



**DEPARTMENT OF THE
PRIME MINISTER AND CABINET**

TE TARI O TE PIRIMIA ME TE KOMITI MATUA

Proactive Release

The following document has been proactively released by the Department of the Prime Minister and Cabinet (DPMC), on behalf of Hon Nicola Willis, Minister of Finance:

Briefing to the Incoming Minister with responsibility for the Christ Church Cathedral Reinstatement Act

The Briefing to the Incoming Minister is being released in full.

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Briefing to the Incoming Minister with responsibility for the Christ Church Cathedral Reinstatement Act 2017

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Introduction

Welcome to your role as **Minister with responsibility for the Christ Church Cathedral Reinstatement Act 2017 (the Act)**.

This briefing sets out in respect to the responsibilities administered on your behalf by the Department of the Prime Minister and Cabinet (DPMC) the:

- context of the Act, your role and responsibilities, and how we can support you; and
- key areas of focus requiring consideration either immediately or within the next 100 days.

In the coming three years there will be opportunities for you, as Minister with responsibility for the Act to enhance the way in which these responsibilities are managed.

Glossary

Acronyms commonly used in your portfolio include:

DPMC	The Department of the Prime Minister and Cabinet
CCRL	Christ Church Cathedral Reinstatement Limited
CERA	Canterbury Earthquake Recovery Authority
CPT	Church Property Trustees

Your roles and responsibilities

After the devastating earthquakes of 4 September 2010, and 22 February 2011, a national-level response was put in place to manage the size and scale of the recovery challenge. Some key milestones of the Crown's involvement in this work are listed in **Annex A**.

A key part of the regeneration approach was supporting a return to local leadership. By early 2021 most of the responsibility for leading the remaining regeneration efforts sat with local leadership. At this point DPMC's Greater Christchurch Group¹ was disestablished and remaining central government responsibilities distributed amongst relevant agencies. Much of this work is now complete with remaining central government responsibilities being:

- Christ Church Cathedral reinstatement supported by DPMC;
- administration of 'anchor' infrastructure project-related appropriations by the Treasury;
- insurance claims resolution services provided by the Ministry of Business Innovation and Employment; and
- residual land information issues managed by Land Information New Zealand.

Policy responsibility

There are no on-going policy responsibilities associated with your responsibilities administered by DPMC. The Global Settlement Agreement signed on 23 September 2019 by the Crown and the Christchurch City Council does not involve DPMC in its delivery. It is administered by the Treasury.

Statutory decision-making powers

The sole statutory responsibility administered on your behalf by DPMC relates to the Christ Church Cathedral Reinstatement Act 2017, which remains in force until 21 December 2035. Its purpose is to facilitate reinstatement of the Christ Church Cathedral, acknowledging its contribution to cultural, social and economic wellbeing in Christchurch, its importance to Christchurch's regeneration and its heritage value.

Its provisions include responsibilities for the Minister² to:

- recommend the Governor-General make Orders in Council to grant exemptions from, modify, or extend an enactment, or any provisions of an enactment specified in Schedule 2 of the Act (section 8);

¹ DPMC's Greater Christchurch Group's focus was on coordinating and supporting the transition of leadership of greater Christchurch from central government to local organisations.

² This may be a Minister under the authority of a warrant, or a Minister with the authority of the Prime Minister. There has been no Ministerial warrant since November 2020.

- appoint a Christ Church Cathedral Reinstatement Review Panel of up to six members (section 13) to review draft Orders and to provide advice to you in relation to Orders that may be required for the purpose of the Act; and
- present a report on the operation of the Act to the House every 12 months (section 24), including a list of Orders in Council made under the Act during this period, and a brief description of those Orders.

Orders in Council

The Christ Church Cathedral Reinstatement Order 2020 relates to the resource consent process for the strengthening and reinstatement of the Cathedral. It was necessary to create this Order because using normal resource consent processes for the reinstatement of the Cathedral would cause further delays, more cost and uncertainty.

In summary, the Order streamlines the resource consent process by:

- treating all restricted discretionary and discretionary activities relating to the reinstatement of the Cathedral as controlled activities;
- preventing the notification of resource consent applications relating to the rest of the reinstatement work on the Cathedral;
- providing a pathway for consent authorities to impose conditions on the resource consents in relation to certain matters, including appropriate conditions for the removal of the Citizens' War Memorial and the London Plane trees (if necessary for reinstatement);
- requiring the processing of resource consent applications within 40 days;
- requiring consenting authorities to seek and consider written comment from specified parties within 15 days, during the 40 day processing time;
- preventing the appeal on a resource consent decision, except by the applicant; and
- allowing the consent authorities to enforce conditions, but removing the ability of the public to do so.

