



Greater Christchurch Regeneration Amendment Act 2020

Public Act 2020 No 27
Date of assent 29 June 2020
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Greater Christchurch Regeneration Amendment Act 2020.

2 Commencement

- (1) Sections 9 and 18 and Schedule 3 come into force on the close of 30 June 2020.
- (2) Sections 19, 20, 22 to 27, and 29, and Schedule 1 come into force on the close of 30 June 2021.
- (3) The rest of this Act comes into force on the day after Royal assent.

3 Principal Act

This Act amends the Greater Christchurch Regeneration Act 2016 (the **principal Act**).

Part 1

Early disestablishment of Regenerate Christchurch and termination of powers

4 Section 3 amended (Purposes)

In section 3(1)(c), delete “decisions on the exercise of powers under section 71 and”.

5 Section 12 amended (Overview)

Repeal section 12(1)(i).

6 Section 13 amended (Interpretation in this subpart)

In section 13, definition of **proponent**, repeal paragraph (d).

7 Section 14 amended (Who may be proponent)

- (1) In section 14(3), replace “or the exercise of the power in section 71 unless the Plan or the exercise of the power” with “unless the Plan”.
- (2) In section 14(4), delete “or the exercise of the power in section 71”.
- (3) Replace section 14(5) with:
- (5) A territorial authority may not be a proponent in relation to a Plan that relates to more than 1 district unless the territorial authority does so jointly with every other territorial authority to whose district the Plan relates.

8 Sections 65 to 73 and cross-heading repealed

Repeal sections 65 to 73 and the cross-heading above section 65.

9 Subpart 5 of Part 2 repealed

Repeal subpart 5 of Part 2.

10 Section 121 amended (Establishment and status of Regenerate Christchurch)

In section 121(2)(c), replace “30 June 2021” with “30 June 2020”.

11 Section 123 amended (Functions of Regenerate Christchurch)

In section 123(b), delete “and the exercise of powers under section 71”.

12 Section 127 amended (Membership of board)

- (1) In section 127(4), replace “30 June 2021” with “30 June 2020”.
- (2) After section 127(4), insert:
 - (4A) A board member ceases to hold office at the earlier of the following dates (despite anything to the contrary in the member’s letter of appointment):
 - (a) the close of 30 June 2020:

- (b) the end date of the member's appointment specified in the member's letter of appointment.

13 Section 128 amended (Chairperson of board)

- (1) In section 128(2), replace "30 June 2021" with "30 June 2020".
- (2) After section 128(2), insert:
- (3) The chairperson of the board ceases to hold office at the close of 30 June 2020 (despite anything to the contrary in the chairperson's letter of appointment).

14 Section 138 amended (Regenerate Christchurch may transfer assets and liabilities)

In section 138(3)(b), replace "30 June 2021" with "30 June 2020".

15 Section 140 amended (Residual assets and liabilities transferred to successor organisation)

In section 140, replace "1 July 2021" with "1 July 2020" in each place.

16 Section 150 and cross-heading repealed

Repeal section 150 and the cross-heading above section 150.

17 Schedule 5 amended

- (1) In Schedule 5, clause 5(8), after "for any reason", insert "(including because of section 127(4A) or 128(3))".
- (2) In Schedule 5, clause 69(2), replace "30 June 2021" with "30 June 2020".

18 Consequential amendments

- (1) Amend the principal Act as set out in Part 1 of Schedule 3.
- (2) Amend the enactments specified in Part 2 of Schedule 3 as set out in that Part.

Part 2

Limited extension of powers for dealing with land

19 Section 3 amended (Purposes)

Repeal section 3(1)(c) and (d).

20 Section 4 amended (Interpretation)

In section 4, repeal the definitions of **Christchurch district**, **dangerous building**, **Hagley Park Management Plan**, **heritage protection authority**, **Lyttelton Port Recovery Plan**, **Plan**, **Recovery Plan**, **Regeneration Plan**, **RMA document**, and **strategic partners**.

21 Section 8 amended (Geographical application of Act)

In section 8, insert as subsections (2) and (3):

- (2) Between 1 July 2021 and the repeal date determined under section 151(3), the provisions listed in that subsection apply only in respect of land in the Ōtākaro Avon River Corridor.
- (3) In this section, **Ōtākaro Avon River Corridor** means the area described in Schedule 3A.

22 Section 11 amended (Conditions applying to exercise of powers by Minister or chief executive)

In section 11(3),—

- (a) delete “77, 85,”; and
- (b) replace “107, 141, 142, and 143” with “and 107”.

