

# **Summit Road (Canterbury) Protection Bill**

Local Bill

As reported from the committee of the whole House

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**Key to symbols used in reprinted bill**

**As reported from a select committee**

**Struck out (unanimous)**

**[** Subject to this Act, **]**

Text struck out unanimously

**New (unanimous)**

**[** Subject to this Act, **]**

Text inserted unanimously

*(Subject to this Act,)*

Words struck out unanimously

Subject to this Act,

Words inserted unanimously

**As reported from the committee of the whole House**

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Words struck out

Subject to this Act,

Words inserted

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*Hon David Carter*

# Summit Road (Canterbury) Protection Bill

## Local Bill

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#### Schedule 1

#### Contributory local bodies

#### Schedule 2

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#### Schedule 2A

#### Plans of areas described in Schedule 2

#### Schedule 3

#### Districts of contributory local bodies subject to levy

#### Schedule 4

#### Enactment repealed

### The Parliament of New Zealand enacts as follows:

#### 1 Title

This Act is the Summit Road (Canterbury) Protection Act **2000**.

#### 2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent. 5

**Struck out (unanimous)****3 Purposes of Act**

The purposes of this Act are as follows:

- (a) to provide for the preservation, protection, and enhancement of scenic amenities associated with the Summit Road and other roads in the Port Hills of Canterbury: 5
- (b) to provide for the improvement of facilities for the public enjoyment of scenic amenities.

**New (unanimous)****3 Purpose**

The purposes of this Act are as follows: 10

- (a) to provide for the preservation and protection of the scenic amenity associated with the Summit Road and other roads, walkways, paths, and public open spaces within the protected land: 15
- (b) to provide for the preservation and protection of natural amenities associated with land within the protected area: 15
- (c) to provide for the improvement of facilities for the public enjoyment of the scenic amenity and the natural amenities. 20

**4 Interpretation**

- (1) In this Act, unless the context otherwise requires,—

**Authority** means the Summit Road Protection Authority continued under **section 7**

**contributory local bodies** means the councils named in **Schedule 1** 25

**Environment Court** means the Environment Court referred to in section 247 of the Resource Management Act 1991

**New (unanimous)**

**natural** means—

- (a) uncluttered by structures; or 30

**New (unanimous)**

- (b) uncluttered by obvious human influences; or
- (c) both

**natural amenities** means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes 5

**path** means a walking track or cycle track shown on a management plan approved by the Authority

**person** includes the Crown and a corporation sole; and includes a body of persons, whether corporate or unincorporate 10

**protected land—**

- (a) means—
  - (i) the land described in **Schedule 2** and shown on the plans set out in **Schedule 2A** and roads adjoining that land; and 15
  - (ii) the land declared to be protected land in accordance with **section 10**; but
- (b) does not include land that ceases to be protected land in accordance with **section 11** 20

**public open space—**

- (a) means any land that is—
  - (i) privately or publicly owned, occupied, controlled, or administered or vested in the Crown, any local body, unincorporated or incorporated society, charitable trust, or trust; and 25

**Struck out (unanimous)**

- (ii) open to or is being used by the public whether free or on payment of a charge, and whether or not any such owner, occupier, controller, or administrator is lawfully entitled to exclude or reject any person from that land; and 30

**New (unanimous)**

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| (ii) open to, and being used by, the public (with or without payment of a charge); and |  |
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- (b) includes any public reserve within the meaning of section 2 of the Reserves Act 1977 to which the public generally has access 5
- quarrying—**
- (a) means the excavation and extraction from the ground of any minerals, metals, coal, clay, gravel, sand, limestone, soil, or valuable materials existing on or below the surface of the land; and 10
- (b) includes the digging, removal, putting aside, or piling up of any such things and any over-burden or waste material preparatory to or to facilitate any such excavation or extraction; but
- (c) if the surface of the area affected is restored as nearly as practicable to the state it was in before the excavation was made, does not include— 15
- (i) excavation of the ground to a depth of not more than 500 mm; or
- (ii) excavation carried out in the course of, and for the purpose of constructing or maintaining, a road, or a path or walkway, or an access way for domestic or farming purposes, or a firebreak; or 20
- (iii) excavation carried out in the course of, and for the purposes of, laying, testing, maintaining, or otherwise dealing with fuel, water, sewage, or effluent pipes or for telephone or power cables or supply lines for domestic or farming purposes; or 25
- (iv) excavation carried out during the course of installation or construction of any fence, gate, stile, driveway, track, or cattle stop for the control of movement of stock, produce, or farm machinery; or 30
- (v) excavation carried out for any traffic sign or any other sign necessary for the administration of a public open space 35

**Registrar-General** means the Registrar-General of Land

**New (unanimous)**

**road** includes an unformed road; but does not include an access way for domestic or farming purposes

**Struck out (unanimous)**

**scenic amenities** means the extensive views from the Summit Road and other roads in the Port Hills of Canterbury to the prominent land forms of the Port Hills and of Christchurch, the Canterbury Plains, the mountains, the sea, and the Lyttelton Harbour basin

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**New (unanimous)**

**scenic amenity** means the extensive views from the Summit Road and other roads, walkways, paths, and public open spaces within the protected land to the prominent land forms of the Port Hills and of Christchurch (Ōtautahi), the Canterbury Plains, the mountains, the sea, and Lyttelton Harbour (Te Whakaraupo) basin

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**structure—**

(a) includes—

- (i) any building or other structure(~~(~~ *including a tank or reservoir* ~~)~~) (including a tank or reservoir), for which a building or resource consent is required from a City Council or District Council for the erection, placement, alteration, reconstruction, repair, or extension of that structure; and
- (ii) any hoarding or other structure used for the display of an advertisement; and

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**New (unanimous)**

(iia) any road; or

(iii) any pole or mast; but

(b) does not include—

- (i) any line or pipe for the supply of fuel or water or for the disposal of sewage or effluent, or any

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- telephone or power cable or supply line, for domestic or farming purposes within the protected area; or
- (ii) any fence, gate, stile, driveway, track, or cattle stop for the control or movement of stock, produce, or farm machinery; or 5
- (iii) any traffic sign or any other sign necessary for the administration of a public open space
- subdivision** has the same meaning as in section 218 of the Resource Management Act 1991 10
- territorial authority** has the same meaning as in section 2(1) of the Local Government Act 1974
- walkway** means a walkway declared or established under the New Zealand Walkways Act 1990
- working day** means any day except— 15
- (a) a Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, and Waitangi Day:
- (b) a day commencing with 20 December in any year and ending with 15 January in the following year. 20
- (2) If this Act requires anything to be publicly notified, or refers to public notification or public notice,—
- (a) the subject matter must be published twice, with an interval of not less than 6 clear days, in a newspaper circulating throughout the area affected by the subject matter; and 25
- (b) if the public notice refers to a proposal under **section 10 or section 11**, the notice must also be published in the *Gazette*; and
- (c) a public notice, in large bold lettering capable of being read at a distance of 5 metres, must also be affixed in a conspicuous place on, or adjacent to, the site to which the proposal or application relates, unless it is impractical or unreasonable to do so. 30
- (3) If time is to be measured from anything being publicly notified or from any public notification or public notice, it must be measured from the date of the last newspaper publication. 35



**New (unanimous)**

- (4) If there is any inconsistency between the description of land contained in **Schedule 2** and the plans showing that land held in the office of Land Information New Zealand at Christchurch, reduced copies of which are set out in **Schedule 2A**, the description in those plans prevails.

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**Struck out (unanimous)****5 Obligations of persons exercising functions and powers under this Act**

A person or committee making a recommendation or decision on an application made under **section 10 or section 11 or section 13** (whether initially or on appeal or otherwise) must give effect to the purposes of this Act, but must also have particular regard to—

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- (a) the effect of the application on the maintenance and enhancement of walkways; and
- (b) the effect of the application on the use of the roads for the public enjoyment of scenic amenities and on the safety of road users; and
- (c) any effect of the application on farming operations.

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**New (unanimous)****5 Obligations of persons exercising functions and powers under this Act**

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- (1) A person or committee making a recommendation or decision on an application made under **section 10 or section 11 or section 13** (whether initially or on appeal or otherwise) must give effect to the purposes of this Act, but must also have particular regard to—

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- (a) the effect of the application on the maintenance and enhancement of the Summit Road, other roads, walkways, and paths; and
- (b) the effect of the application on the use of the roads for the public enjoyment of the scenic amenity and the natural amenities and on the safety of road users; and

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## New (unanimous)

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| <ul style="list-style-type: none"> <li>(c) the effect of the application (if any) on farming operations; and</li> <li>(d) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.</li> </ul> <p>(2) This section is subject to <b>section 11(4A)</b>.</p> | 5 |
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**6 Act to bind the Crown**

This Act binds the Crown.

**7 Summit Road Protection Authority**

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|--|-------------------------------|
| <p>(1) There continues to be a Summit Road Protection Authority consisting of—</p> <ul style="list-style-type: none"> <li>(a) 1 member appointed by the Christchurch City Council; and</li> <li>(b) 1 member appointed by the Banks Peninsula District Council; and</li> <li>(c) 1 member appointed by the Selwyn District Council.</li> </ul> <p>(2) The Authority is a joint committee of the councils named in <b>Schedule 1</b>, and must be treated, for the purposes of any enactment or rule of law, as if it were a joint committee appointed by those councils under section 114S of the Local Government Act 1974.</p> | <p>10</p> <p>15</p> <p>20</p> |
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**8 Authority deemed to be affected local authority**

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| <p>(1) In relation to the protected land, the Authority is deemed to be—</p> <ul style="list-style-type: none"> <li>(a) an affected local authority under clause 3 of Part I of the First Schedule of the Resource Management Act 1991; and</li> <li>(b) an adjacent local authority under clause 5(4)(d) and a constituent territorial authority under clause 5(4)(e) of Part I of the First Schedule of the Resource Management Act 1991.</li> </ul> <p>(2) For the purposes of the Resource Management Act 1991, the Authority must be consulted and notified and may make submissions in respect of any proposal to prepare, change, or</p> | <p>25</p> <p>30</p> |
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review any policy statement or plan referred to in that Act that affects or may affect the protected land.