The Order came into force on 9 October 2020 and will be revoked on 21 December 2032. Three resource consent applications for the strengthening and reinstatement of the Cathedral using the Order have been lodged with the Christchurch City Council. These include dewatering, the discharge of water and excavation activities.

Christ Church Cathedral reinstatement progress

The Crown was able to play a facilitative role to enable agreement to be reached on the Cathedral's reinstatement. The Cathedral is owned by the Church Property Trustees (CPT), with Christ Church Cathedral Reinstatement Ltd (CCRL) delivering the reinstatement project.

The Crown:

- passed the Christ Church Cathedral Reinstatement Act 2017 to enable Orders in Council;
- established a Trust to lead public fundraising and to enter into a joint venture with CPT to establish CCRL. The Crown wound-up the Trust in 2021 and transferred assets to CCRL;
- provided an initial cash contribution of \$10 million and forgave a \$15 million suspensory loan to help bridge the fundraising gap; and
- supported (through the Cabinet Office) transfer of the Royal Patronage for the project.

On 21 March 2023, a major milestone was reached with completion of stabilisation work. This enabled the first entry into the nave interior of the Cathedral.

Related Ministerial portfolios

Ministers of Infrastructure, and Finance – These two shareholding Ministers are supported by the Treasury which monitors Rau Paenga Limited, the Crown infrastructure delivery company. It was formerly known as Ōtākaro Limited, established in April 2016 to deliver anchor projects in Christchurch, such as Te Papa/ Ōtākaro Avon River Precinct, Te Pae Christchurch Convention Centre, Canterbury Earthquake National Memorial, and the East Frame Residential Development. The Treasury maintains policy responsibility for advice on the Crown's contribution to regeneration initiatives, such as the Canterbury Multi-Use Arena Agreement 2020.

Minister of Commerce and Consumer Affairs – Responsible for the Ministry of Business, Innovation and Employment (MBIE) New Zealand Claims Resolution Service (formerly Greater Christchurch Claims Resolution Service), an independent pathway to help resolve insurance claims.

Minister of Justice – Responsible for the Ministry of Justice which services the Canterbury Earthquake Insurance Tribunal, to support homeowners with ways to resolve long-standing claims with insurers.

Minister for Land Information – Responsible for Land Information New Zealand (LINZ) which in 2023 completed the transfer of Crown-owned residential red zone (RRZ) land titles to Christchurch City Council. The 602-hectare RRZ area in the heart of east Christchurch, and some adjacent Christchurch City Council and Crown-owned land, amalgamated 5,500 property titles in what is known as the Ōtākaro Avon River Corridor. The final transfer ended LINZ's lead responsibilities for recovery and regeneration under the Global Settlement Agreement 2019.

Key stakeholders

Regeneration leadership currently involves varying degrees of local and central government partnership and collaboration.

Central government's local strategic partners in regeneration are: Canterbury Regional Council (referred to as Environment Canterbury or ECan); Christchurch City Council, Selwyn District Council, Waimakariri District Council, and Te Rūnanga o Ngāi Tahu.

In respect to the Christ Church Cathedral reinstatement the primary stakeholders and their representatives are:

- Church Property Trustees (Rt Rev'd Dr Peter Carrell, Bishop of Christchurch)
- Christ Church Cathedral Reinstatement Limited (Mark Stewart, Chair and Keith Paterson, Project Director)
- Christchurch City Council (Phil Mauger, Mayor)
- Christ Church Cathedral Reinstatement Review Panel (Hon Nicholas Davidson KC, Chair)

Immediate priorities

Tabling of the sixth Annual Report on the operation of the Christ Church Cathedral Reinstatement Act 2017

As the Minister responsible for the Christ Church Cathedral Reinstatement Act 2017, you are required to present a report on the operation of the Act to the House every 12 months.

The last report was tabled on 12 December 2022 and the report for the period 1 December 2022 to 30 November 2023 must be tabled **by 11 December 2023**.

Annual reports of this nature are deemed to be non-parliamentary papers. While they are presented to the House, they will not be published under the authority of the House.

DPMC coordinates the delivery of the Annual Report and will publish it on the DPMC website after it has been presented to the House.

Appointment of Christ Church Cathedral Reinstatement Review Panel members

As the Minister responsible for the Act, you are required to appoint a Christ Church Cathedral Reinstatement Review Panel of up to six members. The main functions of the Panel are to review draft Orders in Council proposed under the Act, and to provide advice on request to you in relation to Orders that may be required for the purpose of the Act.

Three panel members' appointments, including the Chair, are due to expire on 1 March 2024. The Panel is not able to operate without the convenor and sufficient members to meet the requirements of the Act. The Panel must provide its recommendations to you within 15 working days after receiving a draft Order.

DPMC will provide you with information about the Panel membership, the availability of the members to be considered for reappointment, seek your preferences and arrange the necessary Cabinet Appointments and Honours (APH) Committee papers.

