

Canterbury Earthquake Recovery Review Panel

Private Bag 4999
Christchurch 8140

2 July 2014

Hon Gerry Brownlee
Minister for Canterbury Earthquake Recovery
Executive Wing, 7.6
Parliament Buildings
WELLINGTON

Hon Amy Adams
Minister for the Environment
Executive Wing
Parliament Buildings
WELLINGTON

Dear Ministers

Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

On 2 July 2014 the Canterbury Earthquake Recovery Review Panel (the Review Panel) considered the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014.

As required under section 73(3) of the Canterbury Earthquake Recovery Act 2011, please find attached the Review Panel's report on the draft Order including our recommendation.

Yours sincerely



Murray Sherwin
Chair, Canterbury Earthquake Recovery Review Panel

cc Chief Executive of the Ministry for the Environment

Canterbury Earthquake Recovery Review Panel

IN THE MATTER

of the Canterbury Earthquake Recovery Act 2011

AND

IN THE MATTER

of the Canterbury Earthquake Recovery Review Panel appointed under s72(1) of the Canterbury Earthquake Recovery Act 2011 to provide advice on Orders in Council that may be required for the purposes of the Act

THE REVIEW PANEL

The Honourable Sir John Hansen (Convenor)

Murray Sherwin (Chair)

Right Honourable Dame Jenny Shipley

Anake Goodall

REPORT AND RECOMMENDATION OF THE REVIEW PANEL

CANTERBURY EARTHQUAKE (CHRISTCHURCH REPLACEMENT DISTRICT PLAN) ORDER 2014

1. The Canterbury Earthquake Recovery Review Panel (the Review Panel) was advised early in 2014 that a draft Order in Council in relation to an efficient process for review of the Christchurch City Council's district plans was being considered. In June 2014 the Review Panel's Convenor was invited to chair the hearings panel proposed in the draft Order. This is reflected in the draft Order.
2. The Convenor advised the rest of the Review Panel members of his conflict of interest due to the proposal that he be appointed as the Board of Inquiry's inaugural Chair and, having arranged for the initial meeting to occur, confirmed that he would not be a party to the discussion (or vote if that was required). The Review Panel decided that Mr Murray Sherwin would be the Chair for the purposes of considering this draft Order.
3. The Review Panel received the original papers and briefings for this proposal in January of this year. Updated papers were then received on 30 June 2014, and these were followed up with email correspondence and a conference call with officials on 1 July 2014. On 2 July 2014 the Review Panel considered the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014. The Review Panel also considered the reporting letter from Benesia Smith, Deputy Chief Executive – Strategy and Governance, CERA and Guy Beatson, Deputy Secretary – Natural Resources Policy, Ministry for the Environment.
4. The Review Panel acknowledged that it is a significant and complex issue under consideration. The Review Panel has received extensive advice from officials about the

draft Order and fully considered the comprehensive material it was provided in forming its view.

5. Following deliberations, the Review Panel acknowledges the complexity of reviewing district plans in a short timeframe. The Review Panel notes the parallels and the differences in the draft Order to the Auckland Unitary Plan preparation process. In these circumstances the Review Panel considers that it is justified to omit parts of the standard Resource Management Act 2011 processes in order to provide a replacement district plan that supports recovery and rebuilding.
6. The Review Panel understands that resources are available to facilitate the process described in the Order.
7. Advice has been received on stakeholder consultation, including letters endorsing the draft order from the Christchurch City Council, Environment Canterbury, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu and the Community Forum. It was noted that the Christchurch City Council proposed a change of wording. Officials advised that the matter was still under consideration and discussion between the parties. Resolution of this matter of the wording change was not material to the Review Panel's consideration of the Order as a whole. Any wording change was not a matter the panel had a view on.
8. The Review Panel considers that an expedited process for replacing the district plan is necessary and that use of the special powers of the Canterbury Earthquake Recovery Act 2011 is the best means to facilitate that expedited process. The Review Panel also recognises that the form the expedited process takes is a matter for the Crown, the Christchurch City Council and other relevant parties to agree.
9. The Review Panel considers that the draft Order is in the best interests of Christchurch city and the greater Christchurch community.
10. The Review Panel is of the view that the draft Order is necessary and expedient, and meets the purposes of the Canterbury Earthquake Recovery Act 2011.

Recommendation

1. The Review Panel recommends to the Minister for the Environment that the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 be made without change.



Date: 2 July 2014

Murray Sherwin
Chair, Canterbury Earthquake Recovery Review Panel