

To: Hon Gerry Brownlee
Minister for Canterbury Earthquake
Recovery



Subject to Legal Professional Privilege

Request for direction to develop a Land Use Recovery Plan

Date	15 October 2012	Priority	Urgent
Report No	M/12-13/144	File Reference	

Action Sought

		Deadline
<p>Hon Gerry Brownlee</p> <p><i>Minister for Canterbury Earthquake Recovery</i></p>	<p>Note that the Canterbury Regional Council, a responsible entity as defined by the CER Act, has requested that you direct it to develop a Land Use Recovery Plan.</p> <p>Note that the Canterbury Regional Council proposes that the draft Recovery Plan be prepared in consultation with Christchurch City Council, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu, NZ Transport Agency and CERA.</p> <p style="text-align: center;">withheld under section 9(2)(h)</p> <p>Approve the process for the development of the Recovery Plan, including requirements for a collaborative multi-agency approach, a seven month timeframe, and consultation, as set out in the attached Gazette Notice, having had regard to the matters listed in s 19(2) of the CER Act.</p> <p>Direct that the Canterbury Regional Council develop a Land Use Recovery Plan to deal with the matters specified within the geographic extent contained in the attached Gazette Notice.</p> <p>Sign the attached Gazette Notice that notifies your direction to develop a Recovery Plan.</p> <p style="text-align: center;">withheld under section 9(2)(h)</p> <p>Forward a copy of this paper to the Minister of Finance, the</p>	<p>Wednesday 17 October 2012</p>

	Associate Minister of Finance (Hon Steven Joyce), the Minister of Housing, the Minister for the Environment, the Minister of State Services and the Associate Minister for Canterbury Earthquake Recovery for their information.	
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Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
Diane Turner	General Manager, Strategy, Policy and Planning		<input checked="" type="checkbox"/>
Viv Smith	Senior Advisor, Strategy, Policy and Planning	withheld under section 9(2)(a)	
Susan Newell	Senior Legal Advisor		

Minister's office comments

- Noted
- Seen
- Approved
- Needs change
- Withdrawn
- Not seen by Minister
- Overtaken by events
- Referred to

Comments

Released by the Minister for Canterbury Earthquake Recovery

Request for direction to develop a Land Use Recovery Plan

Purpose

- 1 This briefing provides advice to you about the request from the Canterbury Regional Council (ECan) that you exercise your powers under section 16(1) of the Canterbury Earthquake Recovery Act 2011 (CER Act) to direct it to develop a Land Use Recovery Plan.

Executive summary

- 2 ECan has requested that you direct it to develop a Land Use Recovery Plan (the Recovery Plan). It is proposed that the Recovery Plan be developed in consultation with Christchurch City Council, Selwyn and Waimakariri District Councils, Te Rūnanga o Ngāi Tahu and NZ Transport Agency (collectively the strategic partners and NZTA) and CERA.
- 3 The primary focus of the Recovery Plan is prioritising residential and business land use changes necessary to achieve recovery, including informing the repair and provision of infrastructure and transport networks and hubs. The Recovery Plan will provide the strategic direction needed to achieve this and to ensure recovery occurs in an integrated manner.
- 4 We generally support the request made by ECan. We consider that directing residential and business land use planning changes to support rebuilding and recovery is important at this time. This will provide confidence across all investment sectors (public and private including householders) about where and when to reinvest across greater Christchurch. We have tested the proposal with a number of government departments who all generally supported it.
- 5

withheld under section 9(2)(h)
- 6 ECan has proposed a short timeframe for the development of the Recovery Plan including a consultation approach mirroring a minimal Resource Management Act and Local Government Act consultation process, of:
 - targeted stakeholder input to develop a preliminary draft Plan (Oct/early Nov)
 - written submissions on a preliminary draft document (Nov/Dec)
 - structured hearing of written submissions (late Jan/Feb)
- 7 You would then notify the draft Recovery Plan you received from ECan and receive written comments on it pursuant to section 20 of the CER Act.
- 8 The proposed consultation steps would be within a very tight timeframe on either side of the Christmas break, requiring active engagement by the community at the end of a busy year. We are also concerned that consultation would involve two sets of written comments that from our experience with the Christchurch Central Recovery Plan, is generally confusing.

- 9 Our favoured approach to consultation is targeting key stakeholders such as developers, business owners and affordable housing providers, early on: providing an opportunity for public input in an "open forum" session in their local communities (a least five sessions to be held after the Christmas break); along with a published summation of consultation, provided it is also made clear that in addition to that process, the public will have an opportunity to make individual written comments to you pursuant to section 20 of the CER Act.
- 10 We recommend the use of "open forum" sessions to receive public input, rather than formal public hearings as this will potentially capture a wider range of community input. A requirement for a report summarising what has been heard during consultation and how it influenced the draft Recovery Plan will also assist transparency in the consultation process.
- 11 We recommend that you direct that the Recovery Plan be developed by ECan. Our recommendations include:
- specifying the matters to be dealt with, including as a priority, providing for a diverse range of housing types, including social and affordable housing,
 - ensuring it is consistent with the Christchurch Central Recovery Plan,
 - a requirement for ECan to use a collaborative multi-agency approach to develop the Recovery Plan,
 - a seven month timeframe for developing a draft Recovery Plan,
 - a two-pronged consultation process firstly targeting stakeholders to identify and understand issues, followed by community based open forum sessions to receive feedback.
- 12 ECan has requested a prompt decision on the request as they consider that greater certainty about land use and infrastructure matters is urgent. A decision by you this week would be desirable to avoid the Christmas break becoming more of an issue in terms of the timing for the development of the Recovery Plan.

Consultation on briefing

- 13 The Ministry for the Environment, Ministry of Business, Innovation and Employment, Ministry of Transport, Department of Internal Affairs, Department of Prime Minister and Cabinet, the Treasury and State Service Commission reviewed a draft of this briefing. The briefing has been informed by comments received from departments as outlined in paragraphs 77 and 78.

Recommendations

- 14 It is recommended that you:
- 1 **Note** that the Canterbury Regional Council, a responsible entity as defined by the CER Act, has requested that you direct it to develop a Land Use Recovery Plan for greater Christchurch.
 - 2 **Note** that the Canterbury Regional Council proposes that the draft Recovery Plan be prepared in consultation with Christchurch City Council, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu, NZ Transport Agency and CERA.

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3 **Note** that using your powers for this purpose complies with sections 10(1) and (2) and s 16 (1) of the CER Act, is necessary if land use policy and planning provisions are to provide certainty for land use changes necessary for earthquake recovery, and ensures some of the purposes of the CER Act are met.

Yes / No

4 **Approve** the process for the development of the Recovery Plan, including requirements for a collaborative multi-agency approach, a seven month timeframe, and consultation, as set out in the attached Gazette Notice, having had regard to the matters listed in s 19(2) of the CER Act.

Yes / No

5 **Direct** that the Canterbury Regional Council develop a Land Use Recovery Plan to deal with the matters specified, within the geographic extent contained in the attached Gazette Notice.

Yes / No

6 **Sign** the attached Gazette Notice that notifies your direction to develop a Recovery Plan.

7

withheld under section 9(2)(h)

8 **Forward** a copy of this paper to the Minister of Finance, the Associate Minister of Finance (Hon Steven Joyce), the Minister of Housing, the Minister for the Environment, the Minister of State Services, and the Associate Minister for Canterbury Earthquake Recovery for their information.

Yes / No

Diane Turner
General Manager, Strategy, Policy and Planning

NOTED / APPROVED / NOT APPROVED
Hon Gerry Brownlee Minister for Canterbury Earthquake Recovery
Date: 6 / 11 / 2012

Background

- 15 In late August and early September we briefed you on a possible Land Use and Infrastructure Recovery Plan being mooted by the councils in greater Christchurch [M/12-13/088 and M/12-13 /098 refer].
- 16 On 20 September 2012 you received a letter from ECan requesting your direction to develop a Land Use Recovery Plan (the Recovery Plan) pursuant to section 16(3) of the CER Act (see Appendix 1).

