

Mr Cooksley

CARTERTON BOROUGH EMPOWERING

[LOCAL BILL]

ANALYSIS

Title.	4. Council authorized and required to make and levy annually a special rate on certain lands. Rate to be a general rate.
Preamble.	5. Crown's liability for special rates not affected.
1. Short Title.	6. Fire Board's liability for rates not affected.
2. Interpretation.	7. Council's right to levy separate rate not affected.
3. Council authorized to raise loan of £60,000 by way of special order for drainage works within and outside the borough.	8. Repeal. Schedules.

A BILL INTITULED

AN ACT to confer additional powers on the Carterton Borough Council in relation to drainage and drainage loans and the levying and collecting of rates in connection therewith. Title.

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WHEREAS the Carterton Borough Council has constructed certain drainage works in and outside the borough for the purpose of draining part of the borough: And whereas it is necessary to repair, renew, extend, and enlarge the said drainage works and also to make new drainage works both within and outside the borough and for that purpose to raise moneys by way of special loan: And whereas it is desirable to authorize the said Council to levy a special rate to meet the interest, sinking fund, and other charges on the loan authorized to be raised as hereafter provided: Preamble.

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

- Short Title. 1. This Act may be cited as the Carterton Borough Empowering Act 1955. 5
- Interpretation. 2. In this Act, unless the context otherwise requires,—
 “Borough” means the Borough of Carterton:
 “Council” means the Carterton Borough Council.
- Council authorized to raise loan of £60,000 by way of special order for drainage works within and outside the borough. 3. (1) The Council, for the purpose of providing additional drainage works outside the borough, and for the purpose of repairing, renewing, extending, and enlarging the drainage works and making new drainage works in the area described in the *First* Schedule to this Act (excepting thereout the lands described in the *Second* Schedule to this Act), may, under the provisions of the Local Bodies’ Loans Act 1926, by way of special order and without taking the steps prescribed in sections nine to thirteen of that Act, raise a special loan not exceeding sixty thousand pounds, or such greater sum as may be approved by the Minister of Health. 10 15 20
 (2) All moneys raised under the provisions of subsection *one* of this section shall be secured on a special rate made and levied on the whole of the lands described in the *First* Schedule to this Act (excepting thereout the lands described in the *Second* Schedule to this Act). 25
- Council authorized and required to make and levy annually a special rate on certain lands. Rate to be a general rate. 4. (1) After the raising of the special loan authorized by section *three* of this Act, the Council may, and shall for the purpose of providing the moneys necessary to meet the interest, sinking fund, and other charges in respect of the special loan authorized by this Act, by resolution annually make and levy a special rate on all rateable property described in the *First* Schedule to this Act (excepting thereout the lands described in the *Second* Schedule to this Act). 30
 (2) Such rate shall be made and levied as if it were a general rate made under the provisions of the Municipal Corporations Act 1954, and the provisions of that Act and of the Rating Act 1925 shall apply to such rate accordingly. 35
- Crown’s liability for special rates not affected. 5. Nothing in this Act shall affect the right of the Council to collect special rates payable by the Crown under section one hundred and twenty-three of the Local Bodies’ Loan Act 1926. 40

6. Nothing in this Act shall affect the right of the Council to collect any special rates payable in respect of land owned or occupied by any Fire Board.

Fire Board's liability for rates not affected.

7. Nothing in this Act shall affect the right of the Council to collect any separate rates payable in respect of any separate rating area under Part IX of the Municipal Corporations Act 1954.

Council's right to levy separate rate not affected.

8. The Carterton Borough Empowering Act 1944 is hereby repealed.

Repeal.

SCHEDULES

Schedules.

FIRST SCHEDULE

SPECIAL RATING AREA

ALL that area in the Wellington Land District, Borough of Carterton, being more particularly delineated on the plan lodged in the office of the Chief Surveyor at Wellington as No. _____ and thereon edged red, and bounded by a line commencing at a point A shown on the said plan, being a point on the north-eastern boundary of Section 143, Taratahi Plain Block, 500 links from its northern corner; thence south-westerly along a line parallel to High Street to a point 290 links from the south-western boundary of Section 143 aforesaid; thence south-easterly along a line parallel to the south-western boundary of that section for a distance of 25 links; thence south-westerly along a line parallel to High Street to the said south-western boundary; thence north-westerly along that boundary to a point 500 links from High Street; thence south-westerly along a line parallel to High Street to the north-eastern boundary of Armstrong Avenue; thence south-easterly to and along the north-eastern boundary of the land shown on the plan numbered 16874, deposited in the office of the District Land Registrar at Wellington, to the eastern corner of Lot 6 as shown thereon; thence south-westerly along the south-eastern boundaries of Lots 6 and 7, as shown on the plan numbered 16874 aforesaid, to the southern corner of the said Lot 7; thence south-westerly along a right line to the eastern corner of Lot 8, as shown on the plan numbered 16874 aforesaid, and along the south-eastern boundaries of Lots 8, 9, and 10, as shown on the aforesaid plan numbered 16874, to the north-eastern boundary of Lot 11 as shown on the plan numbered 13212, deposited as aforesaid; thence south-easterly along that boundary to the northern corner of Lot 14, as shown on the plan numbered 13212 aforesaid; thence south-westerly, south-easterly, north-easterly, and again south-easterly and north-easterly along the boundaries of the said Lot 14 to the northern corner of the land comprised and described in certificate of title, Volume 418, folio 151 (Wellington Registry); thence south-easterly and south-westerly

