

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 17 September 1975.

Words struck out by the Committee are shown with black rule at beginning and after last line; words inserted are shown with double rule before first line and after last line.

Hon. Mr Adams-Schneider

**HAURAKI PLAINS COUNTY COUNCIL
EMPOWERING (KEREPEHI SEWERAGE WORKS)**

[LOCAL]

ANALYSIS

Title	
Preamble	
1. Short Title	
2. Hauraki Plains County Council authorised to levy sanitary and stormwater drainage rate	3. Hauraki Plains County Council authorised to levy capital contribution Schedule

A BILL INTITULED

Struck Out

An Act to empower the Hauraki Plains County Council to make and levy a separate sewerage works rate on certain property within the Hauraki Plains County

WHEREAS the Hauraki Plains County Council proposes to raise a loan for the purpose of installing and maintaining sewerage works at Kerepehi: And whereas it is expedient and desirable that the Hauraki Plains County Council be empowered to make and levy a separate sanitary and stormwater drainage rate in excess of the present statutory limit and be further empowered to levy an annual capital contribution to meet the costs of the said sewerage works:

New

An Act to empower the Hauraki Plains County Council to make and levy a capital charge on certain property within the Hauraki Plains County

No. 54—2

Price 10c

2 *Hauraki Plains County Council Empowering
 (Kerepehi Sewerage Works)*

New

WHEREAS the Hauraki Plains County Council proposes to raise a loan for the purpose of installing and maintaining sewerage works at Kerepehi: And whereas it is expedient and desirable that the Hauraki Plains County Council be empowered to make and levy a capital charge to meet part of the costs of the said sewerage works: 5

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: 10

1. Short Title—This Act may be cited as the Hauraki Plains County Council Empowering (Kerepehi Sewerage Works) Act 1975.

Struck Out

2. Hauraki Plains County Council authorised to levy sanitary and stormwater drainage rate—(1) The Hauraki Plains County Council may, instead of levying any special rates made as security for any loans raised by that Council, make and levy an annual sanitary and stormwater drainage rate on all land and buildings, being rateable property within the district defined in the Schedule to this Act, that are or can be connected (either directly or through a private drain) to a public sanitary or stormwater drain, not exceeding a rate equal to $\frac{1}{32}$ of a cent in the \$1 on the capital value of the land and buildings situated on such rateable property: 25

Provided that if that rate would produce less than \$2 in respect of any such land or building, a rate of \$2 may be made and levied.

(2) The proceeds of the rate shall be available only for the purpose of the installation, maintenance, and extension of a sewerage works at Kerepehi or for the payment of annual charges on any loans raised in connection with such sewerage works. 30

3. Hauraki Plains County Council authorised to levy capital contribution—(1) The Hauraki Plains County Council may levy an annual capital contribution on the owners of all rateable property as defined in section 2 (1) of this Act. 35

(2) The Council and the owner may agree that the amount

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of any levy shall be repayable in one amount at a fixed time, or by instalments extending over a number of years. That agreement may contain any incidental provisions and may
5 provide for the earlier payment of instalments, or any of them, on terms to be set out in the agreement.

(3) That agreement may, where the money is repayable in one amount, contain provisions for securing the repayment thereof. If the money is repayable by instalments, each such
10 instalment shall for all purposes be deemed to be a rate and shall be recovered as rates are recovered under the Rating Act 1967, and the provisions of that Act as to the recovery of rates shall, with the necessary modifications and except to the extent that they are inconsistent with this Act, apply accord-
15 ingly, subject to the following conditions:

(a) The owner for the time being of the premises in question shall in all cases be deemed to be the person primarily liable for payment:

(b) A separate record shall be kept by the Collector of Rates to the Council, in which particulars of the
20 instalments, of the works in respect of which they are payable, the dates for payment thereof, and of the names of persons paying the same, shall be entered; and that rate record shall be prima facie
25 evidence of the correctness of its contents.

(4) The proceeds of the capital contribution levy shall be available only for the purposes set out in section 2 (2) of this Act.

New

30 **2. Hauraki Plains County Council authorised to levy capital charge**—(1) The Hauraki Plains County Council may make and levy a capital charge not exceeding \$525 on every owner of rateable property within the area defined in the Schedule to this Act, the proceeds of which shall be expended for the
35 purposes of the installation, maintenance, and extension of sewerage works at Kerepehi or for the payment of annual charges on any loans raised in connection with such sewerage works.

(2) Where any such rateable property comprises 1 or more
40 allotments each of which are capable of being connected (either directly or through a private drain) to the Kerepehi

New

sewerage system, the Council may make and levy the charge specified in subsection (1) of this section in respect of each such allotment.

(3) The Council and the owner may agree that the amount of any such charge shall be payable in one amount at a fixed time, or by instalments extending over a number of years. That agreement may contain any incidental provisions and may provide for the earlier payment of instalments, or any of them, on terms to be set out in the agreement.