Proposed Approach

Responsible Entity

- 17 ECan is a responsible entity as defined in the CER Act and you may direct it to develop a Recovery Plan under s 16(1) CER Act.
- 18 ECan's powers and functions under the Resource Management Act 1991 mean it is well placed to consider and assess the land use and related transport and infrastructure recovery needs of greater Christchurch. ECan has jurisdiction within all greater Christchurch. While its role as a Regional Council is discrete from the roles of territorial authorities, its jurisdiction across the constituent districts administered by the three territorial authorities means it is appropriate for it to take a leadership and integration role.
- 19 ECan proposes the Recovery Plan is developed in consultation with Christchurch City Council, Selwyn and Waimakariri District Councils, Te Rūnanga o Ngāi Tahu and NZ Transport Agency (collectively the strategic partners and NZTA) and CERA.
- 20 We support the proposal that ECan take responsibility for leading the development of the Recovery Plan.
- 21 We recommend that "*a collaborative multi-agency approach*" better describes how the other strategic partners, NZTA and CERA should work with ECan to develop the Recovery Plan. The Gazette Notice (see Appendix 2) reflects this recommended change from "*in consultation with*" to "*a collaborative multi-agency approach*".

CERA's Role

- 22 CERA has two distinct roles in the development of the proposed Recovery Plan. Foremost CERA staff are tasked with supporting your decision-making role. We will do this by providing analysis of the Recovery Plan request and subsequent decision points, within the scope of the CER Act.
- 23 CERA will also form part of the multi-agency group developing the Recovery Plan. CERA staff can provide input regarding other recovery programmes and ensure consistency and integration between the programmes and the proposed Recovery Plan. We can also ensure the matters being dealt with remain recovery focussed.
- 24 We consider there is no actual or potential conflict in CERA having these two roles in the development of the Recovery Plan. This is because the decision whether to amend, approve or withdraw the recovery plan is for you to make having regard to its impact, effect and funding implications, and after considering any public comments following notification under section 20 of the CER Act.

- 25 CERA will ensure that appropriate engagement occurs and input is sought, from the relevant central government agencies throughout the development of the Recovery Plan. Key government departments include the Ministry of Business, Innovation and Employment (Building and Housing and Economic Development), Ministry for the Environment, Ministry of Transport and Department of Internal Affairs. Other government departments would be informed through the regular Canterbury Earthquake Recovery Senior Officials Group (CERSOG) meetings and could provide input through CERA at any stage.

Matters to be dealt with by the Recovery Plan

- 26 The proposed scope of the Recovery Plan is set out in section 3 of ECan's request (pages 4 to 6 in Appendix 1). We consider the proposed scope is consistent with the Recovery Strategy and direction from the High Court and we generally support it.
- 27 The primary focus of the Recovery Plan is prioritising land use and land use changes necessary to achieve recovery, and informing the repair and provision of new infrastructure to support these priority areas. The Recovery Plan will provide the strategic direction needed to achieve this and to ensure recovery occurs in an integrated manner.
- 28 One of the intended outcomes of the Recovery Plan is to provide the basis for infrastructure and transport planning to be responsive to anticipated land use change.
- 29 Investment in existing and new infrastructure will also be informed by the Recovery Plan allowing opportunities to optimise existing investment where appropriate.
- 30 ECan's request for direction explains that the Recovery Plan would (in addition to other matters) have a strong spatial element. It would provide clear guidance on the geographic distribution of residential and business land within greater Christchurch.
- 31 The list of matters to be dealt with in ECan's request is ambitious. We recommend a staged approach to dealing with the matters to be signalled in any direction you give. We propose that the priority is for these matters as set out in the Gazette Notice in Appendix 2:
- A. *identification of the location, type and mix of residential and business activities within specific geographic areas necessary for earthquake recovery, including*
 - i. *the priority areas to support recovery and rebuilding in the next 10 to 15 years*
 - ii. *enabling and informing the sequencing and timescales for the delivery of infrastructure and transport networks and hubs to support the priority areas*
 - B. *provide for a diverse range of housing types, including social and affordable housing*
- 32 It may be difficult to achieve the specific changes to RMA documents and other instruments to address the recovery needs of the other matters, being brownfield development and centres of activity within the timeframe proposed for the development of the Recovery Plan.
- 33 Our suggested approach is that the draft Recovery Plan identifies a programme of further work to be undertaken to progress matters if they are not able to be achieved in the first instance. This is a similar approach being undertaken in respect to residential and transport matters in the Christchurch Central Recovery Plan.
- 34 We propose the direction require consideration of "avoiding or mitigating the changed or heightened risks of natural hazards" when making any changes to land use policy and planning provisions and related funding mechanisms such as long-term plans under the Local Government Act 2002.

35 The request for direction to prepare a Recovery Plan expresses the matters to be dealt with in terms of eight outcomes that would be achieved. We think it is better to describe the specific matters that the Recovery Plan is to address and what changes it may make. In the attached Gazette Notice, we have suggested how the matters to be dealt with by the Recovery Plan can be expressed.

Consultation or public hearings

36 Section 19 of the CER Act states that you may determine how Recovery Plans are to be developed, including any requirements as to consultation or public hearings. Neither the Minister nor any responsible entity has a duty to consult any person about the development of a Recovery Plan, except as provided under section 19 or in sections 17¹ or 20.

37 ECan has proposed engagement and consultation; this includes a public hearing based on a Select Committee hearing model.

38 ECan proposes the public release, on 22 November 2012, of a land use framework with issues and options, seeking written comments, and subsequent hearings. The hearings would occur over one week in January. This would then inform the development of a draft Recovery Plan for your consideration.

39 We have the following concerns with the proposed process:

- the Christmas period falls within the consultation period and will limit the public's ability to effectively participate or respond;
- public hearings using a select committee type procedure may be too formal and likely to be ineffective at capturing the wider public viewpoint;
- community engagement and input is constrained to responding to an issues and options framework;
- our experience with the Christchurch Central Recovery Plan was that the doubling up of written comments is generally confusing; and
- the timeframe in general is unrealistic and does not take into consideration the need to consult / engage with other government agencies.

40 An alternative approach of formal hearings such as held in RMA processes is likely to add six weeks to eight weeks to the timeline for the development of the draft Recovery Plan. As well, doubling up on a written comments process that would be required for such a hearing, would add confusion about the decision-making responsibilities of the councils and you under the CER Act.

41 We consider that consultation and engagement prior to the development of a framework and options would be more effective. A less formal public engagement approach, for example "Share an Idea" adopted by CCC during the development of the draft CBD Recovery Plan was well received. A similar, informal approach to the development of this Recovery Plan may be more effective. This would limit and focus formal written comment to that required under section 20 of the CER Act.

¹ s.17 Recovery Plan for CBD and s.20 Public Notification of draft Recovery Plans

- 42 We recommend a two-pronged approach to consultation to engage the following groups: targeted stakeholders (such as developers, business owners and affordable housing providers), and the wider community.
- 43 We recommend initial targeted stakeholder input to develop options. Then the outcomes from this could then be presented to the wider public via community based "open forum" sessions. We consider this less formal approach would be more effective as it is more engaging and will potentially capture a wider range of people. Consultation with Te Rūnanga o Ngāi Tahu should also occur in a manner agreed between the parties.
- 44 To ensure transparency, we recommend that a report on the consultation and a summary of what has been heard be prepared by the strategic partners, NZTA and CERA. This document would also record how consultation influenced the draft Recovery Plan. We consider that this document should be published by ECan and provided to you with the draft Recovery Plan as set out in the attached Gazette Notice.
- 45 ECan will also provide information on a public website throughout the development process.

Timeframes

- 46 ECan's request for direction sets out a short timeframe for delivery of a draft Recovery Plan to you by 15 February 2013. This is based on development of a consultation document by 22 November 2012.
- 47 We consider the timeframe too ambitious. Changes to planning documents, such as district plans generally take time and need thorough analysis and consideration of wider implications before adoption.

48

withheld under section 9(2)(h)

- 49 We recommend that public consultation (open forum sessions) be undertaken in early February 2013 rather than on either side of the Christmas break as proposed by ECan. The very end of the year and the beginning of a new year are busy times for the community and undesirable times for seeking public input. Taking this into account, a draft Recovery Plan would be delivered to you, for public notification under section 20, within seven months of a direction. This also allows time for the councils and Te Rūnanga o Ngāi Tahu to formally endorse it before it is delivered to you in May 2013.

