

Regulatory Impact Statement

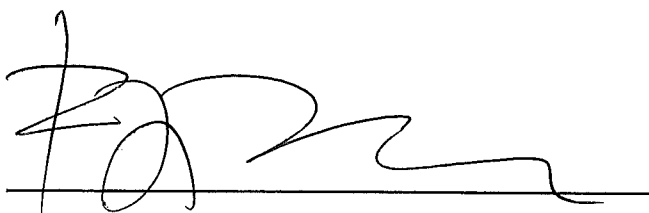
Recovery Strategy for Greater Christchurch

Agency Disclosure Statement

1. This Regulatory Impact Statement has been prepared by the Canterbury Earthquake Recovery Authority (CERA).
2. It provides an analysis of options for the Recovery Strategy for greater Christchurch that is required to be developed under section 11 of the Canterbury Earthquake Recovery (CER) Act.
3. Both the level of detail and direction provided in the Strategy, and the analysis of options, are constrained by gaps in information, and further work that is required before decisions can be made and direction provided. Most significantly, when the CER Act was passed in April 2011, it was not anticipated that the 22 February earthquake would be followed by major aftershocks—in particular the 13 June event which meant that mapping and assessment of land damage in the Port Hills had to start again. In large part due to this ongoing seismic activity, decisions on the future use of land, and on infrastructure provision and staging, are not yet complete, and detailed work programmes are still being scoped and agreed. It is therefore not possible to provide detailed direction on these in the Strategy, or to identify or quantify the full range of impacts of the options.
4. The CER Act does not require a final Recovery Strategy to be approved by a particular date. Ministers have indicated that it is desirable to have a Recovery Strategy in place as soon as possible to provide direction and coordination for recovery activities, and to insert recovery-related provisions into key planning documents and instruments relating to the greater Christchurch area. Given the ongoing seismic activity, delaying the final Recovery Strategy by, for example, three months, is unlikely to enable significantly greater direction to be provided.
5. Because the CER Act requires the Chief Executive of CERA to develop a Recovery Strategy for the consideration of the Minister for Canterbury Earthquake Recovery, this Regulatory Impact Statement does not consider the option of there being no Recovery Strategy.
6. The proposed Recovery Strategy (Option 2) includes one requirement that would impose additional costs on property developers seeking to develop new subdivisions. The Strategy requires that anyone applying for resource consent or a plan change for the subdivision of land, must provide the local

authority with a geotechnical assessment in accordance with the *Guidelines for the geotechnical investigation and assessment of subdivisions in the Canterbury region*, published by the Department of Building and Housing (DBH) (14 November 2011).

7. This would allow councils to ensure that developers undertake appropriate geotechnical assessments before applying for a resource consent or plan change. It would impose additional costs on developers, but would reduce the risk of, and costs associated with, liquefaction damage to housing and infrastructure in future seismic events. These costs have not been quantified because the additional costs would vary from one proposed subdivision to another, as would the risks to councils.



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Chief Executive
Canterbury Earthquake Recovery Authority

11/15/2012

Date

Regulatory Impact Statement

Recovery Strategy for Greater Christchurch

1. Background

1. The Canterbury earthquake sequence that began in September 2010 has cost 185 lives and caused an estimated \$20 billion of damage. The impact on the built and natural environment of greater Christchurch, and the economic, social and cultural effects of the earthquakes, have been very significant. Recovery will take many years, and will require the coordinated efforts of local and central government; iwi; businesses; community groups and individuals; the construction sector; infrastructure providers; and the insurance and finance sectors.

2. Status Quo and Problem Definition

2. In April 2011, the government established the Canterbury Earthquake Recovery Authority (CERA) to lead and coordinate the recovery. Key factors in the decision that the existing legislative framework and institutional arrangements would not be adequate to meet the needs of the recovery were:
 - i. The scale of rebuilding required.
 - ii. The need for a multi-pronged recovery effort: not just physical rebuilding, but social, economic and cultural recovery, and restoration of the natural environment.
 - iii. The need for clear governance, leadership, and coordination across central and local government, iwi, NGOs, businesses and the community.
 - iv. The need for timely and effective decision-making, and potentially for direction across multiple agencies and providers, in order for recovery tasks to proceed efficiently.
 - v. The need for coordinated engagement and more effective information management in order to build and maintain confidence in the recovery process.

