



Share an Idea, spare a thought: Community consultation in Christchurch's time-bound post-earthquake rebuild

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Abstract: The Canterbury Earthquake Recovery Act 2011 (CER Act), brought into effect after the 22 February 2011 earthquake which devastated the city of Christchurch, New Zealand, outlines as its second purpose the imperative 'to enable community participation in the planning of the recovery of affected communities without impeding a focused, timely, and expedited recovery'. The Act thus clearly highlights the importance of community participation and a time-bound recovery process. Viewing the fundamental disconnect between these two aims through the lens of community consultation, this article demonstrates that the necessity of a timely recovery works against the generation of meaningful community participation, providing an insight into the strain placed on democratic processes and questioning whether the social right to housing and the political right to opinion can both be adequately met during times of difficulty engendered by natural disaster.

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It is clear from the CER Act that CERA has been instructed to consult with affected communities in enabling recovery to take place. We do not see this taking place.

– Rally for Democracy Committee, 'Open Letter to the Prime Minister of New Zealand', 1 December 2012

1. Introduction

The city of Christchurch, New Zealand, was hit by a series of devastating earthquakes in 2010–11. With approximately 800 buildings in the city centre destroyed and 7,000 homes 'red zoned' (declared uneconomically viable for repair),¹ the earthquakes displaced many residents from their homes and forced others to live in substandard conditions – a situation which challenges the human right to housing. In a bid to redress the crisis, the central National Party government is pushing a rebuild agenda which prioritises construction and infrastructure development in line with its neoliberal outlook. Speed is critical to this agenda, allowing little time for community consultation despite commitment to this issue in legislation – a situation which challenges the human right to opinion. This article examines the fundamental incompatibility of meaningful community consultation within a time-bound rebuild – particularly a rebuild driven

¹ The residential red zone encompasses 7283 properties. Canterbury Earthquake Recovery Authority (2012) 'Red zone offers a roaring success', 15 June, available at <<http://cera.govt.nz/news/2012/red-zone-offers-a-roaring-success-15-june-2012>> accessed 20 July 2013.

by a government whose focus is on markets rather than on people. In considering this topic, the article illustrates that neglecting social relations can threaten democratic principles and practice, and also raises the question of whether the social right to housing and the political right to opinion can both be adequately addressed in a post-disaster situation.

The scale of destruction has rendered the rebuild of Christchurch a national priority. The Canterbury Earthquake Recovery Act 2011 (CER Act), brought into effect after the especially damaging 22 February 2011 earthquake during which 185 people were killed, is one key means by which the New Zealand government is attempting to effect change in Christchurch. The CER Act outlines as its second purpose the imperative 'to enable community participation in the planning of the recovery of affected communities without impeding a focused, timely, and expedited recovery'.² The legislation thus clearly commits to incorporating communities – in other words, the people of Christchurch – into the rebuild. Yet the purpose simultaneously underscores the fundamental importance of a time-bound recovery process.

The two components of the CER Act's second purpose – community participation and a timely recovery – are discordant. Firstly, processes of community participation, by their very nature, require time; yet both the government and the city's residents know that Christchurch must return to an adequate level of functionality as quickly as possible. Secondly, bottom-up community engagement contrasts markedly with the decisive top-down action seen by the government as necessary to galvanise the rebuild. The fundamental incompatibility of these two aims has resulted in a disconnect. Further compounding this tension are community calls for greater participation in the rebuild – a highly time-intensive activity – versus community discontent at the seemingly glacial pace of recovery.

Community consultation serves as the tool through which the government and the people of Christchurch interact around issues pertaining to the rebuild, and the system through which the opposing aims of a time- and a human-focussed rebuild fuse. A range of consultation types have been used by the government to determine public opinion about, and encourage public engagement with, the rebuild which demonstrates that, in theory at least, it is holding true to its declared intention of incorporating 'the people' into the recovery process. Yet there is a general feeling in Christchurch that while comments and suggestions are solicited, they are not afforded due consideration and rarely incorporated into rebuild plans. As meaningful community consultation is inextricably intertwined with notions of democracy, the perceived government failing to implement adequate opportunity for recommendations and feedback fuels public concerns about a lack of democracy in the city and an increasingly centralised and authoritarian rebuild agenda driven by economic rather than human concerns. The high level of government control required to implement a time-focussed rebuild serves to intensify – and lend credence to – these fears.

The tight timeframe for the city's rebuild is undoubtedly a key factor in the government's seemingly token approach to community consultation. It is absolutely vital that Christchurch begins to operate normally as soon as possible, on both a macro and micro scale. With the government expecting to cover only 25 percent of the anticipated NZD 40 billion rebuild cost,³ it needs, on the one hand, to attract large-scale private investment into the city. The design and construction of large-scale, iconic central city 'Anchor Projects' are intended to provide the economic 'certainty' needed for this purpose.⁴ The need for financial capital must be balanced, on the other hand, with the government's duty to cater to the needs of Christchurch's residents, especially regarding accommodation. While some people have moved to new houses, others continue to live in their pre-earthquake homes. Many of these homes have been repaired but due to the sheer scale of the problem, combined with delays over insurance payouts and slow bureaucratic processes of the Earthquake Commission (EQC), a large number of residents continue to live in substandard housing. Declared safe from further seismic activity, these homes nonetheless present their occupants with significant health risks, for example from damp, draughts and asbestos. For residents living in substandard conditions and dealing with ongoing delays, the city's recovery seems interminably slow, and many people see in the government's Anchor Projects money which could (and should) be spent improving their situation.