Funding Implications

- 50 The funding implications and source of funding for the implementation of the Recovery Plan need to be clearly understood. You must have regard to funding implications when considering whether to approve a Recovery Plan under s 21(2) of the CER Act. We recommend that funding implications and sources of funding be key considerations during development of the draft Recovery Plan and are outlined in the draft Recovery Plan. We have included this requirement in the attached Gazette Notice.

Matters for consideration

Exercising CER Act powers

- 51 When exercising powers under the CER Act you must do so in accordance with the purposes of the Act (section 10(1)) if you reasonably consider it necessary (section 10(2)).

Purposes of the Act

- 52 Section 2 (page 1) of ECan's request sets out how the strategic partners and NZTA consider the proposal to develop a Recovery Plan is in accordance with the purposes of the CER Act. We agree with this assessment.
- 53 You are being asked to exercise your power mainly in relation to the purposes identified in sections 3(b), 3(d), 3(f) and 3(g).
- 54 In accordance with sections 3(b), (d) and (f), it is proposed that the community will participate in the process for the development of the Recovery Plan in a timely manner. The proposal for a collaborative multi-agency approach to developing the Recovery Plan strongly accords with section 3(f).
- 55 The Recovery Plan will establish land use certainty and focus on the priority areas for recovery and rebuilding over the next 10 to 15 years that will enable the councils and NZTA to deal with statutory planning requirements efficiently and effectively. These outcomes are in accordance with section 3(d), (f) and (g).
- 56 By directing the development of the Recovery Plan you are also ensuring the councils are establishing a land use framework within which the necessary activities for the restoration of the social, economic, cultural and environmental wellbeing of greater Christchurch can occur (section 3(g)).
- 57 The exercise of your section 16(1) powers, also provides for a Recovery Plan as an appropriate measure to provide regulatory support for recovery from the earthquakes (s 3(a)), and provides for you to ensure recovery by providing land use planning certainty (s 3(c)).

Reasonably consider it necessary

- 58 We agree with the seven reasons ECan gives for why you can reasonably consider it necessary to exercise your powers to direct the development of a Recovery Plan (as set out in section 2 on page 2 of the request).
- 59 Land use recovery and rebuilding requires certainty and an agreed direction. Normal land use planning processes are not responsive enough to achieve the necessary changes quickly enough. Without this certainty there could be delays in recovery and inefficient investment and funding.
- 60 The request is also consistent with the reasons for why you might develop a Recovery Plan as set out in section 7.1 of the Recovery Strategy; that is, a statutory intervention is needed to undertake a particular programme of work and usual methods cannot achieve the type of change proposed in a timely manner.

Proposed approach to developing the Recovery Plan

- 61 Section 19 (2) sets out the matters that you must have regard to when determining how Recovery Plans are to be developed. These matters are:

- a) *the nature and scope of the Recovery Plan; and*
- b) *the needs of people affected by it; and*
- c) *the possible funding implications and the sources of funding; and*
- d) *the New Zealand Disability Strategy; and*
- e) *the need to act expeditiously; and*
- f) *the need to ensure that the Recovery Plan is consistent with other Recovery Plans*

62 The request for direction includes an assessment of each of these matters in section 6 (pages 7 and 8), and goes some way to assisting with your decision. The proposed approach to consultation is set out in section 4 (page 6) of the request.

63 Our assessment of the proposed approach to developing the Recovery Plan having regard to the section 19(2) CER Act matters, is that:

- The Recovery Plan will provide a high-level land use planning framework and detail about priority land use and development issue across greater Christchurch. The proposal to develop the plan with the territorial authorities, Te Rūnanga o Ngāi Tahu, NZTA and CERA is appropriate for the nature and scope of the proposed Recovery Plan and for people within greater Christchurch who will be affected by it. Our recommended "collaborative multi-agency approach" strengthens this.
- The geographic scope of the Recovery Plan, coupled with CERA's preferred approach to consultation, will assist with identifying key, relevant issues, and ensuring the needs of people affected by the Recovery Plan are addressed.
- The multi-agency approach will be cost effective and provides for the funding of the development of the Recovery Plan to be spread across the agencies contributing to its development.
- The development of the Recovery Plan provides a significant opportunity to consider the objectives of the NZ Disability Strategy. CERA recommends that the Recovery Plan be developed with the relevant NZ Disability Strategy objectives in mind and with due regard be provided in those objectives. Appropriate engagement on disability matters during development of the Recovery Plan will assist this.
- The multi-agency approach and preferred approach to consultation is also efficient and effective in producing a Recovery Plan in an expedient manner.
- Consistency between the Christchurch Central Recovery Plan and the proposed Land Use Recovery Plan will also be achieved by CERA and CCC being part of its development of the Recovery Plan.

Consistency with the Recovery Strategy

64 Recovery Plans approved under the CER Act must be consistent with the Recovery Strategy. We agree with ECan's assessment of consistency set out in section 5 and Table 2 of the request. The nature and scope of the proposed Recovery Plan is consistent with the goals of the Recovery Strategy and priorities for the built environment, infrastructure and economic recovery. The Recovery Plan will also provide greater certainty on how the Recovery Strategy goals will be implemented.

65 The Recovery Plan will provide certainty and support the coordination and prioritisation of infrastructure investment and transport. Understanding the location and supply of land will ensure connectivity for residents and businesses to facilities. In addition, it will assist the

planning for new activities to support a well-functioning central city, suburban, and rural centres.

- 66 To assist the development of the Recovery Plan, ECan proposes using impact assessment methodologies and tools as required in section 7 of the Recovery Strategy.

Recovery Plan direction in the context of other court proceedings

High Court and Court of Appeal

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withheld under section 9(2)(h)

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withheld under section 9(2)(h)

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withheld under section 9(2)(h)

70

withheld under section 9(2)(h)

Environment Court

71

withheld under section 9(2)(h)

Linkages to other Recovery Plans and programmes

- 72 In developing the Recovery Plan, ECan should consider the relationship of it with other recovery decision-making processes. Under the CER Act, the Recovery Plan must be consistent with the only other Recovery Plan, the Christchurch Central Recovery Plan. Consideration of across boundary issues relating to settlement patterns and transport matters would need to be developed consistently between the Recovery Plans. Amendments to the Christchurch Central Recovery Plan would be out of scope of the proposed Land Use Recovery Plan. We recommend that this be specifically noted in the direction to develop the Recovery Plan.

- 73 There are other recovery programmes that are related to and would be informed by the Recovery Plan. These include decision-making on community services such as public transport, health services, education facilities and recreational facilities and spaces. We recommend that the direction in the Gazette Notice specifically note that the Recovery Plan may not direct or implement changes on these matters. This approach will help establish a clear expectation with the community about the matters the Recovery Plan will and will not deal with.
- 74 There are other matters currently being considered that could potentially fall within the scope of a Land Use Recovery Plan. This includes the proposal by Housing New Zealand to redevelop its housing stock in Christchurch, Christchurch City Council's proposals to manage natural hazards on the Port Hills, various detailed transport planning initiatives and Lyttelton Port and township redevelopment.
- 75 None of these initiatives have progressed to a stage that they could easily be incorporated into any direction given on ECan's request. We therefore recommend that these matters are not specifically included in the matters to be dealt with by the Recovery Plan.

Consultation

- 76 CERA has worked with a group of representatives from the strategic partners and NZTA to develop advice on the possible nature and scope of a Recovery Plan and to undertake a preliminary test of this for consistency with the Recovery Strategy. We have subsequently met to seek clarification about the request and to discuss the matters to be dealt with in the Recovery Plan and the nature of consultation for its development.
- 77 Other government departments have provided comments on a draft of this briefing. General support was expressed for ECan's request and our recommendations to you about the matters to be addressed, timelines and consultation in the comments received from Ministry for the Environment (MfE), Ministry of Business, Innovation and Employment (MBIE), Department of Internal Affairs (DIA), Department of Prime Minister and Cabinet (DPMC), and State Service Commission (SSC).
- 78 MBIE suggested considering a hearing by Independent Commissioners based on the proposals for the streamlined process for the Auckland Unitary Plan. For the reasons outlined in paragraphs 36 to 45 above, we do not support this option.