23 Section 75 amended (New surveys)

- (1) Replace section 75(1) with:

- (1) This section applies if there is a legal requirement to notify any adjoining owners that a cadastral survey dataset is to be deposited under the Land Transfer Act 2017.

- (2) In section 75(3) and (4), delete “or survey plan”.

24 Section 107 amended (Disposal of land)

Repeal section 107(2).

25 Section 118 amended (Appeal)

In section 118(3), replace “21, 26, 31, 38, 43, 47, 52, 58, 93,” with “93”.

26 Section 119 amended (Exceptions to exclusion of appeals)

- (1) Repeal section 119(1)(a), (b), (d), and (e).
- (2) Repeal section 119(2)(a), (b), (d), and (e).

27 Section 120 amended (Appeal from High Court and in some cases from Court of Appeal)

- (1) In section 120(2), delete “in the case of any appeal referred to in section 119(1)(a) to (d)”.
- (2) Repeal section 120(3).

28 Section 151 replaced (Repeal of this Act and revocations)

Replace section 151 with:

151 Repeal of this Act and revocations

- (1) This Act, except for the provisions listed in subsections (2) and (3), is repealed on the close of 30 June 2021.
- (2) Subpart 6 of Part 2 is repealed on the close of 30 June 2022.

- (3) This section and sections 1, 3 to 7, 8(2), 10, 11, 75, 76, 87(3), (4), (5), and (6), 91 to 101, 107 to 109, 118, 119, 120, and 145 and the cross-headings above sections 91, 92, and 107 are repealed at the earlier of—
- (a) the close of 30 June 2023; and
 - (b) a date set by Order in Council, made by the Governor-General on the recommendation of the Minister.
- (4) At the close of 30 June 2021, every Order in Council continued by section 147 that is in force is revoked.

29 Schedule 1 amended

In Schedule 1, after Part 1, insert the Part 2 set out in Schedule 1 of this Act.

30 New Schedule 3A inserted

After Schedule 3, insert the Schedule 3A set out in Schedule 2 of this Act.

Schedule 1
New Part 2 inserted into Schedule 1

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Part 2
**Provisions relating to Greater Christchurch Regeneration
Amendment Act 2020**

11 Plans relating to greater Christchurch or Christchurch district

- (1) This clause applies to the following submissions to the Minister:
- (a) a draft Plan or amendment submitted to the Minister,—
 - (i) in relation to greater Christchurch, under section 25(1)(c); or
 - (ii) in relation to Christchurch district, under section 35(1)(c)(i):
 - (b) a modified draft Plan or amendment submitted to the Minister,—
 - (i) in relation to greater Christchurch, under sections 25(1)(c) and 27(3); or
 - (ii) in relation to Christchurch district, under sections 35(1)(c)(i) and 39(3):
 - (c) a proposed revocation submitted to the Minister,—
 - (i) in relation to greater Christchurch, under section 46(1)(c); or
 - (ii) in relation to Christchurch district, under section 55(1)(c)(i).
- (2) If the Minister receives a submission listed in subclause (1) but does not make a final decision on the submission before the close of 30 June 2021, the Minister must approve or decline the submission—
- (a) in accordance with this Act as it read immediately before the repeal of certain provisions by section 151(1), as replaced by section 28 of the Greater Christchurch Regeneration Amendment Act 2020; but
 - (b) with all necessary modifications.

12 Council amending RMA document

- (1) This clause applies if—
- (a) a council is directed to amend an RMA document in accordance with section 61; and
 - (b) the council has not made the amendments by the close of 30 June 2021.
- (2) The council must make the amendments in accordance with section 61, as if that section were still in force.

13 Minister exercising power under section 71

- (1) This clause applies if—
- (a) a proponent has submitted a proposal to the Minister under section 66(2)(b) before the day after the date on which the Greater Christchurch Regeneration Amendment Act 2020 receives the Royal assent; but
 - (b) the Minister, before that date,—
 - (i) has not decided whether to proceed with the proposal; or
 - (ii) has not decided whether to exercise the power in section 71.
- (2) The Minister must decide whether to proceed with the proposal and whether to exercise the power in section 71—
- (a) in accordance with this Act, as if it had not been amended by the Greater Christchurch Regeneration Amendment Act 2020; but
 - (b) with all necessary modifications.
- (3) However, if Regenerate Christchurch was the proponent, the Minister—
- (a) must provide the reasons for his or her decision under section 67(3) or 70 to the strategic partners and the chief executive; and
 - (b) need not provide the reasons to Regenerate Christchurch.

