

Christchurch Hospital Amendment Act 1928

Local Act 1928 No 18
Date of assent 9 October 1928

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An Act to amend the Christchurch Hospital Act 1887.

Preamble

WHEREAS the North Canterbury Hospital Board desires to obtain for hospital purposes a portion of the public domain known as the Hagley Park Domain, in part occupied by the North Canterbury Acclimatization Society: And whereas the said Hospital Board has come to an agreement with the Christchurch Domains Board and the said

society as to the terms on which the said portion of the Hagley Park Domain shall be vested in it, and it is desirable to give effect to such agreement in manner hereinafter set out:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title

This Act may be cited as the Christchurch Hospital Amendment Act 1928, and shall be read together with and deemed part of the Christchurch Hospital Act 1887 (hereinafter referred to as the principal Act).

2 Interpretation

In this Act—

Domains Board means the Christchurch Domains Board constituted under the Christchurch Domains Amendment Act 1913

Hagley Park Domain means the domain declared to be a public domain by the Canterbury Public Domains Act 1872, and the Public Domains Act 1881

Hospital Board means the North Canterbury Hospital Board constituted under the Hospital and Charitable Institutions Act 1926

Society means the North Canterbury Acclimatization Society registered under the Animals Protection and Game Act 1921-22.

3 Cancellation of trusts, and land vested in Hospital Board

- (1) The trusts mentioned in the principal Act in respect of the land described in Schedule 1 hereto are hereby cancelled, and such land is hereby vested in fee-simple in the Hospital Board in trust for a nurses' home and recreation-ground.
- (2) If the Hospital Board fails to utilize the said land for the purposes of a nurses' home and recreation-ground within two years after the coming into operation of this Act, or if after the land has been so utilized the Hospital Board ceases to util-

ize the said land for the purposes of a nurses' home and recreation-ground for a period of twelve months, the vesting of the said land in the Hospital Board shall determine and shall be deemed to be determined, and the said land shall revest in His Majesty and shall form part of the Hagley Park Domain under the control of the Domains Board. No compensation shall be payable by His Majesty for any buildings erected thereon or other improvements effected thereto.

4 Payment by Hospital Board to Acclimatization Society

- (1) There shall be payable to the society by the Hospital Board the sum of four thousand dollars in full satisfaction for all improvements and assets, other than the ova-boxes and fittings in the hatchery, existing on the land hereby vested in the Hospital Board, or on any other land under the control of the Domains Board, and on payment of the said sum of four thousand dollars being made by the Hospital Board to the society all rights of occupation by the society and any estate or interest of the society in the land hereby vested in the Hospital Board, or in any other land under the control of the Domains Board, shall cease and determine, and the society shall have the right within one month from the coming into operation of this Act to remove the said ova-boxes and fittings.
- (2) The said sum of four thousand dollars shall become payable by the Hospital Board on the coming into operation of this Act, and shall be recoverable by the society as a debt due to it.

The words "four thousand dollars" were substituted, as from 10 July 1967, for the words "two thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

5 Cancellation of trust on portion of land, and vesting same in His Majesty as a reserve

- (1) The vesting in the Hospital Board of the land described in Schedule 2 hereto (being portion of the land described in Schedule 3 to the principal Act and referred to in section one hundred and seventy-five of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924) is hereby cancelled, and the said land is hereby vested in His Majesty freed of all trusts pertaining thereto, and is hereby declared

to be a reserve within the meaning of the Public Reserves and Domains Act 1908, and to form part of the Hagley Park Domain under the control of the Domains Board.

- (2) The balance of the land described in Schedule 3 to the principal Act shall remain vested in the Hospital Board for the general purposes of the Christchurch Hospital, but subject to the restriction that no building shall be erected thereon without the consent of the Domains Board.
- (3) Section one hundred and seventy-five of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, is hereby repealed.

The Public Reserves and Domains Act 1908 was substituted, as from 1 April 1929, by a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 103 Public Reserves, Domains, and National Parks Act 1928 (1928 No 36). That reference was in turn substituted, as from 1 April 1954, by a reference to the Reserves and Domains Act 1953 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

Schedule 1

ALL that area of land in the Canterbury Land District situated in Block XI of the Christchurch Survey District, containing 1 acre 2 roods 31 ½ perches, more or less, being part of Reserve No 24 (in red), and bounded as follows: Commencing at a point on the north-east side of the Riccarton Road distant 14 chains 19 3/10 links north-westerly from standard survey stone No 16 and bearing therefrom 295° 2' 40"; thence north-easterly by a line bearing 22° 3', 5 chains 15 4/10 links; thence south-easterly by a line bearing 112° 3', 2 chains 92 1/5 links; thence south-westerly by a line bearing 193° 51' 15", 5 chains 20 65/100 links to the Riccarton Road aforesaid; thence returning north-westerly along that road and bearing 292° 3', 3 chains 66 4/10 links, to the commencing-point.

Schedule 2

ALL that area of land in the Canterbury Land District situate in Block XI of the Christchurch Survey District, containing 3 roods 5 $\frac{4}{10}$ perches, more or less, being part of the Reserve No 24 (in red), and bounded as follows: Commencing at a point in the said reserve distant 12 chains 70 $\frac{4}{10}$ links north-westerly from standard survey stone No 16 and bearing therefrom $319^{\circ} 42'$; thence north-easterly by a line bearing $13^{\circ} 52'$, 2 chains 39 $\frac{9}{10}$ links; thence south-easterly by a line bearing $100^{\circ} 26' 40''$, 3 chains 5 $\frac{7}{10}$ links; thence south-westerly by a line bearing $199^{\circ} 23'$, 2 chains 99 $\frac{3}{10}$ links; and thence returning north-westerly by a line bearing $252^{\circ} 3'$, 2 chains 79 $\frac{15}{100}$ links to the commencing-point.