Communications

- 79 We will work with staff in your office to prepare a media statement and information for the CERA website for the release of your decision on this request to prepare a Recovery Plan.
- 80 Communications about the development of the Recovery Plan would be managed by ECan with input from all the agencies involved.

Next Steps

- 81 If you agree with our recommendations, you could advise your colleagues of your intention to direct the Recovery Plan by forwarding this paper for their information, discussing it with them directly or taking an oral item to Cabinet. We have attached a paper for an oral item to Cabinet should you decide to do this.

- 82 If you decide to direct the development of the Land Use Recovery Plan, you must ensure that the direction is notified in the Gazette together with the list of all other Recovery Plans being developed or in force. A notice is attached for your signature.
- 83 We recommend that you take a paper to Cabinet when you are considering decisions to change, withdraw or approve a Recovery Plan after you have received written comments on the draft Recovery Plan from ECan. You followed this process when you were making decisions on the Christchurch Central Recovery Plan.

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Appendix 1

Request by the Canterbury Regional Council for a direction to develop a Land Use Recovery Plan

Released by the Minister for Canterbury Earthquake Recovery



Customer Services
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 PO Box 345
 Christchurch 8140
 P. 03 365 3028
 F. 03 365 3194
 E. ecinfo@ecan.govt.nz
www.ecan.govt.nz

20 September 2012

Hon Gerry Brownlee
 Minister for Canterbury Earthquake Recovery
 Private Bag 18888
 Parliament Buildings
 Wellington 6160

Dear Minister

Request to the Minister for Canterbury Earthquake Recovery to direct the Canterbury Regional Council to prepare a Land Use Recovery Plan

The Canterbury Regional Council, as requested by the Recovery Strategy for Greater Christchurch strategic partners (Christchurch City Council, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu), and the New Zealand Transport Agency, write to formally asks that you direct the preparation of a Land Use Recovery Plan, pursuant to section 16(3) of the Canterbury Earthquake Recovery Act 2011.

The Recovery Strategy strategic partners and NZTA consider the development of such a plan vital to facilitate earthquake recovery and integral to fulfilling the purposes of the CER Act 2011, Sections 3 (a) to 3 (g) inclusive.

The need for greater certainty regarding land use and infrastructure matters is considered to be urgent by the strategic partners and NZTA. Significant investment decisions are currently being made, including by SCIRT and the capital programmes of the three territorial authorities, which would be optimised by such a proposed Plan. In addition, the needs of people and businesses seeking to (re)locate are pressing and the Plan would provide focus for such decision-making.

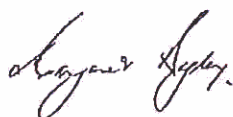
The recovery plan would focus on elements related to land use that achieve earthquake recovery. It would provide clear guidance as to the spatial distribution of residential and business land, identify areas of priority for recovery, including greenfield and brownfield land, and would also provide direction on issues such as transport effectiveness, wider housing choice, identification and promotion of existing towns and centres. The plan would also provide clear direction on avoiding or mitigating risk from natural hazards. This is further detailed in the attached request document.

Subject to your approval by the end of September, the following anticipated key milestones have been established as part of the preparation of a draft Plan:

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1. Development of a consultation document by 22 November 2012
2. Consultation period: 22 November to 20 December 2012
3. Hearing on comments received: 28 January to 1 February 2013
4. Presentation of a final draft Plan to the Minister: 15 February 2013

Yours sincerely



Dame Margaret Bazley ONZ, DNZM, Hon DLit
Chairperson

Copy for:
Roger Sutton, Chief Executive, CERA

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CONFIDENTIAL

Request to the Minister for Canterbury Earthquake Recovery to direct the development of a Land Use Recovery Plan ("the Plan")

20.09.2012

1. Responsible entity
1.1. Who is to be tasked with preparation of the plan
Canterbury Regional Council (Environment Canterbury or ECan) as requested by the strategic partners ¹ and NZTA
1.2. Reasons why this entity(s) is proposed
ECan is the Regional Council and its functions and powers (such as integrated management of natural and physical resources of the region (s30(1)(a) RMA) and the strategic integration of infrastructure with land use (s30(1)(gb) RMA) mean it is well placed to consider and assess the land use and related transport and infrastructure recovery needs of greater Christchurch ² .
1.3. Proposal for other parties to be involved in the preparation of the Plan
It is proposed that the Plan would be developed in consultation with Canterbury Earthquake Recovery Authority (CERA), Christchurch City Council (CCC), Selwyn District Council (SDC), Waimakariri District Council (WDC), Te Rūnanga o Ngāi Tahu (TRoNT), and New Zealand Transport Agency (NZTA).
2. Need for the Plan
2.1. An explanation of the need for a Plan to be prepared under the CER Act: Why it is considered that the direction to prepare a recovery plan is needed in terms of s 10(1) – purposes of the Act and s 10(2) – necessary
<p>The need for greater certainty regarding land use and infrastructure matters is considered to be urgent by the Recovery Strategy strategic partners³ and NZTA. Significant investment decisions are currently being made, including by SCIRT and the capital programmes of the three territorial authorities, which would be optimised by the proposed Plan.</p> <p>The strategic partners and NZTA consider the development of such a plan vital to facilitate earthquake recovery and integral to fulfilling the purposes of the CER Act 2011, Sections 3 (a) to 3(g) inclusive. Such a plan will address land use changes necessary to effect earthquake recovery and will inform decision-making in relation to infrastructure provision and associated community services.</p> <p>In particular the Recovery Strategy strategic partners and NZTA consider that the Recovery Plan would be in accordance with the following purposes of the CER Act:</p> <ul style="list-style-type: none"> a) s3(d) "enable a focused, timely and expedited recovery"; b) s3(f) "facilitate, co-ordinate and direct the planning, rebuilding and recovery of affected communities, including the repair and rebuilding of land, infrastructure and other property"; and c) s3(g) "restore the social, economic, cultural and environmental well-being of the greater Christchurch communities".

¹ Identified in the Recovery Strategy as Christchurch City Council (CCC), Selwyn District Council (SDC), Waimakariri District Council (WDC), Environment Canterbury (ECan) and Te Rūnanga o Ngāi Tahu (TRoNT)

² greater Christchurch means the districts of the Christchurch City Council, the Selwyn District Council, and the Waimakariri District Council, and includes the coastal marine area adjacent to these districts

In accordance with these purposes the Recovery Plan will:

- i) optimise investment;
- ii) prioritise infrastructure;
- iii) Integrate transport;
- iv) enable housing choice;
- v) ensure sufficient business land;
- vi) revitalise existing centres;
- vii) redevelop brownfield areas;
- viii) protection from natural hazard risk.

The process for developing the Recovery Plan provides for community input, in accordance with the purpose s3(b) CER Act. It is necessary for the purposes of the CER Act for the Minister to direct the development of a Land Use Recovery Plan.

The exercise by the Minister of CER Act powers to direct ECan to develop a Recovery Plan pursuant to section 16(1) is required (in accordance with section 10(2) CER Act) because:

- Lack of certainty and the inability to provide an amended land use planning framework in a timely manner will significantly impair earthquake recovery and delay the recovery in greater Christchurch.
- Normal RMA, LGA and LTMA processes to amend existing documents and instruments will not provide certainty quickly enough;
- Existing policies and plans don't now reflect the greater Christchurch environment that has been altered by the earthquakes;
- Prioritisation of earthquake recovery land use planning effort is required;
- Direction about land use and settlement patterns is necessary to inform and direct the restoration and rebuilding of infrastructure and transport networks;
- The Recovery Strategy for Greater Christchurch, Mahere Haumanutanga o Waitaha, was not able to include matters set out in section 11(3)(a) and (b) CER Act because of the effect of on-going seismic activity on land and the need to complete the assessment of land damage and its suitability for future use (land zoning decisions); and
- Amendments to the RPS made by the Minister for Canterbury Earthquake Recovery to provide certainty to enable local authorities and developers to make land available for post-earthquake residential development (Chapter 12A) are being contested and are not available to provide direction;

Reasons for the preparation of a Plan under section 7.1 of the Recovery Strategy

The Recovery Strategy strategic partners and NZTA consider that to effect earthquake recovery statutory intervention is needed to undertake the programme of work that this Recovery Plan will address and that the usual methods of work cannot achieve the required interventions in a timely and efficient manner.