The double necessity facing the government – to attract external investment and to provide adequate housing and infrastructure for its residents – hugely impacts the rebuild timescale. It is vital that Christchurch's residents receive the assistance they require as quickly as possible, and because the government sees this assistance as relying on investment, the rebuild of the city (particularly the city centre) needs to be initiated swiftly. Yet meaningful community participation, which is by its very nature time-consuming, is also crucial to residents' satisfaction with the rebuild. Examining different forms of community consultation in post-earthquake Christchurch, this article demonstrates that the necessity of a time-bound rebuild works against the generation of meaningful consultation, providing an insight into the strain placed on human rights and democratic processes during times of difficulty engendered by natural disaster.

2 Canterbury Earthquake Recovery Act 2011 (2011) 18 April, reprint as at 13 June 2013, Public Act 2011 No. 12, Part 1 – Preliminary Provisions, Section 3, 5, available at <<http://www.legislation.govt.nz/act/public/2011/0012/23.0/DLM3653522.html>> accessed 31 July 2013.

3 Environment Canterbury et al. [2013] 'Draft Land Use Recovery Plan – Te Mahere Whakahaumanu Tāone', [5 July], 94.

4 References are common in the government's rebuild plans to the necessity of guaranteeing 'certainty' to encourage investment. See for example: Environment Canterbury et al. [2013] 'Draft Land Use Recovery Plan', 42.

2. Consternation: the establishment of the CER Act

Accusations of anti-democratic tendencies abounded in Christchurch even before the earthquakes. In a highly controversial move, in April 2010 the central National Party government replaced elected Councillors of the regional governing body Environment Canterbury (ECan) with state-appointed Commissioners, citing poor performance and mismanagement. The action sparked an outpouring of anger from locals who felt it undermined their democratic right to elected representation. Newspaper articles from the period reveal the extent of this feeling, with titles such as ‘Breach of democracy’⁵ and ‘Democracy laid to rest at last ECan meeting’.⁶

It was during this tense political climate that the first of the earthquakes struck on 4 September 2010. Although only relatively minor damage was caused to property, the shallow, magnitude 7.1 quake destroyed underground sewerage and water pipes and produced huge quantities of liquefaction (a silt-like substance) which needed to be cleared. The earthquake also seriously scared many locals, fears which were compounded by the endless succession of aftershocks.⁷ The particularities of the post-disaster situation had a direct impact on the political environment of the city. Incumbent Christchurch City mayor Bob Parker had been slated to lose his position in the October 2010 elections due to widespread discontent within the city, particularly regarding the Council’s alleged lack of transparency during his first term.⁸ Yet these predictions proved incorrect; on the back of his quick-to-action response to the earthquakes and ‘a craving for certainty’⁹ among nervous locals, Parker was re-elected. He remained Mayor throughout the city’s earthquake crises, but declined to run for a third term in office and was replaced in the October 2013 elections by ex-Labour MP Lianne Dalziel.¹⁰

The earthquake of 4 September 2010 was merely the first of a long series of quakes in the region; as the seismic activity has continued, its impact on the political situation in Christchurch has become increasingly apparent. The relationship between natural disaster and politics was most evident following the devastating 22 February 2011 earthquake, in which 185 people were killed and massive and widespread destruction occurred. With urgent action imperative in the immediate aftermath of the earthquake, the government declared a national state of emergency, followed two months later by more permanent earthquake recovery legislation.

On 18 April 2011, the government announced the creation of the Canterbury Earthquake Recovery Act 2011 (CER Act) which provides for the recovery of Christchurch. The Act not only delineates its intended goal (the recovery of the city with community participation) but also grants to the Canterbury Earthquake Recovery Authority (CERA) ‘adequate statutory power’ to achieve this goal.¹¹ This power includes the ability to compulsorily acquire land and to overrule decisions of regional government bodies. It also created the post of Canterbury Earthquake Recovery Minister, authorised with final decision-making powers on any aspect of the rebuild, a post held for the duration of the crises by Gerry Brownlee. As the Minister is appointed by and reports to the Prime Minister, he is not directly accountable to the people of Christchurch.¹²

Virulent commentary in Christchurch’s local newspaper attests to residents’ fears over the perceived loss of democracy encompassed in the CER Act, as for example in this opinion piece by John Hopkins:

Parliament is attempting to pass, through urgency, one of the most dangerous pieces of legislation to grace our statute book in modern times. I speak of the Canterbury Earthquake Recovery (Cera) legislation which will, in effect, strip Christchurch of the last remnants of its democratic processes and place them under the control of a single minister.

5 Lianne Dalziel (2010) ‘Breach of democracy’, *The Press*, 14 April, available at <<http://www.stuff.co.nz/the-press/opinion/3579941/Breach-of-democracy>> accessed 10 July 2013.

6 Anon. (2010) ‘Democracy laid to rest at last ECan meeting’, *The Press*, 22 April, available at <<http://www.stuff.co.nz/the-press/news/3608461/Democracy-laid-to-rest-at-last-Ecan-meeting>> accessed 10 July 2013.

7 Between September 2010 and January 2013, almost 4,500 aftershocks measuring above magnitude 3 were recorded. Aftershocks, GeoNet, available at <<http://info.geonet.org.nz/display/home/Aftershocks>> accessed 24 July 2013. The total number of aftershocks is in the tens of thousands.

