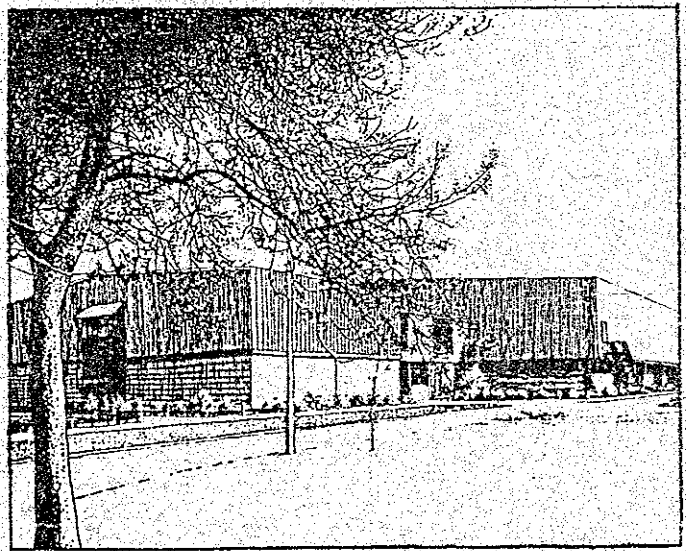
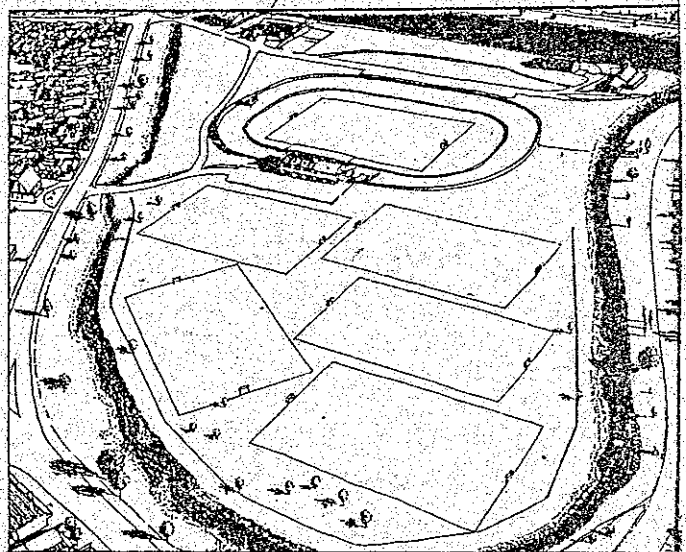


*DGM/W*

# RECREATION THREE ZONE RESERVES MANAGEMENT PLAN

*Approved as policy guide -  
Council March '87*



Christchurch City Council  
February 1987

## INTRODUCTION

This Management Plan is an expression of the management objectives and policies considered suitable for the development, maintenance and use of reserves within the City's Recreation 3 Zone.

The City's District Planning Scheme recognises that a wide range of recreation demands must be catered for equitably and as a complementary unified system. The scheme classifies this open space into five recreation zones according to the land's general function and inherent character.

Recreation 3 Zone consists of:

- District reserves distributed ideally at 1.5 to 2 kilometre intervals. These reserves cater for organised active recreation, as well as providing informal active and passive recreation opportunities.
- Regional and Metropolitan Reserves. This group of larger reserves because of their size provide a wide variety of activities both passive and active, serving the metropolitan area as a whole.

The City's reserves are administered pursuant to the Local Government Act 1974 or the Reserves Act 1977. This zone plan is intended to serve as a base document and a forerunner to individual reserve management plans. (Reserve management plans are a requirement of the Reserves Act 1977)

A reserve management plan will contain objectives and policies specific to a reserve and will recognise variations in local population needs as well as the land's potential and limitations. These plans will be prepared and released for public comment as time and resources permit. A list of all Recreation Three Zone reserves is shown in Appendix 1.

Public involvement is an essential aspect of the planning process. Management plans are advertised for public comment at the start of plan preparation and when the plan is at the draft stage, however plans are under continual review and comments and suggestions may be made at any time. A significant change in policy will be advertised for objection or comment.

## CONTENTS

|  | PAGE |
|--|------|
| INTERPRETATION   | 1.   |
| MANAGEMENT OBJECTIVES  | 2.   |
| MANAGEMENT POLICIES  | 3.   |
| 1. ADMINISTRATION  | 3.   |
| 2. LANDSCAPE DESIGN  | 4.   |
| 3. VEGETATION  | 5.   |
| 4. WILDLIFE  | 6.   |
| 5. NATURAL AND HISTORIC FEATURES                               | 6.   |
| 6. RECREATION - LAND AND FACILITIES                            | 7.   |
| 7. BUILDINGS   | 11.  |
| 8. MOTOR VEHICLE ACCESS AND PARKING                            | 12.  |
| 9. PEDESTRIAN AND CYCLE ACCESS                                 | 13.  |
| 10. PARK FURNITURE   | 13.  |
| 11. BOUNDARIES AND FENCES                                      | 14.  |
| 12. UTILITY SERVICES AND STRUCTURES                            | 14.  |
| 13. LEASES AND LICENCES  | 14.  |
| 14. CLUB AND BOOTH LICENCES                                    | 16.  |
| 15. COMMERCIAL CONCESSIONS                                     | 17.  |
| APPENDIX   |      |
| 1. LIST OF RECREATION 3 ZONE RESERVES.                         | 18.  |
| 2. EXTRACTS FROM THE RESERVES ACT 1977.                        | 20.  |
| 3. EXTRACTS FROM THE LOCAL GOVERNMENT<br>ACT 1974.             | 29.  |
| 4. EXTRACTS FROM THE CHRISTCHURCH<br>DISTRICT PLANNING SCHEME. | 32.  |
| 5. SUMMARY OF SUBMISSIONS                                      | 33.  |

INTERPRETATION

In this management plan unless inconsistent with the context:

"Council" Means the elected representatives of the Christchurch City Council or its the Parks and Recreation Committee.

"Department" Means the Parks and Recreation Department of the Christchurch City Council.

"Authorised Officer" Means the Director of Parks and Recreation or any designated employee of the Christchurch City Council.

"Reserve" Means land held pursuant to the Local Government Act 1974 or the Reserves Act 1977.

"Minister" Means the Minister of Lands.

MANAGEMENT OBJECTIVES

The objectives for Recreation 3 Zone reserves are to provide:

- (a) Reserve areas designed to cater for the casual active and passive recreation needs of the district or region.
- (b) An adequate number of reserve areas catering for organised sports.
- (c) A range of opportunities for children's play on a local and district level.
- (d) Stadia, swimming pools and halls on suitable reserves whose uses may include sports, recreation, arts and crafts education and entertainment.
- (e) Areas of indigenous and exotic flora which enhance the enjoyment of all permitted uses and provide scenic amenity and wildlife habitat for the surrounding locality.
- (f) Public access into and throughout reserves by footpath, bicycle, motor vehicle or other means appropriate to the reserve's size, character and use.
- (g) Buildings and structures associated with and necessary for the use of the reserve for recreation within the constraint of maintaining reserves as public open space for outdoor recreation, leisure and amenity purposes.
- (h) Assist the public toward a pleasurable and satisfying use of their leisure time, by the provision of information on and publicity of recreational opportunities.