## 9 Advisory Committee

### Struck out (unanimous)

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| (1) | The Authority must, for the better administration of the provisions of this Act, appoint an Advisory Committee consisting of—  | 5  |
| (a) | 1 or more members appointed on the nomination of the contributory local bodies; and  |    |
| (b) | 1 or more members appointed on the nomination of persons (other than contributory local bodies, Ministers of the Crown, or groups represented on the Advisory Committee) who own land in the protected area; and | 10 |
| (c) | 1 member appointed on the nomination of the Minister of Conservation; and  |    |
| (d) | 1 member appointed on the nomination of the Summit Road Society Incorporated.  | 15 |

### New (unanimous)

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| (1) | The Authority must, for the better administration of the provisions of this Act, appoint an Advisory Committee consisting of—   |    |
| (a) | 3 members, each of whom must be appointed on the nomination of a different contributory local body; and   | 20 |
| (b) | 2 members appointed on the nomination of persons (other than contributory local bodies, Ministers of the Crown, or groups represented on the Advisory Committee) who own protected land and who are not otherwise represented on the Committee; and | 25 |
| (c) | 1 member appointed on the nomination of the Minister of Conservation; and   |    |
| (d) | 1 member appointed on the nomination of the Summit Road Society Incorporated; and   | 30 |
| (e) | 1 member appointed on the nomination of either—   |    |
|     | (i) te Papatipu Rūnanga o Rapaki; or  |    |
|     | (ii) te Rūnanga o Ngāi Tahu; and  |    |

## New (unanimous)

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| <p>(f) 1 member who has a knowledge of open space management and park management and who is appointed on the nomination of the contributory local bodies; and</p> <p>(g) 1 member appointed on the nomination of the Canterbury Regional Council (Environment Canterbury).</p> | 5 |
|--|---|
- (2) The Advisory Committee may operate with *(3 or more members if those members include at least 1 representative of 3 of the 4 persons)* 5 or more members if those members include at least 1 representative of 4 of the persons, groups of persons, or bodies entitled to nominate members under **subsection (1)**. 10
- (3) The Authority may delegate to the Advisory Committee the Authority's powers and duties to hear and decide applications made to the Authority under this Act (other than applications under **section 11**).
- (4) If the Advisory Committee is discharged, or if any member ceases to hold office or is removed from office, before the Advisory Committee has fully performed its functions under **subsection (3)** in respect of an application under this Act,—
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| <p>(a) the Authority may alter or reconstitute the membership of the Advisory Committee, or may reappoint the Advisory Committee; and</p> <p>(b) the Advisory Committee, whether or not it is so altered or reconstituted or reappointed, may continue and complete its hearing of the application and make its decision.</p> | 20<br>25 |
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- (5) Despite **subsection (4)**, a member of the Advisory Committee who has not had the opportunity of reading or hearing the representations made in respect of an application under this Act, may not take part in making the decision of the Advisory Committee. 30
- 10 Amendment to protected land**
- (1) The Authority may give public notice of its intention to declare any land described in the notice to be protected land.
- (2) The Authority must not give public notice under **subsection (1)** without the prior written consent of the owner of the land. 35
- (3) A public notice under **subsection (1)** must provide sufficient information to adequately describe the land or site affected by

the proposal and must invite any person to make submissions to the authority on the proposal.

- (4) In addition to publicly notifying the proposal, the Authority must serve a copy of the public notice on—
- (a) the owner or occupier of the land; and 5
  - (b) every territorial authority within whose district any part of the land lies; and
  - (c) any person that the Authority considers has a greater interest in the proposal than the public generally.
- (5) The closing date for receiving submissions on the application is 20 working days after the date of public notification. 10
- (6) If the Authority decides, after hearing all submissions, to add all or part of the land described in the notice given under **subsection (1)** to the protected land, it may, by public notice, after the time for lodging appeals has expired or all appeals have been disposed of, declare all or part of that land to be protected land. 15

## **11 Application for removal of land from protected land**

- (1) The owner of any protected land may apply to the Authority to have the whole or any part of the land removed from the protected land. 20
- (2) An application under this section must be made to the Authority in writing and the Authority may require the applicant to supply such detail or plans as, in the Authority's opinion, are necessary for a reasonable understanding of the application by any person who may wish to make a submission. 25
- (3) The Authority must publicly notify all applications for removal of land from the protected land and must serve copies of the application on the following parties:
- (a) any territorial authority within whose district the land or part of the land lies: 30
  - (b) any person whom the Authority considers has a greater interest in the application than the public generally.
- (4) The closing date for receiving submissions on the application is 20 working days after the date of public notification. 35

**New (unanimous)**

- (4A) The Authority may not remove the land described in the application under **subsection (1)** from the protected land unless the Authority is satisfied that the removal would not—
- (a) be inconsistent with the purposes of the Act; or
  - (b) adversely affect—
    - (i) the use of the Summit Road or other roads in the Port Hills for the enjoyment of the scenic amenity or the natural amenities; or
    - (ii) the safety of road users; or
  - (c) adversely affect the maintenance and enhancement of walkways.
- (5) If the Authority decides, after considering all submissions, to remove the land described in the application under **subsection (1)** from the protected land, it may, by public notice after the time for lodging appeals has expired, or after all appeals have been disposed of,—
- (a) declare the land to be removed from **Schedule 2**; or
  - (b) declare the land to be removed from the protected land (if it is land that has been added under **section 10**).
- (6) A copy of the public notice must be deposited with the Registrar-General in accordance with **section 15**.

**12 Actions on protected land requiring approval**

- (1) A person may not carry out any action to which this section applies on protected land unless that person has the written consent of the Authority.
- (2) This section applies to the following activities:
- (a) the subdivision of land, except a subdivision that alters the boundary between adjacent allotments but does not increase the number of allotments or the area of any allotment by more than 50%:

**Struck out (unanimous)**

- (b) the erection, placement, alteration, reconstruction, repair, or extension of any structure, except the repair and maintenance of public works as defined in the Public Works Act 1981:

## New (unanimous)

- (b) the erection, placement, alteration, reconstruction, repair, or extension of any structure, except—
- (i) the repair and maintenance of a public work (as defined in section 2 of the Public Works Act 1981); or 5
  - (ii) the erection, placement, alteration, reconstruction, repair, or extension of a structure that is carried out under a designation prepared and approved in accordance with the Resource Management Act 1991, and that is also approved by the Authority: 10
- (c) quarrying:
- (d) moving, removing, or heaping up more than 10 cubic metres of spoil:
- (e) the planting of— 15
- (i) any tree that is likely to grow to a height greater than 7 metres; or
  - (ii) a (*hedge*) hedge, forest, or shelter belt.

## New (unanimous)

- (2A) **Subsection (2)(b) and (d)** does not apply if the action referred to in those provisions is carried out for the purpose of— 20
- (a) normal repairs and maintenance to a road (including resealing) that does not involve any realignment of the road, or any extension to the area of the formed surface of the road; or
  - (b) repairs to, or reconstruction of, a road to make it usable after a slip, subsidence, or other damage resulting from natural causes. 25
- (3) **Subsection (2)(e)** does not apply if the planting complies with a management plan for a public open space, prepared and approved in accordance with the Reserves Act 1977, or developed by the body or organisation responsible for the public open space after consultation with the Authority. 30
- (4) A structure that existed at the date of commencement of this Act or that was lawfully constructed after that date may be reconstructed, repaired, added to, or altered, (*if the effects of* 35

*the structure on the scenic amenities*) without the consent of the Authority, if the effect of the structure on the scenic amenity or natural amenities after reconstruction, repair, addition, or alteration do not differ substantially from the effects before the reconstruction, repair, addition, or alteration.

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**New (unanimous)**

- (5) A tree, hedge, or shelter belt that existed at the date of commencement of this Act, or that was lawfully planted after that date, may be replaced by replanting, without the consent of the Authority, if the effects of the replanting of the tree, hedge, or shelter belt on the scenic amenity and the natural amenities, when fully grown, will not differ substantially from the effects before the tree, hedge, or shelter belt was removed.

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**13 Applications to be made to Authority**

- (1) Any person may apply to the Authority, in writing, for consent to carry out any activity specified in **section 12(2)**.
- (2) Applications made to the Authority under this section must—
- (a) state the full name of the applicant, the owner, and the occupier of the land involved; and
  - (b) the legal description of the land involved, and the nature of the work or activity for which approval is sought, including any plans necessary for proper understanding of the proposal; and

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**New (unanimous)**

- (ba) include an assessment of the effects of the proposal on the scenic amenity and the natural amenities; and
- (c) give an address for service; and
  - (d) be signed by or on behalf of the applicant.
- (3) The Authority may require the applicant to supply such further details or plans as, in the Authority's opinion, are necessary for a reasonable understanding of the application.
- (4) If the Authority is satisfied that it has received adequate information, *(the application is of more than a minor nature)* the likely effects of the application are more than minor, and the application has not been publicly notified separately by a

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territorial authority, it must give public notice of the application and ensure that notice of the application is served on the following persons:

- (a) the owner or occupier of any land to which the application relates: 5
  - (b) the territorial authority within whose district any part of the land lies:
  - (c) any person that the Authority considers has a greater interest in the application than the public generally.
- (5) The public notice must— 10
- (a) provide sufficient information to enable persons interested in the application to understand the general nature of the application; and

**New (unanimous)**

(ab) be given within 10 working days after the date on which the Authority is satisfied, under <b>subsection (4)</b> , that it has received adequate information; and	15
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(b) invite submissions on the application to be made within 20 working days after the date of the public notice.