<p>Existing RMA documents were prepared prior to the earthquakes and do not sufficiently provide for the prioritisation or direction that is now required to enable resources to be focussed efficiently and effectively for earthquake recovery. Although such documents can be amended through statutory processes it is unlikely that such changes could be achieved in a timely manner.</p> <p>Equally, existing LGA and LTMA documents need to be able to respond to and be integrated with any land use changes required for earthquake recovery that would be directed through a Recovery Plan and the standard review timeframes and processes cannot achieve this expeditiously.</p>
<p><i>An overview of the situation prior to the earthquakes</i></p>
<p>Prior to the earthquakes, planning for land use and infrastructure issues was governed through the statutory documents prepared under the RMA 1991, LGA 2002 and LTMA 2003. In addition, greater integration of land use, transport and other infrastructure was being promoted through Change 1 to the Regional Policy Statement (RPS) but Environment Court hearings in relation to appeals were ongoing and so significant land use uncertainty remained.</p>
<p><i>A short summary of the damage/earthquake implications</i></p>
<p>The earthquakes have given rise to significant infrastructure damage and associated land use change. CERA land zoning decisions have resulted in residential Red Zones requiring the relocation of over 7500 households, and stringent new technical foundation considerations for around 28,000 households within areas classified as Technical Category 3.</p> <p>The CBD area, as has been well documented, has required widespread demolition and has been substantially cordoned restricting access, repair and use of remaining buildings.</p> <p>Council and community facilities require substantial repair or rebuild, with implications for ongoing and future service delivery, and many suburban and town centres have suffered from business closures and/or relocations.</p> <p>The implications for land use and infrastructure are widespread but critically relate to:</p> <ul style="list-style-type: none"> • Needing to accommodate residential and business relocations • Assessing altered infrastructure needs, capacity and related services such as public transport, health/education/recreation facilities, etc • Ensuring recovery is resilient and maximises opportunities presented
<p><i>A statement about whether drivers that existed before the earthquakes have changed or not (e.g. population size, distribution and growth trends), including data to support this statement</i></p>
<p>Statistics NZ estimate that around 8900 people left the Christchurch area between June 2010 and June 2011, albeit some relocated to within Selwyn District and Waimakariri District.</p> <p>Initial estimates, as reported to the Canterbury Employment and Skills Board, of a short-term influx of additional workforce required for the rebuild are expected to be in the order of 24,000 at the peak of rebuild activity.</p> <p>With a few exceptions, business sectors and employment activity levels have proved remarkably resilient, despite significant business relocations and business interruption issues. Data included in the Canterbury Economic Indicators provides more detail on this issue.</p>

<p>3. Scope and nature of the Plan</p>
<p>3.1. A description of the scope of the Plan, including: Geographic extent or specific site nature of provisions</p>
<p>The scope of the Plan is centred on ensuring land use policy and planning provisions in greater Christchurch are appropriate to support earthquake recovery in the next 10 to 15 years. These land use provisions interact with and establish the platform for infrastructure and transport restoration and rebuilding decision-making. The Plan will recognise that decision-making for earthquake recovery cannot be made in isolation of the longer term growth needs of the greater Christchurch community but will not address this specifically.</p> <p>Matters outside the scope of the Plan include, all other “natural and physical resources” (as defined in section 2 of the RMA except for land and structures), future use of “red-zoned” land, and longer-term provisions for growth and development in greater Christchurch.</p> <p>The Plan will cover the extent of the greater Christchurch area as defined by the CER Act, namely the territorial areas of Christchurch City and Selwyn and Waimakariri Districts and the coastal marine area adjacent to these districts, but with a focus on the metropolitan urban area and towns stretching from Lincoln and Rolleston in the south to Rangiora and Woodend in the north, including Christchurch City (and to the extent necessary on matters relating to housing choice and integrated transport this would include the area covered by the Christchurch Central Recovery Plan).</p>
<p><i>The social, economic, cultural or environmental matters, infrastructure, work or activity the Plan provisions will address</i></p>
<p>The Plan will address land use changes necessary to effect earthquake recovery and will inform decision-making in relation to infrastructure provision and associated community services such as public transport, health provision, educational facilities and recreational places and spaces.</p> <p>In so doing it will influence and help restore the social, economic, cultural and environmental well-being of the greater Christchurch communities.</p>
<p><i>Intended outcomes of the Plan</i></p>
<p>By establishing an earthquake recovery land use planning framework for greater Christchurch the following outcomes will be achieved:</p> <ol style="list-style-type: none"> 1. Optimise Investment: Provide confidence that the significant recovery investment by the Crown, local Councils, the business sector and wider community is being efficiently and effectively deployed and that the benefits of such investment are realised 2. Prioritise Infrastructure: Enable alignment between repair, rebuild and new provision programmes (including sequencing and prioritisation) for horizontal infrastructure as well as community facilities, schools and other publicly funded fixed assets 3. Integrate Transport: Provide a recovery focused framework across the transport network for prioritising investment and service level changes, integrated with anticipated land use change

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4. Enable Housing Choice: Provide for a diversity of housing choices (quantity, types and locations) for those seeking to relocate within, or move to, greater Christchurch during the rebuild and recovery period

5. Sufficient Business Land: Ensure provision of sufficient suitable and appropriately located business land to retain and attract businesses necessary for economic recovery, including facilitating innovation clusters and hubs

6. Revitalise Centres: Establish complimentary land use policies to support implementation of the Christchurch Central Recovery Plan (CCRP) and other recovery programmes and the revitalisation of suburban and satellite town centres

7. Redevelop Brownfields: Advance policies and measures to maximise the land use change opportunities on brownfield sites and intensification as part of residential rebuild activity

8. Protect from Natural Hazards: Respond to the changed and heightened risks in some communities from natural hazard events

How the proposal is for recovery purposes (and not business as usual)

The Recovery Plan will provide greater land use certainty for a 10 to 15 year period necessary for earthquake recovery and will establish a clearer, prioritised and more certain land use framework to enable resources to be efficiently and effectively deployed.

The proposal differs from business as usual as it will enable the changed circumstances and needs arising from the earthquakes to be addressed within RMA, LGA and LTMA documents in a timely and efficient manner.

Identification of environment, assets and services affected by the Plan

The Plan will directly affect the planning environment of the greater Christchurch area through changes to the land use framework in RMA documents that guide planning decisions. Indirectly the Plan will inform and influence infrastructure and community facilities planning and other private development and assets through the resultant changes to land use policies and plans anticipated by the Plan.

A description of the intended impact of the Plan

1. Respond to the direct and indirect or induced impacts of the earthquakes on land use patterns and associated infrastructure priorities
2. Direct specific changes to statutory documents required to:
 - a. establish land use certainty
 - b. ensure a coordinated multi-agency approach
 - c. highlight priority areas for recovery needs/(re)development over the next 10-15 years in a way that enables the councils and NZTA to deal with statutory planning requirements efficiently and effectively
 - d. make explicit the requisite infrastructure delivery sequencing and timescales
3. Further re-establish business and investor confidence in the recovery
4. Provide a platform for the Crown, local authorities and NZTA to consider the transition from the rebuild phase to the needs of the longer-term planning horizons.