MANAGEMENT POLICIES1. ADMINISTRATION

- (a) Management plans shall cover all Recreation 3 Zone reserves subject to the Reserves Act 1977 and other reserves set aside for the purpose of recreation under the Local Government Act 1974 administered by the Council.
- (b) Management proposals for reserves shall comply with the objectives and policies of this management plan, be in accordance with the relevant Acts and Bylaws, and shall be subject to any other provisions required by the Council.
- (c) Land acquisition shall be in accordance with distribution policies and standards in Chapter 6 Section 8 of the District Scheme and in conjunction with the landscape assessment of the city's open space network.
- (d) All reserve areas shall be accessible to the public taking into account safety, natural values, capacity for use, the provisions of relevant Acts and Bylaws and any other restrictions necessary for a reserve's protection and management, subject to the provisions of policies (e) and (f) below.
- (e) To facilitate recreational activities the Council may lease, licence or rent land on suitable reserves to approved organisations (see Section 13 Leases, Licences and Easements). Generally the costs of facility development and maintenance shall be the responsibility of the lessee or tenant. However, technical, financial or other assistance may be given where the Council considers this to be appropriate.
- (f) Development including the provision of facilities and ongoing maintenance of reserve land (other than in (e) above) shall generally be the responsibility of the Council. Sports bodies and other organisations having regular use of reserves and facilities, whose requirements exceed those necessary for general public use may be required to contribute to their cost.
- (g) Control of the uses and activities in reserves shall be under the provisions of the Christchurch City Bylaw 118 Parks and Reserves and the Reserves and Local Government Acts.
- (h) Departmental and Honorary Rangers or other authorised officers of the Council shall uphold the provisions of relevant acts and bylaw.
- (i) Recreation charges for personal, club or association use of facilities or services shall be as determined by the Council from time to time.
- (j) Management plans shall be amended and reviewed as necessary.
- (k) Resource information files on each reserve shall be maintained.

## 2. LANDSCAPE DESIGN

- (a) A landscape concept plan shall be included with an individual reserve's management plan, as a graphic interpretation of management policy.
- (b) Landscape assessment of a site shall involve inventory and evaluation of all relevant data including natural, cultural and man-made factors concerning the site, its uses, and the surrounding public open space.
- (c) Landscape Design Plans shall be prepared for any substantial development of existing reserves. Such plans shall take account of the objectives and policies of the reserve management plan.
- (d) Recreation areas shall be designed and located to minimise conflicts and maximise their visual quality and function. Design shall cover all landscape elements including vegetation, motor vehicle access and parking, pedestrian and cycle access, park furniture, buildings and other structures.
- (e) Clubs and organisations that use reserve land shall gain the consent of the Council before effecting changes to the landscape.
- (f) Opportunities for access or use of reserves by the disabled shall be facilitated wherever possible.

### 3. VEGETATION

- (a) Vegetation ie. trees, shrubs, perenials, annuals and grasses, shall be established and maintained in accordance with recognised horticultural and landscape principles to fulfil any or all of the following functions:
- Recreational use
  - Aesthetic enhancement of reserve areas
  - Engineering functions i.e. erosion control etc.
  - Segregation of conflicting recreation areas
  - Ecological enhancement
  - Climate enhancement
- (b) Management of trees, bush and other vegetation on reserves shall be in accordance with the requirements of The Reserves Act 1977 Section 42 Clauses 2 & 3, The Local Government Act 1974 Section 650, Noxious Plants Act 1978, and the District Scheme Part 12 Section 74.3.
- (c) Trees or bush on any reserve shall not be felled or substantially pruned unless the Department is satisfied that the trees or bush are:
- dead or dying
  - a danger to public safety
  - interfering with public utilities or important public works
  - obstructing the water flow in any drainage system, water course, stream or river
  - too large for its location and is causing serious damage to buildings or property (public or private)
  - significantly restricting redevelopment of the site which would have a more advantageous effect on the amenities of the area
  - in need of arboricultural treatment
- (d) Pruning, destruction and extraction of trees or bush, where necessary, shall have minimal impact on the reserve and where appropriate, provision shall be made for replacement planting or restoration.
- (e) Fertility, water supply, drainage, aeration and general condition of the soil shall as far as practical be managed to ensure that desirable plant life is sustained in good health.



#### 4. WILDLIFE

- (a) Planting of berry and nectar producing plants shall be included in reserve planting plans where practical in order to encourage indigenous species of birds back into the urban environment.
- (b) Native and exotic fauna normally found in reserve areas shall generally be protected and encouraged subject to the requirements of any bylaws and regulations relating to noxious animals and vermin.
- (c) Nesting sites for aquatic birds on river, lake, and estuary margins shall be protected and enhanced and specific habitat requirements such as lower bank heights for easy access of young birds into and out of the water shall be taken into account.

#### 5. NATURAL AND HISTORIC FEATURES

- (a) Natural and historic features, buildings and sites on reserves shall be identified and interpreted by means of sign, plaque and/or brochure.
- (b) Background and resource information on the history and natural values of reserves shall be compiled for reference purposes.
- (c) Historical and natural history programmes shall be developed at appropriate reserve sites, as resources permit.
- (d) Where appropriate historic buildings, places, monuments and structures shall be maintained in order to preserve Christchurch's heritage.
- (e) Historic buildings and areas, archaeological sites and traditional sites shall be managed pursuant to the Historic Places Act 1980 and by liaison with the New Zealand Historic Places Trust. Relevant provisions of the District Scheme Ordinances Part XII Amenities Section 73 shall also be applied.

## 6. RECREATION - LAND AND FACILITIES

### 6.1 GENERAL

- (a) Reserve development shall be determined by consideration of the following factors:
- Statutory obligations for land management (see policies 6.1(c), (d) )
  - Public demand for specialised or improved recreation facilities.
  - The land's potential for recreation whether extensive (land based) or intensive (facility based).
  - Existing recreation provision and scenic amenity in the district.
  - Available finance.
- (c) Reserves held pursuant to the Reserves Act 1977 shall be managed with awareness of the Act's emphasis on preservation of open space.
- (d) Reserves held pursuant to the Local Government Act 1974 may, where appropriate may be developed for the wider recreation, amusement and instruction of the public.
- (e) Facilities for indoor activities shall as far as practicable be located in local purpose reserves, community complexes and freehold land (see \* policy 7(a), Buildings, page 11).

### 6.2 CASUAL USE OF RESERVES

- (a) Pedestrian walks within and through reserves shall take account of botanical, historical or other site features existing or being developed.
- (b) Cycleways shall be developed to the standard described in "The Guide to Cycle Facilities"\*.
- (c) Open grassed areas for informal outdoor games shall be provided in reserves of appropriate size and character. Suburban sportsgrounds shall be open for casual public use when not booked for organised competitions.
- (d) Sports grounds shall be available for casual and social games by advance bookings through the Department.
- (e) Passive recreation such as picnics, sightseeing and appreciation of landscapes, vegetation and wildlife shall be facilitated wherever possible.
- (f) Children's play areas, where possible shall be sited away from potential hazards, eg. roads, etc. and shall be located to facilitate casual supervision by the general public eg. adjacent to public accessways.

\* Available from Christchurch City Council Traffic and Transportation Division

- (g) Allocation of equipment will be assessed on a local and district basis considering age group structure and present provision and demand.
- (h) Social and imaginative elements of childrens play shall be encouraged by preservation and enhancement of the "natural" environment.
- (i) All new play grounds shall be designed and constructed with reference to the New Zealand Playground Safety Standards.
- (j) All existing play grounds shall be developed as resources permit, to New Zealand Playground Safety Standards.

### 6.3 SPORTSGROUNDS

- (a) Sportsgrounds and other facilities shall be developed and maintained to meet the basic requirements of the various sporting codes.
- (b) The extent to which sportsgrounds may be used by the general public for recreation shall be determined according to the following categories:

- Suburban Sportsgrounds

Shall be available for general public use at all times, except where restrictions are necessary because of prior bookings, competition use, unsuitable ground conditions, maintenance or development works.

- Enclosed Sportsgrounds

Designed for major competitions, with facilities to accommodate large numbers of spectators. Restrictions may be necessary to maintain quality playing surfaces, eg. English Park.

- Special Purpose Sportsgrounds

These are grounds leased to organisations which require specialised facilities for their recreational activities, eg. bowls and tennis.

