

**BEFORE THE CHRISTCHURCH REPLACEMENT DISTRICT PLAN  
HEARINGS PANEL**

**IN THE MATTER** of the Resource Management Act 1991 and the Canterbury  
Earthquake (Christchurch Replacement District Plan) Order  
2014

**AND** The Christchurch Replacement District Plan

**SUBMITTER** **THE CHIEF EXECUTIVE OF THE DEPARTMENT OF  
PRIME MINISTER AND CABINET FOR AND ON BEHALF  
OF THE CROWN**  
(Submitter 495, 2387, 3721 and 9104)

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**MEMORANDUM OF COUNSEL FOR THE CROWN REGARDING THE  
GREATER CHRISTCHURCH REGENERATION ACT 2016**

Dated: 11 April 2016

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## MAY IT PLEASE THE HEARINGS PANEL:

1. The purpose of this memorandum is to inform the Hearings Panel that the Greater Christchurch Regeneration Act 2016 ("**Act**") received royal assent on Thursday 7 April 2016.<sup>1</sup>
2. The Act provides a new legal framework to support the regeneration of greater Christchurch over the next 5 years. The Act is available for download from the New Zealand Legislation website.<sup>2</sup>
3. Amongst other things the Act provides for:
  - (a) The continuation of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 ("**Order in Council**").<sup>3</sup> The Act amends the Order in Council by:
    - (i) providing that the Order in Council is revoked on the close of 30 June 2021; and
    - (ii) inserting a date of 16 December 2016 by which the Hearings Panel must make its decisions on the Replacement Plan.
  - (b) The continuation of existing Recovery Plans (including the Christchurch Central Recovery Plan, Te Mahere 'Maraka Ōtautahi', and the Land Use Recovery Plan, Te Mahere Whakahaumanu Tāone) and the ability for the Minister to approve the development, amendment, or revocation of Regeneration Plans relating to the Christchurch district and/or greater Christchurch.<sup>5</sup> Any decisions made under the Resource Management Act 1991 ("**RMA**") must not be inconsistent with a Recovery or Regeneration Plan.<sup>6</sup> A Regeneration Plan may direct changes to RMA documents.<sup>7</sup>
  - (c) The continuation of the Recovery Strategy for Greater Christchurch, Mahere Haumanutanga o Waitaha, for the purposes of the Order in Council. The Replacement Plan must not be inconsistent with the Recovery Strategy.<sup>8</sup>

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<sup>1</sup> The Crown filed a memorandum on 23 October 2015 informing the Hearings Panel that the Greater Christchurch Regeneration Bill had received its first reading on 22 October 2015.

<sup>2</sup> <http://www.legislation.govt.nz/act/public/2016/0014/latest/DLM6579202.html>

<sup>3</sup> Section 147.

<sup>4</sup> Schedule 7.

<sup>5</sup> Part 2 Subpart 1.


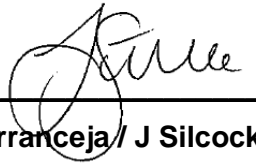
<sup>6</sup> Section 60.

<sup>7</sup> Section 61.

<sup>8</sup> Schedule 1, Part 1 Subpart 2, clause 3.

- (d) The establishment of a new entity called Regenerate Christchurch.<sup>9</sup>  
The new entity is jointly controlled by the Crown and the Christchurch City Council. Its statutory purpose is to support a vibrant, thriving Christchurch that has economic, social, and lifestyle opportunities for residents, businesses, visitors, investors, and developers.<sup>10</sup>  
Regenerate Christchurch's objectives are to:<sup>11</sup>
- (i) lead regeneration in the Christchurch district that falls within greater Christchurch;
  - (ii) engage and advocate effectively with communities, stakeholders, and decision makers to achieve its purpose; and
  - (iii) to collaboratively work with others in achieving regeneration.
4. The provisions of the Act come into force on Tuesday 19 April 2016, except for the following provisions that came into force on Friday 8 April 2016:<sup>12</sup>
- (a) the establishment of Regenerate Christchurch under Part 2 Subpart 5; and
  - (b) provisions allowing the transfer of assets, liabilities and land between entities (for example, Ōtākaro Limited) under Part 2 Subpart 6.

Dated 11 April 2016

  
  
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**C Carranceja / J Silcock**  
Counsel for the Crown

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<sup>9</sup> Part 2 Subpart 5.  
<sup>10</sup> Section 122(1).  
<sup>11</sup> Section 122(2).  
<sup>12</sup> Section 2.