**14 Procedures for hearing of submissions**

- (1) Submissions made in respect of any proposal under **section 10 or section 11**, or any application under **section 13**, must be served on the Authority and state— 20
  - (a) the name and address of the submitter; and
  - (b) whether the submission is in support of, or in opposition to, the proposal or application; and 25
  - (c) the reason for making the submission; and
  - (d) whether or not the person making the submission wishes to be heard in respect of that submission.
- (2) As soon as practicable after lodging a submission with the Authority, the submitter must serve a copy of the submission on the applicant. 30
- (3) The Authority may require the applicant to pay to the Authority a sum not exceeding the actual cost of public notification and may require payment of a deposit against the cost of the hearing before dealing with the application. 35

- (4) The Authority must consider all submissions received and, if a submitter has given notice that he or she wishes to be heard,—
- (a) must convene hearings, whether public or otherwise; and
  - (b) must establish a procedure that is fair and appropriate in the circumstances; and
  - (c) may summons witnesses and hear evidence on oath.

**New (unanimous)**

- (4A) If a hearing is convened by the Authority under **subsection 4(a)**, the date set for the commencement of the hearing must not be later than 25 working days after the closing date for submissions referred to in **section 13(5)(b)** unless the Authority is satisfied that it is impracticable to commence the hearing within that period or unless a later date of commencement is required for the purposes of **section 14A**.
- (5) Not less than 10 working days' notice of the hearing must be given to the landowner, every territorial authority within whose district any part of the land lies, and each submitter who has given an address for service.
- (6) After considering the proposal or application and any submissions received, the Authority—
- (a) must either—
    - (i) allow the proposal or application, with or without conditions; or
    - (ii) disallow the proposal or application in whole or in part; and
  - (b) must, within 15 working days of the hearing, notify its decision and the reasons for its decision to every proposer or applicant, the landowners, all those persons who made written submissions and who supplied an address for service, and every territorial authority in whose district the property is situated.
- (7) The proposer or applicant, the landowner, the territorial authority within whose district the land is situated, and any person who made a submission may appeal to the Environment Court against that decision in the manner specified in **section 23**.

**New (unanimous)****14A Joint hearings with consent authorities under Resource Management Act 1991**

Any hearing under **section 14** relating to a proposal in respect of which a resource consent is also sought under the Resource Management Act 1991 may be held jointly with a hearing held by 1 or more consent authorities under that Act to consider the application for a resource consent.

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**15 Copy of public notice to be deposited**

(1) A copy of the public notice of every declaration made by the Authority under **section 10(6) or section 11(5)**, certified as containing a correct copy of the declaration, must be sent by the Authority to the Registrar-General.

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(2) On receiving a copy of any such notice, the Registrar-General must, without fee,—

(a) deposit it in his or her office; and

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(b) register against the title to all land affected by it a memorial that—

(i) the land is subject to restrictions imposed by a declaration (identified by the deposited number, if any) issued under this Act; or

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(ii) the restrictions no longer apply.

**Struck out (unanimous)****16 Applications not requiring notification**

If the effects of an application under **section 13** on the amenities are minor, any 2 members of the Authority may decide that the application does not require notification or approval by the Authority.

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**New (unanimous)****16 Applications not requiring notification**

(1) If the effects of an application under **section 13** on the amenities are minor, the Authority may decide that the application does not require notification or approval by the Authority.

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**New (unanimous)**

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| (2) | A decision under <b>subsection (1)</b> that an application does not require notification or approval by the Authority may only be made—     |   |
| (a) | with the unanimous agreement of the members of the Authority; or  | 5 |
| (b) | in a case where the decision is delegated to the Advisory Committee, with the unanimous agreement of the members of the Advisory Committee. |   |

**17 Declaration by Environment Court**

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|-----|--|--------------|
| (1) | On an originating application made by the Authority, or by any territorial authority, or by the owner or occupier of land affected by this Act, or on an application made in the course of proceedings under this Act, the Environment Court may declare that any actual or proposed action does or does not require consent under <b>section 13</b> . | 10<br><br>15 |
| (2) | An originating application must be served on the Authority, the owner or occupier of the land (in cases where the owner or occupier is not the applicant), and the territorial authority within whose district any part of the land lies.  |              |
| (3) | An application made in the course of proceedings must be served on all other parties to those proceedings.   | 20           |

**18 Acquisition of land**

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|-----|---|----|
| (1) | If the Authority considers that any private land or any interest in or over private land or any interest in a Crown lease should be acquired for the purposes of this Act, the Authority may recommend that such interest in the land be acquired by the contributory local bodies. | 25 |
| (2) | All land or interests in land acquired on the recommendation of the Authority by way of purchase or gift may be held jointly by the contributory local bodies for the purposes of this Act.   | 30 |
| (3) | All interests in land acquired by way of lease under this section may be held jointly by the contributory local bodies and, during the term of the lease, are subject to this Act.  |    |
| (4) | Despite the requirements of <b>section 12(2)(a)</b> , the owner of any allotment which lies partly within the protected land may subdivide that allotment for the purpose of transferring to the  | 35 |

contributory local bodies that part of the allotment which lies within the protected land.

- (5) This section does not confer on the Authority a power to take land compulsorily.

**New (unanimous)**

- |     |   |   |
|-----|---|---|
| (6) | Land acquired for the purposes of this Act by the contributory local bodies is not a reserve for the purposes of the Reserves Act 1977. | 5 |
|-----|---|---|

**19 Disposal of land**

- (1) If any land or interest in land held by a contributory local body for the purposes of this Act is no longer required for the purposes of this Act, the contributory local body may, subject to the provisions of any other enactment affecting the disposal of the land or interest, sell or otherwise dispose of the land or interest. 10
- (2) No land or interest referred to in **subsection (1)** may be sold or disposed of without the prior written approval of the Authority. 15

**20 Compensation**

- (1) Every person having any estate or interest in any land, building, or other improvements detrimentally affected by any decision of the Authority given under **section 14** may, subject to the provisions of this section, make a claim for compensation from the Authority for loss sustained by that person. 20
- (2) A claim for compensation under this section must be made and determined in accordance with the provisions of the Public Works Act 1981. 25
- (3) In determining any claim for compensation under this section, the Authority or, on application under section 79 of the Public Works Act 1981, the Land Valuation Tribunal, must have regard to— 30
- (a) **section 3**; and
- (b) whether or not, and the extent to which, any decision by the Authority renders any land incapable of reasonable use, and places an unfair and unreasonable burden on any person having an interest in the land. 35

- (4) In **subsection (3)**, **reasonable use**, in relation to any land, includes the use or potential use of the land for any activity if the actual or potential effects of that activity in terms of **section 3** would not be significant.
- (5) If a person is entitled to claim compensation in respect of any matter or thing under this Act and also under any other enactment, that person is not entitled to receive— 5

**Struck out (unanimous)**

- (a) compensation both under this Act and that other enactment; or

**New (unanimous)**

- (a) compensation under this Act if compensation has been awarded under that other enactment; or 10
- (b) greater compensation under this Act than that person would be entitled to under that other enactment.

**21 Withdrawal of restrictions**

- (1) The Authority may, at any time within 1 month after the date of an award of compensation under this Act, give notice to the claimant of its intention to withdraw or modify all or any of the provisions of the decision or conditions that gave rise to the claim for compensation. 15
- (2) If notice is given under **subsection (1)**, the Authority must, within 3 months from the date of the notice, withdraw or modify the decision or conditions and, on payment by the Authority of the claimant's costs awarded by the Land Valuation Tribunal, the award is discharged. 20
- (3) A discharge under **subsection (2)** does not preclude the claimant from making a further claim for compensation under this Act in respect of the decision or conditions as modified. 25
- (4) If notice has been given under **subsection (1)**, no award of compensation under this Act is enforceable until after— 30
- (a) the expiration of 3 months from the giving of the notice; or
- (b) the time for objection or appeal has expired and all objections and appeals have been determined (in any

case where the Authority has publicly notified a proposal to make a declaration excluding from protected land any part of the land in respect of which compensation has been awarded).

- 22 Registration of compensation certificate** 5
- (1) If, under this Act or any other enactment, the Authority has entered into an agreement for the payment of compensation for damaging or detrimentally affecting any interest in land, or for the temporary occupation of any land, or any condition or restriction to be applied in respect of the land, the Authority may lodge with the Registrar-General a certificate to that effect. 10
- (2) The Registrar-General must, without fee, deposit a certificate under **subsection (1)** in his or her office and must register against the title to the land affected a memorial referring to the certificate. 15
- 23 Rights of appeal**
- (1) Any person who is directly affected by any decision, condition, or review of any decision made or imposed by the Authority under any of **sections 10, 12, 13, 14, and 21** may appeal against that decision, condition, or review to the Environment Court. 20
- (2) A notice of appeal must—
- (a) state the reasons for the appeal and the relief sought; and 25
- (b) state any matters that regulations made under the Resource Management Act 1991 require to be stated in the case of an appeal under section 120 of that Act; and
- (c) be lodged with the Environment Court within 15 working days of notification of any decision of the Authority (including any condition or review of any decision made or imposed by the Authority) to which **subsection (1)** relates. 30
- (3) For the purposes of **subsection (2)(c)**, a decision is notified on the date on which written notification would have been delivered in the ordinary course of post. 35
- (4) The appellant must ensure that a copy of the notice of appeal is served on the applicant or owner concerned (if that person is

not the appellant) within 5 working days after the notice has been lodged with the Environment Court.

