

Greater Christchurch Regeneration Bill

Summary of Bill

The Bill repeals the Canterbury Earthquake Recovery Authority Act 2011 and establishes a new legal framework for post-quake recovery in Christchurch from July 2016 until 2021. It repeals some earthquake related Orders in Council, retains others, and gives a range of powers to Government Ministers and a new entity Regenerate Christchurch. It establishes a Crown company to deliver the anchor projects.

The Bill tasks Regenerate Christchurch with leading regeneration in defined areas of Christchurch (e.g. New Brighton), engaging with communities; and working collaboratively. Regenerate Christchurch would be jointly controlled by the government and the Christchurch City Council until 1 July 2021 when it would be fully controlled by Council. It would have an appointed board of seven members.

The Bill continues to override the usual Resource Management Act (RMA) planning processes. Instead it enables Government Ministers, local councils and Regenerate Christchurch to propose, develop or amend regeneration plans, and request changes to existing planning documents and policies. All plans must be approved by the relevant Minister, who has to seek and have “particular regard” to the views of councils in the Greater Christchurch area (i.e. Christchurch, Selwyn, Waimakariri and Canterbury Regional Council) and Te Runanga o Ngāi Tahu.

The Bill gives substantial powers to relevant Ministers, such as the Ministers of Transport, Land Information, and the Environment to suspend, amend, or revoke RMA documents, council plans, regional land transport plans; and plans or policies under the Local Government Act (after public consultation and consultation with strategic partners).

It gives relevant Ministers such as the Minister of Land Information power to compulsorily acquire land where attempts to voluntarily acquire it have been unsuccessful. The owner is entitled to compensation determined by the Minister, but the Crown is not bound by the current market value, if not appropriate.

The Bill also gives the chief executives of relevant government departments the power to dispose of land, restrict access to areas and buildings, erect temporary buildings and undertake works on public and private land.

Potential submission points

Crown Company should go

The National Government’s extravagant anchor projects, like the super-sized stadium and convention centre are creating significant financial pressure on the City Council’s budget. Under CERA, the anchor projects have been shrouded in secrecy with no published business cases. The new Crown Company is likely to be similarly secretive about its spending of hundreds of millions of dollars of public money.

The anchor projects will impoverish Christchurch and burden citizens. Keeping strategic assets such as Orion, Lyttelton Port Company and Christchurch International Airport is of greater benefit to the city.

Change sought

Delete the provisions which establish the “Crown Company” to promote and undertake the anchor projects. Funds saved can be spent on infrastructure the city needs.

Democratic planning processes needed

The Bill continues the anti-democratic provisions in the CERA Act which override normal RMA planning processes. Regenerate Christchurch must consult the public on draft regeneration plans but it does not need to have public hearings. The Bill makes the relevant Minister, NOT the City Council, the final decision maker on these plans with no right of appeal to the Environment Court. We need local democracy back in Christchurch.

Changes sought

- Provide for the City Council to take over Regenerate Christchurch in December 2018 instead of 2021.
- Require Regenerate Christchurch to have public hearings on all plans so that the public can see who is making decisions.
- Make the Council not the relevant Minister responsible for approving final regeneration plans.
- Amend the Bill so submitters can appeal plan provisions on matters of fact to the Environment Court.

River park for residential red zone

The Bill allows the chief executive of LINZ to dispose of land in the residential red zone without requiring public input. This land is significant to its former owners and there is major public interest in its future, yet the Bill has no strong commitment to consult and implement public views.

In 2012 more than 18,000 people signed the Avon-Otakaro Network’s petition asking the Government to turn the Otakaro/Avon River residential red zone into a reserve and river park when the home owners have to leave. The Bill should promote the establishment of the river park and public use of the residential red zone.

Change sought

- Add a new purpose to clause 3 of the Bill such as: “facilitating the establishment and management of an Avon-Otakaro River Park for the protection and enhancement of water quality, biodiversity, and public open space; and public recreation and cultural use.”