

[AS REPORTED FROM THE LANDS COMMITTEE.]

House of Representatives, 1st October, 1915.

Mr. McCombs.

LYTTELTON BOROUGH EXTENSION AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

- Title.
- Preamble.
- 1. Short Title.
- 2. Interpretation.
- 3. Description of land affected.

- 4. Power to declare any portions of Diamond Harbour to be residential lands.
- 5. Certificate of title to indicate that land subject to provisions of this Act.
- 6. Authority to impose restrictions. Schedules.

A BILL INTITULED

AN ACT to extend the Powers of the Lyttelton Borough Council in connection with Diamond Harbour. Title.

WHEREAS under the provisions of the Lyttelton Borough Preamble.  
 5 Extension Act, 1911, the Corporation of the Borough of Lyttelton was empowered to negotiate for and, if thought advisable, to purchase the whole or any portion of the land referred to in the First Schedule thereto: And whereas the said Corporation purchased the said land, and the same now forms part of the  
 10 Borough of Lyttelton: And whereas the Corporation is desirous of setting apart portions of the said land for residential purposes only, and is desirous of restricting the use of the said land:

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

1. This Act may be cited as the Lyttelton Borough Extension Short Title.  
 Amendment Act, 1915.

2. In this Act—

20 "Corporation" means the Mayor, Councillors, and Burgesses of the Borough of Lyttelton:

"Council" means the Lyttelton Borough Council and includes "Corporation":

25 "Diamond Harbour" means all that area of land described in the Schedule to the Lyttelton Borough Extension Act, 1911:

Interpretation.

Description of  
land affected.

Power to declare  
any portions of  
Diamond Harbour  
to be residential  
lands.

Certificate of title to  
indicate that land  
subject to provisions  
of this Act.

Authority to impose  
restrictions.

“ Allotment ” and “ lot ” mean any of the subdivisional areas described in the *First* Schedule hereto and any subdivisional areas shown upon any plan which may hereafter be deposited in the Land Transfer Office, at Christchurch, dealing with portions of Diamond Harbour and which may be declared to be residential land. 5

3. The land described in the *First* Schedule hereto is hereby declared to be residential land.

4. It shall be lawful for the Corporation from time to time to set apart other portions of Diamond Harbour and declare the same to be residential lands. 10

5. The certificate of title for each allotment referred to in the *First* Schedule hereto, and each allotment of what may hereafter be declared to be residential land, shall contain a notification that the allotment is subject to the provisions of this Act. 15

6. The provisions contained in the *Second* Schedule hereto shall apply to all residential land at Diamond Harbour.

Schedules.

## SCHEDULES.

### FIRST SCHEDULE.

Lots 1 to 75 inclusive on the plan of the Diamond Harbour Subdivision prepared by George Slater of Christchurch, Licensed Surveyor, declared to by him on the 27th day of April, 1915, and lodged in the Land Transfer Office, at Christchurch, for checking and deposit on the 1st day of June, 1915.

### SECOND SCHEDULE

1. No lot shall be subdivided, and no portion of any lot, shall be added to any other lot.

2. No house or other building shall be erected on any lot except in accordance with these stipulations.

3. The owner of every lot shall, on receiving notice from the Council requiring him to do so, erect and maintain a proper boundary fence or wall upon the boundary of his lot of such height and design as may be prescribed by the Council, *but such fence shall not be unreasonably expensive.*

4. Only one house shall be erected upon each lot, but glasshouses and out-buildings according to plans approved by the Council may be erected upon any lot in addition to but not in substitution for a dwellinghouse.

5. No dwellinghouse or other building shall be erected upon any lot unless the plans, drawings, and elevations thereof and specifications relating thereto shall have been previously submitted to and approved in writing by the Council.

6. The front wall of any house or building to be erected on any lot shall range and be in line with the building-line prescribed by the Council, and no building or erection of any kind, except verandas, porches, bay-windows, or similar structures to be approved of by the Council, and excepting such boundary-fence as aforesaid, shall be erected on any lot which lies between the building-line and any road or street giving frontage to such lot.

7. Neither the land of any lot or any existing or future building thereon shall be used for carrying on any trade or business, *except by permission of the Council first obtained*, nor otherwise than as a private dwellinghouse, but this shall not preclude the reception of lodgers or boarders nor of the carrying-on of a learned or artistic profession without any other outward indication thereof than a brass or other plate or inscription covering the space of not more than 2 ft. by 1 ft.; but the land of any lot or any existing or future building thereon may, with the consent in writing of the Council, be used for a school, hospital, or a place of worship.