- (5) Without limiting the powers of the Environment Court under the Resource Management Act 1991, in considering an appeal under this section, the Environment Court may confirm or reverse a decision appealed against or modify a decision in such manner as the Court thinks fit. 5
- (6) Subject to **subsections (2) to (4)**, every appeal must be made, heard, and determined by the Environment Court in the manner prescribed by the Resource Management Act 1991 and regulations made under that Act. 10

## 24 Expenses and funding of Authority

- (1) All expenses and liabilities, including compensation awards incurred by the Authority under this Act but excluding payments received by the Authority under **section 14(3)**, must be apportioned between the contributory local bodies. 15
- (2) The apportionment required by **subsection (1)** must be undertaken in accordance with the adjusted rateable capital values, as ascertained (*in*) under the provisions of the Rating Powers Act 1988, of so much of the district of each contributory local body as is specified in **Schedule 3**. 20
- (3) The amount to be paid at any time by a contributory local body in accordance with the apportionment is recoverable as a debt due to the Authority.
- (4) A contributory local body is not required, in any 1 year, to contribute to the expenditure of the Authority relating to the operation of this Act, a sum exceeding the amount of 1/4000 of a cent for every dollar of capital value of all rateable property within that part of its district specified in **Schedule 3**. 25
- (5) Despite **subsection (4)**, a contributory local body may be required to contribute to the expenditure of the Authority a sum exceeding the maximum amount due under **subsection (4)**, if the contributory local body gives prior consent to the Authority in that year to the provision of a greater contribution. 30 35

## 25 Estimates and reports

As soon as practicable after this Act comes into force and not later than 31 March in each subsequent year, the Authority



must, in respect of the administration of the provisions of this Act,—

- (a) prepare and send to each of the contributory local bodies estimates of expenditure for the period of 12 months from 1 July in each year to 30 June in each succeeding year; and 5
- (b) prepare a report on the Authority's activities for the preceding year and send that report to the contributory local bodies.

## 26 Service of notices 10

A notice must be served in accordance with sections 352 and 353 of the Resource Management Act 1991, as if it were a notice under that Act.

## 27 Restoration of land or structure

- (1) The Authority may serve on any person who has carried out, or is carrying out, any action contrary to **section 12**, or on the owner or occupier of the land, a notice requiring the person served, within such reasonable time as is specified in the notice, to restore the land or the structure affected by the action as nearly as may be to its previous condition. 15  
20
- (2) Every notice served under **subsection (1)** must state—
  - (a) the name of the person to whom it is addressed; and
  - (b) the reasons for the notice; and
  - (c) the action required to be taken, ceased, or not undertaken; and 25
  - (d) the period within which the action must be taken or ceased, which must not be less than 7 days from the day on which the notice is served; and
  - (e) the consequences of not complying with the notice or lodging a notice of appeal; and 30
  - (f) the rights of appeal under **section 23** and the last day on which a notice of appeal can be lodged; and
  - (g) the rights of the Authority on failure of the recipient to comply with the notice within the time specified in the notice; and 35
  - (h) the name and address of the Authority.
- (3) Subject to the rights of appeal in **section 23**, a person on whom a notice has been served must—

- (a) comply with the notice within the period specified in the notice; and
- (b) unless the notice directs otherwise, pay all the costs and expenses of complying with the notice.

- 28 Enforcement orders** 5
- (1) If the person served with a notice under **section 27(1)** fails to comply with the notice within the time specified, then the Authority, in addition to any other action taken, may at any time after the expiry of the time specified in the notice—
- (a) apply to the Environment Court for an enforcement order under section 314 of the Resource Management Act 1991, as if the notice under **subsection (1)** were an abatement notice within the meaning of section 322 of the Resource Management Act 1991; and 10
  - (b) take action as it sees fit to restore the land or structure. 15
- (2) The provisions of section 315 of the Resource Management Act 1991 apply in respect of any enforcement order made on an application under **subsection (1)**.
- (3) If a person continues to act in breach of **section 12** or commits a continuing offence against this Act, then, despite any other enactment, the Environment Court may, on application by the Authority, grant an enforcement order under section 314 of the Resource Management Act 1991, as if that continuing breach or continuing offence contravenes, or is likely to contravene, the Resource Management Act 1991. 20 25
- (4) An enforcement order may be granted under **subsection (2) or subsection (3)** whether or not the person against whom the enforcement order is sought has been charged with or convicted of an offence against this Act.
- 29 Offences** 30
- (1) Every person commits an offence against this Act who fails to comply with a notice served under **section 27(1)** within the time specified in the notice.
- (2) Every person who fails to restore the land or structure as required after expiry of the time specified in a notice served under **section 27(1)** commits a continuing offence against this Act. 35

- (3) The continued existence of any work or thing in a state, or the intermittent repetition of any action, contrary to any provision of this Act, is a continuing offence for the purposes of this section.

### 30 Proof of intention and defences

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- (1) In any prosecution for an offence against this Act it is not necessary to prove that the defendant intended to commit the offence.

- (2) It is a defence to a prosecution under this Act if the defendant proves—

10

(a) that—

- (i) the action or event to which the prosecution relates was necessary for the purposes of saving or protecting life or health, or preventing serious damage to property, or avoiding an actual or likely adverse effect on the environment; and

15

- (ii) the conduct of the defendant was reasonable in the circumstances; and

- (iii) the effects of the action or event were adequately mitigated or remedied by the defendant after it occurred; or

20

- (b) that the action or event to which the prosecution relates was due to an event beyond the control of the defendant, including natural disaster, mechanical failure, or sabotage, and in each case—

25

- (i) the action or event could not reasonably have been foreseen or prevented by the defendant; and

- (ii) the effects of the action or event were adequately mitigated or remedied by the defendant after it occurred.

30

#### Struck out (unanimous)

- (3) Except with the leave of the Court, **subsection (2)** does not apply unless, within 7 days after the service of the summons or within such further time as the Court may allow, the defendant delivers to the prosecutor a written notice—

- (a) stating that he or she intends to rely on **subsection (2)**; and
- (b) specifying the facts that support his or her reliance on **subsection (2)**.

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**New (unanimous)**

- |   |   |
|---|---|
| <p>(3) Except with the leave of the Court, <b>subsection (2)</b> does not apply unless, within 14 days of the date on which the hearing of the proceedings commences, or within any further time that the Court may allow, the defendant delivers to the Authority a written notice—</p> <p>(a) stating that he or she intends to rely on <b>subsection (2)</b>; and</p> <p>(b) specifying the facts that support his or her reliance on <b>subsection (2)</b>.</p> | 5 |
|---|---|

**31 Time within which information may be laid**

Despite section 14 of the Summary Proceedings Act 1957, an information in respect of any offence against this Act may be laid at any time within 6 months from the date of the offence first coming to the notice of the Authority. 10

**32 Penalty for offences**

Every person who commits an offence under this Act is liable to a fine not exceeding \$20,000 and, if the offence is a continuing one, to a further fine not exceeding \$1,000 for every day or part of a day during which the offence continues. 15

**33 Proceedings in respect of offences**

- |  |    |
|--|----|
| <p>(1) An offence against this Act is punishable on summary conviction on the information of—</p> <p>(a) the principal administrative officer of the Authority; or</p> <p>(b) a person appointed in writing by the Authority.</p>                                | 20 |
| <p>(2) An appointment under <b>subsection (1)</b> may be for the purpose of laying an information in respect of a particular offence or may be a general appointment authorising the person to lay informations in respect of all offences against this Act.</p> | 25 |
| <p>(3) An officer or servant of the Authority (whether or not an informant) may appear and conduct the prosecution in all proceedings for offences against this Act.</p>   | 30 |

**Struck out (unanimous)**

**34 Relationship with Resource Management Act 1991 and Building Act 1991**

Nothing in this Act affects the Resource Management Act 1991, the Building Act 1991, or any rules or regulations made under those Acts.

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**New (unanimous)**

**34 Relationship with other enactments**

Nothing in this Act affects the Building Act 1991, Te Runanga o Ngai Tahu Act 1996, the Ngāi Tahu Claims Settlement Act 1998, Te Ture Whenua Maori Act 1993, or any regulations made under those Acts.

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**35 Repeals**

The enactments specified in **Schedule 4** are repealed.

s 4(1)

**Schedule 1**  
**Contributory local bodies**

Christchurch City Council

Banks Peninsula District Council

Selwyn District Council

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## Schedule 2 Protected land

s 4(1)

### Schedule of areas

Shown	Description	Title reference	Area	
The following parcels of land shown on SO Plan 20055 in the Canterbury Land District:				5
AA	Part Lot 8 DP6355	38D/1048	17.9450 ha	
AB	Part Lot 8 DP6355	38D/1048	13.8540 ha	
AC	Part Rural Section 12764	373/25 limited as to parcels	12.7620 ha	10
	Part Rural Section 12501			
	Part Rural Section 10164			
	Part Rural Section 12500			
	Part Rural Section 5788			
	Part Rural Section 4194			15
AD	Closed Road	<i>Gazette</i> 1931 p 2209	5185 m <sup>2</sup>	
AE	Part Lot 8 DP6355	38D/1048	4.5810 ha	
AF	Part Lot 3 DP78999	45B/873	12.8450 ha	
AI	Part Lot 7 DP6355	45B/873	28.0400 ha	20
AO	Part Lot 3 DP3320	A1/558	3.8300 ha	
AP	Part Lot 3 DP3320	A1/558	5.1900 ha	
AQ	Reserve 5005	290/270	6.7784 ha	
AR	Part Rural Section 1182	440/136	7710 m <sup>2</sup>	
AT	Reserve 5004	290/270	4.1986 ha	25
The following parcels of land shown on SO Plan 20056 in the Canterbury Land District:				
BB	Part Lot 5 DP70453	40D/1032	8.2700 ha	
BC	Reserve 3920	659/44	14.8721 ha	
BD	Part Rural Section 21719	32B/808	1.6960 ha	30
	Part Rural Section 34958			
BF	Reserve 3950	<i>Gazette</i> 1914 p 2847	1.2039 ha	
BG	Lot 8 DP3125	535/56	10.9341 ha	
BH	Part Rural Section 22306	32A/848	8850 m <sup>2</sup>	35
	Part Rural Section 20961			
BI	Part Rural Section 35510	23B/333	1.5380 ha	
BJ	Part Lot 1 DP70111	40A/637	10.3250 ha	
BK	Part Rural Section 34229	32A/848	210 m <sup>2</sup>	
BL	Part Lot 1 DP8199	387/255	1.1930 ha	40
BM	Part Rural Section 35510	23B/333	3.4850 ha	
	Parts Rural Section 35511			

