

## 26. Regeneration Strategy for Southshore and South New Brighton: Transition of leadership and next steps

Reference: 19/368945

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### 1. Purpose of Report

- 1.1 For the Council to decide whether to take over leadership of the Regeneration Strategy for Southshore and South New Brighton, and if so, the preferred process for Council to progress the adaptation planning work.

### 2. Executive Summary

- 2.1 The Regeneration Strategy for Southshore and South New Brighton has been led by Regenerate Christchurch since June 2017. The work has not progressed as intended by all agencies involved, leading Regenerate Christchurch to put the project on hold and undertake a review in mid-November 2018.
- 2.2 The review identified issues with the timeline, scope, and governance of the project. As a result Regenerate Christchurch have recommended that Council takeover leadership of the project; that the current How Team engagement approach is maintained; and that interim solutions to address earthquake impacts are investigated separately to the longer-term adaptive planning process.
- 2.3 Regenerate Christchurch has also received feedback from some of the affected community highlighting concerns with outstanding earthquake impacts in relation to the estuary edge inundation protection and erosion control, the regeneration of community spaces and places, timing of the process, uncertainty and distrust of agencies.
- 2.4 The Council has a range of statutory responsibilities for managing coastal hazard risk which need to be considered in the future approach, including considering the current and future needs of the wider community, reliance on protection structures and progressing work to identify coastal hazards in the District Plan by mid-2020. There is also best practice guidance, technical information on future risk, and a long history of past Council decisions relating to this area.
- 2.5 Staff have recommended accepting leadership of the strategy and splitting this work into two concurrent projects to investigate the outstanding earthquake and regeneration needs and opportunities separately, while continuing with adaptation planning work (which will inform a coastal hazards plan change in the future).
- 2.6 Staff will start by undertaking further investigations, project planning, and source funding to ensure project expectations are clear and achievable, reporting back to Council in August 2019 with further options, and to initiate the adaptation planning work. It is estimated that the additional planning work required for Council for the two concurrent projects is approximately \$1m. Currently Regenerate Christchurch are funded for this planning work. This cost estimate excludes the physical cost of any work or adaptive approaches.

### 3. Staff Recommendations

That the Council:

1. Agrees to take over leadership of the work currently within scope of the Regeneration Strategy for Southshore and South New Brighton.
2. Notes that assuming leadership of this project is estimated to incur a further \$1m for planning work on Council, and that this will be addressed as part of the 2019/20 budget allocation and Letter of Expectations from Council and the Crown to Regenerate Christchurch.
3. Agrees to split the Regeneration Strategy project into two concurrent projects:
  - a. Investigations into outstanding earthquake impacts and opportunities; and
  - b. An Adaptation Strategy, which will inform an area-specific coastal hazards plan change.
4. Notes that Council staff are undertaking further urgent investigations into the following and will report back in August 2019 for Council to make further decisions on the next steps for each project:

#### Earthquake impact investigations

- a. Comprehensive review of past Council decisions on estuary edge actions and investigations following the earthquakes.
- b. Estuary edge current and pre-earthquake state and risk analysis – to identify any outstanding needs.
- c. Community current state analysis – to identify needs and opportunities to support or facilitate community regeneration projects.

#### Adaptation investigations

- a. Risk and vulnerability assessment.
  - b. Project review planning, including determining engagement approach, resourcing and establishing community and governance groups.
5. Notes that Council remains strongly committed to the engagement model of the HOW team and will engage this team, other community groups, and the wider community in the above processes.

### 4. Context/Background

#### **Issue or Opportunity**

- 4.1 The Regeneration Strategy for Southshore and South New Brighton has been on hold since mid-November 2018, following a decision by Regenerate Christchurch to conduct a 'current state assessment'. This assessment included a review of its role within the project to clarify the scope, content, and nature of the regeneration advice, and resourcing, roles and responsibilities.
- 4.2 Regenerate Christchurch has now completed that review and sent a report and letter with recommendations to the Mayor and Minister for Greater Christchurch Regeneration (Attachments A and B).
- 4.3 Key findings from the review (as outlined in the report from Regenerate Christchurch) include:
  - The project timeline did not sufficiently allow for community engagement or the decision-making processes of partner agencies, and was unrealistic when compared with adaptive planning processes held in other locations [in New Zealand].