Exclusive use may be granted to club members on a specified number of days in each year. On days other than these when the facility is open for play it shall be available for use by the general public as well as club members. The controlling organisation may make rules regarding use (consistent with the above) and with Council approval collect and retain a fee from each member of the public using the facility.

### 6.4 GROUND ALLOCATION

- (a) The winter sports season shall be from the 1st April to the 31st August. The summer sport season shall be from the 1st October to the 31st March. Use of grounds outside these periods shall be at the discretion of the Department.
- (b) Sporting associations wishing to hire sportsgrounds for competitions shall apply in writing six weeks prior to the start of the season and forward the following information:
  - A nominated official for contact
  - Current number of affiliated players

- Number of grounds required and list of reserves
- (c) Recreational organisations, clubs or individuals wishing to hire sports grounds shall apply in writing and forward the following information:
  - Name of reserve required
  - Date required
  - Type of ground
- (d) Competition and training grounds shall be allocated according to sport requirements and:
  - Proposed maintenance/development programmes of the Department.
  - Total number of available sportsgrounds
  - Ground surface carrying capacity
  - Duration of the season
  - Needs of other reserve user groups.
  - Priority of use, i.e. international, national, provincial, club, training
- (e) Schools shall at no cost have use of grounds for midweek junior sports, subject to any necessary restrictions ie. policy 6.3 (b).
- (f) Sport associations shall where possible be provided with 'home grounds'.
- (g) Allocation may be undertaken in liaison with other local authorities in metropolitan Christchurch.
- (h) Final decisions on allocation and use shall rest with the department.

#### 6.5 TRAINING AREAS

- (a) Turf training areas shall not generally be permitted to be used for competitions.
- (b) Night use of training areas shall be permitted where the surface can sustain such use, in addition to normal daytime use.

#### 6.6 ACCESSORY STRUCTURES, EQUIPMENT AND LIGHTING

- (a) Sports associations and other organisations shall generally supply their own equipment necessary for their activities.
- (b) Seasonal equipment shall be removed by the appropriate sports season closing date.
- (c) Sportsgrounds shall be cleared of temporary equipment and litter after each game.

- (c) Installation of lighting and its hours of operation shall be subject to the approval of the Council.
- (d) Lighting installations shall be designed to avoid light spill and glare into surrounding residential areas.

#### 6.7 INDOOR FACILITY ALLOCATION

- (a) Sports associations wishing to hire facilities for competitions shall apply in writing six weeks prior to the start of the season and forward the following information:
  - A nominated official for contact
  - Current number of affiliated players
  - Number of courts required and list of stadia and/or halls
  - Date required
- (b) Recreational organisations, clubs or individuals wishing to hire facilities shall apply in writing and forward the following information:
  - Name of the facility required
  - Date required
  - Type of facilities
- (c) Stadia, pools and halls shall be allocated according to needs and:
  - Proposed maintenance/development programmes of the Department.
  - Requirements of existing sports and recreation activities
  - Duration of the season
  - Total team numbers and age of members
  - Priority of use, international, national, provincial, club, training
- (d) Bookings for major functions, competitions, displays or social hire shall be applied for in writing to the Council six months prior to the event (to enable programming). Late applications shall be at the discretion of the Department.
- (e) Where possible sports associations shall be provided with "home base" facilities.
- (f) Allocation may be undertaken in liaison with other local authorities in metropolitan Christchurch.

## 7. BUILDINGS

- (a) Building applications shall be assessed considering statutory obligations for reserve management ie. the principles of Section 17 of the Reserves Act 1977 (preservation of open space etc.) or the provisions of Section 601 of the Local Government Act 1974, and on the following criteria\* :
1. Availability and suitability of privately owned land
  2. Compatibility with the reserve's:
    - landscape plan
    - existing uses and extent of open space generally
    - aesthetic qualities
    - car parking, present provision and future requirements (see Section 8. Motor Vehicle Access and Parking)
  3. Effect on adjoining properties:
    - nuisance from noise and hours of operation
    - obstruction of views
    - car parking on local streets
    - sunlight and outlook
  4. Effect on the locality and district:
    - local and arterial roading network
    - grouping of community facilities
    - demand for such facilities elsewhere
  5. The extent the proposed building and structures enhance the public's recreational use and enjoyment of the reserve:
    - The degree the building is associated with and necessary for the use of the reserve for outdoor recreational activities.
    - Type of facilities planned to be incorporated in the building.
    - The degree that resources of organisations are combined and buildings and structures are multi-purpose.
    - Initial design provides for future facility requirements, as may be required at a later date.
    - Architectural design, materials, colour scheme and landscape treatment are in sympathy with the reserve's "natural" character.
    - Where necessary incorporation of public facilities open for public use when club rooms are locked, e.g. public toilets.
  6. Any other buildings owned by the club or organisation on the reserve, or any other reserve or land adjoining the reserve.
  7. The organisation's likely and facility requirements over the next 5-10 years.

\* This criteria includes extracts from the District Planning Scheme.

- (b) All sites containing privately owned buildings on reserves shall be covered by a lease. (See Section 13. Leases, Licences and Easements)
- (c) Buildings and their proposed uses shall conform to the requirements of the District Planning Scheme. Publicly owned or operated buildings for recreation are permitted as of right. New private sports clubrooms and pavillions, or extentions to existing ones of more than 30% of the gross floor area (existing at 10th July), will require a publicly notified application. (Note: public notification is also necessary for any new or extented leased area on land held pursuant to the Reserves Act 1977)
- (d) Buildings and facilities may be sublet or hired to organisations or members of the general public with prior consent in writing from the Council and any such use shall abide by the provisions of the relevant statutes, regulations or bylaws.
- (e) Siting of buildings on reserves shall be approved as part of a comprehensive landscape plan for the reserve (see Section 3 Landscape Design).
- (f) Structure, form, colours and materials of buildings shall be appropriate to the reserve and be approved by the Council.
- (g) Generally toilet facilities shall be provided in all Recreation Three Zone reserves. Design of new facilities shall take into account the needs of the disabled, elderly and children, and suitable signs shall be used.
- (h) Where new or extensions to existing sports facilities are proposed consideration shall be given to providing public toilets in, or in association with those buildings.

#### 8. MOTOR VEHICLE ACCESS AND PARKING

- (a) Motor vehicle accessways and parking areas shall be provided to cater for the requirements of reserve use, within the limitations set by the need to preserve the natural qualities and open space of the reserve, and to avoid conflict with reserve use. (Note: Carparks on land held pursuant to the Reserves Act 1977 requires the Consent of the Minister)
- (b) New buildings, extentions to existing buildings or any other developments or concessions shall only be approved where the estimated additional parking requirements can be catered for by existing parking available in the vacinity or by planned improvements on the reserve.
- (c) New motor vehicle access and parking areas shall be located and designed on a landscape design plan and shall conform with the requirements of the District Planning Scheme.
- (d) Hours for parking shall be as determined by the Department from time to time.
- (e) Temporary parking on grassed areas of a reserve may be allowed, subject to approval by Department, to accommodate extra demand for car parking associated with a special event or use.

- (f) Department vehicles and other authorised vehicles shall have access to all parts of a reserve where their use is necessary.

#### 9. PEDESTRIAN AND CYCLE ACCESS

- (a) Generally all areas of reserves shall be accessible to pedestrians taking into account policy 1(d) (Administration).
- (b) Paths shall be designed to meet the pressures of use they may be normally expected to sustain.
- (c) Paths shall be designed and located to avoid conflict with other uses and have regard for any botanical, historical or other features for the interest and enjoyment of the public.
- (d) Where considered necessary paths shall be illuminated for night use.
- (e) Where possible pedestrian and cycle access linking adjacent areas through reserves shall be developed to optimise their amenity function.