14 Prohibiting and restricting public access, closing and stopping roads

A prohibition or restriction of public access under section 87(1), or a closure, diversion, or control of traffic under section 87(2), that commenced before the close of 30 June 2021—

- (a) continues to apply until the repeal date determined under section 151(3), despite the repeal of section 87(1) and (2) by section 151, as inserted by section 28 of the Greater Christchurch Regeneration Amendment Act 2020; and
- (b) may be revoked before the repeal date determined under section 151(3), despite the repeal of section 87(1) and (2).

15 Offences under section 88

Despite its repeal by section 151, as inserted by section 28 of the Greater Christchurch Regeneration Amendment Act 2020, section 88 continues to apply in respect of a restriction or prohibition imposed under section 87(1) or (2) that continues to apply under clause 14.

Schedule 2

New Schedule 3A inserted

s 30

Schedule 3A

Description of Ōtākaro Avon River Corridor

s 8

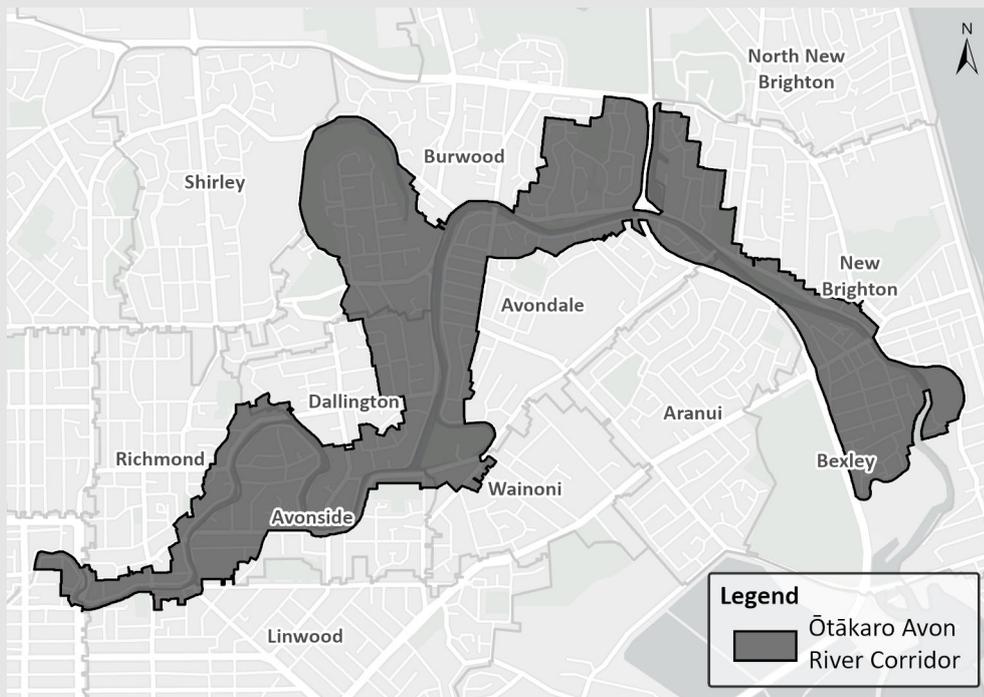
1 Description of Ōtākaro Avon River Corridor

For the purposes of section 8, the Ōtākaro Avon River Corridor comprises all land that, on 1 July 2021,—

- (a) is held by the Crown under this Act or under the Canterbury Earthquake Recovery Act 2011; or
- (b) is owned by a council, and adjoins or is adjacent to land described in paragraph (a).

2 Map of Ōtākaro Avon River Corridor

- (1) The map in subclause (2) is indicative only, and if there is any inconsistency between the map, subclause (2), and the description in clause 1, the description in clause 1 prevails.
- (2) The area of the Ōtākaro Avon River Corridor is the area shaded dark grey in the following map.



Schedule 3

Consequential amendments

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Part 1

Consequential amendments to principal Act

Section 3

In section 3(1)(d), delete “Regenerate Christchurch.”

Section 4

In section 4, repeal the definitions of **Regenerate Christchurch** and **successor organisation**.

Section 13

In section 13, repeal the definition of **Christchurch residential red zone**.