- The project scope integrated issues relating to earthquake impacts into the application of the adaptive planning process for coastal hazards. However, community representatives are seeking urgent action to address flood and erosion risk.
  - There have been limited discussions between Regenerate Christchurch and elected members on the probable outputs of the adaptive planning process.
  - Project planning and project governance require further review and strengthening.
- 4.4 The report also noted that adaptation planning to respond to coastal hazards is primarily a local government responsibility, and changes to the governance structure would better support decision making.
- 4.5 In light of the review, Regenerate Christchurch recommends that leadership of the adaptive planning process is now transitioned to the Council, recognising that:
- The How Team has delivered an engagement strategy that has been designed jointly by community and agency representatives. This commitment to putting community at the centre of the project has met with a positive response and has created a platform to build on as the project moves to the next phase of community engagement.
  - The timeline needs to be responsive to the pace of the community and the timeframes for the Council to make decisions on recommended actions. This recognises that it may take 18 months to two years to conclude the adaptation planning process, with subsequent approval and implantation steps to follow.
- 4.6 Regenerate Christchurch also recommends that the Council undertakes an options analysis to investigate interim solutions to address earthquake impacts in advance of entering the longer-term adaptive planning process.

### **Regeneration Strategy for Southshore and South New Brighton**

- 4.7 Development of the Regeneration Strategy for Southshore and South New Brighton was set up in June 2017 as a collaborative multi-agency project led by Regenerate Christchurch.
- 4.8 A Regeneration Strategy is a non-statutory document that is not required or envisaged by the Greater Christchurch Regeneration Act 2016 or the Resource Management Act 1991 (RMA). The overall objective of the Regeneration Strategy was to develop a high level approach for adapting to the increased risk from natural hazards due to the effects of climate change, including sea level rise, in the coastal environment.
- 4.9 The project was initiated and led by Regenerate Christchurch in recognition of the impacts of the earthquakes in this area and the need to address the future use of a significant area of residential red zone land. Collaboration with the Council, Environment Canterbury and Ngāi Tahu recognised the statutory responsibilities of the agencies and the significant cultural values of the area, the Estuary and associated wetlands.
- 4.10 It was intended that the Regeneration Strategy would inform changes to the District Plan either through a Regeneration Plan or Resource Management Act processes, along with other implementation actions. This was intended to be a pilot project for adaptation planning and subsequent plan changes for all coastal communities in Christchurch identified as being at risk from coastal hazards in the 2017 [Coastal Hazard Assessment for Christchurch and Banks Peninsula](#).
- 4.11 Ministry for the Environment's [Coastal hazards and climate change guidance for local government](#) 2017 recommends adaptive pathways planning is used to assess options, pathways and trigger points to manage coastal hazard risk.

- 4.12 Two stages were identified for the project. Stage 1 of the Regeneration Strategy for Southshore and South New Brighton involved creating an engagement plan for the project with members of the Southshore and South New Brighton communities (The How Team<sup>1</sup>). Regenerate Christchurch received the engagement plan in March 2018 which was based on the Ministry for the Environment [Coastal hazards and climate change guidance for local government](#) 2017, and International Association for Public Participation principles.
- 4.13 On the recommendation of the engagement plan, Stage 2 of the project was divided into five phases:
- Phase 1: introducing the conversation. This phase is now complete and included establishing the Coastal Futures Hub (82 Estuary Road), website, Facebook page and visual identity for the project; and collating draft community values.
  - Phase 2: publishing of technical information, data and mapping, as well as cultural, environmental and historical knowledge that is available for the area. This phase started in late November 2018.
  - Phase 3: coming up with options for how to respond to changes in the local environment.
  - Phase 4: evaluating those options (decision-making criteria, cost-benefit analysis and funding options, shortlist of best options).
  - Phase 5: writing the strategy - setting out the adaptive pathways, reflecting the discussions and agreements reached during the engagement process.
- 4.14 Work has started on designing the process for Phases 3-5 of the project. This process has been discussed with the How Team and Community Board and they have provided feedback on engagement, and opportunities for community involvement. However, Regenerate Christchurch put this work on hold pending the outcome of Regenerate Christchurch's review of the project.

### **Community feedback on the Regeneration Strategy process**

- 4.15 Regenerate Christchurch received informal feedback from some of the affected community through the Coastal Futures Hub and separate requests from community groups.
- 4.16 As part of the public feedback opportunities provided by the Coastal Futures Hub, a range of other key themes of importance to the community have been identified by Regenerate Christchurch, including:
- Protection from flooding and coastal erosion
  - Uncertainty about the future, impact and processes
  - Perceived abandonment
  - Distrust of agencies
  - Loss of community spaces and places
- 4.17 Christchurch Coastal Residents United (CCRU) prepared a "proposal to Regenerate for a pre-Adaptation Strategy for Southshore and South New Brighton" (Attachment C) which was publicly released on 20 February 2019, and endorsed by the Coastal Burwood Community Board on 4 March 2019.