8 Of particular concern had been the purchase of the exclusive annual Ellerslie Flower Show, which had for the preceding decade been hosted in Auckland. Parker refused to release details of the cost of the purchase, citing reasons of sensitivity. See for example: Anon. (2009) ‘Ellerslie show talks a “sham”’, *Manukau Courier*, 1 January, available at <<http://www.stuff.co.nz/auckland/local/news/manukau-courier/130212/Ellerslie-show-talks-a-sham>> accessed 31 July 2013.

9 Anon. (2011) ‘Year at city hall: Christmas in a town called Democracy’, *The Press*, 1 January, available at <<http://www.stuff.co.nz/the-press/christchurch-life/mainlander/4506696/Year-at-city-hall>> accessed 10 July 2013.

10 See for example: Lucy Bennett (2013) ‘Christchurch mayor Bob Parker won’t seek re-election’, *The New Zealand Herald*, 5 July, available at <http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10895058> accessed 31 July 2013.

11 Canterbury Earthquake Recovery Act 2011 (2011) Part 1 – Preliminary Provisions, Section 3, 6.

12 John Hopkins (2011) ‘Cera bill threatens democracy’, *The Press*, 14 April, available at <<http://www.stuff.co.nz/the-press/opinion/4885510/Cera-bill-threatens-democracy>> accessed 13 July 2013.

That such an act can even be contemplated in a modern Western democracy defies belief, but the speed with which it is being rushed through is a personal affront to the people of Christchurch.¹³

Hopkins here voiced his fears that the implementation of the CER Act would likely 'strip [...] the last remnants' of democracy from Christchurch. This comment alludes to the government's decision to involve itself in the running of Environment Canterbury, a decision taken exactly one year before and still fresh in the minds of politically-minded residents. For people such as Hopkins, the drafting of the CER Act represented the latest step in a series of undemocratic decisions reached by the government of New Zealand unbecoming of 'a modern Western democracy'.

Hopkins' article, however, refers not only to the challenges to democracy engendered by the CER Act but also to the crucial issue of timing. The Act, in his view, was 'being rushed through' parliament at a speed which further compounded the undemocratic content contained within it. These fears were legitimate: the act of granting such wide-ranging powers to a single government body, and particularly to a single government minister, should be awarded careful consideration and be subject to extensive deliberation. Yet the issue of timing was – and remains – of vital importance to the New Zealand government following the earthquakes in Christchurch. Following natural disaster, particularly disaster which destroys basic infrastructure and housing such as experienced in Christchurch, timely action is needed to restore the environment to adequate levels of functionality. Not only is the reinstatement of services crucial on a practical level, it also serves to return some sense of normalcy to affected residents. Passing recovery legislation, as the first step towards future-focussed recovery (as opposed to immediate post-disaster relief), by necessity must thus occur as soon as reasonably possible. The challenge for governments is to quickly instate adequate legislation whilst remaining true to democratic processes. Fundamental to this imperative is the need to solicit, listen to and incorporate public opinion into the development and practice of post-disaster recovery.

The creation of the CER Act in April 2011 prompted an outcry over a perceived loss of democracy in Christchurch; in the same month, however, the Christchurch City Council (CCC) initiated a public consultation process which has received international acclaim for its creativity and openness. In other words, while New Zealand's central government was under fire for making decisions which threatened democratic rights, the local council had designed and implemented a project which strove for across-the-board community involvement. The disaster and the difficulties engendered by the obligatory but unsolicited imperative to rebuild a still-living city thus resulted in two very different reactions to issues of community consultation.

3. Conversation: the 'Share an Idea' concept

With the 'catchy name'¹⁴ of 'Share an Idea', the Christchurch City Council's project aimed to involve and engage the people of Christchurch in order to gather together thoughts and hopes for the city's future and rebuild. NV Interactive, a New Zealand digital marketing company which with the CCC partnered for the ambitious project, boldly introduces Share an Idea on its website as 'Consultation reinvented'.¹⁵ The website claims that, while public consultation generally takes years – referring, once again, to the issue of timing – the tight timeframe and creativity of Share an Idea 'turned the [consultation] process on its head and created an approachable, engaging online crowd sourcing tool that delivered outstanding results'. Indeed, the results were remarkable: during the six-week consultation, 21% of Christchurch's population participated, generating an astounding 106,000 ideas.¹⁶

Aided by the combination of on- and offline media through which Share an Idea solicited commentary, 'the campaign quickly turned from a consultation into a conversation'.¹⁷ Participants were invited to submit ideas in person at the Share an Idea Community Expo, or online via a special website. Using Twitter and Facebook, as well as traditional means of information dissemination such as postcards, the Council tried to market the project as widely as possible. Online consultation had two key benefits. Firstly, as movement was severely restricted in the devastated city, the Internet allowed people to access information without physically changing location. Secondly, community consultation stretched far more widely than the physical boundaries of Christchurch. As the Share an Idea Facebook page reported:

We have received ideas from across Australia, throughout the UK, the USA and Canada, Ireland, Hong Kong, Sweden, Italy, Netherlands, Berlin and Qatar – most from former Christchurch residents. It's great to know our ex-pat community are still passionate about the redevelopment of our Central City.¹⁸

13 Hopkins (2011).

14 Strategy Design and Advertising, 'Share an Idea', available at <<http://www.strategy.co.nz/our-work/share-an-idea>> accessed 24 July 2013.

15 NV Interactive, 'Share an Idea', available at <<http://www.nvinteractive.co.nz/our-work/share-an-idea>> accessed 20 July 2013.