Shown	Description	Title reference	Area	
BN	Part Lot 4 DP3125	535/56	4.0240 ha	
BO	Part Rural Section 35511	23B/333	1.2800 ha	
BP	Reserve 3921	<i>Gazette</i> 1914 p 3235	2.8125 ha	5
BQ	Reserve 3922	<i>Gazette</i> 1951 p 934	4755 m <sup>2</sup>	
BR	Part Lot 1 DP70111	40A/637	3.2930 ha	
BS	Part Rural Section 35511	33A/521	1070 m <sup>2</sup>	
BT	Part Lot 5 DP79401	45C/527	1.0300 ha	
BU	Part Reserve 3923	<i>Gazette</i> 1941 p 3193	3.2580 ha	10
BV	Part Rural Section 565	23B/331	1.9270 ha	
The following parcels of land shown on SO plan 20057 in the Canterbury Land District:				
CA	Part Reserve 4773	<i>Gazette</i> 1954 p 1956	1.0500 ha	15
CB	Reserve 4774	<i>Gazette</i> 1954 p 1957	1285 m <sup>2</sup>	
CC	Part Reserve 3735A	<i>Gazette</i> 1954 p 733	3.9050 ha	
CD	Reserve 4775	<i>Gazette</i> 1954 p 1957	8645 m <sup>2</sup>	20
CE	Part Lot 5 DP53086	45A/643	1560 m <sup>2</sup>	
CF	Part Reserve 3735A	<i>Gazette</i> 1908 p 733	3.9800 ha	
CG	Part Reserve 3735	<i>Gazette</i> 1906 p 2504	1.6100 ha	25
CH	Part Reserve 3735A	<i>Gazette</i> 1908 p 733	1.8050 ha	
CI	Part Reserve 3735	<i>Gazette</i> 1906 p 2504	1070 m <sup>2</sup>	
CJ	Part Reserve 3735A	<i>Gazette</i> 1908 p 733	1760 m <sup>2</sup>	
CK	Part Reserve 4069	<i>Gazette</i> 1941 p 3193	1.9830 ha	30
CL	Crown Land	<i>Gazette</i> 1989 p 3100	880 m <sup>2</sup>	
CM	Part Reserve 4069	<i>Gazette</i> 1941 p 3193	2.5350 ha	35
CN	Reserve 3956	288/137	11.6068 ha	
CO	Part Lot 2 DP2905	24B/988	1.0260 ha	
CP	Part Lot 2 DP2905	24B/988	22.1870 ha	
CQ	Rural Section 42340	<i>Gazette</i> 1912 p 3352	1.6600 ha	40
CR	Part Lot 4 DP53086	45A/643	1.6100 ha	
CS	Part Lot 3 DP2905	<i>Gazette</i> 1982 p 2156	1.3911 ha	
CT	Part Lot 3 DP2905	<i>Gazette</i> 1982 p 2156	1720 m <sup>2</sup>	45
CU	Rural Section 42339	<i>Gazette</i> 1912 p 3352	15.0720 ha	



## Summit Road (Canterbury) Protection

Schedule 2

Shown	Description	Title reference	Area	
CV	Part Lot 4 DP18411	9K/528	3757 m <sup>2</sup>	
CW	Part Lot 3 DP18411	9K/527	3762 m <sup>2</sup>	
CX	Part Lot 2 DP18411	9K/526	2345 m <sup>2</sup>	
CY	Part Lot 1 DP18411	9K/525	3974 m <sup>2</sup>	5
CZ	Part Lot 1 DP12886	493/86	2239 m <sup>2</sup>	
DA	Part Lot 3 DP34290	31A/689	6.3320 ha	
DB	Part Lot 1 DP16075	13A/691	15.0370 ha	
DC	Lot 1 DP11163	453/41	655 m <sup>2</sup>	
DD	Part Lot 2 DP34290	14F/403	3.1200 ha	10
DE	Reserve 3900	<i>Gazette</i> 1990 p 3358	3.4170 ha	
DF	Part Lot 4 DP34291	14F/405	650 m <sup>2</sup>	
The following parcels of land shown on SO plan 20058 in the Canterbury Land District:				15
EA	Part Lot 1 DP11796	592/31	2.4187 ha	
EB	Lot 2 DP11796	592/31	7.0137 ha	
EC	Part Lot 1 DP11796	33A/1045	8898 m <sup>2</sup>	
ED	Part Lot 1 DP11796	592/31	5.0786 ha	
EE	Rural Section 37957	<i>Gazette</i> 1952 p 1734	8400 m <sup>2</sup>	20
EF	Part Lot 1 DP26504	8F/544	1.4610 ha	
EG	Part Lot 2 DP26504	8F/545	7520 m <sup>2</sup>	
EH	Part Lot 3 DP26504	8F/546	6675 m <sup>2</sup>	
EI	Part Lot 2 DP42834	21K/1266	7595 m <sup>2</sup>	25
EJ	Part Lot 5 DP26504	8F/548	9640 m <sup>2</sup>	
EK	Part Lot 6 DP26504	8F/549	1.2580 ha	
EL	Part Lot 7 DP26504	8F/550	1.0890 ha	
EM	Part Lot 3 DP42834	25A/152	2.1417 ha	
EN	Part Rural Section 41112	<i>Gazette</i> 1982 p 3397	15.4900 ha	30
EO	Rural Section 41115	<i>Gazette</i> 1982 p 3397	3956 m <sup>2</sup>	
EP	Rural Section 41114	<i>Gazette</i> 1982 p 3397	5.0053 ha	35
EQ	Rural Section 41113	<i>Gazette</i> 1982 p 3397	11.1782 ha	
ER	Part Rural Section 11170	<i>Gazette</i> 1984 p 14	1.6820 ha	
ES	Part Reserve 4259	<i>Gazette</i> 1930 p 3128	7.1629 ha	40
ET	Part Reserve 4259	<i>Gazette</i> 1930 p 3128	4.6412 ha	
EU	Part Lot 3 DP42834	25A/152	1050 m <sup>2</sup>	
EV	Reserve 4170	<i>Gazette</i> 1927 p 2	2.8151 ha	
EW	Part Lot 3 DP42834	25A/152	7.2420 ha	45

Shown	Description	Title reference	Area	
EX	Part Reserve 4259, Part Reserve 4170	<i>Gazette</i> 1990 p 2079	24.8800 ha	
EY	Part Rapaki Maori Reserve 875 1B1	45B/793	1850 m <sup>2</sup>	5
EZ	Lot 1 DP78960	45B/793	3210 m <sup>2</sup>	
FA	Part Rapaki Maori Reserve 875 1C	405/114	950 m <sup>2</sup>	
FB	Reserve 4478	<i>Gazette</i> 1990 p 2078	4.8360 ha	10
FC	Part Lot 1 DP28705	<i>Gazette</i> 1989 p 2926	13.0350 ha	
FD	Part Rapaki Maori Reserve 875 1C	405/114	9980 m <sup>2</sup>	
FE	Part Rapaki Maori Reserve 875 1A2B	544/102	4.7850 ha	15
FF	Reserve 4477	<i>Gazette</i> 1990 p 2078	2.9491 ha	
FG	Part Lot 2 DP28705	<i>Gazette</i> 1989 p 2926	2.9410 ha	20
FH	Part Lot 1 DP2855	30F/894	20.0500 ha	
FI	Part Lot 1 DP2907	30F/894	27.4900 ha	
FJ	Part Rapaki Maori Reserve 875 1A2B	544/102	3.6250 ha	
	The following parcels of land shown on SO plan 20059 in the Canterbury Land District:			25
GA	Reserve 3814	37C/1206	5.3848 ha	
GB	Part <u>Lot</u> 1 DP2983	18A/1439	3300 m <sup>2</sup>	
GC	Part Lot 2 DP2907	40A/601	13.0960 ha	
GD	Part Lot 1 DP2983 Part Lot 2 DP2983	18A/1439	8.5000 ha	30
GE	Part Lot 1 DP68647	40A/601	3.4810 ha	
GF	Reserve 3815	37C/1206	5.3544 ha	
GG	Part Lot 3 DP2907	<i>Gazette</i> 1997 p 947	10.7300 ha	
GH	Part Lot 2 DP2983	18A/1439	1.1170 ha	35
GI	Part Lot 3 DP2983	24A/40	3.9000 ha	
GJ	Part Rural Section 23561	106/138	33 m <sup>2</sup>	
GK	Reserve 4476	<i>Gazette</i> 1980 p 2566	172 m <sup>2</sup>	
GL	Part Lot 2 DP72702	44C/1181	1420 m <sup>2</sup>	40
GM	Part Lot 2 DP82547	47D/58	2.0380 ha	
GN	Part Lot 2 DP57455	35C/1196	2.3100 ha	
GO	Part Lot 2 DP62065	38D/627	1125 m <sup>2</sup>	
GP	Tunnel Reserve	-	2500 m <sup>2</sup>	
GQ	Part Lot 2 DP82547	47D/58	5.4800 ha	45
GR	Part Lot 2 DP57455	35C/1196	3.1000 ha	