#### 10. PARK FURNITURE

- (a) Park furniture including benches, litter containers, lighting and signs shall be of a design functionally and visually appropriate to their surroundings (see Section 3 Landscape Design).
- (b) Signs shall be, provided to give clear and positive guidance and/or information to assist public enjoyment of the reserve, its facilities and uses.
- (c) The number and size of signs shall be such as to avoid visual detracton from the 'natural' environment.
- (d) International symbols shall be used where practical.
- (e) Prohibited activities shall be displayed on signs, only where the particular activity is a recurring problem.
- (f) Generally litter bins shall be provided in association with sports facilities and grounds, formal picnic areas and other areas of regular public use.
- (g) Litter bins may be provided on a seasonal basis (e.g. summer/winter sports) where such use is deemed appropriate.
- (h) Additional litter bins shall be provided, upon prior application to the Department for special events involving large numbers of people.
- (i) Litter bins shall be maintained in sound, clean condition and be of a design and colour appropriate to use and surroundings.



## 11. BOUNDARIES AND FENCES

- (a) Boundary fencing and vehicle barriers of appropriate design will be erected where necessary (see Section 3 Landscape Design).
- (b) The requirements and conditions of the Fencing Act 1978 shall apply to the erection, repair and maintenance of boundary fences.
- (c) Where appropriate neighbouring residents shall be encouraged to erect low fences thereby increasing effective open space and providing informal supervision of the reserve.
- (d) Where appropriate boundary lines shall be enhanced by planting or other landscape treatment.
- (e) Boundary fences, where required around leased areas within a reserve, shall be erected and maintained by the lessee to the satisfaction of the Department.

## 12. UTILITY SERVICES AND STRUCTURES

- (a) Utility services and structures shall be designed and located so that their impact on a reserve's visual and recreational values is minimised (see Section 3 Landscape Design).
- (b) Where practical services placement shall be underground and sited with regard to the reserve's existing features.
- (c) New public utilities and all replacements of existing utilities traversing reserve land shall be allowed only with Council consent and only if they cannot reasonably be located elsewhere.
- (d) New public utilities unrelated to reserve use shall be required to have a right of easement under Section 48 of the Reserves Act 1977, or Section 235 of the Local Government Act, and abide by the provisions of the District Scheme, Part 9 Section 55.7.

## 13. LEASES, LICENCES AND EASEMENTS

- (a) Leases or licences shall be negotiated for areas in reserves containing privately owned or operated buildings or grounds (ie. clubs, organisations or individuals) in accordance with the principles of Sections 17 and 40 and the provisions of Section 54 of the Reserves Act 1977 or in accordance with the principles of Section 601 and the provisions of Section 231 of the Local Government Act 1974.
- (b) Conditions of any lease or licence shall be based on those prescribed in the relevant Act and such other conditions and charges as determined by the Council.
- (c) Existing leases when renewed shall be renegotiated where they do not comply with the policies of the Reserve Management Plan, District Scheme or the relevant Act.

(d) Leases may be granted to any person, body, voluntary organisation or society (with the prior consent of the Minister for land held pursuant to the Reserves Act 1977) for:

1. Reserve sites for the erection of buildings and structures associated and necessary for the use of the reserve for outdoor recreation.
2. The whole or part of a reserve for outdoor recreation where the development and maintenance costs for the area are met by the organisation and are considered by the Council to be substantial.
3. Reserve sites for the erection of buildings and structures not directly associated with outdoor recreation, where Council considers it to be in the public interest.

Provided that there is adequate open space for the other recreational needs of the local community and there is no unnecessary duplication of facilities particularly among organisations that are active for only part of the year.

(e) The Council may grant leases or licences for the carrying on of any trade, business or occupation that is necessary to enable the public to obtain benefit, convenience or enjoyment from a reserve.

(f) All lease or licence applications (including extensions to leased or licenced areas) the Council proposes to grant shall be advertised and all objections and submissions given full consideration.

(g) Any new or renegotiated deeds of lease shall include:

1. A clause requiring that all details of financial income and expenditure be made available on request to the Council.
2. A clause requiring that there will be no subletting of leased land or the building erected thereon without the prior approval of the Council.

(h) Reserve site rentals shall be as determined by the Council from time to time.

14. CLUB AND BOOTH LICENCES

- (a) The social use of buildings on reserves shall be ancillary to the principal objectives of the reserve, i.e. outdoor recreation for recreation reserves.
- (b) Organisations seeking a licence for the sale of liquor on reserve land shall first obtain the consent of the Council.
- (c) The Council shall assess liquor licence applications under the following criteria:
- physical location of the building on the reserve
  - nuisance from noise and hours of operation
  - conflict with other uses on the reserve
  - desirability of future extensions of buildings
  - availability of suitable areas for extensions of grounds
  - associated car parking requirement
  - surrounding land uses and their zoning
- (d) The hours of operation for the sale and consumption of liquor shall be those laid down by the Licensing Control Commission, but in any case shall not exceed those hours prescribed by the Council under the terms of the organisation's lease.
- (e) Leases and licences shall permit the sale of liquor where a licence is granted but the Council reserves the right to cancel its consent or to add or delete any condition of consent at any time.
- (f) That where land has been leased pursuant to Section 601 of the Local Government Act this Council Does not authorise the erection or extension of buildings on that land which contain bar facilities.
- (g) Booth licences may be issued for the sale of liquor in suitable facilities or reserves areas for special functions.

15. COMMERCIAL CONCESSIONS

- (a) Licences permitting the carrying on of any trade, business or occupation within a reserve may be granted, subject to the relevant Acts and Bylaws and under such terms and conditions as the Council sees fit.
- (b) Activities subject to concessions shall be in accordance with the management objectives and policies of a reserve.
- (c) Concessionaires shall provide an acceptable service to the public and maintain facilities to the standard required by the Council.
- (d) ADVERTISING

The provision of advertising displays/signs on reserves shall be at the discretion of and as approved by the Council or Authorised Officer, and only permitted in accordance with the following:

- Permanent Advertising:

- (i) Inside enclosed sports grounds, swimming pools, stadia or halls and subject to such concession rights as approved by the Council.
- (ii) When associated with the operation of an approved trade, business or occupation of a reserve.
- (iii) On reserves other than (i) and (ii) where the advertising is associated with a particular product in use, or club or association occupying part or all of the reserve or its facilities, e.g. artificial surface.

- Temporary Advertising:

- (i) When associated with a particular event/activity such as sporting fixtures, promotions, community activities, etc.
  - (ii) For special or "one off" events up to two weeks prior to the event taking place. - Major/seasonal events at the discretion of the Council or Authorised Officer.
- Design, size, nature and placement of advertising signs shall be subject to the provision of the Council's District Planning Scheme and such other conditions as shall be determined from time to time.
- Advertising shall be subject to such charges as determined from time to time.

Note: Particular account is to be taken of the impact of advertising to ensure that the aesthetic values of the reserve and 'green open space' as a whole are not compromised. This has special relevance to (d) (iii), the provision here being a departure from previous policy in respect to advertising on reserves.