16 NV Interactive, 'Share an Idea', and Strategy Design and Advertising, 'Share an Idea'.

17 NV Interactive, 'Share an Idea'.

18 Share an Idea (2011a) Share an Idea Facebook page, 8 July, available at <<https://www.facebook.com/shareanidea.org.nz>> accessed 24 July

As this comment makes clear, the Christchurch ‘community’ extended far beyond the immediate environs of the city. Online and face-to-face consultation allowed for the human right to opinion.

The Share an Idea initiative has been awarded numerous international prizes for both its inventiveness and its openness in responding to a crisis situation. In 2011, Share an Idea was voted ‘unanimous overall winner’ of the Netherlands-based Co-creation Association’s Co-creation Award, lauded by the Chairman of the Jury as ‘an inspiring example of co-creation’, firstly because it allowed people to put forward their views through a variety of media and secondly because it constructed a sense of community in addition to forming aspirations for the city’s rebuild.¹⁹ Share an Idea has thus been recognised for its originality and creativity, as well as for the extent of community consultation which it achieved.

The ideas put forward during the Share an Idea project formed the basis for the draft Central City Plan. Designed by the Christchurch City Council in partnership with Gehl Architects, this project has also won international acclaim. Most recently, at the end of June 2013, the Plan ‘scooped’²⁰ one of four Winner prizes in the Virserum Art Museum’s Triennial Architecture of Necessity Awards. The Statement of the Jury applauded:

It retains the existing city grid while limiting building heights, reducing car traffic and making the city greener, all based on a ‘social fabric fortified by catastrophe’ and a diligent community engagement program thus rebuilding the urban fabric and the community.²¹

Again, the awarding body explicitly referenced the centrality of community participation to Share an Idea, and to the Central City Plan which was developed from it. Share an Idea has thus been celebrated internationally as a prime example of incorporating community into post-disaster recovery. Local observers, too, have lauded the process, appreciative of the project’s inclusivity and citing the huge numbers of responses generated under the project.

From the suggestions generated by Share an Idea, the Christchurch City Council developed its draft Central City Plan. The Share an Idea Facebook page plainly tells this story, with frequent posts from August 2011 (the completion of the draft Central City Plan) inciting followers of the Share an Idea page to ‘like’ the Central City Plan page. The final post on the Share an Idea page, on 26 October 2011, encourages people to shift loyalties: ‘Have you ‘Liked’ our new page yet? Don’t miss out on the latest news on the redevelopment of our Central City!’²² Thus in the second stage of the rebuild agenda, the public-oriented Share an Idea morphed into the City Council’s draft Central City Plan, and control was ceded from the people to the local government. It was the next stage of the process, however, which has caused major consternation among locals.

4. Condemnation: the fate of Share an Idea

Compounding the sentiment of loss of ownership and control over the rebuild cited by many residents, responsibility for the ultimate reworking the Christchurch City Council’s draft Central City Plan was taken over by CERA. In other words, ownership of the city’s rebuild passed from local to national government, removing it yet another step from the community participation of Share an Idea. The body established within CERA specifically to work on the rebuild plans for the central city, the Christchurch Central Development Unit (CCDU), was granted 100 days to prepare a blueprint for the rebuild based on the City Council’s draft Central City Plan – and by extension, on the community aspirations which inspired the document. This mandate prompted Mayor Bob Parker to announce that ‘all of the work put into [the Plan] is not in vain. It is what we are going to do’.²³ Collaboration between the CCDU and the City Council was also deemed imperative to finalise the blueprint, because ‘they [the CCDU] don’t have the planning resources, the intellectual property, the wonderful database of information we have collected’.²⁴ Thus, although the national

2013.

19 Jaco van Zijll Langhout, Chairman of the Jury, cited in Christchurch City Council (2011) ‘“Share an Idea” wins international award’, 24 November, available at <<http://www.ccc.govt.nz/thecouncil/newsmedia/mediareleases/2011/201111241.aspx>> accessed 7 July 2013.

20 Anon. (2013a) ‘Share an Idea scoops another international award’, 5 July, available at <<http://www.futurechristchurch.co.nz/news/international-award-for-share-an-idea>> accessed 7 July 2013.

21 Anon. (2013b) ‘Winners and Honorary Mentions in the Triennial Architecture of Necessity announced’, 27 June, available at <<http://www.virserumskonthall.com/php/index.php?object&id=247&catid=17&l=>> accessed 7 July 2013.

22 Share an Idea (2011b) Share an Idea Facebook page, 26 October, available at <<https://www.facebook.com/shareanidea.org.nz>> accessed 31 July 2013.

23 Charlie Gates, Sam Sachdeva, Marta Steeman and Liz McDonald (2012) ‘Christchurch rebuild to be led by Govt’, *The Press*, 19 April, available at <<http://www.stuff.co.nz/national/politics/6769515/Christchurch-rebuild-to-be-led-by-Govt>> accessed 13 July 2013.

24 Ben Heather (2012) ‘Govt poised to seize control of Christchurch rebuild - Dalziel’, *National*, 5 April, <<http://www.stuff.co.nz/national/politics/6696928/Govt-poised-to-seize-control-of-Christchurch-rebuild-Dalziel>> accessed 13 July 2013.

government had been handed ultimate responsibility for the city plans, the Council was supposed to work alongside it to see the rebuild project to completion.