The ongoing significant aftershocks since February 2011 have further highlighted the need for strong leadership and coordination of recovery efforts.

3. In order to provide overall direction and coordination for the recovery, the Canterbury Earthquake Recovery (CER) Act 2011 requires the chief executive of CERA to prepare, for the consideration of the Minister for Canterbury Earthquake Recovery (the Minister), an overarching long-term recovery strategy (the Recovery Strategy) for the reconstruction, rebuilding and recovery of greater Christchurch. The Minister may recommend that the Governor-General, by Order in Council, approve the Recovery Strategy (section 11 CER Act).
4. The CER Act provides for the Recovery Strategy to act as a means to amend a number of key documents and instruments created under other statutes (see Table 1, below) in an efficient and consistent way.

Resource Management Act 1991 (RMA)	Local Government Act 2002 (LGA)	Land Transport Management Act 2003 (LTMA) Public Transport Management Act 2008 (PTMA)	Conservation Act 1987 Reserves Act 1977 Wildlife Act 1953
Regional Policy Statements Regional Plans City and District Plans	Annual Plans Long-Term Plans Triennial Agreements	Regional Land Transport Strategies Regional land transport programmes Regional public transport plans	General policies Conservation management strategies Conservation management plans Management plans

Table 1: Planning documents and instruments that the Recovery Strategy will be read together with and form part of (section 15 of CER Act).

5. Many of these documents and instruments were developed before the September 2010 earthquake and therefore do not address the effects of the earthquakes or recovery issues:
 - i. There is currently no guidance in RMA planning instruments relating to greater Christchurch on how recovery issues and priorities should be taken into account in resource consent decisions; consent planners can consider recovery issues and needs along with “any other matter” that is considered to be relevant under section 104(c) of the RMA, but these issues and needs have not been formally identified.
 - ii. LGA, LTMA and PTMA plans, strategies and programmes developed before the earthquakes also need to be amended to ensure that they reflect recovery needs and priorities, and these amendments need to be consistent and coordinated.
 - iii. Policies, strategies and plans developed under the Conservation, Reserves and Wildlife Acts may also need to be amended to reflect the impact of the earthquakes.
6. Amending RMA policy statements and plans in particular through normal channels is a lengthy and uncertain process. Therefore, in order to facilitate the recovery, the CER Act provides for the Recovery Strategy to be read together with and form part of the documents listed in Table 1. Where there are inconsistencies, the Strategy will prevail, and none of these instruments can be interpreted or applied in a way that is inconsistent with the Strategy (sections 15 and 26 CER Act).

3. Objectives

7. The purpose of the Recovery Strategy is to provide direction for the recovery consistent with the purposes of the CER Act. The following purposes are particularly relevant to the role of the Recovery Strategy:
 - i. to enable community participation in the planning of the recovery of affected communities without impeding a focused, timely, and expedited recovery (section 3(b));
 - ii. to enable a focused, timely, and expedited recovery (section 3(d));

- iii. to facilitate, co-ordinate, and direct the planning, rebuilding, and recovery of affected communities, including the repair and rebuilding of land, infrastructure, and other property (section 3(f)); and
 - iv. to restore the social, economic, cultural and environmental well-being of greater Christchurch communities (section 3(g)).
8. The development of a Recovery Strategy should therefore achieve the following **objectives**:
- i. to provide overall direction to all those individuals and organisations who have a role in recovery activities;
 - ii. to ensure a planned and coordinated approach to recovery activities both within and between organisations, helping those working on the recovery to understand where they have common or overlapping interests and will need to work together;
 - iii. *where necessary*, to insert provisions relating to recovery into existing planning instruments; and therefore
 - iv. to give the community of greater Christchurch confidence that recovery is progressing in a well-planned manner, and maximise opportunities for the restoration, renewal, revitalisation and enhancement of greater Christchurch

These objectives have been derived from the purpose of the CER Act and CERA's role. Objectives (i) and (iv) were proposed in the draft Recovery Strategy and have been refined by the inclusion of (ii) on the basis of the comments received on the draft. Objective (iii) is not specifically stated in the Recovery Strategy but is one of its key effects as provided for in the CER Act.