## APPENDIX 1

CHRISTCHURCH CITY COUNCILRESERVESALPHABETICAL LISTINGRECREATION 3 ZONE

| <u>Name</u>                         | <u>Address</u>       | <u>Area (ha)</u> |
|-------------------------------------|----------------------|------------------|
| * Addington Park                    | Jerrold Street       | 2.0234           |
| * Avon Park                         | Avonside Drive       | 5.6220           |
| * Barrington Park                   | Barrington Street    | 5.6183           |
| * Barnett Park                      | Main Road            | 0.0355           |
| * Beckenham Park                    | Norwood Street       | 4.4577           |
| * Beverley Park                     | Stanmore Road        | 2.3595           |
| Bexley Reserve (proposed)           | Bexley Road          | 7.0000           |
| P Blighs Garden Reserve (part only) | Kibblewhite Street   | 0.4425           |
| * Bower Park                        | New Brighton Road    | 3.8001           |
| Botanic Gardens                     | Rolleston Avenue     | 21.1375          |
| Bradford Park                       | Strickland Street    | 2.8211           |
| Bromley Park                        | Buckleys Road        | 5.5821           |
| Burwood Park                        | New Brighton Road    | 12.8163          |
| Centennial Park                     | Lyttelton Street     | 6.8600           |
| Cuthberts Green                     | Pages Road           | 25.9884          |
| * Cypress Garden Reserve            | Bromley Road         | 3.4360           |
| * Edgar MacIntosh Park              | Condell Avenue       | 4.8647           |
| * Edgware Tennis Club               | Innes Road           | 0.7752           |
| Edmonds Park                        | Ferry Road           | 0.7752           |
| * Elmwood Park                      | Heaton Street        | 6.5035           |
| English Park                        | Cranford Street      | 2.6959           |
| Hagley Park (Sth. and Nth.)         | Rolleston Avenue     | 157.6770         |
| Hansen Park                         | Butler Street        | 8.8529           |
| * Hillsborough Domain               | Opawa Road           | 3.5542           |
| * Hoon Hay Park                     | Mathers Road         | 9.3918           |
| * Jerrold Street Reserve            | Jerrold Street       | 0.2471           |
| * King Park                         | Rangatira Road       | 1.3087           |
| Linwood Park                        | Aldwins Road         | 8.9784           |
| McCormacks Bay (part only)          | McCormacks Bay Road  | 3.6000           |
| MacFarlane Park (part only)         | Acheson Avenue       | 5.1000           |
| Malvern Park                        | Innes Road           | 2.5292           |
| Mt. Pleasant Reserve                | Major Hornbrook Road | 2.1625           |
| * Papanui Domain                    | Sawyers Arms Road    | 2.6936           |
| * Papanui Swimming Pool             | Winters Road         | 0.0969           |
| Petrie Park (part only)             | Petrie Street        | 0.4892           |
| Porritt Park                        | Avonside Drive       | 8.2459           |
| Queen Elizabeth II Park             | Travis Road          | 48.0547          |
| Radley Park                         | Cumnor Terrace       | 2.4190           |
| * Rat Island Reserve                | Bridge Street        | 2.0400           |
| * Rawhiti Domain                    | Shaw Avenue          | 63.4299          |
| * Redcliffs Park                    | Celia Street         | 2.2718           |

\* = Recreation Reserve

P = Plantation Reserve

|                          |                     |         |
|--------------------------|---------------------|---------|
| * Richmond Domain        | Poulton Avenue      | 3.6620  |
| Scarborough Reserve      | Heberden Avenue     | 0.5010  |
| Scott Park               | Main Road           | 0.8903  |
| Somerfield Park          | Studholme Street    | 3.0040  |
| South Brighton Park      | Estuary Road        | 27.8104 |
| Spreydon Domain          | Domain Terrace      | 7.1492  |
| * St. Albans Park        | Barbadoes Street    | 6.1717  |
| St. Albans Swimming Pool | Edgeward Road       | 0.8670  |
| St. Albans Tennis Club   | Dover Street        | 0.4320  |
| * St. James Park         | St. James Avenue    | 3.6295  |
| St. Leonards Park        | St. Leonards Square | 1.7070  |
| St. Martins Park         | Gamblins Road       | 1.3137  |
| Sunnyside Reserve        | Curletts Road       | 25.0650 |
| * Sydenham Park          | Brougham Street     | 5.1616  |
| * Wainoni Park           | Hampshire Street    | 5.8250  |
| Waimea Terrace Reserve   | Waimea Terrace      | 0.5081  |
| Wairoa Street Reserve    | Wairoa Street       | 4.0500  |
| Walter Park              | Kellys Road         | 3.9456  |
| Waltham Park             | Waltham Road        | 3.1337  |
| Westminster Park         | Westminster Street  | 1.4817  |
| Whithells Island Reserve | Union Street        | 3.3623  |
| * Woolston Park          | Ferry Road          | 4.6910  |
| Yacht Club Reserve       | Main Road           | 0.3139  |

\* = Recreation Reserve

1  
2  
3  
4  
5  
6  
7  
8  
9  
0

## APPENDIX 2

EXTRACTS FROM  
THE RESERVES ACT 1977  
(INCLUDING SUBSEQUENT AMENDMENTS)

17. Recreation reserves—(1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as recreation reserves, for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.

(2) It is hereby further declared that, having regard to the general purposes specified in subsection (1) of this section, every recreation reserve shall be so administered under the appropriate provisions of this Act that—

- (a) The public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on the administering body by sections 53 and 54 of this Act, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it:
- (b) Where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve: Provided that nothing in this subsection shall authorise the doing of anything with respect to fauna that would contravene any provision of the thing with respect to archaeological features in any reserve that would contravene any provision of the Historic Places Act 1954:
- (c) Those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved:
- (d) To the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.

Cf. 1953, No. 69, ss. 32, 33; 1964, No. 108, s. 2

*Functions of Administering Body*

40. Functions of administering body—The administering body shall be charged with the duty of administering, managing, and controlling the reserve under its control and management in accordance with the appropriate provisions of this Act and in terms of its appointment and the means at its disposal, so as to ensure the use, enjoyment, development, maintenance, protection, and preservation, as the case may require, of the reserve for the purpose for which it is classified.

Cf. 1953, No. 69, s: 7

42. Preservation of trees and bush—(1) The trees and bush on any historic reserve or scenic reserve or nature reserve or scientific reserve shall not be cut or destroyed, except with the express consent in writing of the Minister and subject to such terms and conditions as the Minister may determine, including (as appropriate) the method of cutting, extraction, and restoration.

(2) The trees or bush on any recreation reserve, or Government purpose reserve, or local purpose reserve shall not be cut or destroyed, unless the administering body of the reserve is satisfied that the cutting or destruction is necessary for the proper management or maintenance of the reserve, or for the management or preservation of other trees or bush, or in the interests of the safety of persons on or near the reserve or of the safety of property adjoining the reserve, or that the cutting is necessary to harvest trees planted for revenue producing purposes.

(3) Where in the case of any recreation reserve or Government purpose reserve or local purpose reserve the administering body is satisfied that the cutting or destruction of trees or bush is necessary for any of the reasons mentioned in subsection (2) of this section, the administering body shall not proceed with the cutting or destruction and extraction except in a manner which will have a minimal impact on the reserve and until, as circumstances warrant, provision is made for replacement, planting, or restoration; and the administering body shall not proceed to authorise the cutting or destruction, except subject to conditions as to the method of cutting or destruction and extraction, which will have minimal impact on the reserve and, as circumstances warrant, replacement, planting, or restoration; and any other conditions which the administering body considers to be appropriate in the circumstances.



#### 48. Grants of rights of way and other easements—

(1) The Minister, in the case of reserves vested in the Crown, and, in the case of reserves vested in an administering body, the administering body with the approval of the Minister and on such conditions as the Minister approves, may grant rights of way and other easements over any part of the reserve for—

- (a) Any public purpose; or
- (b) Providing access to any area included in an agreement, lease, or licence granted under the powers conferred by this Act; or
- (c) The utilisation of water power or geothermal energy for the generation and transmission of electric current for heating, lighting, or power purposes; or
- (d) The provision of water systems; or
- (e) Providing or facilitating access or the supply of water to or the drainage of any other land not forming part of the reserve or for any other purpose connected with any such land; or
- (f) The purpose of providing for the piping through the reserve of—
  - “(i) Any oil within the meaning of Part II of the Petroleum Act 1937; or
  - “(ii) Any gas.”

“(1A) The proviso to subsection (1) of this section shall not apply in any case where—

- “(a) The reserve is not likely to be materially altered or permanently damaged; and
  - “(b) The rights of the public in respect of the reserve are not likely to be permanently affected,—
- by the establishment and lawful exercise of the right of way or other easement.”