One key consequence of the change in ownership of the rebuild agenda from the Christchurch City Council to the CCDU hinges on the ability of the latter body to operate within the provisions of the CER Act; in other words, to call into force CERA's wide-ranging powers (including the compulsory acquisition of land) should they be required.²⁵ As acknowledged by local journalists upon announcement of the CCDU's creation, 'Cera's powers would make it easier to fast-track the rebuild'.²⁶ The issue of timing thus played a critical role in the decision to remove the rebuild one step further from engaged community participation. Whereas governmental purchase of private property generally requires protracted dialogue and negotiation – processes which require substantial time commitments – CERA is able to bypass such procedures in the interest of a timely rebuild. The fact that property owners have only limited right to appeal – indication of the government's prioritisation of the economy over citizens' rights – also minimises the possibility of lengthy delays. CERA's remarkably draconian powers are crucial for the vision laid out in the Recovery Plan produced by the CCDU in mid-July 2012, which requires large tracts of central city land to be purchased as space for Anchor Projects.

Certain observers viewed the involvement of the CCDU in the central city design process as positive. For example, responding to the announcement of the creation of the CCDU, Christchurch City Councillor Sue Wells was cited as enthusing, 'The council does not have the powers that Cera has and the council has never had the planning power in its hands that this agency will have. We want a design-led city and I think this is how we are going to get it.' CERA has the authority, in other words, to translate the Central City Plan into reality. Similar sentiment was espoused by Councillor Claudia Reid, who was cited in the same article as deeming CERA's role in the rebuild agenda 'a good way to give a really good plan some grunt to quickly lift it off the paper with confidence and speed, to get it moving and get confident investment in the city'.²⁷ The comments of the two Councillors underscore a paradox in the rebuild agenda: in essence, they suggest that it would be impossible to implement the suggestions generated through the democratic Share an Idea process without calling into force the deeply undemocratic powers of CERA (which, it is worth reiterating, was established by a democratically elected government).

In addition to drawing attention to the importance of attracting investment into Christchurch, Reid made specific reference in her endorsement of the CCDU to the issue of time. The fact that the CCDU was given only 100 days to formulate a blueprint for development demonstrates the tight timeframes imposed on government agencies to deliver results towards the development of the rebuild.

Yet while Councillors Wells and Reid viewed the CCDU as essentially positive, other locals perceived the CCDU as taking power from the Christchurch City Council – and thus constituting a further loss of community ownership over the rebuild. Concerned citizens organised a Rally for Democracy in December 2012 to draw attention to perceived undemocratic tendencies in Christchurch. One of the complaints raised in the organisers' Open Letter to Prime Minister John Key specifically referred to the powers of the CCDU to compulsorily acquire central city land for its large-scale development projects: 'Democratic rights of property owners in the CBD are to be obliterated on a "like it or lump it" basis. It appears you expect Christchurch ratepayers to fund your government's think big ideas for our inner city'.²⁸ This damning criticism refers to the Anchor Projects of the Recovery Plan – projects which demonstrate the National Party government's preference for market and corporate growth over individual property rights. The proposed rugby stadium and convention centre have generated particularly virulent criticism from residents who believe the expense would be better directed to alleviate pressing post-disaster problems including housing.²⁹

Even prior to the announcement of the creation of the CCDU, expressions of discontent abounded over the high level of national government control in Christchurch. While such control may have been justifiable in the immediate post-disaster period, its continuing presence in Christchurch has been a cause for concern. In March 2012, Bronwyn Hayward, Senior Lecturer in Political Science at the University of Canterbury and community activist, published an opinion piece in *The Press*. She argued that:

25 Marta Steeman, Andrew Holden and Sam Sachdeva (2012) '100-day action plan for city centre', *The Press*, 18 April, available at <<http://www.stuff.co.nz/the-press/news/christchurch-earthquake-2011/6760983/100-day-action-plan-for-city-centre>> accessed 13 July 2013.

26 Gates et al. (2012) 'Christchurch rebuild to be led by Govt'.

27 Gates et al. (2012) 'Christchurch rebuild to be led by Govt'.

28 Rally for Democracy Committee (2012) (Save our Schools, IConIC, Historic Places Canterbury, WeCan, Christchurch Civic Trust, Save Hagley Park, TC3 Residents, Water Interests, Wizard of NZ Ltd), 'Open Letter to the Prime Minister of New Zealand', 1 December, available at <<http://www.rebuildchristchurch.co.nz/blog/2012/12/open-letter-to-the-prime-minister-of-new-zealand-democracy>> accessed 31 July 2013.

29 See for example: John McCrone (2012) 'The centre that rules the city', *The Press*, 15 December, available at <<http://www.stuff.co.nz/the-press/christchurch-life/8083884/The-centre-that-rules-the-city>> accessed 1 August 2013.

The Canterbury Earthquake Recovery Act 2011 was vital to securing national resources to help support the city in the immediate response to a full scale disaster. Now, however, the wide ranging powers of the Cera legislation appear to stand in the way of renewing local democratic leadership and supporting long term community recovery.³⁰

Hayward's line of reasoning directly contradicts the opinions of people like Councillors Wells and Reid, who viewed CERA as providing Christchurch with an opportunity to move forward. Hayward, alternatively, understood CERA's powers as impeding recovery, particularly because they effectively removed control from 'local democratic leadership' and the communities with which these leaders work.

For people like Hayward, the reality of the recovery process has been disappointing and undemocratic. This disillusionment stems from the fact that, although Share an Idea dealt directly with the public, the translation of the ideas into tangible city plans has been a step-by-step process of removing control and ownership from Christchurch's communities. The Rally for Democracy Open Letter again clearly illustrates community disillusionment with the rebuild by juxtaposing the engaging community participation generated by Share an Idea with the Blueprint prepared by the CCDU:

In 2011 a huge number of Cantabrians contributed 106,000 ideas to the Christchurch City Council's 'Share an Idea' campaign for the redevelopment of the inner city. This vast effort by council and citizens was paid mere lip service to by your government and was arrogantly replaced by the CCDU's own Blueprint plan.³¹

The Rally organisers thus saw in the shift in ownership of the central city rebuild plans from the City Council to the CCDU as an affront to the people of Christchurch. The ideas generated by community participation in Share an Idea had been sidelined in the progression away from community ownership towards national government ownership.