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<sup>1</sup> The How Team was a community-led initiative developed to help connect communities with decision makers to stimulate more innovative and genuine engagement. Members included community members, a convenor and three agency representatives.

- 4.18 The CCRU proposal suggests that the community may be unable and unwilling to continue talking about climate change adaptation while earthquake issues remain due to the impact this is having on social wellbeing. The proposal recommends that:
- Regenerate Christchurch lead the “regeneration” aspect of the project as part of pre-adaptation work. This is further described as “repairing earthquake damage” and “improving the social wellbeing and resilience of the community”.
  - Once this is completed and sufficient infrastructure and protection in place, Christchurch City Council could run the adaptation planning process.
- 4.19 CCRU provides eight recommendations for pre-adaptation work which largely focus on:
- Establishing estuary edge protection for flood and erosion risk through repairs, upgrades, and strengthening of existing structures, new works and enhancements to provide a cycle and walkway.
  - Making key decisions about repair and future of South Brighton.
  - Deciding which organisation is leading the process and retaining the How Team links and process.
  - Further investigations into potential funding mechanisms and adaptation to inform next steps.
- 4.20 CCRU has requested that:
- The Council publicly commit to undertaking these works and other initiatives to increase community cohesion and lower stress.
  - Changes to District Plan land use zones are initiated to support the implementation of works.
  - The details of ‘pre-adaptation’ initiatives are developed and agreed between agencies and the affected communities.
  - More work is undertaken to investigate funding mechanisms for adaptation and understand international best practice.
- 4.21 The South Brighton Residents’ Association also wrote to Regenerate Christchurch seeking immediate solutions to earthquake impacts as a critical precursor to engagement on adaptation.
- 4.22 Staff note that the CCRU proposal involves significant enhancement to the level of inundation protection and erosion control that is currently or previously provided, going beyond the definition of ‘earthquake repair’ as it is presently framed. The cost, feasibility and appropriateness of the proposed works has not been investigated, or evaluated against any alternatives – however, these are matters ultimately for Council decision.
- 4.23 Staff have also reviewed the need to use Greater Christchurch Regeneration Act 2016 tools to amend land zoning (including within the residential red zone) ahead of future use decisions. As the Council is able to use standard Resource Management Act 1991 processes to make any changes if needed, there is no urgency to rezone land at this stage.

### **Coastal planning**

- 4.24 The Regeneration Strategy for Southshore and South New Brighton was intended to be a pilot project for adaptation planning with all coastal communities in Christchurch.

- 4.25 The options pathways identified through the adaptation planning process would inform the development of coastal hazard provisions in the District Plan in relation to the Southshore and South New Brighton area.
- 4.26 Once this work was completed and reviewed, it was intended to use a similar process to undertake adaptation planning and area-specific coastal hazards plan changes for the remaining communities identified as being at risk from coastal hazards in the 2017 [Coastal Hazard Assessment for Christchurch and Banks Peninsula](#).
- 4.27 Ministry for the Environment's [Coastal hazards and climate change guidance for local government](#) 2017 recommends adaptive pathways planning is used to assess options, pathways and trigger points to manage coastal hazard risk. The District Plan is one tool to implement the preferred pathways identified through this process.

### Strategic Alignment

- 4.28 The New Zealand Coastal Policy Statement (NZCPS) 2010 and the Canterbury Regional Policy Statement (CRPS) 2013 include specific requirements for Councils to identify and manage areas potentially at risk from coastal hazards in the next 100 years through their District Plan. This includes a deadline of July 2020 for coastal hazard maps to be notified for the District Plan in Policy 11.3.1 of the CRPS.
- 4.29 The relevant strategic priorities to this work are climate change leadership, and ensuring informed and proactive approaches to natural hazard risks.
- 4.30 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
- 4.30.1 Activity: Strategic Planning and Policy
- Level of Service: 9.5.7.2 Plan for a focused and expedited regeneration of the residential red zone and earthquake affected areas of the city - Southshore and South New Brighton regeneration strategy commenced.

### Decision Making Authority

- 4.31 Regenerate Christchurch addressed its letter outlining the review and recommendations to the Council and Crown as shareholders. However, Council needs to decide whether to accept the recommendation that leadership transfers to Council.
- 4.32 While the project is area-specific, the implications are city-wide and require consideration of funding and resource allocation.

