

## New Zealand.



### ANALYSIS.

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| <p>Title.<br/>Preamble.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Power to purchase land.</li> <li>3. Description of land proposed to be purchased.</li> <li>4. Power to purchase other land if Diamond Harbour not procurable.</li> </ol> | <ol style="list-style-type: none"> <li>5. Land when acquired to form part of Borough of Lyttelton.</li> <li>6. Indemnity for expenses incurred.</li> <li>7. Additional powers, including ferry service, and subdivision and sale of land, advancement of moneys, and reservations.</li> </ol> <p style="text-align: center;">Schedule.</p> |
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### 1911, No. 36.—*Local.*

AN ACT to authorize and empower the Lyttelton Borough Council to purchase Land outside the Borough of Lyttelton, and to incorporate the same in the Borough of Lyttelton, and to establish or subsidize a Ferry Service in connection therewith, also to give to the Lyttelton Borough Council Special Powers for dealing with the said Land. Title. [28th October, 1911.]

WHEREAS, owing to the difficulty in obtaining suitable building-sites within or adjacent to the Borough of Lyttelton, and in order to supply the requirements of the population of the said borough, it has been deemed advisable to purchase land outside the limits of the said borough and to incorporate the same in the said borough: And whereas the Council of the said borough is now negotiating for the purchase of three hundred and forty-nine acres one rood twenty perches of land, more or less, situate on the south side of the Lyttelton Harbour, known as the Diamond Harbour Estate: 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 Act, 1911. Short Title.

2. It shall be lawful for the Corporation of the Borough of Lyttelton (hereinafter referred to as the Corporation) to negotiate for, and, if thought advisable, to purchase, the whole or any portion of the land referred to in the Schedule hereto. Power to purchase land.

3. The land described in the Schedule hereto, or such portion of it as may be purchased or acquired by the Corporation, shall be herein referred to as Diamond Harbour. Description of land proposed to be purchased.

Power to purchase other land if Diamond Harbour not procurable.

4. In the event of the Lyttelton Borough Council not being able to come to terms with the owners of Diamond Harbour as to the proposed purchase, it shall be lawful for the Corporation to negotiate for, and, if thought advisable, to purchase, any other land on the south side of Lyttelton Harbour.

Land when acquired to form part of Borough of Lyttelton.

5. On Diamond Harbour or any other land on the south side of Lyttelton Harbour being purchased and becoming vested in the Corporation, it shall immediately and from thenceforth form a portion of the Lyttelton Borough.

Indemnity for expenses incurred.

6. (1.) All expenses incurred by the Corporation in connection with the negotiations for the purchase and the purchase of any property under this Act, and for inspection, surveys, and other matters incidental thereto, shall be deemed to be expenses properly incurred by the Corporation under the Municipal Corporations Act, 1908, and payable out of the District Fund.

(2.) A special loan for the purposes of this Act shall not be raised except with the consent of the ratepayers expressed in the manner prescribed by the Local Bodies' Loans Act, 1908, and no money shall be borrowed for the said purposes which will produce to the lender a higher rate of interest than five per centum per annum.

Additional powers, including ferry service, and subdivision and sale of land, advancement of moneys, and reservations.

7. In the event of the Corporation acquiring any property under this Act the following provisions shall apply:—

(a.) All the powers vested in the Corporation by virtue of the Municipal Corporations Act, 1908, or any other Act which is now or may hereafter be in force with regard to boroughs generally, shall apply to Diamond Harbour or any other land purchased under this Act.

(b.) It shall be lawful for the Corporation to establish, or assist in establishing, or to subsidize out of its ordinary revenue, for such period as it may consider fit, a ferry service between the present Lyttelton Borough and the south side of Lyttelton Harbour, and to contribute by lump sum or annual payment towards the construction or upkeep of any wharf or jetty which may be required for the convenience of persons residing or proposing to reside on the south side of Lyttelton Harbour.

(c.) It shall be lawful for the said Corporation to subdivide and lease or sell the whole or any portion of any land acquired under this Act, upon such terms and conditions as it may think fit, and to advance money for the purpose of building upon or otherwise improving the said land, for such period, at such rate of interest, and generally upon such terms and conditions as it may think fit:

Provided that it shall not be lawful for any person to hold either by way of lease or on purchase any of the said land in excess of the following limitations—that is to say, if the land is, in the opinion of the Council, building-land and is subdivided into areas not exceeding half an acre, then two such subdivisions, and in any other case one subdivision.

- (d.) It shall be lawful for the said Corporation to reserve from sale and set apart any portion of the said land for recreation-grounds, schools, cemeteries, quarries, or for any other purposes which may be considered necessary.

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### SCHEDULE.

Schedule

ALL that area in the Canterbury Land District, containing by admeasurement 349 acres 1 rood 20 perches, more or less, being Rural Sections Nos. 22982, 246, 498, and 1333, and part of Rural Section No. 2404, situated in Block IV, Halswell Survey District, and Blocks I and IV, Pigeon Bay Survey District: bounded towards the north-west and north-east generally by the road running along the shore of Lyttelton Harbour from the northernmost corner of Rural Section No. 243E to the northernmost corner of Rural Section No. 24110; thence towards the south-east generally by the said Section No. 24110 and Charteris Bay Road to the south-western side of the right-of-way which intersects Rural Section No. 2404; thence towards the south-west by the south-western side of that right-of-way to Rural Section No. 243E near its easternmost corner; and thence by the said Section No. 243E to its northernmost corner, the place of commencement.

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