5. Contribution: other forms of community consultation

The community consultation engendered through Share an Idea was, however, just one of a number of methods employed by government bodies to encourage community participation in the rebuild. Other means of discerning and receiving public opinion include surveys, consultation phases during which both face-to-face clarification and mediated submissions can be delivered, and community representation on government advisory boards. Yet despite the government's multi-angled approach to engaging communities in the rebuild, local dissatisfaction with the process remains high, primarily due to an overarching sense that while opinions are being solicited, they are not being afforded due consideration.³²

One key method of determining public opinion is through conducting surveys whose quantitative data allow the government an insight into locals' attitudes. An example of this type of community consultation was the Wellbeing Survey commissioned by CERA and conducted between August and October 2012. Randomly selected residents of greater Christchurch were asked to self-complete question-and-answer surveys either online or in hard copy, with a total of 2,381 people responding.³³ The intention of the Survey was to help CERA gauge how residents were coping following the earthquakes, information which would then 'help guide the ongoing work of CERA and its partners'.³⁴ To this end, similar surveys will be conducted at six-monthly intervals until the end of 2014.³⁵

Canterbury Earthquake Recovery Minister Gerry Brownlee introduced the results of the Survey in a media release entitled 'Wellbeing Survey reveals positive outlook.' Indeed, the statistics cited by Brownlee point to relatively high overall community wellbeing, as '74 per cent [of respondents] rated their overall quality of life as good or extremely good, with only 7 per cent rating it poor or extremely poor'.³⁶ Nonetheless such statistics, also reproduced in the one-

30 Bronwyn Hayward (2012) 'Canterbury's political quake', *The Press*, Opinion, 30 March, available at <<http://www.stuff.co.nz/the-press/opinion/perspective/6664104/Canterburys-political-quake>> accessed 9 July 2013.

31 Rally for Democracy Committee (2012) 'Open Letter'.

32 Similar disregard for community feedback was evident in the *Report of the Royal Commission on Genetic Modification*. Although findings showed that 'consumer preferences are against use of genetic modification in food,' the authors concluded that 'New Zealand should keep its option open' and not 'turn our back on the potential advantages on offer.' Royal Commission on Genetic Modification (2002) *Report of the Royal Commission on Genetic Modification*, 2, available at <<http://www.mfe.govt.nz/publications/organisms/royal-commission-gm/executive-summary.pdf>> accessed 18 November 2013.

33 CERA Wellbeing Survey 2012 Report (2012), 3, available at <<http://cera.govt.nz/wellbeing-survey>> accessed 12 July 2013.

34 Gerry Brownlee (2012) 'Wellbeing Survey reveals positive outlook', 20 February, available at <<http://www.beehive.govt.nz/release/wellbeing-survey-reveals-positive-outlook>> accessed 31 July 2013.

35 CERA Wellbeing Survey 2012 Report (2012), 3.

36 Brownlee (2012) 'Wellbeing Survey reveals positive outlook'.

page Wellbeing Survey 2012 Summary, do not present the full reality of the situation. Firstly, the results are biased because less than 50 percent of respondents were living in Christchurch City, where quality of life was rated 'less positively' than respondents of neighbouring districts. Secondly, there was a 52 percent response rate to the survey, meaning almost half the number of people approached declined to respond. Thirdly, because data was not recorded based on location of residence, it is impossible to determine whether people living in the most adversely affected areas were sufficiently represented in the Survey.³⁷ Finally, Brownlee summarised the findings in clusters:

Asked about their overall confidence in earthquake recovery decisions, 60 per cent of respondents were very confident, confident or neutral about the decision-making. When asked about their confidence in CERA's decision-making, 68 per cent of respondents were very confident, confident or neutral.³⁸

Analysis of the Survey results reveals much greater nuance, with only one out of every three respondents confident or very confident in overall decision-making and 40 percent confident or very confident in CERA's decision-making.³⁹ Thus while the CERA Wellbeing Survey provides useful quantitative data, its findings – and particularly the statistics highlighted by Brownlee and reproduced in the report's Summary – must be treated with some caution. As noted in the minutes of a March 2013 meeting of Christchurch's non-governmental sector, 'the Summary of the recently-released Wellbeing Report does not reflect the fairly grim information in the report itself'. These same minutes also reveal the sector's concern that CERA and other 'formal recovery organisations' remain ignorant of the estimated 20 per cent of Christchurch residents who are most in need,⁴⁰ a figure which highlights both the ineffectiveness of high-level agencies to reach certain at-risk individuals and groups and the necessity of generating human-focussed rebuild plans.