FIRST SCHEDULE—continued

along the north-eastern and south-eastern boundaries of that land and the production of the last mentioned boundary across Park Road to its south-western side; thence south-easterly along the south-western side of Park Road to the northern corner of Lot 7 as shown on the deeds plan numbered 414, lodged in the office of the District Land Registrar at Wellington; thence south-westerly along the north-western boundary of that lot to the north-eastern boundary of Section 2, Township of Carterton; thence south-easterly along the north-eastern boundary of that section to eastern corner; thence south-westerly along the south-eastern boundaries of Sections 2 and 3, Township of Carterton, to the southern corner of the said Section 3; thence north-westerly along the south-western boundary of that section to a point 500 links from High Street; thence south-westerly along a line parallel to High Street to the north-eastern boundary of Lot 2, as shown on the plan numbered 4601, deposited as aforesaid; thence south-easterly along the north-eastern boundary of that lot and Lots 29–19 inclusive and Lots 33 and 34, as shown on the plan numbered 1838, deposited as aforesaid, to the eastern corner of the last mentioned lot; thence south-westerly along the south-eastern boundary of Lot 34, the south-eastern extremity of Wakelin Street, and Lot 32, as shown on the plan numbered 1838 aforesaid, to the southern corner of Lot 32; thence north-westerly along the south-western boundaries of Lots 32 and 18–11 inclusive, as shown on the plan numbered 1838 aforesaid, to a point 1000 links from High Street; thence south-westerly along a line parallel to High Street to a point in Section 8, Township of Carterton, 200 links from the north-eastern side of Richmond Road; thence south-easterly along a line parallel to Richmond Road to the south-eastern boundary of Section 8 aforesaid; thence south-westerly along the south-eastern boundary of that section, across Richmond Road and along the south-eastern boundary of Lot 10, as shown on the plan numbered 14988, deposited as aforesaid, to the southern corner of that lot; thence north-westerly along the south-western boundaries of Lots 10–2 inclusive, as shown on the aforesaid plan numbered 14988, to a point in Section 9, Township of Carterton, 1000 links from High Street; thence south-westerly along a line parallel to High Street to a point on the north-eastern boundary of Section 12, Township of Carterton; thence north-westerly along that boundary to a point 500 links from High Street; thence south-westerly along a line parallel to High Street to a point on the north-eastern boundary of Lot 2, as shown on the plan numbered 18006, deposited as aforesaid; thence south-easterly along a right line to the eastern corner of Lot 5, as shown on the aforesaid plan numbered 18006; thence south-westerly along the south-eastern boundary of that lot to the northern corner of Lot 1, as shown on the plan numbered 10605, deposited as aforesaid; thence south-easterly and south-westerly along the north-eastern and south-eastern boundaries of that lot and the production of the last mentioned boundary to its