### Previous Decisions

- 4.33 Council has a long history of investigations and decisions relating to the Southshore and South New Brighton Area. As a Regenerate Christchurch project, the Regeneration Strategy for Southshore and South New Brighton has not previously been subject to Council decision making and has had limited engagement with councillors. However a number of related investigations and proposals on existing stopbanks and floodplain management in the area, estuary edge options and interventions, risk from natural hazards and options for Regeneration in the area have been identified for consideration as part of the adaptation options in the Regeneration Strategy.

### Assessment of Significance and Engagement

- 4.34 The decision in this report is of medium significance in relation to the Christchurch City Council's Significance and Engagement Policy.
- 4.35 The level of significance was determined by the fact that a decision on the future options for this project is of interest to residents in a specific geographic area, but also has implications for all coastal communities within the Christchurch District. Furthermore, a decision on future

options has cost implications and the potential to impact significantly on the wellbeing of affected communities. It is also noted that a number of 2019 Annual Plan submissions have directly addressed this issue.

### Options Considerations

- 4.36 Council responsibilities for making decisions as outlined in the Local Government Act 2002 (LGA) include consideration of financial implications, and whether it meets current and future needs of the community and wider District.
- 4.37 Some of the current affected community views have been expressed through the CCRU *Proposal to Regenerate for a pre-Adaptation Strategy for Southshore and South New Brighton* (Attachment C) and feedback received through the Coastal Futures Hub. As noted, a number of Annual Plan submissions have also been received and heard. However, there is limited evidence available on the wider community needs and future generation impacts which also need to be considered.
- 4.38 There would be additional costs for Council to lead the project and undertake any work required which is currently unbudgeted. Regenerate Christchurch had previously budgeted \$1 million to complete the Regeneration Strategy planning work which only applies to the adaptation planning, not any implementation. The Council and Crown, as stakeholders of Regenerate Christchurch, are currently contributing the funding for this work. We will seek to redirect that funding to Council commensurate with a change of project leadership.
- 4.39 These considerations need to be assessed alongside:
- **Alignment with statutory requirements** - Resource management and reserve management policies and plans include a number of requirements for the Council to identify, and manage coastal hazards in the area. These include;
    - Avoiding increasing the risk in areas subject to coastal hazards over the next 100 years<sup>2</sup>;
    - Identifying coastal hazards through provisions in the District Plan by 2020<sup>3</sup>.

This is of particular relevance as Action 46 of the Land Use Recovery Plan (LURP) directed Environment Canterbury to make any amendments to its regional plans and the CRPS that it thought appropriate to enable and support recovery and rebuilding. As a result of that direction Environment Canterbury amended the Regional Coastal Environment Plan 2003 and CRPS to direct responsibility for identifying and managing coastal hazards to the Christchurch City Council.
  - **National guidance** - Available national guidance for planning in areas at risk from coastal hazards which promotes adaptation planning, dynamic adaptive pathways for short term, medium term and long term risk reduction, and inclusive engagement throughout the process.
  - **Technical information** - Current best available technical information, the 2017 Coastal Hazard Assessment for Christchurch and Banks Peninsula, which identifies most of the area of Southshore and South New Brighton as potentially at risk from coastal hazards in next 100 years, or sooner.
  - **Consistency with other Council projects** - There are a range of past and current Council projects which address a similar area or issues including:

<sup>2</sup> NZCPS Objective 5, Policies 25, 27; CRPS Objective 11.2.1, Policies 11.3.1, 11.3.5

<sup>3</sup> CRPS Policy 11.3.1



- Climate change programme – staff are working to update the Climate Smart Strategy for the Christchurch District which will provide the high level direction for adaptation plans that will be developed for the district. Adaptation planning for Southshore and South New Brighton will provide area-specific direction and actions to give effect to the district adaptation plan.
- LDRP 525 – following the construction of an emergency bund and associated works in the July 2017 flood event, staff have undertaken further investigations along the Estuary edge of Southshore and South New Brighton. These investigations have determined the outstanding actions required to stabilise emergency works on a short term, temporary basis, and considered potential short term associated remediation required. Resource consent is being sought at present. No proposals for additional actions were identified as part of this project.
- South Brighton Park erosion management options – as part of implementing the South Brighton Reserves Management Plan, four options for the management of the estuary edge at South New Brighton Park have been investigated. No decision has been made on the options identified, and there may be an opportunity to include this work in a broader assessment of the estuary edge needs.
- LDRP 97 – The Land Drainage Recovery Programme multi-hazards project is developing new technical information on floodplain management in the context of a multi-hazard environment which will be applicable to Southshore and South New Brighton and will need to be considered when developing any future management approach.
- Estuary Edge Master Plan – This project was proposed prior the earthquakes to provide a strategic view of the recreation, conservation issues (and following the earthquakes recovery related issues) of the estuary edge of the entire Avon Heathcote Estuary. This was intended to include development and management proposals. The wider project was put on hold while priority recovery work progressed including the South Brighton Reserves Management Plan