(2) The District Land Registrar for the land registration district in which is situated any reserve in respect of which any right or easement has been granted under this section, shall, on the application of the administering body, in the case of a reserve vested in an administering body, and of the Commissioner in any other case, register the instrument granting the right or easement against any certificate of title that may have been issued for the reserve, and, if the reserve is held on registered lease or licence, any such instrument may be registered in the same way as any dealing with the lease or licence.

(3) Where no certificate of title has been issued for any reserve over which a right or easement has been granted under this section, the instrument granting the right or easement may be registered with the District Land Registrar in the same manner and with any necessary modifications as any lease or licence of Crown land may be registered under the Land Act 1948.

"48A. (1) The Minister, in the case of a reserve vested in the Crown, and the administering body acting with the consent of the Minister in the case of a reserve vested in the administering body, may grant a permit to any person or Department of State—

"(a) To erect, maintain, and use buildings, dwellings, masts, and other structures, and plant and machinery; and

"(b) To construct, maintain, and use tracks and engage in other works—

comprising or in connection with and for the purposes of any station for the transmission, emission, or reception of any form of radio, electric, or electronic communication on any reserve or part of a reserve that is not set apart as a wilderness area under section 47 of this Act.

"(2) No permit shall be granted under subsection (1) of this section unless the Minister, in the case of a reserve vested in the Crown, or both the administering body and the Minister, in the case of a reserve vested in the administering body, is or are satisfied—

"(a) That the buildings, dwellings, masts, structures, plant, machinery, tracks, or works are necessary for the purposes of the station; and

"(b) That they cannot readily be provided outside the reserve.

"(3) Every permit issued under subsection (1) of this section shall be subject to such terms and conditions as to duration, design, materials, situation, use, rental, inspection, maintenance, and public access, or otherwise, as the Minister determines, in the case of a reserve vested in the Crown, or as the administering body determines with the approval of the Minister, in the case of a reserve vested in the administering body.

"(4) Except as provided in subsection (5) of this section, where the granting of any permit under subsection (1) of this section is not in conformity with and contemplated by the approved management plan for the reserve, the Minister or the administering body, as the case may be, shall give public notice in accordance with section 119 of this Act of the proposal to grant a permit, and shall give full consideration to all objections and submissions received pursuant to section 120 of this Act in relation to the proposal.

"(5) Subsection 4 of this section shall not apply in any case where—

"(a) The reserve is not likely to be materially altered or permanently damaged; and

"(b) The rights of the public in respect of the reserve are not likely to be permanently affected,—

by the granting and lawful exercise of the rights and powers contained in the permit."

*Particular Powers of Minister and Administering Body*

53. Powers (other than leasing) in respect of recreation reserves—(1) The administering body of a recreation reserve may from time to time, in the exercise of its functions under section 40 of this Act and to the extent necessary to give effect to the principles set out in section 17 of this Act,—

(a) Enclose the reserve, or any part thereof, which it may at any time decide is necessary or desirable—

(i) To lay down or renew in grass or to plant or improve; or

(ii) To farm or graze or afforest as a part of a development, improvement, or management programme,—

and may lay down or renew in grass, or plant or improve, or, as the case may be, farm or graze or afforest, the reserve or that part:

Provided that the administering body shall not afforest the reserve or any part thereof except in accordance with section 75 of this Act:

(b) Prohibit from time to time the public from entering or encroaching on any part of the reserve so laid down, renewed in grass, planted, improved, grazed, farmed, or afforested:

(c) Prescribe the games, sports, or other activities for public recreation or enjoyment which may take place in the reserve or in any specified part thereof, and regulate the use of the reserve for those games, sports, and other activities, and prohibit altogether the playing of any particular game, sport, or other activity therein:

(d) Prescribe, as to not more than 40 days in any year as it thinks fit, that the public shall not be entitled to have admission to the reserve or to any part or parts thereof set apart for a particular purpose or purposes unless on payment of a charge or charges as hereinafter mentioned:

Provided that with the prior consent of the Minister the number of days that the public shall not be entitled to have admission as aforesaid may be increased:

Provided also that this paragraph shall not apply to any part of the reserve to which paragraph (h) of this subsection applies or to any lease granted under the authority of section 54 (1) (a) of this Act or a lease or licence granted under the authority of section 54 (1) (d) of this Act:

(e) Grant the exclusive use of the reserve or any part thereof on any one or more of the days provided for in paragraph (d) of this subsection, but not for more than 6 days consecutively at any time, to any person, body, voluntary organisation, or society (whether incorporated or not) for the purpose of particular games, sports, or other activities or for public recreation or enjoyment, with authority for that person, body, organisation, or society to demand a

fee or charge for admission on that day or those days to the reserve or part thereof so granted and also to any stand or enclosure, not exceeding the amount or amounts from time to time specified by the Minister:

Provided that the Minister may from time to time approve with respect to any specified reserve the fixing of such other charges as he thinks fit, either generally or with respect to specified occasions:

Provided also that the Minister may consent to an increase in the number of consecutive days specified in this paragraph for the purposes of any specified occasion or event:

- (f) Enter into an agreement with any such person, body, society, or voluntary organisation for the use by him or it of the reserve or any specified part thereof on a specified number of days in each year during the term of the agreement, which (save as otherwise authorised by the Minister in any particular case) shall not be for a longer period than 10 years at any one time, subject to—

(i) The limitations imposed by paragraphs (d) and (e) of this subsection; and

(ii) No buildings being permitted under the terms of the agreement other than buildings of a temporary nature required during the period of use in any particular year:

- (g) Erect on some portion of the reserve stands, pavilions, gymnasiums, or other buildings and structures associated with and necessary for the use of the reserve for outdoor recreation, and (subject to paragraphs (d) and (e) of this subsection as to the number of days on which a charge may be made for admission to any such building or structure) may fix reasonable charges for the use of and generally regulate the use and custody of and admission to any such buildings or structures:

Provided that where the Minister considers it to be in the public interest, the administering body may, with the prior consent of the Minister, erect buildings and structures for public recreation and enjoyment not directly associated with outdoor recreation:

- (h) At any time and from time to time set apart any part or parts of the reserve—

(i) For gardens, open spaces, footpaths, driveways, or picnic grounds, or for the provision of any other like facilities for public recreation or enjoyment or for facilities and amenities necessary for the public using the reserve; and construct or develop those gardens, open spaces, footpaths, driveways, picnic grounds, or other facilities for public recreation or enjoyment or facilities and amenities necessary for the public using the reserve; and fix reasonable charges for the use of those picnic grounds, facilities, and amenities:

(ii) With the prior consent of the Minister, for baths, camping grounds, parking places for vehicles, or mooring places for boats, necessary for the convenience of persons using the reserve, and construct and develop such baths, camping grounds, and parking or mooring places, and fix reasonable charges for the use of such baths, camping grounds, and parking or mooring places:

(iii) With the prior consent of the Minister, for compounds for animals for display to persons using the reserve, and construct and develop such compounds, and fix reasonable charges for viewing the animals therein:

- (i) Make, stop, divert, widen, or alter any bridges, ways, or watercourses in, upon, through, across, or over any part of the reserve, subject to the payment of compensation for damage thereby to adjacent land:

Provided that any such power in relation to watercourses shall be exercised subject to the Soil Conservation and Rivers Control Act 1941 and the Water and Soil Conservation Act 1967:

- (j) With the prior consent of the Minister and subject to the Harbours Act 1950, and having regard to the need to conserve the natural beauty of any sea, lake, river, or stream bounding the reserve or of any lake, river, or stream within the reserve, do all such things on the reserve as it considers necessary, including the erection of buildings and structures on the reserve, to enable the public to obtain the maximum recreational use and enjoyment of that sea, lake, river, or stream:

- (k) With the prior consent of the Minister, set apart and use any part of the reserve as sites for residences for officers or servants of the administering body or of rangers or for other buildings considered desirable or necessary for the proper and beneficial management, administration, control, protection, and maintenance of the reserve:

(l) Appoint officers and servants, whether paid or unpaid:

- (m) With the prior consent of the Minister, erect or authorise the erection of huts for the use of officers of any department of State or other persons engaged under lawful authority in the destruction or eradication of introduced flora and fauna:

- (n) Subject to any lease or licence granted pursuant to section 54 (1) (d) of this Act, prohibit or regulate the carrying on of any trade, business, or occupation within the reserve:

- (o) Do such other things as may be considered desirable or necessary for the proper and beneficial management, administration, and control of the reserve.