Section 14

Repeal section 14(1)(b), (3), and (4).

In section 14(2), replace “subsections (3) to” with “subsections (5) and”.

Section 20

Repeal section 20(1)(b).

Section 21

In section 21(2)(a), delete “and Regenerate Christchurch”.

Section 23

Repeal section 23(2)(b).

Section 26

In section 26(2)(a), delete “and Regenerate Christchurch”.

Section 28

Repeal section 28(2)(d)(iii).

Section 29

Repeal section 29(1)(d).

In section 29(2)(b)(i), delete “if the proponent is Regenerate Christchurch”.

Repeal section 29(2)(b)(ii).

Repeal section 29(3) and (4).

Section 30

Repeal section 30.

Section 31

In section 31(1), delete “or 30”.

In section 31(3) and (4), replace “Regenerate Christchurch” with “the proponent”.

Section 32

Repeal section 32(1)(a).

Section 34

In the heading to section 34, replace “**Regenerate Christchurch**” with “**Proponent**”.

In section 34(1) and (3), replace “Regenerate Christchurch” with “the proponent”.

Section 35

In section 35(1)(c)(i), delete “if the proponent is Regenerate Christchurch”.

Repeal section 35(1)(c)(ii).

In section 35(2)(c), replace “if the proponent is Regenerate Christchurch,” with “the proponent’s advice on”.

In section 35(2)(c)(i) and (ii), delete “advice on”.

Repeal section 35(4) and (5).

Sections 36 and 37

Repeal sections 36 and 37.

Section 38

In section 38(1), delete “or 37”.

Replace section 38(2)(a) and (b) with:

- (a) have particular regard to the views of each of the following parties that is not the proponent:
 - (i) Christchurch City Council:
 - (ii) Canterbury Regional Council:
 - (iii) Te Rūnanga o Ngāi Tahu:
- (b) consider the material specified in section 35(2):

Section 39

In section 39(1), replace “Regenerate Christchurch” with “the proponent”.

Section 42

Repeal section 42(1)(b).

Section 43

In section 43(2)(a), delete “and Regenerate Christchurch”.

Section 47

In section 47(2)(a), delete “and Regenerate Christchurch”.

Section 49

Repeal section 49(2)(e).

Section 50

Repeal section 50(1)(d).

In section 50(2)(b)(i), delete “if the proponent is Regenerate Christchurch”.

Repeal section 50(2)(b)(ii).

Section 51

Repeal section 51.

Section 52

In section 52(1), delete “or 51”.

In section 52(3), replace “Regenerate Christchurch” with “the proponent”.

Section 53

Repeal section 53(1)(a).

Section 55

In section 55(1)(c)(i), delete “if the proponent is Regenerate Christchurch”.

Repeal section 55(1)(c)(ii).

In section 55(2)(b), replace “if the proponent is Regenerate Christchurch,” with “the proponent’s advice on”.

In section 55(2)(b)(i) and (ii), delete “advice on”.

Sections 56 and 57

Repeal sections 56 and 57.

Section 58

In section 58(1), delete “or 57”.

Replace section 58(2)(a) and (b) with:

- (a) have particular regard to the views of each of the following parties that is not the proponent:
 - (i) Christchurch City Council:
 - (ii) Canterbury Regional Council:

Section 58—*continued*

- (iii) Te Rūnanga o Ngāi Tahu:
- (b) consider the material specified in section 55(2):

Section 59

In section 59, replace “Regenerate Christchurch” with “the proponent”.

Section 118

In section 118(3), delete “30,” “37,” “51,” “57,” and “67, 69.”

Sections 138 to 140

Repeal sections 138 to 140.

Section 141

Repeal section 141(2)(c).

Schedule 3

Repeal Schedule 3.

Schedule 5

Repeal Schedule 5.

Part 2**Consequential amendments to other enactments****Ombudsmen Act 1975 (1975 No 9)**

In Schedule 1, Part 2, repeal the item relating to Regenerate Christchurch.

Public Audit Act 2001 (2001 No 10)

In Schedule 2, repeal the item relating to Regenerate Christchurch.

Legislative history

19 February 2020	Introduction (Bill 220–1)
5 March 2020	First reading and referral to Governance and Administration Committee
5 June 2020	Reported from Governance and Administration Committee (Bill 220–2)
18 June 2020	Second reading
24 June 2020	Committee of the whole House, third reading
29 June 2020	Royal assent

This Act is administered by the Department of the Prime Minister and Cabinet.