9. These objectives should be achieved to the extent possible given two key **constraints**:
- i. The risk of introducing complexity and confusion into planning instruments and processes. This risk is exacerbated by the fact that under the CER Act, the Strategy as a whole is to be read together with and form part of these instruments: the Act does not provide for only parts of the Strategy to be read together with them.
 - ii. Gaps in information, where further work will be required before decisions can be made and direction provided.

Assessment criteria

10. The options proposed have been assessed against the following criteria, which reflect the objectives and constraints identified above.
- i. ensuring a planned and coordinated approach to recovery activities (objectives i and ii);
 - ii. inserting necessary recovery provisions into planning instruments relating to greater Christchurch (objective iii);
 - iii. avoiding introducing unnecessary complexity or confusion into existing planning instruments and processes, and of having unintended effects on decision-making under the RMA in particular (constraint i); and
 - iv. avoiding pre-empting or constraining future decisions in an environment where there is still considerable uncertainty, and further work is needed—for example, on land zoning—before decisions are made (constraint ii).

Note that objective (iv) is not included separately in the assessment criteria because it is a consequence of achieving objectives (i), (ii) and (iii).

4. Options

11. The broad options for developing a Recovery Strategy are:
 - i. A fully statutory Recovery Strategy addressing all the matters in section 11(3) of the CER Act.
 - ii. The proposed Recovery Strategy, which is relatively brief but is supported by other information with no regulatory effect.
 - iii. A fully statutory Recovery Strategy containing the range of material that was included in the draft Strategy released for consultation.
12. The Act requires the Chief Executive of CERA to prepare a Recovery Strategy, and therefore this Regulatory Impact Statement does not consider the option of not having a Recovery Strategy.
13. Where possible, analysis of the options includes discussion of the specific effects of the options and who would be affected. The analysis is limited, however, by the fact that many aspects of the detail of *how* recovery issues are to be addressed are yet to be determined.

Option 1: A fully statutory Recovery Strategy addressing all the matters in section 11(3) of the CER Act

14. The CER Act states that the Strategy may (without limitation) address (section 11(3)):
 - i. areas where rebuilding or other development may or may not occur, and the possible sequencing of rebuilding or other development;
 - ii. the location of existing and future infrastructure and the possible sequencing of repairs, rebuilding, and reconstruction;
 - iii. the nature of the Recovery Plans that may need to be developed and the relationships between the plans;
 - iv. any additional matters to be addressed in particular Recovery Plans, including who should lead the development of the plans.
15. Option 1 is a Strategy with statutory effect addressing all these matters, that would be read together with and form part of the planning documents and instruments listed in Table 1.
16. Environment Canterbury, Christchurch City Council, Selwyn and Waimakariri District Councils, transport agencies, the Department of Conservation, and Fish and Game New Zealand would be required to reflect the direction provided by the Strategy in their planning documents and instruments.

Benefits

17. This option would provide clear direction for agencies with planning responsibilities regarding future land use and infrastructure requirements. It would also provide clarity on what recovery issues will be dealt with through Recovery Plans and which agencies are responsible for developing them.

Impacts and Risks

18. It is not possible to further identify the impacts of this option because—for the reasons outlined below—it has not been fully developed.

19. Because of ongoing significant seismic activity, and the scale and complexity of the work involved in decisions about land zoning and the location and timing of rebuilding, it is not yet possible to provide definitive direction on these matters in the Strategy.
20. Under the CER Act, Recovery Plans have a similar effect on the instruments listed in Table 1 to the Recovery Strategy. In many cases existing legislation and planning processes will be adequate to address recovery issues. There are also other tools available under the CER Act, including a ministerial direction and Orders in Council. Because information gaps are still being addressed and work programmes are being developed, it is not yet clear where statutory Recovery Plans will be required, other than in the case of the Recovery Plan for the CBD, which is required to be developed for the Minister for Canterbury Earthquake Recovery's consideration under section 17 of the CER Act. Specifying in the Recovery Strategy what Recovery Plans are to be developed would pre-empt the full analysis of options to address recovery issues, including consideration of non-regulatory options.

Assessment of Option 1 against Criteria

	Planned and coordinated approach to recovery activities	Inserting <i>necessary</i> recovery provisions into planning instruments	Avoiding complexity or confusion, and unintended effects	Avoiding pre-empting or constraining future decisions
Option 1	✓	?	?	✗

21. Note that because Option 1 has not been fully developed, it is not possible to assess how it might meet all the criteria.