## 5. Options Analysis

### Options Considered

5.1 The following reasonably practicable options were considered and are assessed in this report:

1. Adaptation Strategy only – (Council-led) Continue with adaptation planning work, followed by coastal hazards Plan Change.
2. Investigations and Adaptation Strategy – (Council-led) Split the Regeneration Strategy into two concurrent projects:
  - 1) Earthquake recovery and regeneration investigations, and
  - 2) Adaptation planning (followed by coastal hazards Plan Change).
3. Risk reduction, followed by Adaptation Strategy – Split Regeneration Strategy as per CCRU request:
  - 1) Estuary edge inundation protection and erosion control, completed first
  - 2) Followed by adaptation planning

5.2 In all of the options above, the current “Regeneration Strategy” would no longer be needed as the Council would address the project issues under an “Adaptation Strategy” or a separate workstream of investigations or actions.



- 5.3 The following options were considered but ruled out:
4. Refocus coastal planning – Do not accept leadership of Regeneration Strategy and instead focus on other coastal communities.
- Regenerate Christchurch has provided sound reasons why the project sits better with the Council such as:
    - a. Existing responsibilities for undertaking coastal hazard planning;
    - b. Reduced decision making steps;
    - c. More oversight, ownership of, and ability to deliver any identified outcomes; and
    - d. Ability to maintain leadership for the remaining duration of the project.
  - Moving the focus to other coastal communities at this stage of the process is not a viable option due to the existing investment and commitments made to the Southshore and South New Brighton communities, and the vulnerability of the area to coastal hazards and climate change which needs to be addressed.

### Options Descriptions

#### **Preferred Option:** Investigations and Adaptation Strategy

- 5.4 **Option Description:** Split the Regeneration Strategy into two concurrent projects:

- 1) Earthquake recovery and regeneration investigations, and
- 2) Adaptation Strategy (followed by coastal hazards Plan Change)

- 5.5 The Regenerate Christchurch review and recent feedback from some members of the community have highlighted the continued ‘front of mind’ importance of resolving any outstanding earthquake impacts for the Southshore and South New Brighton communities.
- 5.6 The reason these matters were originally included in the scope of the Regeneration Strategy was to ensure a range of options were considered, and any solutions proposed to the current risk would be consistent with any long term adaptation pathways.
- 5.7 It is recognised that the Regeneration Strategy has not been developed as quickly as planned, and a further 18 months to two years have been suggested to complete the adaptation planning work.
- 5.8 Because of these delays, changing expectations, and feedback received by Regenerate Christchurch on the impact this is having on the communities affected, Council staff consider there is a need to provide clarity at an earlier date than afforded by the adaptation planning progress.
- 5.9 Council staff propose to undertake urgent investigations to develop robust evidence of any outstanding needs as a result of earthquake impacts in relation to:
- The estuary edge; and
  - Community spaces and places.
- 5.10 The above work is already underway. Staff have begun the process of commissioning investigations into the current and pre-earthquake estuary edge state and risk in order to comprehensively identify the needs. This investigation will include an inventory of the current shoreline, including any structures and the design and condition of these, and maps of the inundation and erosion risk based on current estuary edge. A similar assessment will be

completed for the pre-earthquake estuary edge based on historic data, in order to identify any difference in the level of risk as a result of the earthquakes.