(2) Notwithstanding anything in subsection (1) of this section, but subject to the first proviso to paragraph (d) of that subsection and to the second proviso to paragraph (e) of that subsection, where the administering body is a local authority it shall not be necessary for that administering body to obtain the consent, authority, or approval of the Minister, and it may exercise any power or discretion vested in the Minister by virtue of that subsection:

Provided that the administering body shall not afforest the reserve or any part thereof except in accordance with section 75 of this Act.

54. Leasing powers in respect of recreation reserves (except farming, grazing, or afforestation leases)—(1) With the prior consent of the Minister, the administering body, in the case of a recreation reserve that is vested in the administering body, may from time to time, in the exercise of its functions under section 40 of this Act, and the Minister, in the case of any other recreation reserve, may from time to time, to the extent necessary to give effect to the principles set out in section 17 of this Act,—

(a) Lease to any person, body, voluntary organisation, or society (whether incorporated or not) any area set apart under section 53 (1) (h) of this Act for baths, a camping ground, a parking or mooring place, or other facilities for public recreation or enjoyment. The lease—

(i) May require the lessee to construct, develop, control, and manage the baths, camping ground, parking or mooring place, or other facilities for public recreation or enjoyment, or may require the lessee to control and manage those provided by the administering body; and

(ii) Shall be subject to the further provisions set out in the First Schedule to this Act relating to leases of recreation reserves issued pursuant to this paragraph:

(b) Lease to any voluntary organisation part of the reserve for the erection of stands, pavilions, gymnasiums, and, subject to sections 44 and 45 of this Act, other buildings and structures associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities, or lease to any voluntary organisation any such stands, pavilions, gymnasiums, and, subject to section 44 of this Act, other buildings or structures already on the reserve, which lease shall be subject to the further provisions set out in the First Schedule to this Act relating to leases of recreation reserves issued pursuant to this paragraph:

Provided that a lease granted by the administering body may, with the prior consent of the Minister given on the ground that he considers it to be in the public interest, and a lease granted by the Minister may, where he considers it to be in the public interest, permit the erection of buildings and structures for sports, games, or public recreation not directly associated with outdoor recreation:

(c) Lease to any voluntary organisation the whole or part of the reserve for the playing of any outdoor sport, games, or other recreational activity where the preparation and maintenance of the area for such sport, games, or other recreational activity requires the voluntary organisation to spend a sum of money that in the opinion of the administering body or the Minister, as the case may be, is substantial. The lease shall be subject to the further provisions set out in the First Schedule to this Act relating to leases of recreation reserves issued pursuant to this paragraph:

- (d) Grant leases or licences for the carrying on of any trade, business, or occupation on any specified site within the reserve, subject to the provisions set out in the First Schedule to this Act relating to leases or licences of recreation reserves issued pursuant to this paragraph:

Provided that the trade, business, or occupation must be necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve:

Provided also that the prior consent of the Minister shall not be required to a lease or licence under this paragraph where the trade, business, or occupation is to be carried on in the reserve only temporarily and the term of the lease or licence does not exceed 6 consecutive days.

“(1A) Notwithstanding subsection (1) of this section, where—

“(a) The administering body of a recreation reserve is a territorial authority; and

“(b) That reserve is vested in that territorial authority; and

“(c) A management plan for that reserve has been approved in accordance with section 41 of this Act; and

“(d) The lease or licence is in conformity with and contemplated by that management plan, the prior consent of the Minister shall not be required before the administering body grants a lease or licence under subsection (1) of this section.”

(2) Before granting any lease or licence under subsection (1) of this section (other than a lease or licence to which the second proviso to paragraph (d) applies), the administering body or the Minister, as the case may be, shall give public notice in accordance with section 119 of this Act specifying the lease or licence proposed to be granted, and shall give full consideration in accordance with section 120 of this Act to all objections and submissions in relation to the proposal received pursuant to the said section 120.

“(2A) Nothing in subsection (2) of this section shall apply in any case where the proposal—

“(a) Is in conformity with and contemplated by the approved management plan for the reserve; or

“(b) Is made following any conditional use or specified departure applying to the reserve and consented to by the council in accordance with section 72 or section 74, as the case may be, of the Town and Country Planning Act 1977.”

## APPENDIX 3

EXTRACTS FROM THE  
LOCAL GOVERNMENT ACT 1974  
(INCLUDING SUBSEQUENT AMENDMENTS)

**[231. Leasing of land by council—**(1) The council shall, in addition to all other leasing powers exercisable by the council under any other provision of this Act . . . , or under any other enactment, or under any grant, conveyance, or deed, have power to lease any land or building or other real or personal property vested in the Corporation of the district (not being land that is a public reserve within the meaning of the Reserves Act 1977 or a building on any such public reserve) in accordance with the Public Bodies Leases Act 1969, and that Act shall apply accordingly.

(2) Any lease entered into pursuant to any of the provisions of sections 152, 153, 153A, 155, 157, and 158 of the Municipal Corporations Act 1954 or sections 172, 173, 173A, 175, 177, and 178 of the Counties Act 1956 and current at the commencement of this Part of this Act shall be deemed to be leases entered into pursuant to the appropriate provisions of the Public Bodies Leases Act 1969, and the provisions of that last-mentioned Act shall apply accordingly.

Cf. 1954, No. 76, s. 151; 1956, No. 64, s. 171; 1969, No. 141, s. 28 (2)

In subs. (1) the words "or under the Municipal Corporations Act 1954 or, as the case may be, the Counties Act 1956" were omitted by s. 3 (2) of the Local Government Amendment Act 1978.

**[234. Special provisions with respect to land and buildings reserved for recreation—**Where any land vested in the Corporation of the district for the use or enjoyment or recreation of the residents of the district (not being a public reserve within the meaning of the Reserves Act 1977) is leased, the lessee shall not erect thereon any building other than a building authorised by the lease as a building necessary for the full use of the land for the purpose or purposes for which it is vested, and no such land shall be so leased as in any way to restrict the public in the use and enjoyment thereof.

Cf. 1954, No. 76; s. 156 (2); 1956, No. 64, s. 176 (2)

**[235. Council may grant easements—**The council may grant, either in perpetuity or for a specified term, and either in gross or appurtenant to any other land, any rights, easements, or privileges over any land, building, or personal property held by the Corporation of the district (not being a public reserve within the meaning of the Reserves Act 1977), if the council resolves that the rights, easements, or privileges proposed to be granted will not interfere with the proper use of the land, buildings, or personal property.



**[601. Powers of council in relation to recreation and community development—**(1) The council may, either singly or jointly with any other local authority or any other organisation or group or body of persons (whether incorporated or not), undertake, promote, and encourage the development of such services, facilities, amenities, and programmes as it considers necessary to provide for the recreation, amusement, and instruction of the public, and the provision or improvement or development or maintenance of amenities for the inhabitants of the district or any part thereof.