Option 2: The Proposed Recovery Strategy

22. Option 2 is the proposed Recovery Strategy document. This document is separated into two parts. Sections 3-8 are the Recovery Strategy itself and contain the provisions that are to be read alongside and form part of the instruments listed in Table 1. The remainder of the document is for information only.
23. The statutory Recovery Strategy (sections 3-8 of the document) establishes a shared vision for the recovery of greater Christchurch. It also establishes the government's overall approach to recovery, by
 - a. explaining what "recovery" means in the context of the Strategy;
 - b. setting goals to:
 - i) provide clarity on the recovery issues that are to be considered and addressed through planning processes under the Resource Management Act, Local Government Act, Land Transport Management Act, Public Transport Management Act, and Conservation, Reserves and Wildlife Acts; and
 - ii) guide programmes of work across the six components of recovery: leadership and integration, economic recovery, social recovery, cultural recovery, the built environment, and the natural environment;
 - c. identifying priorities for recovery efforts;

- d. setting out in broad terms the phases of recovery and indicative milestones;
 - e. identifying six implementation programmes, aligned to the six components of recovery, and setting out expectations for government-led programmes of work; and
 - f. committing to monitoring and reporting on progress towards recovery.
24. All of this material would be read alongside and form part of the planning documents and instruments listed in Table 1 and would therefore inform RMA decision-making and guide planning for greater Christchurch under the LGA, LTMA, PTMA, and Conservation, Reserves, and Wildlife Acts.
25. The remaining sections of the Strategy document provide additional information on the purpose of the Strategy, work programmes, and the approach being taken to engagement, collaboration and coordination of the recovery. These sections would have no regulatory effect.

Regulatory effects of Option 2 (the proposed Recovery Strategy)

26. Option 2 has two key regulatory effects:
- i. inserting recovery goals and priorities, and a definition of “recovery”, into key planning instruments for greater Christchurch; and
 - ii. introducing new requirements for geotechnical investigation and assessment of new subdivisions.

In addition there are three other sections of the proposed Strategy with minor regulatory effects. The following paragraphs describe these regulatory effects and their impacts. Note that these provisions could all be introduced separately.

Inserting recovery goals and priorities, and a definition of “recovery”, into key planning instruments for greater Christchurch

27. Sections 3-5 of the Strategy define how “recovery” is interpreted within the Strategy, set goals relating to the range of recovery issues, and identify the key priorities for recovery efforts. They have the effect of inserting these goals and priorities, the definition of recovery, and the criteria for considering enhancements to infrastructure or services, into the instruments listed in Table 1, requiring these to be addressed via these planning processes.
28. These sections have been drafted so that they relate to the recovery context, and do not impose more stringent general requirements—for example, relating to developing sustainable infrastructure, or ensuring the health of ecosystems—than are already in place. They have also been reviewed to ensure that they are consistent with government policy.
29. The choice of the term “goal” in the Strategy is deliberate, as it avoids confusion with the structure of objectives, policies and rules used in Resource Management Act plans. Consent authorities considering resource consent applications must have regard to “any relevant provision” of these RMA documents (section 104 of the RMA); after the Recovery Strategy is approved this could include any part of the Strategy that is considered to be “relevant” to the matter under consideration.
30. The Strategy will therefore not interfere with the structure of existing RMA planning provisions, but will be considered alongside them to the extent that they are relevant. Resource consent decision-making involves consideration

of the relevance of particular provisions of the RMA documents and a judgement about conflicting considerations. Decision-making also includes a judgement about the weight to be given to any particular matter in coming to a decision on the application.

31. The CER Act defines recovery as “[including] restoration and enhancement”, which has raised expectations that a variety of enhancements to infrastructure and services will be delivered as part of the rebuild. The Strategy therefore sets broad criteria for considering opportunities for enhancements to infrastructure and services, including the stipulation that enhancements must not come at the expense of the repair or replacement of essential infrastructure and services elsewhere in greater Christchurch.

Benefits

32. These sections insert recovery considerations into existing planning instruments and processes to a degree that is sufficient to guide decisions, without pre-empting the more detailed work required to identify *how* recovery issues will be addressed.
33. Without these provisions, these planning documents and instruments would need to be amended to identify and address recovery issues through normal processes. This would pose the risk of lengthy delays, uncertain outcomes, and inconsistent responses to recovery issues.