- 5.11 This work does not pre-empt any Council decision on leadership of the Southshore and South New Brighton Project or guarantee that any actions will be needed as a result. All options would require this work to be completed, in order to have a more comprehensive picture of the current state of the area.
- 5.12 Staff consider there may also be opportunities to support or facilitate community regeneration projects to address the loss of community spaces and places, and psycho-social wellbeing. Information gathered from the Coastal Futures Hub can be used to help inform a needs and opportunities analysis. This will take into account existing work and projects such as the Community Facilities Network Plan and community governance and partnerships projects.
- 5.13 Following these investigations, if a clear need is identified, options to resolve outstanding matters would be investigated, with input from key stakeholders and the community.
- 5.14 Running alongside these investigations, as a separate but concurrent project (albeit with a longer planning horizon), would be the adaption planning process. Note that further work is required in project planning to ensure the project timing and process estimated by Regenerate Christchurch is appropriate and that Council is able to acquire sufficient resource and deliver on expectations. This includes sourcing funding for the project through a revised letter of expectations from the Crown and Council to Regenerate Christchurch seeking to withhold the funds currently intended for Regenerate Christchurch for the purpose of the Southshore and South New Brighton project.
- 5.15 It is intended that adaptation planning would follow the best practice process recommended in the Ministry for the Environment [Coastal hazards and climate change guidance for local government](#) 2017, and The How Team designed engagement process. The How Team would continue to advise on how best to engage with the affected communities and would help determine the more detailed planning required to implement the actions recommended in the engagement process.
- 5.16 Following the development of an adaptation strategy an implementation plan would be developed. This would, among other things, outline any District Plan changes required.
- 5.17 Staff would report back to Council in August 2019 with the outcome of all investigations and project planning.
- 5.18 **Option Advantages**
  - This option addresses short, medium and longer term outcomes for these communities. It responds to requests from community representatives to address earthquake impacts, without predetermining future adaptation options.
  - The investigations proposed allow a robust evidential basis to be developed for any actions and investment of Council funds.
  - It provides a clear and transparent commitment from Council to continue to develop options to reduce risk to people and property in the Southshore and South New Brighton communities.
  - Allowing the current needs to be investigated and responded to separately may improve psycho-social wellbeing of affected communities and assist with restoring relationships. It may also allow a more focussed and engaging discussion about the longer term risk once it is evident that the immediate issues are being addressed.

- This allows adaptation planning to continue without delay in order to develop coastal hazard provisions for the District Plan. This ensures Council continues to work towards meeting its statutory requirements for coastal hazard planning.
- This option is consistent with Regenerate Christchurch recommendations for the next steps of the project.

#### 5.19 Option Disadvantages

- This option will not provide immediate clarity for the community or meet some expectations of desired protection as outlined in the CCRU pre-adaptation strategy. This is due to the need to undertake robust investigations into the need and ensure any response does not pre-determine future adaptation options.
- If a need for estuary edge actions is identified to resolve earthquake impacts, this may create an expectation of ongoing physical works to 'hold the line' along the coast in terms of erosion and flood protection. By limiting any actions to responding to existing pre-earthquake levels of risk only, and continuing adaptation planning it is hoped that a full range of options will be able to be considered for the future.
- Both projects are likely to require significant resource and funding which is not currently allocated to this work. Withholding Regenerate Christchurch funding for the project will support the remaining adaptation planning work, but further funding may be required if Council decides to take further actions as a result of the estuary edge and community regeneration investigations.

#### Option 2: Adaptation Strategy only

5.20 **Option Description:** Council would take over leadership of the project and continue with adaptation planning work, followed by coastal hazards Plan Change.

5.21 All matters relating to earthquake impacts would be addressed as part of the adaptation planning process which may take a further 18 months to two years to complete.

5.22 Adaptation planning would follow the best practice process recommended in the Ministry for the Environment [Coastal hazards and climate change guidance for local government](#) 2017, and The How Team designed engagement process as outlined in 4.13.

5.23 Following the development of an adaptation strategy an implementation plan would be developed. This would amongst other things, outline any District Plan changes, and any other actions required to implement the strategy.

#### 5.24 Option Advantages

- This option continues to follow the best practice process recommended by the Ministry for the Environment in the [Coastal hazards and climate change guidance for local government](#) 2017.
- It allows strategic determination of long term approach to the area prior to implementing any solutions to earthquake impacts.

#### 5.25 Option Disadvantages

- This option fails to recognise and respond to local circumstances of outstanding earthquake impacts and psycho-social wellbeing risks which may warrant responding to interim needs in advance of adaptation planning decisions.
- It is likely to create perverse outcomes if community focus remains on short term protection solutions, rather than short, medium and long term adaptation.

- There is a risk of community opposition, lack of buy-in, lobbying and possible litigation if interim solutions are not addressed.

