





1 July 2020



Reference: OIA-2019/20-0560

Dear 

Official Information Act request relating to the Regulations Review Committee and Hagley Oval

Thank you for your letter received on 3 June 2020, sent to  of the Office of the Clerk of Representatives, copied to  of the Department of the Prime Minister and Cabinet (DPMC). In so far as your letter relates to DPMC, I have taken it to be a request made under the Official Information Act 1982 (the Act). In doing so, I would note that the Office of the Clerk of Representatives is not subject to the Act, and that any response from the Office you receive, or have received, may take a different approach. Your letter stated:

"...I note the RRC made its decision to close our complaint on 6th May. Your conveyance of this decision arrived on 26th May.

In our letter of 7th April we made specific requests regarding policies as copied below. The response received by us does not spell out those policies in writing. They must exist because they are referred to in the DPMC submission, but not detailed. As the RRC cannot provide the wording of the policies, our request needs to be forwarded to DPMC for them to oblige. I include Andrew Hammond (DPMC) in this communication. Legislation is based upon policy. Therefore the specific wording of the relevant policies must be discoverable. Our request is therefore entirely reasonable.

Quote from our letter of 7th April:

As such policies were not publicly disclosed when public comments were sought on the s 71 Proposal, we request copies of the following policies upon which the RRC relied:

- (i) "the policy behind the Act", and*
- (ii) "the policy already provided for in the Act", and*
- (iii) "the specific existing policy in respect of Hagley Oval"..."*

I note that DPMC's submission and supplementary documents to the Regulations Review Committee can be found online at https://www.parliament.nz/en/pb/sc/submissions-and-advice/?custom=reg_94813. This submission includes phrases such as "the specific existing policy in respect of Hagley Oval", and "the policy intent behind the GCR Act". As such, I have taken your request to be for the policies referred to in DPMC's submission. In doing so, I would note that the Committee may have used similar such phrases and that DPMC cannot speak on behalf of the Committee regarding their use of them.

All instances of the word “policy” in DPMC’s submission relate to expressing the policy intent of the indicated relevant legislation and statutory documentation, in order to determine whether the issue raised by the Trust represented a departure in that policy. The legislation and documents referenced in DPMC’s submission are publicly available, as set out below.

- General policy statement for the Canterbury Earthquake Response and Recovery Bill 2010 (later enacted as the Canterbury Earthquake Response and Recovery Act 2010):
http://legislation.govt.nz/bill/government/2010/0215/latest/DLM3233001.html?search=ad_bill%40regulation%40deemedreg_Canterbury+Earthquake+Response+and+Recovery_2010_25_an%40bc%40rc%40dc%40apub%40aloc%40apri%40apro%40aimp%40bgov%40bloc%40bpri%40bmem%40rpub%40rimp_bc%40rc%40ainf%40anif%40bcur%40bena%40bter%40rinf%40rnif%40raif%40rasm%40rrev_a_w_se&p=1
- General policy statement for the Canterbury Earthquake Recovery Bill 2011 (later enacted as the Canterbury Earthquake Recovery Act 2011)
http://legislation.govt.nz/bill/government/2011/0286/latest/DLM3653504.html?search=ad_bill%40regulation%40deemedreg_Canterbury+Earthquake+Recovery_25_an%40bc%40rc%40dc%40apub%40aloc%40apri%40apro%40aimp%40bgov%40bloc%40bpri%40bmem%40rpub%40rimp_bc%40rc%40ainf%40anif%40aaif%40aase%40arep%40bcur%40bena%40bter%40rinf%40rnif%40raif%40rasm%40rrev_a_w_se&p=1
- General policy statement for the Greater Christchurch Regeneration Bill 2015 (later enacted as the Greater Christchurch Regeneration Act 2016):
<http://legislation.govt.nz/bill/government/2015/0079/10.0/d56e2.html>
- Canterbury Earthquake Recovery Act 2011:
<http://legislation.govt.nz/act/public/2011/0012/latest/DLM3653522.html>
- The Christchurch Central Recovery Plan:
<https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/central-city-recovery-plan>
- Christchurch District Plan:
<https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/christchurch-district-plan>
- Greater Christchurch Regeneration Act 2016:
<http://www.legislation.govt.nz/act/public/2016/0014/latest/DLM6579202.html?src=gs>
- Hagley Oval Section 71 Proposal:
<https://dpmc.govt.nz/our-programmes/greater-christchurch-recovery-and-regeneration/section-71-proposals/hagley-oval>, and
- Hagley Park Management Plan 2007:
<https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/park-management-plans/hagley-park-management-plan-2007>

Where a document was referred to in DPMC’s submission that had not previously been publicly available, it was included with the submission and can be found online with it on the Parliament website https://www.parliament.nz/en/pb/sc/submissions-and-advice/?custom=reg_94813.

I note that, while not referenced in DPMC's submission, other documents are publicly available that assist in explaining the policy intent for the Greater Christchurch Regeneration Act 2016 as it developed through the policy and legislative process – for example:

- Canterbury Earthquake Recovery Authority, *Transition Recovery Plan*, 2015:
<https://ceraarchive.dPMC.govt.nz/documents/transition-recovery-plan>
- Final report of the Advisory Board on Transition to Long Term Recovery Arrangements, 2015:
<https://ceraarchive.dPMC.govt.nz/sites/default/files/Documents/final-advisory-board-report-to-the-minister-1-april-2016.pdf>
- *Regulatory Impact Statement* for the Greater Christchurch Regeneration Bill, 2015:
<https://treasury.govt.nz/publications/risa/regulatory-impact-statement-greater-christchurch-regeneration-bill>
- Submissions and advice on the Greater Christchurch Regeneration Bill, 2015-2016, including the Canterbury Earthquake Recovery Authority's departmental reports:
https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/00DBHOH_BILL66263_1/tab/submissionsandadvice
- The Local Government and Environment Committee's report on the Greater Christchurch Regeneration Bill, 2016:
https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/00DBHOH_BILL66263_1/tab/reports

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on DPMC's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Clare Ward
Executive Director
Strategy, Governance and Engagement Group