Impacts and Risks

34. These sections of the Strategy impose a requirement on the regional and local councils, transport agencies, and agencies with responsibilities under the Conservation, Reserves and Wildlife Acts (the Department of Conservation, the New Zealand Fish and Game Council, and territorial authorities) to address the range of recovery issues to the extent that they are relevant to their roles and responsibilities. These agencies are already engaged in recovery activities, and therefore the effect of the Strategy is to provide greater clarity as to what is expected, and greater consistency of direction for work programmes, rather than to require additional work or expenditure.
35. These provisions do not provide the detail of how recovery issues will be addressed via planning processes, because this is not yet clear. It is therefore not possible to identify the wider impacts of these provisions, beyond their impact on the agencies listed above.

Introducing new requirements for geotechnical investigation and assessment of subdivisions

36. As part of the priority relating to the provision of regulation, standards, and other information to support the rebuilding and repair of housing, Section 5 includes a new requirement relating to geotechnical assessment of subdivisions. It states that anyone applying for resource consent, or a plan change, for the subdivision of land, must provide the local authority with a geotechnical assessment in accordance with the *Guidelines for the geotechnical investigation and assessment of subdivisions in the Canterbury region*, published by the Department of Building and Housing (DBH) (14 November 2011). These *Guidelines* address methodologies for assessing liquefaction risk.
37. The *Guidelines*, like other DBH guidance documents, are not currently mandatory, and the issue of liquefaction risk is not comprehensively addressed using up-to-date processes in the affected councils’ district plans. The Resource Management Act review is considering how the RMA can give greater attention to managing issues of natural hazards, but it is not yet clear

what if any changes will be made to the provisions relating to the management of natural hazards as a result of this review.

38. Inclusion of this requirement in the statutory Recovery Strategy would allow councils to ensure that developers undertake appropriate geotechnical assessments before applying for a resource consent or plan change.

Benefits

39. Without the inclusion of this provision in the Recovery Strategy, it would be necessary to wait for any changes to be made to the RMA, and then regional and district plans to be amended, through the normal processes. In the meantime, councils would not be able to use the most up-to-date assessment methodologies in assessing plan changes/ variations and applications for subdivision consent, or ensure that developers undertake appropriate land assessments, which could allow new subdivisions to be built on land with a high liquefaction risk.
40. This requirement will prevent development in unsuitable areas. It will therefore reduce the risk of, and costs associated with, liquefaction damage to housing and infrastructure in future seismic events.

Impacts and Risks

41. This provision will impose additional costs on developers, and it is likely that these costs will be passed on, at least in part, to purchasers. These costs have not been quantified because the additional costs would vary from one proposed subdivision to another, as would the risks to councils.
42. There is a risk that if this guidance document is made mandatory, the Department of Building and Housing could be sued in the event that there was a property failure resulting from reliance on the document. The Department of Building and Housing believes, however, that the likelihood of this occurring is low because this guidance is based on international best practice.

Regulatory effects of other sections of the Recovery Strategy

43. Option 2 includes three further sections with regulatory effect. These deal with the phases of recovery and milestones, implementation programmes, and monitoring, reporting and review.
44. These sections would be read alongside the documents and instruments listed in Table 1, requiring the broad approach to timing, work programmes, and monitoring, reporting and review outlined in them to be reflected in the responsible agencies' planning and work programmes.

Phases of recovery and milestones (Section 6)

45. This section describes the broad phases of recovery and indicative milestones that show what these phases are likely to involve for greater Christchurch. The milestones are indicative only, recognising that factors such as further major aftershocks could significantly affect timelines.

Implementation programmes (Section 7)

46. This section sets expectations for government-led programmes of work that will be undertaken under each of the six components of recovery, and outlines the circumstances in which a statutory Recovery Plan might be needed. Further information on the content of the implementation programmes is contained in sections 11-17 of the strategy document, and on the CERA website.

47. Option 2 does not specify Recovery Plans that will be needed, apart from the Recovery Plan for the CBD which is required to be developed for the Minister for Canterbury Earthquake Recovery's consideration under section 17 of the CER Act.