<p>3.2. <i>A statement about what legal instruments the responsible entity proposes to amend to give effect to the Plan, the nature of the proposed amendments and approximately when they will occur</i></p>
<p>The Plan proposes amendments to documents prepared under the Resource Management Act 1991(RMA), Local Government Act 2002(LGA), and Land Transport Management Act 2003(LTMA) documents of the local authorities governing the greater Christchurch area.</p> <p>The nature of the proposed amendments is described in an Appendix to this request with an anticipated timing of such amendments occurring within a three month period following approval of the Recovery Plan by the Minister.</p>
<p>3.3. <i>The context of the proposal and other related work that might have an impact on it (including dependencies and relationships)</i></p>
<p>The Plan would support the delivery of related recovery programmes and Recovery Plans (particularly the implementation of the Christchurch Central Recovery Plan (CCRP), the Economic Recovery Programme, the portfolio of programmes within the Built Environment Recovery, and the natural hazards assessment required in the Natural Environment Recovery Programme). It would both inform and be informed by the delivery programmes of the Stronger Christchurch Infrastructure Rebuild Team (SCIRT) and the capital programmes of the three territorial authorities.</p>
<p>4. Consultation</p>
<p>4.1. <i>Proposals for engagement with the public and consultation where they are considered appropriate, including reasons for consulting or not and type of consultation proposed</i></p>
<p>A document that sets out the proposed land use framework and some specific issues and options will be prepared and be available for a period of one month for written public submissions from late November 2012.</p> <p>The development of the Plan will also draw on relevant comments made as part of the consultations on the draft Recovery Strategy, the draft Central City Plan (including the 'Share an Idea' process) and Councils' Long Terms Plans and Annual Plans.</p> <p>Hearings will be held for a period of one week from late January in a similar style and format to a Select Committee hearing process, whereby submissions are pre-read by the Hearing Panel and those submitting are offered the opportunity to be heard on the key points within their submissions within five to ten minute time allocations.</p> <p>A Hearing Panel will comprise representation from the Responsible Entity and may include representation from the organisations and agencies (identified in section 1.3) contributing to the preparation of the Plan.</p> <p>This approach to consultation is proposed to enable the timely completion of this Plan, recognising the significant comments already provided through consultation on other relevant documents, and follows a process that is familiar to the public.</p>
<p>5. Recovery Strategy</p>
<p>5.1. <i>Identification of the relevant provisions of the Recovery Strategy and an analysis of consistency of the proposal with the Recovery Strategy</i></p>
<p>Relevant provisions of the Recovery Strategy and an analysis of consistency of the Plan proposal are outlined in an Appendix to this request. The Plan also directly relates to progressing matters identified in Section 11 (3)(a) and (b) of the CER Act which the Recovery Strategy did not directly address as related CERA land zoning decisions were still being finalised at the time the Recovery Strategy was approved.</p>

<p>5.2. <i>The proposal for use of Impact assessment methodologies or tools in the preparation of the draft Plan (section 7.1 of the Recovery Strategy)</i></p>
<p>The development of the Plan will include the use of the Integrated Recovery Planning Guide (June 2011) and other relevant Impact assessment tools.</p>
<p>6. Other section 19 (2) CER Act considerations</p>
<p>6.1. <i>A statement about the needs of people affected by the Plan</i></p>
<p>The Plan will indirectly affect the entire population of the greater Christchurch area, including the businesses and communities located there, as well as the wider Canterbury region.</p> <p>The needs of people and businesses seeking to relocate as a result of the earthquakes will be directly affected by the Plan. For such households the Plan seeks to enable housing choice, and for relocating businesses the Plan seeks to ensure sufficient and suitable business land provision.</p> <p>The Plan will also impact on the development community, through identification of priority areas to focus (re)development, and the associated provision of infrastructure and services, over the next 10-15 years. The need of landowners wanting certainty about areas to be developed for specific uses and the provision of infrastructure will be met through the plan.</p>
<p>6.2. <i>A discussion of the financial implications for the Government, private owners, local bodies, ratepayers, and others</i></p>
<p>Rather than having significant specific financial implications itself, the Plan seeks to ensure that the financial investment made by the Crown, local councils, the business sector and the wider community is integrated and optimised.</p>
<p>6.3. <i>A proposal for how the Plan will be funded (sources of funding, quantum and phasing)</i></p>
<p>The development of the draft Plan will be funded by the Recovery Strategy strategic partners (identified in section 2.1) as will amendments to RMA, LGA and LTMA documents directed by the Plan.</p>
<p>6.4. <i>Consideration of the NZ Disability Strategy</i></p>
<p>The Plan will enable efficient investment decisions to be made regarding community facilities and services leading to consequential benefits relating to the objectives of the NZ Disability Strategy, particularly:</p> <ul style="list-style-type: none"> ▪ Objective 8: Support quality living in the community for disabled people ▪ Objective 9: Support lifestyle choices, recreation and culture for disabled people ▪ Objective: 11 Enable disabled children and youth to lead full and active lives <p>The Plan will also assist the housing and employment choices of people with disabilities directly affected by the earthquakes by ensuring sufficient and timely provision of land for relocating households and businesses.</p> <p>Consultation during the development of the Plan will incorporate measures to ensure appropriate opportunities exist for engagement on disability matters.</p>
<p>6.5. <i>The need to act expeditiously</i></p>
<p>The need for greater certainty regarding land use and infrastructure matters is considered to be urgent by the strategy partners and NZTA. Significant investment decisions are currently being made, including by SCIRT and the capital programmes of the three territorial authorities, which would be optimised by the proposed Plan.</p>

<p>In addition, the needs of people and businesses seeking to relocate are pressing and the Plan would provide clarity for such decision-making.</p>
<p>6.6. How the Plan will be consistent with other Recovery Plans</p>
<p>The Plan will be informed by and consistent with the Christchurch Central Recovery Plan (CCRP), identifying actions and plan provision amendments that would support CCRP objectives.</p> <p>The Plan will also help fulfil Sections 3 (a) and (b) of the CER Act relating to the Recovery Strategy and will be informed by the current recovery programmes underway.</p>
<p>7. Plan preparation timetable</p>
<p>7.1. A statement regarding milestones for major decisions and actions for the preparation of the Plan</p>
<p>Subject to Ministerial approval by the end of September, the following anticipated key milestones have been established as part of the preparation of a draft Plan:</p> <ol style="list-style-type: none"> 1. Development of a consultation document by 22 November 2012 2. Consultation period: 22 November to 20 December 2012 3. Hearing on comments received: 28 January to 1 February 2013 4. Presentation of a final draft Plan to the Minister: 15 February 2013
<p>7.2. A statement about whether subsequent amendments to the Plan are envisaged and in-general, what they may be</p>
<p>It is likely that not all aspects and required interventions relating to the scope of the Land Use Recovery Plan will be able to be determined during the plan preparation timetable (Identified above in section 4.1). Issues relating to the future use of Red Zone land and the wider impacts of land identified as Technical Category 3 (TC3) are still as yet undetermined or uncertain but are of particular significance for the proposed outcomes of the Plan. The strategic partners and NZTA consider however that there is sufficient urgency to establish greater land use certainty to progress with the preparation of the Plan and then to request the Minister to make subsequent changes to the Plan under section 16 CER Act as necessary as these matters are resolved.</p>
<p>7.3. A statement about the date at which the Plan will have been fully implemented and all actions included in it completed, or a date at which it is required to be reviewed, or will expire</p>
<p>The Plan proposes to make amendments to documents prepared the local authorities governing the greater Christchurch area under the LGA, RMA and LTMA. The amendment actions themselves will be implemented within a three month period following approval of the Plan by the Minister. Where necessary to meet the purposes of the CER Act, amendments will be time bound.</p> <p>The outcomes of the Plan, and any further refinement through reviews of the Plan, will however take significantly longer to achieve.</p> <p>The Plan is therefore proposed to expire on expiry of the CER Act in 2016 but the changes made to the documents and instruments by the Plan will endure past 2016.</p>