As well as surveys, the government has sought community consultation by soliciting written input on its rebuild agenda. Completed draft documents are made available (both online and in hardcopy at key community facilities) for a period of between four and six weeks, during which individuals and community groups are invited to provide written feedback. At times, public engagement in this process has been high; for example, 463 people or organisations compiled submissions in response to the publication of CERA's draft Recovery Strategy for Greater Christchurch.⁴¹

In parallel with the opportunity for written submission, the government hosts forums at which representatives of planning teams can provide clarification to and seek feedback from community representatives. Much weight is placed on these face-to-face interactions in government documentation, presumably because they constitute tangible evidence of solicited community engagement in the rebuild. For example, the Introduction of the draft Land Use Recovery Plan (LURP), which deals with the development of Greater Christchurch (excluding the central city which is covered in the CCDC's Christchurch Central Recovery Plan), clearly outlines the steps leading to its publication. It explains that the document 'was prepared collaboratively by the strategic partners [headed by Environment Canterbury], with assistance from a wide range of interested individuals, organisations and groups.' Three consultation phases have been held: firstly, 13 workshops allowed for comment on compiled background documents; secondly, 14 workshops, one *hui*⁴² and additional 'presentations and discussions' were facilitated in March and April 2013 regarding the preliminary draft document; and the draft Plan was circulated for further (and final) public scrutiny in July.⁴³

Yet despite these consultation phases, which provide opportunities for Christchurch's residents to put forward their visions for the future and their opinions of the draft rebuild plans, many locals are expressing dissatisfaction with the process which is seen as paying only lip service to democratic obligations for public engagement. One primary cause for complaint are the very short consultation periods, which allow scarcely enough time for people to access, read and absorb the often lengthy and information-heavy documents, let alone coordinate community group meetings to discuss and formulate responses. The reactions of non-governmental representatives to a suggestion to compile a submission for the Central City Plan prepared by the Christchurch City Council attest to this apprehension:

37 According to one blogsite dedicated to documenting the post-earthquake fate of the badly damaged suburb of Avonside, it is possible that a 'large part of the earthquake affected population are adversely under-represented in the survey'. Lawrence (2013) 'CERA – initial wellbeing survey results released', 20 February, available at <<http://avonsideblog.org/2013/02/20/cerainitial-wellbeing-survey-results-released/>> accessed 18 November 2013.

38 Brownlee (2012) 'Wellbeing Survey reveals positive outlook'.

39 In responding to the question about overall confidence in earthquake recovery decisions, 11% of respondents were not at all confident, 26% not very confident, 26% neutral, 29% confident, 5% very confident and 3% were unsure. Levels of confidence in CERA's decision-making were similar, with 7% of respondents not at all confident, 22% not very confident, 28% neutral, 33% confident, 7% very confident and 3% unsure. CERA Wellbeing Survey 2012 Report (2012), 61.

40 One Voice Te Reo Kotahi (2013) 'Sector meeting – minutes', 11 March, YMCA, Christchurch.

41 Canterbury Earthquake Recovery Authority (2011) 'Recovery Strategy Comment Acknowledgement', 15 November.

42 *Hui* is a Māori word referring to a social gathering.

43 Environment Canterbury et al. [2013] 'Draft Land Use Recovery Plan', 11.

There was concern about energy and time available to do the necessary work within the timeframe. Agreed to convene a sub-group to consider it. We could make a general submission and ask to speak to it, which would give us extra time to develop our message.⁴⁴

Preparing submissions requires energy but also time. Thus the very reason why the government is instigating only routine community consultation – a tight timeframe – also prevents communities from effectively engaging with these opportunities.

Further, because plans are being developed more or less concurrently for the six priority areas identified in the government's 2012 Recovery Strategy – Leadership and Integration, Economic Recovery, Social Recovery, Cultural Recovery, Natural Environment Recovery and Built Environment Recovery – as well as additional documents such as the Greater Christchurch Transport Statement (GCTS) which cross-cut multiple priority areas, it requires dedication to keep abreast of and respond to updates. The prevalent 'submission fatigue' in Christchurch arises not only from the multitudinous documents available for comment, however, but also from a sense that feedback is not afforded much consideration. People feel they are powerless to instigate change, which has the negative follow-on effect of de-incentivising community participation. 'What came of the 'share an idea', ideas? anything [*sic*] or was that a waste of our energy?' wondered an observer recently on the initiative's Facebook page.⁴⁵ This comment well illustrates the widespread frustration among residents that their investment – and indeed, excitement – in their city's future appears to be being ignored.

The final technique employed by the government to engage the people of Christchurch in the rebuild is community participation on government boards. Two representatives of the non-governmental sector – one Māori and one non-Māori – participate in the CERA Community Wellbeing Planners Group, established in 2012 to consider the wellbeing of Christchurch's residents.⁴⁶ These delegates have also recently been offered a seat on the Psychosocial Subcommittee, which shows that (at least symbolically) CERA is acknowledging the importance of community participation.

Another avenue of government-community exchange around the rebuild is the Community Forum, established to provide advice to CERA and Minister Brownlee and required under the CER Act to consist of at least 20 qualified members and to meet at least six times a year.⁴⁷ There has been a lack of transparency around the role and effectiveness of this Forum, however, with very little information published around meeting proceedings.⁴⁸ Further, as the disgruntled organising committee of the 2012 Rally for Democracy made clear in their Open Letter to the Prime Minister, 'The Community Forum put in place to allow [community] consultation has become a farce with Mr Brownlee or [CERA Chief Executive Officer] Roger Sutton having attended only a handful of times'⁴⁹ – despite the Forum's purported function to advise the Minister.

6. Conclusion

Analysis of the various techniques employed to induce and incorporate community participation into the rebuild demonstrates a disconnect between the government's avowed commitment to engage the people of Christchurch and the translation of this commitment into reality. Community consultation, the tool through which the government and the public can exchange views of the rebuild, appears in many respects largely perfunctory. This perception has given rise to intense disillusionment amongst residents. One indicator of the seriousness of the discontent occurred when in May 2013, representatives from key earthquake-related non-governmental organisations met with CERA. The meeting focussed on the crisis in confidence expressed by community groups regarding CERA's involvement and engagement channels.⁵⁰ Adequate and appropriate communication between CERA, as the government's recovery

⁴⁴ One Voice Te Reo Kotahi (2011) 'Steering Group Meeting - minutes', September.