FIRST SCHEDULE—continued

intersection with the production of the south-western boundary of the land shown on the plan numbered 16448, deposited as aforesaid; thence north-westerly to and along that boundary to a point 500 links from High Street; thence south-westerly along a line parallel to High Street to a point on the north-eastern boundary of Section 18, Township of Carterton; thence south-easterly, south-westerly, and north-westerly along the north-eastern, south-eastern, and south-western boundaries of the said Section 18 to a point 500 links from High Street; thence south-westerly along lines parallel to High Street to a point in Section 29, Township of Carterton, on the north-eastern side of Portland Road; thence north-westerly along that side of Portland Road to the south-eastern side of High Street; thence north-easterly along that side of High Street to a point in line with the north-eastern side of Dalefield Road; thence to and along the north-eastern side of Dalefield Road to a point 500 links from High Street; thence north-easterly along a line parallel to High Street to a point on the south-western boundary of Lot 255, as shown on the plan numbered 126, deposited as aforesaid; thence south-easterly along the south-western boundary of the said lot to its southern corner; thence north-easterly along the south-eastern boundaries of Lots 255, 147, 146, 133, 132, and 34, all as shown on the said plan 126, and crossing Phillip Street, Frederick Street, and Charles Street to the eastern corner of the said Lot 34, thence north-easterly along a right line to the western corner of the land as shown on the plan numbered 5047, deposited as aforesaid; thence north-easterly along lines parallel to High Street to a point in Section 211, Taratahi Plain Block, 200 links from Brooklyn Road; thence north-westerly along a right line parallel to Brooklyn Road for a distance of 150 links; thence north-easterly along a line parallel to High Street to the north-eastern side of Brooklyn Road; thence north-westerly along that side of the said road to the western corner of Lot 7, as shown on the plan numbered 16658, deposited as aforesaid; thence north-easterly, south-easterly, and south-westerly along the north-western and north-eastern boundaries of Lot 7 aforesaid and the north-eastern and south-eastern boundaries of Lot 8, as shown on the said plan 16658, to the north-eastern side of Brooklyn Road; thence south-easterly along that side of the said road to the western corner of Lot 11, as shown on the said plan numbered 16658; thence north-easterly and south-easterly along the north-western and north-eastern boundaries of that lot to its eastern corner; thence north-easterly along a right line to a point on the south-western boundary of Lot 3, as shown on the plan numbered 2272, deposited as aforesaid, 500 links from High Street; thence north-westerly along the south-western boundaries of that lot and Lot 4, as shown on the said plan numbered 2272, and the production of the south-western boundary of Lot 4 aforesaid to the north-western boundary of Lot 10, as shown on the said plan numbered 2272; thence south-westerly along that boundary to the western corner of Lot 10; thence north-westerly along the south-western boundaries of Lots 11 and 12, as

FIRST SCHEDULE—continued

shown on the said plan 2272, to the eastern corner of the land comprised and described in certificate of title, Volume 354, folio 17 (Wellington Registry); thence south-westerly along the south-eastern boundary of that land and the production of the said boundary to the south-western side of Brooklyn Road; thence north-westerly along that side of Brooklyn Road to a point 550 links east of the railway reserve; thence south-westerly along a line parallel to High Street to a point in Section 211, Taratahi Plain Block, 400 links from Brooklyn Road; thence north-westerly along a right line parallel to Brooklyn Road to a point on the south-eastern boundary of the railway reserve; thence north-easterly along that boundary and its production to the north-eastern side of Brooklyn Road; thence north-westerly along the north-eastern side of Brooklyn Road to the south-eastern side of Lincoln Road; thence north-easterly along that side of Lincoln Road to a point 200 links north-east of the north-eastern side of Pembroke Street; thence south-easterly along a right line parallel to Pembroke Street to the north-western side of Augustus Street, across that street to the western corner of Lot 48, as shown on the plan numbered 2213, deposited as aforesaid, and along the south-western boundary of that lot to the western corner of Lot 76, as shown on the said plan numbered 2213; thence north-easterly along the north-western boundaries of Lots 76 to 64 inclusive, as shown on the said plan numbered 2213, to the northern corner of the said Lot 64; thence south-easterly along the north-eastern boundary of that lot to the western corner of Lot 63, as shown on the said plan numbered 2213; thence north-easterly along the north-western boundaries of Lots 63 and 61, as shown on the said plan numbered 2213, and the production of the last mentioned boundary to the north-eastern side of Belvedere Road; thence north-westerly along that side of the said road to the south-western corner of the land as shown on the plan numbered A 2132, lodged in the office of the District Land Registrar at Wellington; thence north-easterly along the western boundary of that land to the south-western side of Potts Street; thence south-easterly along that side of Potts Street to the production of the north-western boundary of Lot 14, as shown on the plan numbered 1570, deposited as aforesaid; thence north-easterly across Potts Street and along the north-western boundaries of Lots 14-1 inclusive, as shown on the said plan numbered 1570, to the northern corner of the said Lot 1; thence north-westerly along the south-western side of Lot 61, as shown on the plan numbered 1459, deposited as aforesaid, to its western corner; thence north-easterly along the north-western boundaries of Lots 61, 62, and 63, as shown on the said plan numbered 1459, to the northern corner of the said Lot 63; thence north-westerly along a right line parallel to Kent Street to the intersection of that right line with the production of the north-western boundary of Lot 51, as shown on the said plan numbered 1459; thence north-easterly to and along the north-western boundary of the said Lot 51 to its northern corner;

FIRST SCHEDULE—continued

thence south-easterly along the north-eastern boundaries of Lots 51–33 inclusive, as shown on the said plan numbered 1459, to the north-western side of the Wellington–Napier railway; thence north-easterly along the north-western side of that railway to the north-eastern boundary of Section 205, Taratahi Plain Block; thence south-easterly along that boundary to High Street, across High Street to the northern corner of Section 143, Taratahi Plain Block, and along the north-eastern boundary of that section, a distance of 500 links to the point of commencement, marked A on this plan.