Our support for you

About DPMC

DPMC's purpose is to advance an ambitious, resilient and well-governed New Zealand, and we do this in a wide variety of ways. We lead, advise, steward and deliver activities across the public sector, and provide specific advice and support to the Governor-General, Prime Minister and our portfolio Ministers. As one of the three central agencies, we also play a role in leading and coordinating public service agencies.

Ultimately, our work is about making sure we are working together effectively across the public sector to deliver on the Government's priorities and provide the services and outcomes New Zealanders need.

DPMC is uniquely placed within the public service, in terms of our whole-of-government perspective and our inherent closeness to Ministers.

Providing expert policy advice

One of the most important things in implementing your programme is ensuring that we provide strategic advice, working in collaboration with other agencies to ensure you meet your statutory obligations.

The Strategy, Governance and Engagement Group

Responsibility for providing legal advice and advice and liaison with Christ Church Cathedral stakeholders sits within DPMC's Strategy, Governance and Engagement group. This is headed by an Executive Director.

Clare Ward, Executive Director

Jude Ulrich, Director Organisation Direction and Development

Lindsay Doronila, Senior Adviser

Annabel Ritchie, Chief Legal Adviser

Funding and reporting is managed by DPMC

The Department of the Prime Minister and Cabinet administers all appropriations within Vote Prime Minister and Cabinet. Funding for your responsibilities sits within the Advice and Support Services Multi-Category Appropriation, although there is no specific budget for this work which primarily consists of staff time.

DPMC is responsible for coordinating the annual accountability process, responses for the Governance and Administration Select Committee hearings, and funding proposals.

There are no auditable performance measures attached to DPMC's support for your responsibilities and we appreciate feedback at any time.

Annex A

Background

In 2015, central government stepped back from leading and coordinating the overall recovery and put in place the following arrangements to enable local leadership:

- the Canterbury Earthquake Recovery Act 2011 was allowed to expire and was replaced by the Greater Christchurch Regeneration Act 2016 (GCR Act);
- the Canterbury Earthquake Recovery Authority (CERA) was disestablished on 18 April 2016;
- CERA's functions either ended or were transferred to inheriting agencies including the Department of the Prime Minister and Cabinet (DPMC); Land Information New Zealand (LINZ); the Ministry of Business, Innovation and Employment (MBIE); and the Ministry of Health (MOH) / the Canterbury District Health Board (CDHB);
- DPMC became responsible for advising on the regeneration of greater Christchurch, and monitoring and reporting on regeneration progress; and
- two new regeneration-related entities, Regenerate Christchurch and Ōtākaro Limited, were created. On 30 June 2020 Regenerate Christchurch was disestablished and its strategic leadership role transferred to local leadership. In 2021 Otakaro Limited (now Rau Paenga, the Crown Infrastructure Delivery Agency) completed the Te Papa/Otakaro Avon River Precinct in April and Te Pae Christchurch Convention Centre in December.

Major regeneration milestones include:

- approval of the Waimakariri Residential Red Zone Recovery Plan in 2016;
- completion of the Crown offer process and subsequent demolition and clearance of nearly 8,000 red zone properties;
- completion of the majority of CBD land acquisition needed for anchor project delivery;
- early revocation (in February 2019) of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014, which had limited the Christchurch City Council's ability to amend its own District Plan;
- approval of the Ōtākaro Avon River Corridor Regeneration Plan in August 2019;
- signing of the Global Settlement Agreement between the Crown and the Christchurch City Council in September 2019;
- changes to relevant local authority planning documents (prepared under the Resource Management Act 1991 (RMA)) to support regeneration, on request of local authorities through the section 71 and regeneration plan powers;
- completion of the Greater Christchurch Horizontal Infrastructure Programme with a Crown funding contribution of over \$1.6 billion towards the repairs in Christchurch district alone;

- passing of the Greater Christchurch Regeneration Amendment Act 2020 to fast track the return to local leadership;
- passing of the Christ Church Cathedral Reinstatement Act 2017;
- making of the Christ Church Cathedral Reinstatement Order 2020;

In December 2021:

- the Christchurch Stadium Trust was disestablished and its assets transferred to the Christchurch City Council;
- the final tranche of the Crown's \$15 million suspensory loan to the Christ Church Cathedral Reinstatement Trust was forgiven;
- the Christ Church Cathedral Reinstatement Trust was disestablished and its assets transferred to Christ Church Cathedral Reinstatement Limited (a charitable trust owned by the Church Property Trustees);
- amendments were approved to the Christchurch Central Recovery Plan under section 38 of the Greater Christchurch Regeneration Act 2016 relating to mitigating and managing noise from the Canterbury Multi-Use Arena. This was the final exercise of a statutory power under the Act which is now repealed.