

Lyttelton Borough Extension Amendment Act 1915

Local Act 1915 No 14
Date of assent 12 October 1915

Contents

	Page
Title	1
Preamble	
1 Short Title.	2
2 Interpretation.	2
3 Description of land affected.	2
4 Power to declare any portions of Diamond Harbour to be residential lands.	2
5 Certificate of title to indicate that land subject to provisions of this Act.	2
6 Authority to impose restrictions.	2
FIRST SCHEDULE	3
SECOND SCHEDULE	4

An Act to extend the Powers of the Lyttelton Borough Council in connection with Diamond Harbour.

Preamble

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 Corpor-

ation 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, as follows:—

1 Short Title.

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

2 Interpretation.

In this Act—

“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;

“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:

3 Description of land affected.

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

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

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.

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

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.

6 Authority to impose restrictions.

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

SCHEDULES

FIRST SCHEDULE

Lots 1 to 76 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, 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.
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 twenty pounds 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.