(2) Without limiting the generality of subsection (1) of this section or any other powers of the council, whether under this Act or any other enactment, the council may under that subsection—

- (a) Take, purchase, or otherwise acquire or provide land and buildings within or outside the district, and furnish and equip any such buildings and maintain, improve, or develop any such land or building;
- (b) Meet the cost of any such expenses as may be necessary for the establishment, management, and maintenance of recreational and educational services and activities and entertainment;
- (c) Undertake or facilitate the undertaking by other local authorities or other organisations or groups or bodies of persons (whether incorporated or not) of appropriate programmes, activities, research, or surveys;
- (d) Facilitate in any way the improvement or development or maintenance by a controlling authority of any walkway within the meaning of the New Zealand Walkways Act 1975;
- (e) Prepare a recreation plan to give effect to this section.

(3) Every recreation plan shall conform to the district scheme.

(4) The council may make such charges as it thinks fit for any services, facilities, or equipment provided pursuant to this section, subject in the case of a library to the following provisions:

- (a) The right to join the library shall be open to the residents of the district free of charge; but
- (b) The council may by resolution make charges for lending books, sound recordings, video recordings, films, paintings, or prints out of any library under its control.

(5) The council may—

- (a) Make grants of money, or make advances on such terms and conditions as it thinks fit (including, if the council thinks fit, a condition that the advance is to be free of interest), or grant leases of land at such rental and for such term and on such conditions as it thinks fit, to any organisation, group, or body of persons (whether incorporated or not) whose object or principal object is the recreation, enjoyment, education, or instruction of the inhabitants of the district or any part thereof, or the promotion of any form of culture, or the improvement or development of amenities for the inhabitants of the district or any part thereof;
- (b) By deed or other instrument and subject to such terms and conditions as it thinks fit, guarantee the

repayment of any money advanced to any such organisation, group, or body.

(6) Where the council becomes liable to make any payment under any such guarantee as aforesaid, it may make the payment out of the general revenues of the district or out of any money borrowed under this section.

(7) For the purpose of providing funds to enable it to make any payment for which it becomes liable in respect of any guarantee given by it pursuant to subsection (5) of this section, or for the purpose of refunding to the general revenues of the district any money paid thereout under this section, the council may borrow money by way of special loan under the Local Authorities Loans Act 1956, by special order, and notwithstanding anything in section 34 of that Act in the case of a territorial authority, without the prior consent of the ratepayers.

(8) In addition to all such powers as aforesaid, the council may, with the consent of the trustees or other governing authority of any such organisation or group or body, assume control of any institution conducted by that organisation or group or body and acquire the property thereof, and those trustees and governing authorities are hereby authorised to give that consent and to transfer that property to the council.

(9) The Public Bodies Leases Act 1969 shall not apply to any tenancy or lease granted under this section.

Cf. 1954, No. 76, ss. 305, 305A; 1956, No. 64, ss. 319, 319A; 1971, No. 62, ss. 29, 30; 1971, No. 63, ss. 28, 29; 1974, No. 66, s. 624; 1977, No. 122, s. 6 (1)

**[601A. Powers of council in relation to historic land or buildings—**(1) Without limiting any powers of the council under this Act or any other Act, the council may take, purchase, or otherwise acquire land or buildings within the district that in the opinion of the council are of national or regional or local historic interest, and furnish and equip any such building and maintain, improve, and develop any such land or building.

(2) The council may make such charges as it thinks fit for entry to any such land or building.

(3) The council may exercise, for the preservation of any such land or building, the powers conferred by subsections (5), (6), and (7) of section 601 of this Act as if that section applied to such land or building.

(4) In addition to any such powers as aforesaid, the council may make grants of money, or make advances on such terms and conditions as it thinks fit (including, if the council thinks fit, a condition that the advance is to be free of interest), to the owner of any building in the district that in the opinion of the council is of national or regional or local historic interest for the purpose of enabling or assisting him to manage, maintain, and preserve that building.

## APPENDIX 4

EXTRACTS FROM THE  
CHRISTCHURCH DISTRICT PLANNING SCHEME

Code of Ordinances  
- Part XI: Amenities

**(3) Planting conservation and management of trees on public land**

The Council shall plan, manage and plant trees and shrubs on public land under its control in a manner which will give effect to the objectives and policies outlined in the Scheme Statement.

Scheme Statement  
- Chapter 13: Amenities

**(3) Planting, conservation and management of trees on Council land**

In planning any construction or development work on Council land, the Council will take into full consideration any trees or other vegetation affected by such development, and make every practicable effort to ensure their preservation.

The Council may remove trees on Council land in the following situations:

- The tree is dead, dying or diseased.
- The tree has become a danger to public safety.
- The tree interferes with essential public utilities or important public construction work.
- The tree is obstructing the water flow in any drainage system, watercourse, stream or river.
- The tree has outgrown its location or site, and is causing serious damage to buildings or property, public or privately owned.
- The tree is suppressing or inhibiting growth of more desirable specimen trees or other vegetation of greater interest to the public.
- The tree is a poor specimen or unsuited to the site and needs to be removed in order that the area be replanted with trees that will make better specimens.
- The tree is being removed in the course of the proper management of plantations established for revenue purposes.
- To comply with any court order relating to the provisions of Section 129c of the Property Law Act 1952.

The Council will publicise decisions relating to exceptional specimens before removing them; continue to provide street tree planting where the berm width, location of access, services and site conditions permit; plant traffic islands and median strips where practicable, while ensuring that the planting never becomes a hazard to traffic visibility; and continue its policy of planting land surplus to roading requirements.

**(4) Management of Council exotic conifer plantations**

Exotic conifer plantations under Council control, such as at South Brighton and Rawhiti, will be managed according to silvicultural principles to provide revenue, subject to:

- The value of any such plantation as a public recreation area or wildlife area.
- The visual value of the plantations as a landscape feature.
- The functional value of the plantations as a screen, windbreak, as a means of preventing soil erosion, or stabilising stormwater run-off.

Code of Ordinances  
- Part VI: Public Utilities

**1. Interpretation**

In this part, electricity and gas kiosks shall be limited to those kiosks less than 2.5m in height and less than 6m<sup>2</sup> in floor area. Electricity building substations shall be limited to those less than 4m in height and less than 50m<sup>2</sup> in floor area.

**(7) Recreation 2 and 3 and Cultural 1, 2, 3 zones**

**a. Electricity and gas kiosk substations**

**(i) Maintenance of residential amenities**

Buildings shall be painted in colours that harmonise with the surrounding neighbourhood, and parts of the site unused for buildings or access shall be land-

**b. Electricity building substations**

**(i) Street scene**

Buildings shall be set back a minimum of 4.5m from road boundaries and designed to harmonise with the surrounding neighbourhood.

The site shall be landscaped for a minimum depth of 2m from road boundaries.

**c. Water, wastewater and stormwater pumping stations and suction tanks**

Performance elements and standards as for (1)c. above provided that those buildings and structures above ground level shall be limited to less than 4m in height and less than 50m<sup>2</sup> in floor area.

## APPENDIX 5

## SUMMARY OF SUBMISSIONS

## 1. Canterbury United Council

Requested the cross referencing of sections 7,8,10,12,13,14 and 15 to Section 2 Landscape Design to emphasise the need for landscape plans.

## 2. R. Biss

Requested coverage of surface materials as well as equipment, the reference to NZ Safety Standards covers this. She also requested that signs in reserves be less negative.

## 3. Director of Environmental Health

Requested inclusion of references to Local Government Act S.650 and Noxious Plant Act relating to removal of scrub likely to constitute a fire hazard and control of noxious plants

## 4. Department of Lands and Survey

A number of points raised of an editorial nature also reference to status of landscape plans and their incorporation into management plans, hire of club buildings when not in use as well as a suggested title change.

## 5. J.Mathews

Expressed concern regarding liquor sale and consumption on reserves.

## 6. Traffic Division

Requested considerable tightening of policies relating to carpark provision, policy 8.b attempts to strike a reasonable compromise.

## 7. Town Planning Division

Mainly editorial comments, policy 7.c reworded.