Table 1: Recovery Plan: Potential changes to policies and plans

Recovery Plan topic	Potential changes to policies and plans	Recovery need	Recovery Plan outcomes
Optimise Investment	<ul style="list-style-type: none"> ▪ Coordination and alignment of capital programmes with identified priority areas ▪ Provisions to enable and direct prioritisation of resources 	<ul style="list-style-type: none"> ▪ Numerous public agencies now addressing rebuild programmes ▪ Private sector development decisions influenced by surrounding land use and public investment decisions and timeframes 	Provide confidence that the significant recovery investment by the Crown, local Councils, the business sector and wider community is being efficiently and effectively deployed and that the benefits of such investment are realised
Prioritise Infrastructure	<ul style="list-style-type: none"> ▪ Prioritisation and sequencing of infrastructure programmes ▪ Aligning infrastructure programmes with new land development needs 	<ul style="list-style-type: none"> ▪ Infrastructure planning needs are influenced by land use, capacity, location and timing issues ▪ 'Dig once, dig right' philosophy 	Enable alignment between repair, rebuild and new provision programmes (including sequencing and prioritisation) for horizontal infrastructure as well as community facilities, schools and other publicly funded fixed assets
Integrate Transport	<ul style="list-style-type: none"> ▪ Amendments to translate strategic transport responses into policy and funding plans ▪ Streamlined consenting for priority transport programmes 	<ul style="list-style-type: none"> ▪ Address network effects of altered journey patterns ▪ Refocus passenger transport network to support suburban interchanges and CBD 	Provide a recovery focused framework across the transport network for prioritising investment and service level, integrated with anticipated land use change
Enable Housing Choice	<ul style="list-style-type: none"> ▪ Identification of priority locations for housing to accommodate household relocations ▪ Amendments to facilitate wider range of housing types 	<ul style="list-style-type: none"> ▪ Sufficient provision of housing for displaced residents and the influx of additional workers ▪ Supportive land use policies to encourage more affordable housing options and ensure the quality of rebuild and replacement housing. 	Provide for a diversity of housing choices (quantity, types and locations) for those seeking to relocate within, or move to, greater Christchurch during the rebuild and recovery period

Recovery Plan topic	Potential changes to policies and plans	Recovery need	Recovery Plan outcomes
Sufficient Land	<ul style="list-style-type: none"> ▪ Identification of priority locations for business relocations ▪ Amendments to facilitate business clustering and agglomeration ▪ Identification of intermodal business hubs to assist freight movements 	<ul style="list-style-type: none"> ▪ Providing sufficient and suitable land for business relocation decisions to retain employment ▪ Supportive to maintain effective functioning of the greater Christchurch hinterland. 	<p>Ensure provision of sufficient suitable and appropriately located business land to retain and attract businesses necessary for economic recovery, including facilitating innovation clusters and hubs</p>
Revitalise Centres	<ul style="list-style-type: none"> ▪ Identification of measures in support of town centre strategies and CBD ▪ Amendments to foster greater mixed use opportunities ▪ Accelerated changes to zonings within and around centres to meet identified needs 	<ul style="list-style-type: none"> ▪ Underpin recovery of communities in the wider region ▪ Creating supportive business environment in affected centres ▪ Respond to the altered catchment of centres in light of CERA land zoning decisions to maintain viable centres 	<p>Establish complimentary land use policies to support implementation of the Christchurch Central Recovery Plan (CCRP) and other recovery programmes and the revitalisation of suburban and satellite town centres</p>
Redevelop Brownfield Areas	<ul style="list-style-type: none"> ▪ Identification of suitable areas to foster greater levels of intensification ▪ Amendments to land use zonings and rules ▪ Amendments to facilitate comprehensive development 	<ul style="list-style-type: none"> ▪ Encourage investment in under-utilised brownfield industrial land, particularly in the east of the City ▪ Opportunity for better comprehensive redevelopment, rather than simply building back what existed before 	<p>Advance policies and measures to maximise the unprecedented land use change opportunities regarding brownfield sites and intensification as part of residential rebuild activity</p>
Protect from Natural Hazards	<ul style="list-style-type: none"> ▪ Amendments to incorporate new and more detailed hazard mitigation measures ▪ Amendments to zonings and rules to insert hazard risk considerations 	<ul style="list-style-type: none"> ▪ Increased flood hazard arising from widespread land movements and localised land subsidence ▪ Wider implications of Port Hills' rockfall, cliff collapse and landslide hazards ▪ Consideration to global environmental issues such as climate change, sea level rise and resource scarcity. 	<p>Respond to the changed and heightened risks in some communities from natural hazard events</p>

Table 2: Recovery Plan: Links to Recovery Strategy goals and other recovery programmes

Topic		Recovery Strategy linkages	Recovery programmes and plans ⁴
1. Optimise Investment	<p>Goals and priorities</p> <p>Goals</p> <p>1. Leadership and Integration –</p> <ul style="list-style-type: none"> ○ 1.0 CERA, the public and private sector and communities coordinate with each other to contribute to the recovery and future growth of greater Christchurch ○ 1.1 timely and efficient recovery ○ 1.7 leverage investment for infrastructure <p>2. Economic –</p> <ul style="list-style-type: none"> ○ 2.0 Revitalise greater Christchurch as the heart of a prosperous region for business, work, education, and increased investment in new activities ○ 2.4 safe and attractive brand to live and invest ○ 2.5 early and substantial local and international investment <p>5. Built Environment –</p> <ul style="list-style-type: none"> ○ 5.0 Develop resilient, cost effective, accessible and integrated infrastructure, buildings, housing and transport networks ○ 5.1 coordinate and prioritise infrastructure investment for recovery and the future ○ 5.4 transport system meets changing needs 	<p>Economic Recovery Programme</p> <p>Education Renewal Recovery Programme</p> <p>Infrastructure Recovery Programme</p> <p>SCIRT Rebuild Programme</p> <p>RoNS Programme</p> <p>CCC/WDC Council Facilities Rebuild Plans</p>	
2. Prioritise Infrastructure			
3. Integrate Transport			

⁴ Implicit in this column are linkages to the Built Environment Recovery Integration Programme, the Land and Land Use Programme and the Rebuild Programme

Recovery Strategy linkages	
Topic	Recovery programmes and plans ⁴
<p>Goals and priorities</p> <p>Priorities</p> <ul style="list-style-type: none"> • Investment conditions support rebuild and development • Permanent repair or rebuild of infrastructure • Supply of land connected to infrastructure • Functioning CBD, suburban areas and rural towns <p>Goals</p> <p>2. Economic –</p> <ul style="list-style-type: none"> ○ 2.0 Revitalise greater Christchurch as the heart of a prosperous region for business, work, education, and increased investment in new activities ○ 2.1 planning for well-functioning central city, suburban centres, rural towns and rural sector ○ 2.8 business-friendly environment to retain and attract business <p>3. Social –</p> <ul style="list-style-type: none"> ○ 3.0 Strengthen community resilience, safety and wellbeing and enhance quality of life for residents and visitors ○ 3.4 quality housing, education and health services to support people <p>5. Built Environment –</p> <ul style="list-style-type: none"> ○ 5.0 Develop resilient, cost effective, accessible and integrated infrastructure, buildings, housing and transport networks ○ 5.5 zoning sufficient land for recovery within an urban form that provides for future development ○ 5.6 a range of affordable housing options connected to infrastructure 	<p>Christchurch Central Recovery Plan</p> <p>HINZC/CCC Social Housing Rebuild Programmes</p> <p>MBIE/SHU Housing Strategy</p> <p>Economic Recovery Programme</p> <p>CCC Suburban Centres Programme</p> <p>SDC/WDC Town Centre Strategies</p> <p>CCC/WDC Council Facilities Rebuild Plans</p>
<p>4. Enable Housing Choice</p> <p>5. Sufficient Business Land</p> <p>6. Revitalise Centres</p> <p>7. Redevelop Brownfield areas</p>	

Released by the Minister for the Environment, Climate Change and Planning

Topic	Recovery Strategy linkages	Recovery programmes and plans ⁴
	<p>Goals and priorities</p> <p>6. Natural Environment –</p> <ul style="list-style-type: none"> ○ 6.0 Restore the natural environment to support biodiversity and economic prosperity and to reconnect people to the rivers, wetlands and Port Hills ○ 6.1 protect and sustainably manage sources of water <p>Priorities</p> <ul style="list-style-type: none"> ● Options for replacement housing ● Supply of land connected to infrastructure ● Functioning CBD, suburban areas and rural towns 	
<p>8. Protect from Natural Hazards</p>	<p>Goals</p> <p>1. Leadership and Integration –</p> <ul style="list-style-type: none"> ○ 1.0 CERA, the public and private sector and communities coordinate with each other to contribute to the recovery and future growth of greater Christchurch ○ 1.2 considering the effects of ongoing seismic activity <p>5. Built Environment –</p> <ul style="list-style-type: none"> ○ 5.0 Develop resilient, cost effective, accessible and integrated infrastructure, buildings, housing and transport networks ○ 5.7 using information about seismic activity and environmental constraints including other natural hazards & climate change <p>Priorities</p> <ul style="list-style-type: none"> ● Addressing risk to life posed from natural hazards ● Regulation, standards and other information to support rebuilding that meets technical requirements for the land categories and building standards 	<p>Natural Environment Recovery Programme</p> <p>Natural Hazards Research Platform</p>

Released by the Minister for Canterbury Earthquake Recovery

Minister for Canterbury Earthquake Recovery

Canterbury Earthquake Recovery Act 2011 – Land Use Recovery Plan

Direction to Canterbury Regional Council to develop a Land Use Recovery Plan for greater Christchurch

Pursuant to section 16(4) of the Canterbury Earthquake Recovery Act 2011 ("the Act"), the Minister for Canterbury Earthquake Recovery gives the following notice.