SECOND SCHEDULE

LANDS EXCEPTED FROM SPECIAL RATING AREA

FIRSTLY, all that land being part of Section 205, Taratahi Plain Block, and being part of Lot 2, as shown on the plan numbered A. 395, lodged in the office of the District Land Registrar at Wellington, bounded by a line commencing at a point on the north-eastern boundary of the said Lot 2, distant 328 links from its northern corner; thence south-easterly along the south-eastern boundary of that lot to a point 500 links north-west of High Street; thence south-westerly along a line parallel to High Street to the south-western boundary of the said Lot 2 to a point 348 links south-east of its western corner; thence north-easterly along a right line to a point on the north-eastern boundary of the said Lot 2, distant 328 links from its northern corner, being the point of commencement.

Secondly, all that parcel of land being part of Section 206, Taratahi Plain Block, and being all of the land as shown on the plan numbered A. 1332, lodged in the office of the District Land Registrar at Wellington, excepting therefrom that portion having a frontage of 100 links on Belvedere Road and having a depth of 178 links.

Thirdly, all that land being part of Section 208, Taratahi Plain Block, bounded by a line commencing at a point on the north-eastern boundary of the said Section 208 at its intersection with the south-eastern boundary of Lot 2, as shown on the plan numbered 16311, deposited in the office of the District Land Registrar at Wellington; thence south-easterly along the north-eastern boundary of Section 208 aforesaid, across the Wellington–Napier railway, and again along that boundary to the eastern corner of the land comprised and described in certificate of title, Volume 162, folio 260 (Wellington Registry); thence south-westerly along the south-eastern boundary of that land and the south-eastern boundary of Lot 2, as shown on the plan numbered 14343, deposited as aforesaid, to its southern corner; thence north-westerly along the south-western boundary of that lot, a right line to the southern corner of Lot 1, as shown on the plan numbered 16311, deposited as aforesaid, the south-western boundary of that lot and the south-western boundary of the land shown on the plan numbered

SECOND SCHEDULE—continued

M.L. 4515, lodged in the office of the Chief Surveyor at Wellington, to a point 200 links from Lincoln Road; thence north-easterly along a right line to the western corner of Lot 1, as shown on the plan numbered 16311 aforesaid, and along the north-western boundary of that lot to the western corner of Lot 2, as shown on the plan numbered 16311 aforesaid; thence south-easterly and north-easterly along the south-western and south-eastern boundaries of that lot to the intersection of the last mentioned boundary with the north-eastern boundary of Section 208, Taratahi Plain Block, being the point of commencement.

Fourthly, all that land being parts of Sections 208, 209, and 210, Taratahi Plain Block, bounded by a line commencing at the southern corner of Lot 6, as shown on plan numbered 13907, deposited in the office of the District Land Registrar at Wellington; thence south-westerly along a right line to the northern corner of Lot 17, as shown on the plan numbered 1973, deposited as aforesaid, the north-western boundary of that lot, the north-western extremity of Rexwood Street, the north-western boundary of Lot 31, as shown on the said plan 1973, a right line to the northern corner of Clifton Avenue along the north-western extremity of that avenue and the north-western boundary of Lot 26, as shown on the plan numbered 1355, deposited as aforesaid, and along the production of the last mentioned boundary to the south-western side of Costley Street; thence north-westerly along that side of Costley Street to the north-western boundary of Lot 13, as shown on the plan numbered 2272, deposited as aforesaid; thence south-westerly, north-westerly, and again south-westerly along the north-western boundary of Lot 13 aforesaid, the north-eastern and north-western boundaries of Lot 14, as shown on the said plan 2272, to a point 400 links north-east of Brooklyn Road; thence north-westerly along right lines parallel to Brooklyn Road to a point 400 links east of Lincoln Road; thence north-easterly along a right line parallel to Lincoln Road to a point in line with the south-western boundary of Lot 2, as shown on the aforesaid plan numbered 13907; thence south-easterly to and along that boundary and the south-western boundaries of Lots 3-6 inclusive, as shown on the said plan numbered 13907, to the southern corner of the said Lot 6, being the point of commencement.