

Reprint  
as at 19 April 2016



## Christchurch City (Reserves) Empowering Act 1971

Local Act	1971 No 8
Date of assent	27 September 1971
Commencement	27 September 1971

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#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

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<i>[Repealed]</i>	

**An Act to redefine the purposes for which certain reserves in the City of Christchurch (including Hagley Park and the Botanic Gardens) are held, to make provision for the dedication of parts of those reserves as streets and the stopping of part of Harper Avenue and its addition to Hagley Park, and to make provision incidental to all of those objects**

## **1 Short Title**

This Act may be cited as the Christchurch City (Reserves) Empowering Act 1971.

## **2 Interpretation**

In this Act, unless the context otherwise requires,—

**Corporation** means the Mayor, Councillors, and Citizens of the City of Christchurch

**Council** means the Christchurch City Council

**Minister** means the Minister of Conservation.

Section 2 **Minister**: amended, on 21 September 1989, by clause 2 of the Christchurch City (Reserves) Empowering Act (Ministerial Responsibility) Order 1989 (SR 1989/242).

## **3 Cancellation of existing reservations**

Subject to section 6, all reservations, trusts, and other restrictions (but not leases or licences) in force immediately before the commencement of this Act and affecting the pieces of land described in Schedules 1, 2, 3, and 4 are hereby cancelled.

## **4 Botanic Gardens and International Gravity Base Tie Station**

- (1) The land known as the Botanic Gardens, being the land described in Schedule 1 is, except for the part of that land described in subsection (2), hereby vested in the Corporation for an estate in fee simple as a reserve for a botanic garden.
- (2) That part of the land described in Schedule 1 which is occupied by the International Gravity Base Tie Station, together with all buildings and improve-

ments thereon, and all land within a perimeter of 5 ft of the said buildings, is hereby vested in the Corporation as a reserve for the purposes of an International Gravity Base Tie Station.

- (3) The Department of Scientific and Industrial Research shall have control of the reserve vested in the Corporation by subsection (2) and the Corporation shall ensure that the Department continues to enjoy reasonable access to that reserve.

## **5 Hagley Park**

- (1) The land known as Hagley Park, being the land described in Schedule 2, is, except for the parts of that land described in Schedule 4, hereby vested in the Corporation for an estate in fee simple as a reserve for recreation purposes.
- (2) Notwithstanding anything in the Reserves and Domains Act 1953, the Corporation shall not, without the consent of the Minister, appropriate any part of Hagley Park for parking places for vehicles unless that part is already appropriated for that purpose at the commencement of this Act.
- (3) Nothing in section 17 or section 18 of the Reserves and Domains Act 1953 shall apply in respect of Hagley Park.
- (4) No part of Hagley Park may be taken or set apart under the Public Works Act 1928 for any public work whatsoever.
- (5) Subsection (4) shall bind the Crown.

Section 5(4): amended, on 29 July 1974, by section 2(1) of the Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L)).

Section 5(5): inserted, on 29 July 1974, by section 2(2) of the Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L)).

## **6 Helmore's Lane**

Notwithstanding the provisions of sections 3, 5, and 12, the inclusion within the land described in Schedule 2 of the part of Helmore's Lane which passes through Hagley Park shall not affect the status of that part of Helmore's Lane. If that part of Helmore's Lane is street—

- (a) it shall continue to remain street until it is closed in accordance with the Municipal Corporations Act 1954; and
- (b) if it is so stopped or if it is stopped street at the commencement of this Act it shall, notwithstanding anything to the contrary in the Municipal Corporations Act 1954, thereupon or as from the commencement of this Act, as the case may require, vest in the Corporation for an estate in fee simple as a reserve for recreation purposes and shall become part of Hagley Park.

## **7 Lawns, ornamental gardens, and ornamental buildings and the statue of John Robert Godley**

- (1) The pieces of land described in Schedule 3 are, except for the parts of that land described in Schedule 4 and for the piece of land described under item 3 in

Schedule 3, hereby declared to be vested, and, where necessary, vested, in the Corporation for an estate in fee simple as reserves for the use of the inhabitants of the City of Christchurch for the purposes of lawns, ornamental gardens, and ornamental buildings.

- (2) The piece of land described under item 3 in Schedule 3 is hereby declared to be vested in the Corporation as a reserve for the purposes of the statue of John Robert Godley.
- (3) Nothing in section 17 or section 18 of the Reserves and Domains Act 1953 shall apply in respect of Cranmer Square or Latimer Square, being the land described under items 1 and 2 in Schedule 3.
- (4) No part of Cranmer Square or Latimer Square may be taken or set apart under the Public Works Act 1928 for a road, street, motorway, or bridge.