**Option 3:** Risk reduction, followed by an Adaptation Strategy

- 5.26 **Option Description:** Split the Regeneration Strategy as per CCRU request for estuary edge inundation protection and erosion control to be completed first, followed by an Adaptation Strategy.
- 5.27 As the cost, feasibility and appropriateness of the proposed works has not been investigated, or evaluated against any alternatives. Council would need to undertake further investigations before any work could occur.
- 5.28 **Option Advantages:** This option responds to concerns raised by some community representatives and may improve psycho-social wellbeing through delivering desired additional inundation protection and erosion control and delaying longer term adaptation conversations. It deals with the most visible issues and may allow the community focus to eventually shift to longer term conversations.
- 5.29 **Option Disadvantages**
- This proposal would predetermine adaptation options in the short and medium term in favour of inundation protection and erosion control.
  - No consultation has been undertaken on the proposal to determine the affected or wider community views and the proposal is inconsistent with national best practice, statutory direction for managing risk from coastal hazards, and existing Council projects.
  - Commitment to the proposed works without robust information on the cost, feasibility and appropriateness would be a risk for Council and there will be significant constraints to delivery of any outcomes due to lack of funding, resource, and understanding of scope.
  - There may be unintended ecological consequences, accentuation of flooding or transfer of risk to other areas as a result of the interventions proposed.
  - Delays the development of coastal hazards provisions in the District Plan.

**Analysis Criteria**

- 5.30 Based on the options considerations outlined in 4.36-4.39, the following analysis criteria have been used:
- Financial planning for risk reduction
  - Current and future needs of community, and Christchurch District
  - To maintain and, if possible, build community wellbeing as part of the project (from the How Team engagement objectives)
  - Precedent and ongoing obligation
  - Reduced reliance on physical structures
  - Avoiding increasing the risk in areas subject to coastal hazards over the next 100 years
  - Identifying coastal hazards in the District Plan by 2020
  - Consistency with past projects and decisions
  - Robust evidential basis

- Does not predetermine adaptation options
- Addresses matters raised in Regenerate Christchurch project review

## 6. Community Views and Preferences

- 6.1 It is intended to engage with the How Team in planning the next steps of the adaptation planning process to ensure it aligns with expectations of community involvement in the process and is realistic and achievable.
- 6.2 Following the results of the proposed investigations, and if needed any subsequent options, the community would be engaged on any actions identified.

## 7. Legal Implications

- 7.1 There is a legal context, issue or implication relevant to this decision
- 7.2 This report has been reviewed and approved by the Legal Services Unit
- 7.3 The following legal considerations have been outlined in this report:
- Recognition that the Regeneration Strategy is a non-statutory document that is not required or envisaged by the Greater Christchurch Regeneration Act 2016 or the Resource Management Act 1991 and that implementation of it would require changes to the District Plan and possibly also other regulatory changes, all of which are likely to involve a public participation process. .
  - The statutory requirements for decision making outlined in 4.39
  - The Council's duties and responsibilities under the LGA, functions under the RMA and risk of future legal claims against the Council if the Council does not implement adaptation measures (outlined in 8.1).

## 8. Risks

- 8.1 Local Government New Zealand recently commissioned a legal opinion from Jack Hodder QC on councils duties and responsibilities under the RMA and LGA in relation to planning for climate change adaptation, and the risk of judge-made law changing over time to address claims for damages for negligence or breach of statutory duty if councils do not implement adaptation measures (and if central government does not intervene with national-level regulation of the risks and costs). Further analysis would be required to understand the legal risks in a local context.
- 8.2 Lack of current available budget to undertake the work and potential for additional costs if Council decides to take further actions as a result of the investigations. This may be resolved in the interim if funding for the project currently allocated to Regenerate Christchurch is transferred but longer term needs will need to be addressed as part of the project planning.
- 8.3 Community members, key community stakeholders and local elected members have all indicated that the wellbeing of affected communities is being impacted negatively by delays in the Regeneration Strategy and the perceived lack of action to address earthquake related issues. Ongoing uncertainty about this project's future is only exacerbating the problem and is significantly undermining the (limited) trust and goodwill that was established between agencies and communities at the start of the Regeneration Strategy project.
- 8.4 If Council decides any further action is required as a result of the investigations this may create a precedent for protecting private property (as distinct from our own assets such as roads and jetties) along the coast.