## Summit Road (Canterbury) Protection

Schedule 2

Shown	Description	Title reference	Area	
GS	Lot 3 DP61966	37C/1205	7.3802 ha	
GT	Lot 1 DP61966	37C/1204	1177 m <sup>2</sup>	
GU	Part Reserve 101	<i>Gazette</i> 1986 p 2401	1295 m <sup>2</sup>	5
GV	Part Reserve 101	<i>Gazette</i> 1986 p 2401	1.1800 ha	
The following parcels of land shown on SO plan 20060 in the Canterbury Land District:				
HA	Part Reserve 101	<i>Gazette</i> 1986 p 2401	1900 m <sup>2</sup>	10
HB	Part Lot 1 DP11832	481/101	9.2217 ha	
HC	Part Lot 1 DP11832	<i>Gazette</i> 1945 p 1555	3166 m <sup>2</sup>	
HD	Part Reserve 3817	<i>Gazette</i> 1984 p 5671	5.2660 ha	15
HE	Part Lot 3 DP62292	43B/35	10.5600 ha	
HF	Lot 4 DP11832	481/101	2364 m <sup>2</sup>	
HG	Lot 2 DP6336	452/71	2342 m <sup>2</sup>	
HH	Lot 3 DP6336	403/201	2180 m <sup>2</sup>	20
HI	(Lot 3) Lot 4 DP6336	365/6	2638 m <sup>2</sup>	
HJ	Lot 1 DP4434	28A/1132	5232 m <sup>2</sup>	
	Lot 2 DP4434			
HK	Lot 3 DP4434	28A/1109	3826 m <sup>2</sup>	
HL	Lot 4 DP4434	28A/1133	2663 m <sup>2</sup>	25
HM	Lot 1 DP6312	342/231	7208 m <sup>2</sup>	
	Lot 2 DP6312			
	Lot 3 DP6312			
HN	Part Lot 1 DP6898	355/180	885 m <sup>2</sup>	
HO	Part Lot 2 DP11832	478/137	4.5977 ha	30
HP	Part Lot 2 DP11832	<i>Gazette</i> 1964 p 1117	8.3859 ha	
	Part Lot 1 DP4018			
	Part Rural Section 500			
	Part Rural Section 34917			35
HQ	Part Lot 1 DP11832	<i>Gazette</i> 1964 p 1117	5205 m <sup>2</sup>	
HR	Part Reserve 3817	<i>Gazette</i> 1984 p 5671	2175 m <sup>2</sup>	
HS	Part Lot 3 DP11832	478/137	3.4100 ha	40
HT	Part Lot 1 DP4018	6B/860	27.7400 ha	
HU	Part Lot 1 DP4018	6B/860	77.5000 ha	
HV	Reserve 3818	37C/1206	1.1002 ha	
HW	Part Lot 1 DP10532	507/256	6.9430 ha	

Schedule 2 **Summit Road (Canterbury) Protection**

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Shown	Description	Title reference	Area	
HX	Part Rural Section 500	<i>Gazette</i> 1994 p 2481	4.4700 ha	
	Part Rural Section 500X			
HY	Part Lot 1 DP4462	23K/704	2.1500 ha	5
HZ	Part Lot 1 DP4462	23K/704	18.9600 ha	
IA	Part Reserve 276	<i>Gazette</i> 1979 p 3843	1.9400 ha	
	The following parcels of land shown on SO Plan 20209 in the Canterbury Land District:			10
A	Part Lot 7 DP81401	47A/1278	11.6700 ha	
B	Part Lot 8 DP81401	47A/1279	5.1800 ha	
	The following parcels of land shown on SO Plan 20210 in the Canterbury Land District:			
C	Part Lot 3 DP81448	46C/452	11.0860 ha	15
	Part Lot 1 DP76974			

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New (unanimous)

Schedule 2A
Plans of areas described in Schedule 2
Plan 1 (SO 20055)

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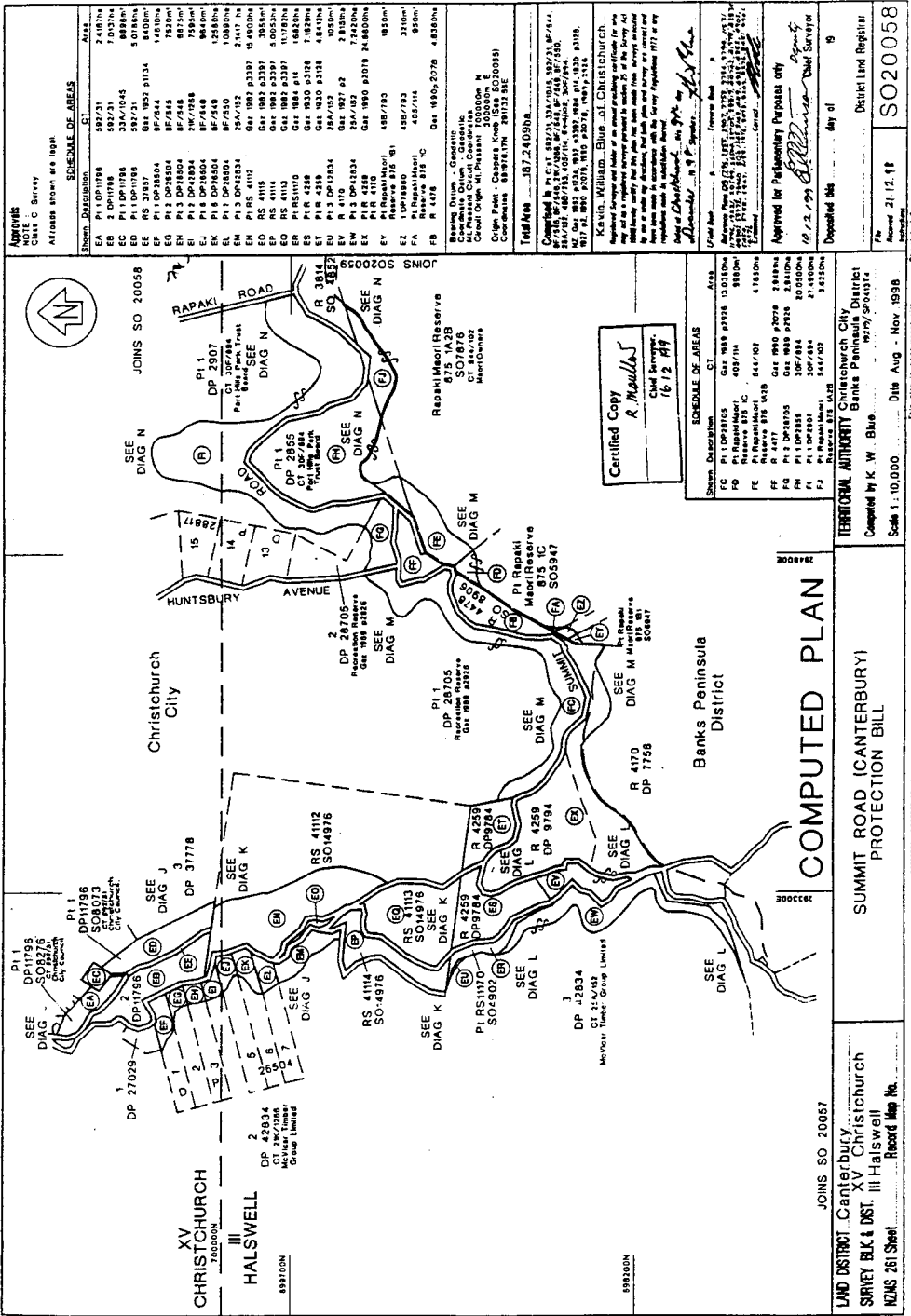
COMPUTED PLAN
SUMMIT ROAD (CANTERBURY) PROTECTION BILL
Includes map of Selwyn and Banks Peninsula districts, schedule of areas, and approval information.





New (unanimous)

Plan 4 (SO 20058)



**SCHEDULE OF AREAS**

Shown Description	CT	Area
EA P1 10P11998	592/231	2.4100ha
EB 2 DP11798	582/231	7.0320ha
EC P1 10P1098	33A/1045	6.8980ha
ED P1 10P1098	33A/1045	6.8980ha
EE RS 30387	081 852 9134	5.4100ha
EF P1 10P18504	8F/144	1.6100ha
EG P1 2 DP18504	8F/144	7.5300ha
EH P1 3 DP18504	8F/144	9.9200ha
EI P1 4 DP18504	8F/144	13.3100ha
EJ P1 5 DP18504	8F/144	16.7000ha
EK P1 6 DP18504	8F/144	20.0900ha
EL P1 7 DP18504	8F/144	23.4800ha
EM P1 8 DP18504	8F/144	26.8700ha
EN P1 9 DP18504	8F/144	30.2600ha
EO RS 41115	081 988 92387	15.8000ha
EP RS 41115	081 988 92387	15.8000ha
EQ RS 41115	081 988 92387	15.8000ha
ER RS 41115	081 988 92387	15.8000ha
ES P1 4238	081 930 83128	1.8220ha
ET P1 4238	081 930 83128	1.8220ha
EU P1 4238	081 930 83128	1.8220ha
EV P1 4238	081 930 83128	1.8220ha
EW P1 4238	081 930 83128	1.8220ha
EX P1 4238	081 930 83128	1.8220ha
EY P1 4238	081 930 83128	1.8220ha
EZ Reserve 875 1B1	489/785	9520m <sup>2</sup>
FA P1 Reserve 875 1B1	489/785	9520m <sup>2</sup>
FB P1 Reserve 875 1B1	489/785	9520m <sup>2</sup>
FC Reserve 875 1C	489/785	9520m <sup>2</sup>
FD Reserve 875 1C	489/785	9520m <sup>2</sup>
FE Reserve 875 1C	489/785	9520m <sup>2</sup>
FF Reserve 875 1C	489/785	9520m <sup>2</sup>
FG Reserve 875 1C	489/785	9520m <sup>2</sup>
FH Reserve 875 1C	489/785	9520m <sup>2</sup>
FI Reserve 875 1C	489/785	9520m <sup>2</sup>
FJ Reserve 875 1C	489/785	9520m <sup>2</sup>
FK Reserve 875 1C	489/785	9520m <sup>2</sup>
FL Reserve 875 1C	489/785	9520m <sup>2</sup>
FM Reserve 875 1C	489/785	9520m <sup>2</sup>
FN Reserve 875 1C	489/785	9520m <sup>2</sup>
FO Reserve 875 1C	489/785	9520m <sup>2</sup>
FP Reserve 875 1C	489/785	9520m <sup>2</sup>
FQ Reserve 875 1C	489/785	9520m <sup>2</sup>
FR Reserve 875 1C	489/785	9520m <sup>2</sup>
FS Reserve 875 1C	489/785	9520m <sup>2</sup>
FT Reserve 875 1C	489/785	9520m <sup>2</sup>
FU Reserve 875 1C	489/785	9520m <sup>2</sup>
RV Reserve 875 1C	489/785	9520m <sup>2</sup>
FW Reserve 875 1C	489/785	9520m <sup>2</sup>
FX Reserve 875 1C	489/785	9520m <sup>2</sup>
FY Reserve 875 1C	489/785	9520m <sup>2</sup>
FZ Reserve 875 1C	489/785	9520m <sup>2</sup>