## **8 Land for road reserve**

- (1) The land described in Schedule 4 is hereby vested in the Corporation for an estate in fee simple for the purposes of a road reserve.
- (2) The land described under items 6 to 11 in Schedule 4 is hereby excluded from Hagley Park and the land described under item 12 in that schedule is hereby excluded from Sydenham Park.

## **9 Dedication of road reserve as street**

The Council may from time to time dedicate as street in accordance with section 98 of the Reserves and Domains Act 1953 the whole or any part of the land described in Schedule 4.

## **10 Street to be stopped**

*[Repealed]*

Section 10: repealed, on 29 July 1974, by section 4 of the Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L)).

## **11 Payment for reserves dedicated as street**

- (1) The Council shall, from time to time, at the direction of the Minister, and within such time as he shall specify, pay into its Reserves Account such sum or sums of money as the Minister shall determine in respect of any land described in Schedule 4 which is dedicated as street.
- (2) Any money paid by the Council into its Reserves Account pursuant to subsection (1) shall be applied only in the purchase, improvement, or development of public reserves.

## **12 Application of Reserves and Domains Act 1953**

For the avoidance of doubt it is hereby declared that—

- (a) the land described in Schedules 1, 2, 3, and 4; and

- (b) any land that, under section 6 or section 10, becomes part of Hagley Park,—

are public reserves which, subject to the provisions of this Act, shall be held and administered subject to the provisions of the Reserves and Domains Act 1953.

### **13 Repeals and savings**

- (1) The following enactments are hereby repealed—
  - (a) the Canterbury Association's Reserves' Ordinance, Session V, No 2:
  - (b) the Christchurch City Reserves Act 1877:
  - (c) the Public Domains Act 1881 Amendment Act 1895:
  - (d) the Christchurch City Reserves Amendment Act 1932–33:
  - (e) the Christchurch Domains Act 1946.
- (2) The repeal of the enactments mentioned in subsection (1) shall not affect any deed or instrument made, signed, or acknowledged or anything done or suffered or any estate, interest, right, or benefit created or conferred under or by virtue of any such enactment.
- (3) Nothing in this Act shall affect the validity of any lease or licence granted before the commencement of this Act in respect of any land described in Schedules 1, 2, 3, or 4 or restrict the rights of the lessee or licensee under any such lease or licence.

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**Schedule 1**

**Botanic Garden and International Gravity Base Tie Station**

ss 3, 4, 12, 13(3)

All that piece of land in the City of Christchurch containing 52 acres and 1 rood, more or less, being part Reserve 25, shown edged red on SO Plan 11525, comprised in K 772554.

## Schedule 2 Hagley Park

ss 3, 5, 12, 13(3)

All those pieces of land in the City of Christchurch, being more particularly described as follows:

- 1 175 acres, more or less, being part Reserve 24 (South Hagley Park), shown edged red on SO Plan 11525, comprised in K 772554, but excluding that piece of land being 7 025 square metres more or less, being Section 1 Survey Office plan 467852, comprised in computer freehold register 657422.
- 2 216 acres, more or less, being part Reserve 24 (North Hagley Park), shown edged red on SO Plan 11525, comprised in K 772554.
- 3 17 acres, more or less, being part Reserve 24 and part closed street (Little Hagley Park), shown edged red on SO Plan 11525, part comprised in K 772554.
- 4 7 025 square metres, more or less, being Section 2 Survey Office plan 467852, comprised in computer freehold register 658884.

Schedule 2 item 1: amended, on 19 April 2016, by section 152(1) of the Greater Christchurch Regeneration Act 2016 (2016 No 14).

Schedule 2 item 4: inserted, on 19 April 2016, by section 152(1) of the Greater Christchurch Regeneration Act 2016 (2016 No 14).