⁴⁵ Shirley Prendeville (2013) Share an Idea Facebook page, 14 June, available at <<https://www.facebook.com/shareanidea.org.nz>> accessed 21 July 2013.

⁴⁶ The two pan-NGO representatives are supported by a Panel incorporating people from five major NGO networks: OVTRK, the Council of Social Services (COSS), Social Services Providers Aotearoa (SSPA), the youth sector and the older persons' sector.

⁴⁷ Canterbury Earthquake Recovery Act 2011 (2011), Part 2 – Functions and powers to assist recovery and rebuilding, Section 6, 8.

⁴⁸ Meeting minutes from One Voice Te Reo Kotahi (a network of over 80 non-governmental organisations) clearly illustrate this point. Despite representatives of the Community Forum being drawn from within the community sector, the following comment highlights the sector's lack of knowledge: 'There is a Community Forum for CERA but we have never seen one report from the committee in the media. How does it function? How, where and when does it report to the community?' A member of the Community Forum present at the One Voice Te Reo Kotahi meeting responded that although minutes were originally posted to the CERA website, they have been removed, as he understood the situation, at the direction of the Minister. (One Voice Te Reo Kotahi (2012) 'Sector meeting – minutes', 31 August, MHERC, Christchurch).

⁴⁹ Rally for Democracy Committee 'Open Letter'.

⁵⁰ The non-governmental organisations which met with CERA were the Canterbury Communities Earthquake Recovery Network (CanCERN), the Student Volunteer Army and the Avon-Otakaro Network (AvON). (CanCERN (2013) 'Meeting with CERA Social and

agency, and Christchurch's communities is crucial if meaningful community consultation - and through it, meaningful community participation - is to occur.

Views expressed by many locals - particularly within the non-governmental sector and in the media - suggest that consultation within post-earthquake Christchurch pays only minimal heed to democracy and to the human right to opinion. The strongly-worded Open Letter from the Rally for Democracy organisers succinctly highlights people's concerns:

Since early 2010 a wave of discontent has been building over this loss of democracy. This erosion of our rights as New Zealanders has increased dramatically during the earthquake recovery. Your National-led Government, through the Canterbury Earthquake Recovery Authority (CERA), is making decisions about our recovery without any input and consultation with the citizens of Christchurch and its elected members in a highly dictatorial and disempowering manner.⁵¹

The Rally organisers made explicit reference in their writing to New Zealand. This tactic serves to underscore their disillusionment with the rebuild process: the implication is, that as a country which is proud of and celebrates its human rights record and its international reputation for democratic advances (for example, as the first country to extend the right to vote to women), New Zealand should not be engaging in the undemocratic behaviour currently seen in Christchurch. Truly democratic behaviour would through meaningful community consultation engender a human- rather than an economic-focussed rebuild.

In order to instigate a timely recovery, the New Zealand government has taken measures - deemed by many residents in Christchurch as fundamentally undemocratic - to ensure the implementation of its vision for the rebuild. While the base ideas for this vision were supposedly drawn from the City Council's successful Share an Idea initiative, many elements of the CCDU's Anchor Project-heavy Recovery Plan have caused consternation among locals. The government has remained immune to such criticism, defending its grand-scale market-driven projects as necessary to attract much-needed investment to the city. Amid community hopes for greater engagement in the rebuild is also criticism regarding perceived delays in restoring Christchurch to an acceptable standard - particularly people's homes, many of which pose considerable health risks to their occupants. An additional tension thus overlays the disconnect between a human- and a time-focussed recovery. In aspiring to a quick rebuild, the New Zealand government has neglected its democratic imperative to generate meaningful community consultation.

The CER Act purposefully references the government's commitment to community participation in Christchurch's rebuild. This assurance is, however, qualified: community participation is critical, but 'without impeding a focused, timely, and expedited recovery'. Prioritising speed over meaningful community participation contrasts with international understandings of state responsibility for citizens' rights: the Aarhus Convention, for example, describes 'the right to [...] public participation in decision-making' as crucial to 'the protection of the right [...] to live in an environment adequate to [one's] health and wellbeing'.⁵² Yet while the Convention suggests an interdependency between the rights to housing and opinion, the case study of the Christchurch rebuild demonstrates that a post-disaster context requiring rapid response seriously challenges a government's responsibility to ensure both its citizens' social right to housing and their political right to opinion, a tension enhanced by government policies which preference market- over human-centred solutions.

Cultural Recovery and Planning and Policy', available at <<https://docs.google.com/document/d/1VOE3HYRCw0UdVXMMo9J8ffA7SfdhYrF-7RC9upQw7Yo/edit>> accessed 24 July 2013. Link available through CanCERN newsletter no. 85, 24 May 2013, available at <https://docs.google.com/document/d/17Se7hOb7wJMgo8hCWF0Y_p6X1u7zHb4V7hFEWbwLsY/edit> accessed 24 July 2013).

51 Rally for Democracy Committee 'Open Letter'.

52 United Nations Economic Commission for Europe (1998). UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. Article One, Aarhus, Denmark, 25 June, available at <<http://www.unece.org/env/pp/treatytext.html>> accessed 20 November 2013.