painting;
- j) Demolition costs;
- k) Silt removal; and
- l) Site drainage or flood protection works not directly associated with elevating the Dwelling.

Process steps

1.	The Owner, or their authorised agent, applies to Council for Stage 2 funding under this policy.
2.	Council confirms the Owner satisfies the Stage 2 eligibility criteria and approves the application.
3.	Council will appoint a Service Provider to undertake the physical works through Council's Recovery Programme Office.
4.	The Owner enters into a contract with the Service Provider who will project manage the physical works.
5.	Council sequences the works. While Council are aiming to provide all eligible Owners with funding, works will be sequenced taking into consideration whether: <ol style="list-style-type: none">a) The residents are currently unable to reside at the Dwelling;b) There are vulnerable people residing at the property such as elderly, families with young children, people with medical requirements or mental or physical disabilities;c) Any efficiencies can be achieved by sequencing certain properties at the same time based on factors such as geographical location, nature of works, allocated Service Provider and availability and capacity of Service Provider.
6.	Works commence.
7.	Council monitor progress.
8.	Works will be completed by March 2026 and code of compliance certificates issued.





9.	Upon satisfactory completion of the works, the property will move from Category 2P to Category 1.
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Timeframes

Applications must be **lodged within 2 months** from confirmation of feasibility under Stage 1. **No new applications will be considered after 31 March 2025.**

A condition of the funding from the Government to Council, is that physical works must be completed by March 2026.

Council expects that physical works will be completed within 8 weeks of commencement of the physical works, including the necessary compliance steps.

Council may extend any of the timeframes at their discretion.

SPECIAL CIRCUMSTANCES

At the request of an Owner, a departure from this policy may be considered at the absolute discretion of the Chief Executive of Council. Any decision to depart from this policy, which could include providing for a different process or outcome, will have regard to:

1. The overarching objectives of this policy;
2. The reasons, extent of departure and implications of any departure from the policy; and
3. Whether any departure involves any increased costs to the Council.

Examples of where special circumstances may apply are:

1. Approved works were undertaken on a Dwelling by Service Providers other than Council's Programme Office prior to this policy taking effect;
2. The Owner wishes to engage their own contractors to undertake works approved under this Policy;
3. A residential Dwelling was removed or demolished because of damage from the North Island Severe Weather Events, and the Dwelling was or is to be rebuilt on the same section;
4. Costs significantly exceed the funding available, in which case Owners may apply for additional funding. Requests for additional funding will be assessed when received to determine eligibility under this policy; however, additional funding will not be distributed until after 31 March 2025 and will be subject to funds remaining.

Any decision to depart from this policy in any way will be recorded in writing, with reasons.

REVIEW PROCESSES

If an Owner believes that the policy is not being applied correctly or in accordance with the policy objectives, they may request a review of their case by the Council's Chief Executive or their delegate.

The review will be carried out within four weeks of receipt of a written request and the outcome of the review will be communicated to the Owner.





In all other respects, because the policy is voluntary, there is no appeal process provided under the policy.

POLICY REVIEW DATE

The policy will be reviewed by Council on or before 30 June 2025, including as to whether it should continue to apply. If the policy has not been reviewed by that time it will continue to apply.

DEFINITIONS

Dwelling means a building, or part of a building (including decks, patios and pergolas) that was, as at 12 February 2023, lawfully established, and was self-contained with the facilities necessary for day-to-day living on an indefinite basis (including somewhere to cook, sleep, live, wash, and use a toilet) and was or could be used by 1 or more persons to live in as their home.

For clarity, a "residential dwelling" does not include:

- garages or sheds;
- fixed caravans or vehicles used for residential or non-residential purposes;
- rural buildings;
- residential ancillary buildings;
- commercial buildings;
- wastewater systems;
- water supply tanks; and
- stormwater detention tanks.

Additionally, this policy does not apply to properties where:

- a s.124 demolition order has been issued; or
- the residential dwelling has been removed and no replacement is intended.

FOSAL means the Future of Severely Affected Land. Following the devastating impact of Cyclone Gabrielle, the Government announced a system of land categorisations to deal with the risks from future severe weather events on affected properties; the Future of Severely Affected Land (FOSAL) framework.

FOSAL Categorisations:

1. Category 2A - Significant further assessment is required to assess a property as well as engagement with property owner.
2. Category 2P - Property level interventions are needed to manage future severe weather event risk, possibly in tandem with community level interventions.
3. Category 2C - Community level interventions are needed for managing future severe weather risk events.

Insurance proceeds includes any sums paid or to be paid to the Owner or their mortgagee related to the elevation, repair or replacement of the Dwelling by an insurer, and includes any such relevant payments under the Earthquake Commission Act 1993.





Note: Te Aitanga a Māhaki will adopt a separate policy form Council and will administer their portion of the \$15 million government funding for elevating Dwellings that were flooded in Tairāwhiti during the NIWE.

North Island Severe Weather Events refers to the Cyclone Hale, Cyclone Gabrielle and Auckland Anniversary severe weather events in 2023 which are collectively referred to as the North Island Severe Weather Events or NISWE.

Owner means the legal owner of the Residential Property on which one or more Dwelling(s) was located as at 12 February 2023.

Service Provider means a contractor approved and selected by Council that is capable of being engaged by an eligible Owner to project manage all aspects of the approved works undertaken in relation to the Dwelling.