Notice

1.0. Title

This notice is a direction to the Canterbury Regional Council to develop a Land Use Recovery Plan.

2.0. Direction

Pursuant to section 16(1) of the Act, I direct the Canterbury Regional Council to prepare a Recovery Plan to deal with the following matters within greater Christchurch:

2.1. Geographic extent - The Recovery Plan will focus on the metropolitan urban area and towns stretching from Lincoln and Rolleston in the south to Rangiora and Woodend in the north, including Christchurch City (and to the extent necessary, on across-boundary matters relating to residential land use and transport, this would include the area covered by the Christchurch Central Recovery Plan).

2.2. Matters to be dealt with –

- A. Identification of the location, type and mix of residential and business activities within specific geographic areas necessary for earthquake recovery, including
 - i. the priority areas to support recovery and rebuilding in the next 10 to 15 years, and
 - ii. enabling and informing the sequencing and timescales for the delivery of infrastructure and transport networks and hubs to support the priority areas.
- B. The Recovery Plan will make changes necessary for earthquake recovery to residential and business land use policy and planning provisions and related funding instruments, in order to provide for:
 - iii. the matters in A; and
 - iv. a diverse range of housing types, including social and affordable housing.
- C. To the extent possible in the timeframe for the development of the Recovery Plan, the Recovery Plan will make changes or identify a programme of further work to be undertaken before changes are made, to residential and business land use policy and planning provisions and related funding instruments, necessary for earthquake recovery, in order to:
 - v. provide for intensification of use and comprehensive development on suitable brownfield areas;
 - vi. support the recovery and rebuilding of the network of centres of activity such as the central city, suburban and satellite town centres.
- D. In making these changes consideration is to include avoiding or mitigating the changed or heightened risks of natural hazards.

2.3. The Recovery Plan must state the funding implications of its implementation and indicate the proposed funding sources. This may include the identification of options for different funding sources.

2.4. If the Canterbury Regional Council considers that amendments to documents and instruments prepared under the Resource Management Act 1991, Local Government Act 2002 and the Land Transport Management Act 2003 may be necessary to implement the Recovery Plan it must state this in the Plan and describe the nature of those amendments. The Recovery Plan may identify programmes of further work to be undertaken before amendments to address specific matters are proposed to it.

2.5. The Canterbury Regional Council must ensure provisions of the Recovery Plan are consistent with the Christchurch Central Recovery Plan. Consideration of across boundary issues relating to settlement patterns and transport matters must be developed consistently with the Christchurch Central Recovery Plan. Amendments to the Christchurch Central Recovery Plan shall not be made.

2.6. Canterbury Regional Council must have regard to any other Recovery Plans that are in force or being developed. It must consult the Canterbury Earthquake Recovery Authority to ensure that the Land Use Recovery Plan is consistent with, and supports, existing or developing Recovery Plans.

2.7. In developing the Recovery Plan, the Canterbury Regional Council will consider the relationship of the Plan with other recovery decision-making processes. The Recovery Plan will inform decision-making in relation to infrastructure provision and associated community services such as public transport, health services, educational facilities and recreational facilities and spaces. The Recovery Plan may not direct or implement changes to these matters.

2.8. The following matters may be considered by the Canterbury Regional Council in the development of the Recovery Plan but will not be specifically addressed in the Recovery Plan: recovery of non-land use resources such as water, air, soil, minerals and energy and all forms of plants and animals (being all other "natural and physical resources" as defined in section 2 of the RMA except for land and structures); future use of "red-zoned" land; and long-term provisions for growth and development in greater Christchurch.

2.9. In this Direction, "business" or "business activities" means activities that include retail, office, industrial and other commercial and any ancillary activity.

3.0. Development of Recovery Plan

Pursuant to section 19(1) of the Act, and having had regard to the matters in section 19(2) of the Act, I have determined that the Land Use Recovery Plan is to be developed in the following manner; including the following consultation requirements:

3.1. The Canterbury Regional Council must develop the Recovery Plan through a collaborative multi-agency approach with Christchurch City Council, and Selwyn and Waimakariri District Councils, Te Rūnanga o Ngāi Tahu, New Zealand Transport Agency and Canterbury Earthquake Recovery Authority. This is to ensure that the draft Recovery Plan reflects their needs and perspectives.

3.2. Canterbury Regional Council must ensure the draft Recovery Plan reflects to the extent possible the views of greater Christchurch communities generally. Canterbury Regional Council must use targeted stakeholder consultation sessions, at least five community based "open forum sessions" and consultation in a manner agreed with Te Rūnanga o Ngāi Tahu, to achieve this. The Canterbury Regional Council is to determine the exact nature, timing and location of the consultation sessions, except public consultation must not occur over the Christmas/New Year period. There is no requirement to hold public hearings.

3.3. The Canterbury Regional Council must prepare and publish a report on all consultation undertaken, including a summary of what was heard during consultation and how it influenced the draft Recovery Plan. The Canterbury Regional Council must provide me with a copy of the consultation summary report when sending me the draft Recovery Plan.

3.4. The Canterbury Regional Council must develop a draft Land Use Recovery Plan within seven months after the date of this direction.

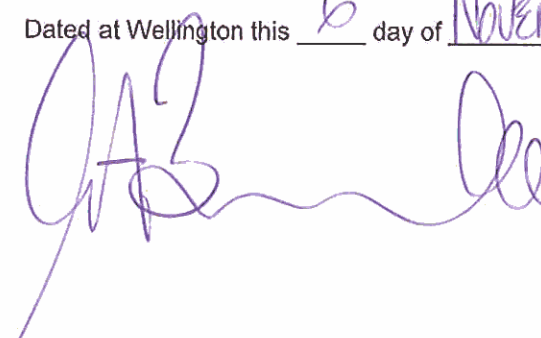
3.5. The Canterbury Regional Council must ensure that all public information relating to the draft Recovery Plan is freely and easily available.

3.6. As required under section 20 of the Act, I intend to publicly notify the draft Land Use Recovery Plan. I will do this after receiving the draft Recovery Plan from Canterbury Regional Council. When I notify the draft Recovery Plan, I will invite comments from the public within a period of a minimum of four weeks.

4.0. Other Recovery Plans

The Christchurch Central Recovery Plan is the only other Recovery Plan in force.

Dated at Wellington this 6th day of NOVEMBER 2012.



HON GERRY BROWNLEE

Minister for Canterbury Earthquake Recovery

Appendix 3 – Paper for Oral Item to Cabinet

1. I have received a request from the Canterbury Regional Council for a direction to develop a Land Use Recovery Plan under the Canterbury Earthquake Recovery Act. It is proposed that the Recovery Plan be developed with the Christchurch City Council, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu, New Zealand Transport Agency and Canterbury Earthquake Recovery Authority.
2. The primary focus of the Recovery Plan is prioritising land use and land use changes necessary to achieve recovery. CERA sought input from government departments before advising me that there is general support for the proposal for the Recovery Plan.
3. I intend to direct the development of this Recovery Plan including consultation through targeted stakeholder sessions, at least five community based "open forum" sessions, and consultation in a manner agreed with Te Rūnanga o Ngāi Tahu.
4. I expect to receive a draft Land Use Recovery Plan from the Canterbury Regional Council within seven months of making a direction, i.e. in May 2013.
5. CERA will ensure that there is on-going input from government departments throughout the development of the Recovery Plan.
6. As required by the CER Act I will notify the draft Recovery Plan, consider the written comments that I receive on it and advise you of my intentions before I make any decisions about whether to change, withdraw or approve the Recovery Plan.