Monitoring, Reporting and Review (Section 8)

48. This is discussed in Section 8 of this Regulatory Impact Statement.

Benefits

49. In addition to signalling broad expectations for the agencies involved in recovery regarding the timing of different phases of work and the approach to be taken to recovery work programmes and to monitoring, reporting on, and review of the Strategy, these sections provide assurance to the community that the recovery is proceeding in a coordinated way.
50. Being more definitive about targets, work programmes, or the approach to monitoring and reporting in the Strategy would mean that the Strategy would need to be formally amended if these were to change. Given the impact of ongoing seismic activity, and the fact that work programmes are still being scoped, it would be premature to attempt to provide more direction in these areas.
51. As discussed in paragraph 20, above, it is premature to specify what Recovery Plans may be needed to address recovery issues, as this would pre-empt the full analysis of options, including consideration of non-regulatory options.

Impacts and Risks

52. Because the detail of phasing and work programmes is yet to be determined, it is not possible to assess the impact of these sections of the Strategy document beyond their impact on the agencies involved in recovery activities.
53. Providing only limited direction in these sections may reduce the effectiveness of the Strategy in ensuring a coordinated approach to the recovery. It may also not meet community expectations, particularly given that the draft Recovery Strategy which was consulted-on contained much more detailed information on work programmes, which had regulatory effect.

Information-only sections of the proposed Strategy document

54. These sections are intended to provide factual context and an overview of the approach being taken to recovery. They include further detail of the work programmes that are linked to the six components of recovery, including key projects and which agencies are leading these. They also contain principles that will guide how CERA, other government agencies, and the strategic partners will work together on recovery activities; the governance structures that will oversee and coordinate work programmes; and the overall approach to the pace and funding of the recovery.
55. These sections help to achieve the Strategy's objectives of providing direction and coordination for the recovery, and providing assurance to the community that the recovery is progressing in a well-planned manner, but have no regulatory effect.
56. Although work programmes are expected to evolve over time, including an outline in the strategy document assists all those involved in recovery activities, and the wider community, to understand the breadth of work involved and the relationships between various projects and work

programmes. This information will be supplemented by fuller descriptions of the work programmes on the CERA website, which will be updated as required.

Assessment of Option 2 against Criteria

	Planned and coordinated approach to recovery activities	Inserting <i>necessary</i> recovery provisions into planning instruments	Avoiding complexity or confusion, and unintended effects	Avoiding pre-empting or constraining future decisions
Option 2	✓	✓	✓	✓

Option 3: A fully statutory Recovery Strategy containing the range of material that was included in the draft Strategy released for consultation

57. Under Option 3, the Recovery Strategy would include the range of material that was included in the draft Strategy released for consultation: the vision, goals, and priorities for the recovery, as well as a set of Guiding Principles to guide and lead recovery, and an outline of the approach being taken to the phasing, pace, and funding of the recovery, and detailed information on implementation and anticipated work programmes.
58. This option would include the material discussed in paragraphs 26-53, but would also give regulatory effect to the Guiding Principles and detailed information on implementation and work programmes that, under Option 2, are included for information only. The entire document would be written into the documents and instruments listed in Table 1, requiring the agencies involved to reflect this direction in their RMA decision-making and work-programme planning.

Benefits

59. In addition to the benefits discussed in paragraphs 32-33 and 39-40, this option would provide detailed direction regarding recovery work programmes for agencies with planning responsibilities.

Impacts and Risks

60. The discussion of impacts and risks relating to the two key regulatory effects of Option 2 (paragraphs 34-35 and 41-42) also applies to Option 3.
61. As with Option 2, because the detail of *how* recovery issues would be addressed via planning processes in response to the direction provided in the Recovery Strategy is not clear, it is not possible to identify the specific impacts of these provisions beyond their impact on the agencies listed above.
62. The more material is included in the statutory Strategy the more difficult it is to anticipate its effects. In particular:
- i. Writing detailed information on work programmes into the long-term and annual plans of Environment Canterbury, the Christchurch City Council, and Selwyn District and Waimakariri District Councils would significantly reduce flexibility to amend the programmes as the recovery progresses, or if further seismic activity requires a change in approach.
 - ii. The Guiding Principles would also have legal effect. It is likely that decision-makers would see these principles as having to be applied in resource consent decisions, with very uncertain consequences. A commitment to innovate, for example, is appropriate in guiding decisions

on planning and implementing recovery activities, but it is not clear what effect it might have as a test for resource consent decision-making.