## **9. Next Steps**

- 9.1 Council will undertake further investigations into the following and will report back to Council in August to make further decisions on the next steps for each project:

### Earthquake recovery and regeneration investigations

- 9.1.1 Comprehensive review of past Council decisions on estuary edge actions and investigations following the earthquakes
- 9.1.2 Estuary edge current and pre-earthquake state and risk analysis – to identify the outstanding earthquake impacts
- 9.1.3 Community current state analysis – to identify needs and opportunities to support or facilitate community regeneration projects

### Adaptation investigations

- 9.1.4 Risk and vulnerability assessment

Project review planning, including determining engagement approach, resourcing and establishing community and governance groups

## 10. Options Matrix

Issue Specific Criteria				
Criteria		Option 1 – Adaptation only	Option 2 – Interim investigations and adaptation	Option 3 – Protection, followed by adaptation
Financial Implications	Cost to Implement	Estimated \$1 million as per Regenerate Christchurch budgeting.	Estimated \$1 million as per Regenerate Christchurch budgeting, plus the cost of investigations, and if required delivery of interim options	Uncertain as protection work uncosted, but likely to be significant due to the scale of works proposed Estimated \$1million for adaptation work as per Regenerate Christchurch budgeting
	Maintenance/Ongoing	Yes	Yes	Yes
	Funding Source	Regenerate Christchurch existing budget and Council budget for coastal hazard planning	Regenerate Christchurch existing budget and Council budget for coastal hazard planning	Regenerate Christchurch existing budget, and Council budget for coastal hazard planning
	Impact on Rates	No	No	No
Current and future needs of community and Christchurch District		Fails to respond to concerns raised by some of current affected community, but retains wider community engagement opportunities through adaptation planning	Responds to requests from some of current affected community, while retaining wider community engagement opportunities in all options considered	Responds to requests from some of current affected community, but no wider community consultation has been undertaken
To maintain and, if possible, build community wellbeing		May further exacerbate psycho-social issues due to further delays in deliver of the project and certainty for future of the communities	Shows commitment to addressing matters raised by some members of the community, and interim options which may improve short term community wellbeing	May improve psycho-social wellbeing through delivering desired protection and delaying longer term adaptation conversations
Precedent and ongoing obligation		No risk	Some risk	High risk
Robust evidential basis		Yes, as part of adaptation planning process	Allows a robust evidential basis for the need (and appropriateness of any options if further investigations are warranted)	Cost, feasibility and appropriateness of proposed works has not been investigated



<b>Predetermining adaptation options</b>	No risk	Unlikely if scope of investigations and any potential options are restricted to repair and regeneration as a result of earthquake changes	High risk that short and medium term options are predetermined by protection
<b>Addresses matters raised in Regenerate Christchurch project review</b>	Fails to address scope issues raised and the difficulty of addressing recovery and regeneration issues at the same time as adaptation	Yes	Goes beyond Regenerate Christchurch assessment and recommendations
<b>Consistency with Council projects and decisions</b>	Consistent with Climate Change strategy, land drainage and reserves programmes. Does not revisit past Council decisions	Consistent with Climate Change strategy, land drainage and reserves programmes. Allows past Council decisions to defer work to be considered alongside adaptation planning	Inconsistent with past Council decisions to defer work for consideration alongside adaptation planning in the Regeneration Strategy. Inconsistent with South Brighton Park erosion management options and the Management Plan

<b>Statutory Criteria</b>			
<b>Criteria</b>	<b>Option 1 – Adaptation only</b>	<b>Option 2 - Interim investigations and adaptation</b>	<b>Option 3 – Protection, followed by adaptation</b>
<b>Impact on Mana Whenua</b>	Project planning would engage with Ngāi Tahu as an original project partner of the Regeneration Strategy	Project planning would engage with Ngāi Tahu as an original project partner of the Regeneration Strategy	May be unintended ecological consequences which may impact cultural values identified in the area
<b>Reduced reliance on physical structures</b>	Can be considered as part of options evaluation	Ensures assessment of the need for any additional protection and different methods to be considered	Inconsistent
<b>Avoid increasing the risk in areas subject to coastal hazards over the next 100 years</b>	Continues process to assess and develop options to respond to this direction	Continues process to assess and develop options to respond to this direction	May lead to continued development as a result of perceived safety
<b>Identifies coastal hazards through provisions in the District Plan by 2020</b>	Continues to progress towards the development of coastal hazards provisions in the District Plan	Continues to progress towards the development of coastal hazards provisions in the District Plan	Delays the development of coastal hazards provisions in the District Plan

## Attachments

No.	Title	Page
A	Letter from Sue Sheldon to Minister and Mayor regarding SSSNB	
B	SSSNB Report from Regenerate Christchurch CE	
C	CCRU preAdaptation Strategy proposal	

## Confirmation of Statutory Compliance

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

## Signatories

<b>Authors</b>	Maiki Andersen - Policy Advisor Natural Hazards Katy McRae - Manager Engagement
<b>Approved By</b>	David Griffiths - Head of Planning & Strategic Transport Brendan Anstiss - General Manager Strategy and Transformation