Certified Copy  
*R. Mulla*  
 Civil Engineer  
 16/12/19

**SCHEDULE OF AREAS**

Shown Description	CT	Area
FC P1 1 DP18105	081 988 92328	13.0100ha
FD P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FE P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FF P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FG P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FH P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FI P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FJ P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FK P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FL P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FM P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FN P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FO P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FP P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FQ P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FR P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FS P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FT P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FU P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
RV P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FW P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FX P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FY P1 Reserve 875 1C	489/785	9520m <sup>2</sup>
FZ P1 Reserve 875 1C	489/785	9520m <sup>2</sup>

COMPUTED PLAN

LAND DISTRICT Canterbury  
 SURVEY BLK & DST. III Halswell  
 NZMS 261 Sheet

TERRITORIAL AUTHORITY Banks Peninsula District  
 Christchurch City

Summit Road (Canterbury)  
 Protection Bill

SO20058

21/12/19

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New (unanimous)

Plan 5 (SO 20059)

Substn. Description	CT	Area	Notes
GA R 3814	31C/7058	5348Dha	
GA R 3815	31C/7059	1330Dha	
GG P 1 DP2801	48A/481	1330Dha	
GG P 1 DP2802	18A/1338	8500Dha	
GG P 1 DP2803	40A/491	3480Dha	
GG P 1 DP2804	31C/7026	3354Dha	
GG P 1 DP2805	04a 1987 4947	10320Dha	
GG P 1 DP2806	18A/1529	11710Dha	
GG P 1 DP2807	18A/1528	3100Dha	
GG P 1 DP2808	18A/1530	10220Dha	
GG P 1 DP2809	04a 1989 42586	1420Dha	
GG P 1 DP2810	44C/1181	2038Dha	
GG P 1 DP2811	31C/7059	10320Dha	
GG P 1 DP2812	31C/7058	1330Dha	
GG P 1 DP2813	31C/7059	1330Dha	
GG P 1 DP2814	31C/7058	1330Dha	
GG P 1 DP2815	31C/7059	1330Dha	
GG P 1 DP2816	31C/7058	1330Dha	
GG P 1 DP2817	31C/7059	1330Dha	
GG P 1 DP2818	31C/7058	1330Dha	
GG P 1 DP2819	31C/7059	1330Dha	
GG P 1 DP2820	31C/7058	1330Dha	
GG P 1 DP2821	31C/7059	1330Dha	
GG P 1 DP2822	31C/7058	1330Dha	
GG P 1 DP2823	31C/7059	1330Dha	
GG P 1 DP2824	31C/7058	1330Dha	
GG P 1 DP2825	31C/7059	1330Dha	
GG P 1 DP2826	31C/7058	1330Dha	
GG P 1 DP2827	31C/7059	1330Dha	
GG P 1 DP2828	31C/7058	1330Dha	
GG P 1 DP2829	31C/7059	1330Dha	
GG P 1 DP2830	31C/7058	1330Dha	
GG P 1 DP2831	31C/7059	1330Dha	
GG P 1 DP2832	31C/7058	1330Dha	
GG P 1 DP2833	31C/7059	1330Dha	
GG P 1 DP2834	31C/7058	1330Dha	
GG P 1 DP2835	31C/7059	1330Dha	
GG P 1 DP2836	31C/7058	1330Dha	
GG P 1 DP2837	31C/7059	1330Dha	
GG P 1 DP2838	31C/7058	1330Dha	
GG P 1 DP2839	31C/7059	1330Dha	
GG P 1 DP2840	31C/7058	1330Dha	
GG P 1 DP2841	31C/7059	1330Dha	
GG P 1 DP2842	31C/7058	1330Dha	
GG P 1 DP2843	31C/7059	1330Dha	
GG P 1 DP2844	31C/7058	1330Dha	
GG P 1 DP2845	31C/7059	1330Dha	
GG P 1 DP2846	31C/7058	1330Dha	
GG P 1 DP2847	31C/7059	1330Dha	
GG P 1 DP2848	31C/7058	1330Dha	
GG P 1 DP2849	31C/7059	1330Dha	
GG P 1 DP2850	31C/7058	1330Dha	
GG P 1 DP2851	31C/7059	1330Dha	
GG P 1 DP2852	31C/7058	1330Dha	
GG P 1 DP2853	31C/7059	1330Dha	
GG P 1 DP2854	31C/7058	1330Dha	
GG P 1 DP2855	31C/7059	1330Dha	
GG P 1 DP2856	31C/7058	1330Dha	
GG P 1 DP2857	31C/7059	1330Dha	
GG P 1 DP2858	31C/7058	1330Dha	
GG P 1 DP2859	31C/7059	1330Dha	
GG P 1 DP2860	31C/7058	1330Dha	
GG P 1 DP2861	31C/7059	1330Dha	
GG P 1 DP2862	31C/7058	1330Dha	
GG P 1 DP2863	31C/7059	1330Dha	
GG P 1 DP2864	31C/7058	1330Dha	
GG P 1 DP2865	31C/7059	1330Dha	
GG P 1 DP2866	31C/7058	1330Dha	
GG P 1 DP2867	31C/7059	1330Dha	
GG P 1 DP2868	31C/7058	1330Dha	
GG P 1 DP2869	31C/7059	1330Dha	
GG P 1 DP2870	31C/7058	1330Dha	
GG P 1 DP2871	31C/7059	1330Dha	
GG P 1 DP2872	31C/7058	1330Dha	
GG P 1 DP2873	31C/7059	1330Dha	
GG P 1 DP2874	31C/7058	1330Dha	
GG P 1 DP2875	31C/7059	1330Dha	
GG P 1 DP2876	31C/7058	1330Dha	
GG P 1 DP2877	31C/7059	1330Dha	
GG P 1 DP2878	31C/7058	1330Dha	
GG P 1 DP2879	31C/7059	1330Dha	
GG P 1 DP2880	31C/7058	1330Dha	
GG P 1 DP2881	31C/7059	1330Dha	
GG P 1 DP2882	31C/7058	1330Dha	
GG P 1 DP2883	31C/7059	1330Dha	
GG P 1 DP2884	31C/7058	1330Dha	
GG P 1 DP2885	31C/7059	1330Dha	
GG P 1 DP2886	31C/7058	1330Dha	
GG P 1 DP2887	31C/7059	1330Dha	
GG P 1 DP2888	31C/7058	1330Dha	
GG P 1 DP2889	31C/7059	1330Dha	
GG P 1 DP2890	31C/7058	1330Dha	
GG P 1 DP2891	31C/7059	1330Dha	
GG P 1 DP2892	31C/7058	1330Dha	
GG P 1 DP2893	31C/7059	1330Dha	
GG P 1 DP2894	31C/7058	1330Dha	
GG P 1 DP2895	31C/7059	1330Dha	
GG P 1 DP2896	31C/7058	1330Dha	
GG P 1 DP2897	31C/7059	1330Dha	
GG P 1 DP2898	31C/7058	1330Dha	
GG P 1 DP2899	31C/7059	1330Dha	
GG P 1 DP2900	31C/7058	1330Dha	

<p><b>Approved:</b>                  Christ Church City Council                  Attested: 22/11/19</p>	<p><b>Approved (or Parliamentary Purpose only)</b>                  16. 2. 1998                  Day of 19                  District Land Register                  SO20059</p>
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Summit Road (Canterbury) Protection Schedule 2A

Plan 5 (SO 20059)