**Schedule 3**  
**Reserves for the purposes of lawns, ornamental gardens, and**  
**ornamental buildings and, in respect of item 3, the statue of John**  
**Robert Godley**

ss 3, 7, 12, 13(3)

All those pieces of land in the City of Christchurch, being more particularly described as follows:

- 1 All that plot of land known as Cranmer Square, bounded on the north by Kilmore Street, on the south by Armagh Street, and on the east and west by roads 1 chain wide.
- 2 All that plot of land known as Latimer Square, bounded on the north by Gloucester Street, on the south by Hereford Street, and on the east and west by roads 1 chain wide.
- 3 All that piece of land situate on the west side of Cathedral Square, being part of the plot of land known as the Godley Statue Block, containing by admeasurement 20.2 perches, more or less: as the same is delineated on the plan deposited in the Head Office, Department of Lands and Survey, at Wellington, as No 2622, and thereon edged red.
- 4 All that plot of land between Antigua Street and Montreal Street, bounded on the north and north-east by Cambridge Terrace, and on the south and south-west by the River Avon.
- 5 All that plot of land lying between Montreal Street and Durham Street, and extending to Cashel Street, and bounded on the north and north-west by Cambridge Terrace, and on the south and south-west by the River Avon.
- 6 All that plot of land lying between Cashel Street and Hereford Street, bounded on the west by Cambridge Terrace, and on the east by the River Avon.
- 7 All that plot of land lying between Hereford Street and Worcester Street, and bounded on the west by Cambridge Terrace, and on the east by the River Avon.
- 8 All that plot of land lying between Worcester Street and Gloucester Street, and bounded on the west and north-west by Cambridge Terrace, and on the east and south-east by the River Avon.
- 9 All that plot of land lying between Colombo Street and Manchester Street, and bounded on the west by Colombo Street, and on the north and north-east by Cambridge Terrace, and on the south and south-west by the River Avon.
- 10 All that plot of land lying between Manchester Street and Madras Street, and bounded on the north and north-west by Cambridge Terrace, and on the south and south-east by the River Avon.
- 11 All that plot of land lying between Madras Street and Barbadoes Street, and bounded on the north-west by Cambridge Terrace, and on the south-east by the River Avon.

- 12 All that plot of land bounded on the west by the Hospital Grounds, on the south-west by Oxford Terrace, and on the north-east by the River Avon.
- 13 All that plot of land lying between Montreal Street and Durham Street and extending to Cashel Street, and bounded on the south and south-east by Oxford Terrace, and on the north and north-west by the River Avon.
- 14 All that plot of land lying between Cashel Street and Hereford Street, bounded on the east by Oxford Terrace, and on the west by the River Avon.
- 15 All that plot of land lying between Hereford Street and Worcester Street, bounded on the east by Oxford Terrace, on the south-west by the River Avon, and on the north by Worcester Street, except such portion as is now vested in the Mayor, Councillors, and Citizens of the City of Christchurch.
- 16 All that plot of land extending from Worcester Street to Gloucester Street, and bounded on the south by Worcester Street, on the east and south-east by Oxford Terrace, and on the west and north-west by the River Avon, except such portion as is now vested in the Mayor, Councillors, and Citizens of the City of Christchurch.
- 17 All that plot of land extending from Manchester Street to Madras Street, and bounded on the south-east by Oxford Terrace, and on the north-west by the River Avon.
- 18 All that plot of land lying between Madras Street and Barbadoes Street, and bounded on the south-east by Oxford Terrace east, and on the north-west by the River Avon.
- 19 All that triangular plot of land bounded on the north-east by Victoria Street, on the west by Montreal Street, and on the south by Section number 102.
- 20 All that plot of land bounded on the north-east by Victoria Street, on the south by Peterborough Street, and on the west by Section number 100.
- 21 All that plot of land bounded on the north by Peterborough Street, on the east by Section number 153, and on the south-west by Victoria Street.
- 22 All that plot of land bounded on the east by Durham Street, on the north by Section number 152, and on the south-west by Victoria Street.
- 23 All that plot of land bounded on the north-east by High Street, on the west by Colombo Street, and on the south by Section number 842.
- 24 All that plot of land bounded on the north-east by High Street, on the west by Section number 840, and on the south by Cashel Street.
- 25 All that plot of land bounded on the north by Cashel Street, on the east by Section number 900, and on the south-west by High Street.
- 26 All that plot of land bounded on the north by Section number 902, on the east by Manchester Street, and on the south-west by High Street.
- 27 All that plot of land bounded on the north by Armagh Street, on the south by Gloucester Street, on the west by Oxford Terrace, and on the east by the road