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8. The Council shall be at liberty at any time to lay down and construct sewers, drains, and water-pipes on any of the lots and to keep in repair and maintain the same for the general convenience of Diamond Harbour.

9. Every person who commits a breach of any of the provisions of this Act shall be liable upon summary conviction to a fine not exceeding £20 recoverable in manner provided by the Justices of the Peace Act, 1908; and it shall be lawful for the Council, upon any person being convicted for the breach of any of the provisions of this Act in respect of anything done or omitted to be done upon any lot, to remove, alter, or in any way deal with any building or fence upon such lot and to make the same comply with the provisions of this Act, and shall be entitled to recover the cost thereof from the registered proprietor of such lot; and until paid the same shall be a first charge upon such lot, and shall carry interest at the rate of £6 per centum per annum; and such principal and interest moneys shall be recoverable by the Council, and all steps may be taken in respect of such land as if the same were unpaid rates.

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,  
7th October, 1915.

Mr. McCombs.

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[LOCAL BILL.]

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Interpretation. 3. Description of land affected.</p>	<p>4. Power to declare any portions of Diamond Harbour to be residential lands. 5. Certificate of title to indicate that land subject to provisions of this Act. 6. Authority to impose restrictions. Schedules.</p>
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A BILL INTITULED

AN ACT to extend the Powers of the Lyttelton Borough Council in connection with Diamond Harbour. Title.

WHEREAS under the provisions of the Lyttelton Borough Extension Act, 1911, the Corporation of the Borough of Lyttelton was empowered to negotiate for and, if thought advisable, to purchase the whole or any portion of the land referred to in the First Schedule thereto: And whereas the said Corporation purchased the said land, and the same now forms part of the Borough of Lyttelton: And whereas the Corporation is desirous of setting apart portions of the said land for residential purposes only, and is desirous of restricting the use of the said land: Preamble.

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

1. This Act may be cited as the Lyttelton Borough Extension Amendment Act, 1915. Short Title.

2. In this Act— Interpretation.  
“Corporation” means the Mayor, Councillors, and Burgesses of the Borough of Lyttelton:  
“Council” means the Lyttelton Borough Council and includes “Corporation”:  
“Diamond Harbour” means all that area of land described in the Schedule to the Lyttelton Borough Extension Act, 1911:

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Schedules.

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### SECOND SCHEDULE

1. No lot shall be subdivided, and no portion of any lot, shall be added to any other lot.

2. No house or other building shall be erected on any lot except in accordance with these stipulations.

3. The owner of every lot shall, on receiving notice from the Council requiring him to do so, erect and maintain a proper boundary fence or wall upon the boundary of his lot of such height and design as may be prescribed by the Council, but such fence shall not be unreasonably expensive.

4. Only one house shall be erected upon each lot, but glasshouses and out-buildings according to plans approved by the Council may be erected upon any lot in addition to but not in substitution for a dwellinghouse.

5. No dwellinghouse or other building shall be erected upon any lot unless the plans, drawings, and elevations thereof and specifications relating thereto shall have been previously submitted to and approved in writing by the Council.

6. The front wall of any house or building to be erected on any lot shall range and be in line with the building-line prescribed by the Council, and no building or erection of any kind, except verandas, porches, bay-windows, or similar structures to be approved of by the Council, and excepting such boundary-fence as aforesaid, shall be erected on any lot which lies between the building-line and any road or street giving frontage to such lot.

7. Neither the land of any lot or any existing or future building thereon shall be used for carrying on any trade or business, nor otherwise than as a private dwellinghouse, but this shall not preclude the reception of lodgers or boarders nor of the carrying-on of a learned or artistic profession without any other outward indication thereof than a brass or other plate or inscription covering the space of not more than 2 ft. by 1 ft.; but the land of any lot or any existing or future building thereon may, with the consent in writing of the Council, be used for a school, hospital, or a place of worship.

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9. Every person who commits a breach of any of the provisions of this Act shall be liable upon summary conviction to a fine not exceeding £20 recoverable in manner provided by the Justices of the Peace Act, 1908; and it shall be lawful for the Council, upon any person being convicted for the breach of any of the provisions of this Act in respect of anything done or omitted to be done upon any lot, to remove, alter, or in any way deal with any building or fence upon such lot and to make the same comply with the provisions of this Act, and shall be entitled to recover the cost thereof from the registered proprietor of such lot; and until paid the same shall be a first charge upon such lot, and shall carry interest at the rate of £6 per centum per annum; and such principal and interest moneys shall be recoverable by the Council, and all steps may be taken in respect of such land as if the same were unpaid rates.