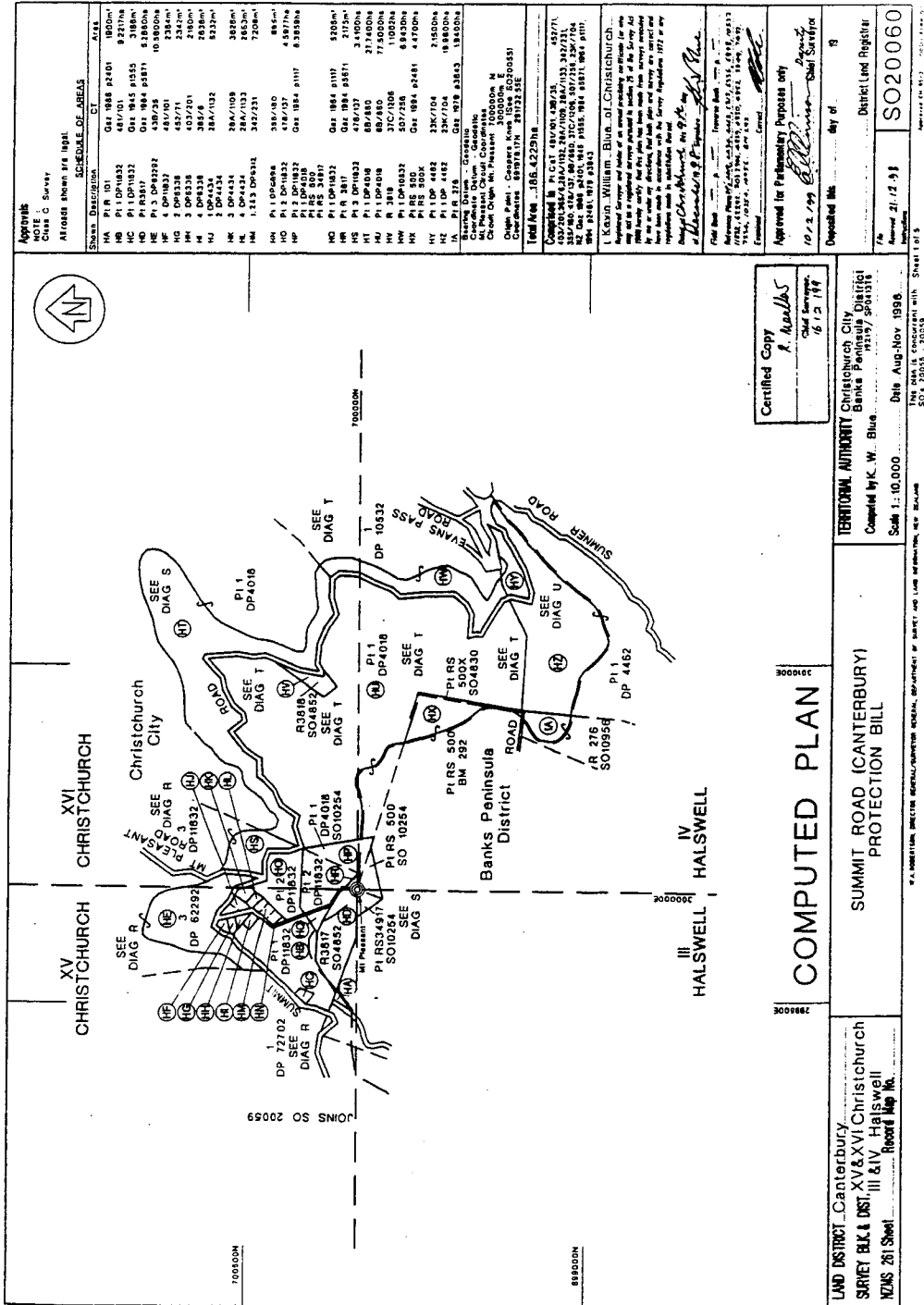
**Certified Copy**  
 R. Maxwell  
 Chief Surveyor  
 16. 2. 1998

<p><b>LAND DISTRICT:</b> Canterbury  <b>SURVEY:</b> BLK &amp; DIST XV Christchurch                  III Halswell                  NZMS 281 Sheet</p>	<p style="font-size: 2em; font-weight: bold; margin: 0;">COMPUTED PLAN</p> <p style="font-weight: bold; margin: 0;">SUMMIT ROAD (CANTERBURY)                  PROTECTION BILL</p>	<p><b>TERRITORIAL AUTHORITY:</b> Christchurch City District                  Banks Peninsula                  Computed by K.W. Blue                  Scale 1:10,000                  Date: Aug - Nov, 1998</p>
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New (unanimous)

Plan 6 (SO 20060)



APPROVALS		SCHEDULE OF AREAS	
Christchurch City Council	Christchurch District Council	Area	Area
Christchurch District Council	Banks Peninsula District Council	Area	Area
Halswell District Council	Halswell District Council	Area	Area
...	...	...	...

Certified Copy  
 R. Meales  
 16.12.1997

TERRITORIAL AUTHORITY CHRISTCHURCH CITY  
 Banks Peninsula District  
 Completed by K. W. Blue  
 Scale 1:10,000  
 Date Aug-Nov 1996  
 SO 20060 consistent with Sheet 1 of 5

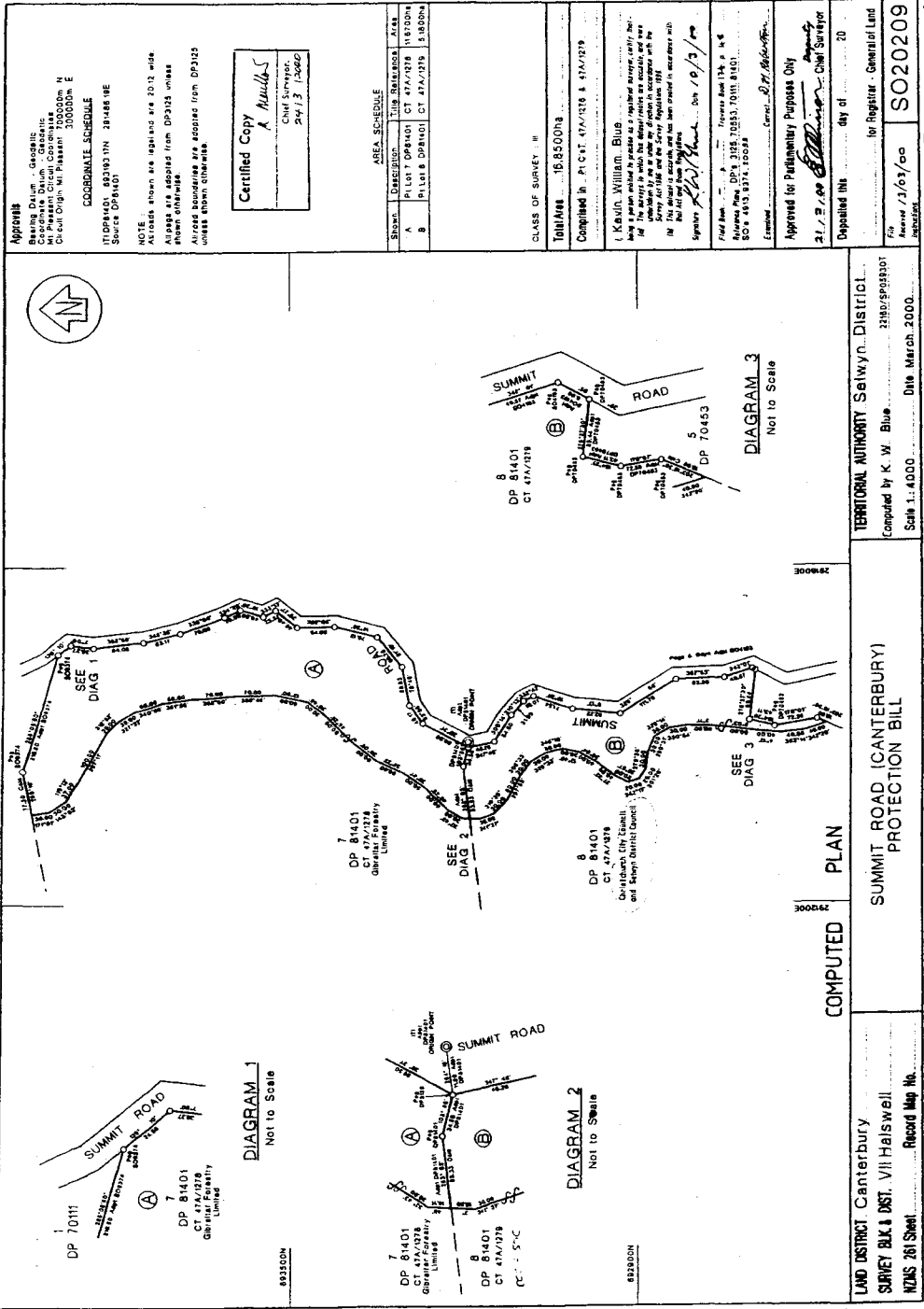
COMPUTED PLAN

SUMMIT ROAD (CANTERBURY)  
 PROTECTION BILL

LAND DISTRICT Canterbury  
 SURVEY BLK & DIST XV & XVI Christchurch  
 III & IV Halswell  
 Record Map No. NZMS 261 Sheet

New (unanimous)

Plan 7 (SO 20209)



Approved  
 George D. ...  
 M.T. ...  
 Circuit Origin ...  
 COORDINATE SCHEDULE  
 STOPS ...  
 NOTE  
 Acrossed shown are ...  
 Allpage are adopted from DP3125 unless otherwise.  
 Acrossed boundaries are adopted from DP3125 unless otherwise.

Approved by  
 J. Kevin William, Blue  
 Chief Surveyor  
 24/13 15060

Certified Copy  
 A  
 Chief Surveyor  
 24/13 15060

Sheet	Description	Time	Balance	Area
A	Plot 7 DP8101	CT 47A/378	18.8200H	
B	Plot 8 DP8101	CT 47A/379	5.8000H	

CLASS OF SURVEY III  
 Total Area 18.8500H  
 Completed in PICT 47A/378 & 47A/379

J. Kevin William, Blue  
 Chief Surveyor  
 Date 10/13/20

Address: Pines, DP4 3125, 70553, 70111, 81001  
 SO's 410, 9374, 10058

Approved for Parliamentary Purpose Only  
 21/3/20  
 Chief Surveyor

Deposited this day of 20  
 for Registrar - General of Land

SO20209  
 Date March 2020

TERRITORIAL AUTHORITY Selwyn District  
 Compiled by K. W. Blue  
 Scale 1:4000  
 Date March 2020

SUMMIT ROAD (CANTERBURY)  
 PROTECTION BILL

LAND DISTRICT Canterbury  
 SURVEY BLK & DIST. VII Haiswell  
 Record Map No. ...  
 NZMS 261 Sheet

1:1. NATIONAL SURVEYING AUTHORITY (NSA) DEPARTMENT OF SURVEY AND LAND PROTECTION ACT 2016



**Schedule 3**

s 24

**Districts of contributory local bodies subject to levy**

The whole of the City of Christchurch

The whole of the District of Banks Peninsula

The whole of the District of Selwyn

5

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s 35

## Schedule 4 Enactment repealed

### Summit Road (Canterbury) Protection Act 1963 (1963 No 16)

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#### Legislative history

18 October 2000	Introduction (Bill 73-1)
8 November 2000	First reading and referral to Government Administration Committee
2 July 2001	Reported from Government Administration Committee (Bill 73-2)
12 September 2001	Committee of the whole House (Bill 73-3)

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