- fronting on the west side of Christchurch Town Sections numbers 577, 578, 579, 580, and 581.
- 28 All that plot of land between Antigua Street and Montreal Street, bounded on the north and north-east by Sections numbers 500, 502, and 503, and on the south-west by Cambridge Terrace.
- 29 All that plot of land bounded on the north by Kilmore Street, on the south-east by Cambridge Terrace, and on the south-west by Section number 223.
- 30 All that plot of land bounded on the north by Peterborough Street, on the south-east by Cambridge Terrace east, and on the south-west by Section number 222.
- 31 All that plot of land lying north of Peterborough Street, and bounded on the south-east by Cambridge Terrace east, and on the north and west by Sections numbers 1, 2, 3, 4, and 6.
- 32 All that plot of land lying south of the Avon River, and bounded on the east by Madras Street, on the south by Chester Street, and on the north-west by Oxford Terrace east.
- 33 All that plot of land bounded on the north-east by High Street, on the south by Section number 984, and on the west by Manchester Street.
- 34 All that plot of land bounded on the north-east by High Street, on the south by Tuam Street, and on the west by Section number 985.
- 35 All that plot of land known as Victoria Square, bounded on the east by Colombo Street, on the south by Armagh Street, and on the west and north-west by the River Avon.

## Schedule 4 Road reserve

ss 3, 5, 7(1), 8, 9, 10, 11, 12, 13(3)

All those pieces of land in the City of Christchurch, being more particularly described as follows:

- 1 6 perches, more or less, being part Public Reserve, section 2, Christchurch City Reserves Act 1877, shown washed red on SO Plan 11490.
- 2 18 perches, more or less, being part Public Reserve, section 2, Christchurch City Reserves Act 1877, shown washed red on SO Plan 11490.
- 3 117 m<sup>2</sup>, more or less, being part Public Reserve and part Road Reserve, shown as B on SO Plan 13074.
- 4 403 m<sup>2</sup>, more or less, being part Public Reserve and part Road Reserve, shown as A on SO Plan 13074.
- 5 0.2 perches, more or less, being part Public Reserve, section 2, Christchurch City Reserves Act 1877, shown washed red on SO Plan 11490.
- 6 5 931 m<sup>2</sup>, more or less, being part Reserve 24, shown outlined in red on SO Plan 11807.
- 7 3 roods and 39 perches, more or less, being part Reserve 24 (Hagley Park), shown washed red on SO Plan 11537, comprised in K 772554.
- 8 2 roods and 10 perches, more or less, being part Reserve 24 (Hagley Park), shown washed red on SO Plan 11537, comprised in K 772554.
- 9 10 perches, more or less, being part Reserve 24 (Hagley Park), shown washed red on SO Plan 11493, comprised in K 772554.
- 10 203 m<sup>2</sup>, more or less, being part Reserve 24, shown as A on SO Plan 13070.
- 11 1 acre and 20 perches, more or less, being part Reserve 24 and part closed street (Hagley Park), shown washed red on SO Plan 11493, part comprised in K 772554.
- 12 1 acre, 1 rood, and 17 perches, more or less, being part Rural Section 239 (Sydenham Park), shown washed red on SO Plan 11491, comprised in part certificate of title 125/181.

Schedule 4 item 3: replaced, on 29 July 1974, by section 3(a) of the Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L)).

Schedule 4 item 4: replaced, on 29 July 1974, by section 3(b) of the Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L)).

Schedule 4 item 6: replaced, on 29 July 1974, by section 3(c) of the Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L)).

Schedule 4 item 10: replaced, on 29 July 1974, by section 3(d) of the Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L)).

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**Schedule 5**  
**Street to be stopped and added to Hagley Park**  
*[Repealed]*

s 10

Schedule 5: repealed, on 29 July 1974, by section 4 of the Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L)).

## **Christchurch City (Reserves) Empowering Amendment Act 1974**

Local Act	1974 No 2
Date of assent	29 July 1974
Commencement	29 July 1974

### **An Act to amend the Christchurch City (Reserves) Empowering Act 1971**

#### **1 Short Title**

This Act may be cited as the Christchurch City (Reserves) Amendment Act 1974, and shall be read together with and deemed part of the Christchurch City (Reserves) Empowering Act 1971 (hereinafter referred to as the “principal Act”).

#### **5 Effect on district scheme**

It is hereby declared that the provisions of this Act shall be deemed to be a variation of the Christchurch City Council operative district scheme pursuant to subsection (5) of section 33 of the Town and Country Planning Act 1953.

## Reprints notes

### **1** *General*

This is a reprint of the Christchurch City (Reserves) Empowering Act 1971 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Greater Christchurch Regeneration Act 2016 (2016 No 14): section 152(1)

Christchurch City (Reserves) Empowering Act (Ministerial Responsibility) Order 1989 (SR 1989/242): clause 2

Christchurch City (Reserves) Empowering Amendment Act 1974 (1974 No 2 (L))