Assessment of Option 3 against Criteria

	Planned and coordinated approach to recovery activities	Inserting <i>necessary</i> recovery provisions into planning instruments	Avoiding complexity or confusion, and unintended effects	Avoiding pre-empting or constraining future decisions
Option 3	✓	✗	✗	✗

5. Consultation

63. The CER Act requires that the Recovery Strategy must be developed in consultation with Christchurch City Council, Selwyn District Council, Waimakariri District Council, Environment Canterbury, and Te Rūnanga o Ngāi Tahu (the strategic partners), and any other persons or organisations that the Minister considers appropriate. Note that no other persons or organisations were formally identified by the Minister.
64. The Recovery Strategy was developed in consultation with the strategic partners and government agencies and with input from the wider community. Community and stakeholder engagement in June-July 2011 informed the development of the draft Strategy, which was publicly notified on 10 September 2011. Four hundred and sixty-three written comments were received by the closing date of 30 October. CERA has worked with government agencies and the strategic partners to consider the comments and make recommendations for changes to the Strategy.
65. Respondents expressed general support for the vision and principles, and variable support for the goals proposed in the draft Recovery Strategy. Strong leadership, better communication, a greater emphasis on the natural environment and opportunities to stay involved in the recovery were requested. Insurance issues and the need to quickly attract investment were identified as important, along with community wellbeing and sport and recreational opportunities. All comments have been summarised and analysed and are informing the recovery programmes as they develop.
66. The joint deliberation sessions held with the strategic partners to consider the comments received on the draft Strategy included consideration of the implications for the partners of the whole Strategy having regulatory effect (Option 3). As a result of these discussions, CERA and the strategic partners agreed that it would be preferable, in order to avoid confusion and unintended consequences, to restrict the sections of the Recovery Strategy that would have regulatory effect to those included in Option 2. These discussions also led to the inclusion of the provision relating to geotechnical assessments for subdivisions discussed in paragraphs 36-42.

6. Conclusion

67. Based on the analysis of benefits, impacts and risks in Section 4, the following conclusions have been reached on how the three options meet the assessment criteria.

	Planned and coordinated approach to recovery activities	Inserting <i>necessary</i> recovery provisions into planning instruments	Avoiding complexity or confusion, and unintended effects	Avoiding pre-empting or constraining future decisions
Option 1	✓	?	?	✗
Option 2	✓	✓	✓	✓
Option 3	✓	✗	✗	✗

68. The preferred option is Option 2, the proposed Recovery Strategy. This option includes the provisions necessary to ensure that recovery issues are addressed through the key planning documents and instruments listed in Table 1, and provides as much direction as possible given current information, progress in scoping work programmes, and the need to avoid the complexity and confusion that would arise from writing detailed information on work programmes into these instruments.

7. Implementation issues

69. Work programmes are being identified across the six components of recovery: leadership and integration, economic recovery, social recovery, cultural recovery, the built environment, and the natural environment. The Strategy document outlines the key elements of these programmes, including which agencies are involved. Further information will be available on the CERA website and will be updated as the work programmes develop.
70. A governance framework has also been developed, in collaboration with the strategic partners, to support the alignment, implementation and monitoring of the Recovery Strategy and recovery work programmes. This framework establishes clear relationships at the local government level and with central government agencies. It complements existing governance arrangements for greater Christchurch.
71. The CER Act expires five years after the day it commenced (on 19 April 2016). The Recovery Strategy will also cease to have effect on that date. A transition plan will be developed in collaboration with the strategic partners by April 2015 to ensure there is a smooth transition and continuity of recovery work.

8. Monitoring, evaluation and review

72. Either the Minister or the chief executive may review the Recovery Strategy and propose that it be amended or replaced. If these changes involve more than the correction of minor errors, the process must include consultation with

the strategic partners, and one or more public hearings as determined by the chief executive (section 14 CER Act).

73. The proposed Strategy commits the government and strategic partners to developing a monitoring and reporting programme that will include indicators for the Strategy goals, and targets and objectives to measure progress towards the goals. It notes that central and local government already produce regular financial reports that will include information on expenditure on the recovery.
74. The proposed Strategy also notes that a review of the Strategy may be required if:
 - another significant seismic event forces changes to the approach being taken after the response period;
 - monitoring shows a need to change approach, or ongoing market failure that needs to be addressed; or
 - other influences or risks have a significant impact on recovery activities.