(4) That agreement may, where the charge is payable in one amount, contain provisions for securing the payment thereof. If the charge is payable by instalments, each such instalment shall for all purposes be deemed to be a rate and shall be recoverable as rates are recoverable under the Rating Act 1967, and the provisions of that Act as to the recovery of rates shall, with the necessary modifications and except to the extent that they are inconsistent with this Act, apply accordingly, subject to the following conditions:

- (a) The owner for the time being of the rateable property in question shall in all cases be deemed to be the person primarily liable for payment:
- (b) A separate record shall be kept by the Council, in which particulars of the amount of the charge and of any instalments agreed upon and the dates for payment thereof, and of the names of persons paying the same, shall be entered; and that record shall be prima facie evidence of the correctness of its contents.

SCHEDULE

Section 2 (1)

KEREPEHI—SPECIAL RATING AREA

ALL that area in the South Auckland District, Hauraki Plains County, being part Kerepehi Township and Part Block VI Waihou Survey District, containing 39 hectares more or less, bounded by a line commencing at the centre point of the street intersection on the Kerepehi-Turua Road fronting part 7B6C, Tiritiri Block, and proceeding northwards along the centre line of the street to a point opposite the production, westwards, of the northern boundary of 7B6D3B2B2; thence eastwards along the northern boundaries of 7B6D3B2B2, 7B6D3B2A, 7B6D3B2B1 (Maori Reserve) and 7B6A to its northernmost corner; thence southwards along the eastern boundary of 7B6A to its junction with 7B6A (School Site) and eastwards along the northern boundary of

that section and its production to the centre line of the street; thence southwards along the street centre line to a point opposite the production westwards of the northern boundary of Lot 3, D.P.S. 14714; then eastwards along the northern boundary of the said Lot 3, and southwards along the eastern boundaries of Lots 3, 2, and 1, D.P.S. 14714; thence westwards along the southern boundary of Lot 1, D.P.S. 14714 to its intersection with the street; thence southwards along the western boundaries of 2A1B2B and Lot 1, D.P. 27388; thence eastwards along the northern boundaries of Sections 1, 2, 3, 4, (Rimu Street), 8, 9, (Kaikahu Road) and 20, all on S.O. (Plan) 20984; thence southwards along the eastern boundaries of Sections 20, 21 and 22, S.O. 20984; thence eastwards on a line bearing $71^{\circ} 49' 15''$ to the eastern boundary of section 29, S.O. 20984; thence southwards along the eastern boundary of that same Section 29, S.O. 20984 and its production to the centre line of the Kerepehi-Turua Road; thence westwards along the centre line of that road to its point of intersection with the production, northwards, of the eastern boundary of Section 10, Block VII, S.O. (Plan) 18400; thence southwards to the north-east corner of the said Section 10 and along the eastern boundary of that Section 10 for a distance of 161 metres; thence westwards along a bearing of $252^{\circ} 09' 30''$ for a distance of 60 metres; thence southwards along a bearing of $162^{\circ} 09' 30''$ to the southern boundary of Section 10 aforesaid; thence westwards along the southern boundaries of the said Section 10, and Section 9 (both shown on S.O. 18400), and the production of that line to the centre line of Kaikahu Road; thence northwards along the centre line of Kaikahu Road to a point opposite the production, westwards, of the northern boundary of Section 7, Block VII, S.O. 18400; thence westwards along a line bearing $252^{\circ} 09' 30''$, through sections 6, 5, 4, and 3, Block VI, S.O. 18400, to the western boundary of the last mentioned Section 3; thence northwards along its western boundary and the production of that boundary to the centre line of Miro Street; thence westwards along the centre line of that street to the mid-point of its intersection with Rimu Street; thence northwards along the centre line of Rimu Street to a point opposite the southern boundary of Section 18, Block II, S.O. 18400, and along the southern and western boundaries of the said Section 18 and also the western boundary of Lot 16, Block II, S.O. 18400; thence along the southern boundary of Section 13, Block II, S.O. 18400 and its production to the centre line of Rata Street; thence north along the centre line of Rata Street to a point opposite the southern boundary of Section 8, Block I, S.O. 18400 and westwards along its southern boundary; thence northwards along the western boundaries of Sections 8, 7, 6, and 5, Block I, S.O. 18400, and the production of that line to the southern boundary of Section 111, S.O. (Plan) 45380; thence westwards along its southern boundary and the southern boundaries of Lots 4, 3, 2, and 1, D.P. 20027, Lots 1 and 3, D.P. 18537, Lots 1 and 2, D.P.S. 7988, and Lot 1, D.P.S. 14715, and westwards 9.84 metres to the boundary intersection; thence northwards along a bearing of $352^{\circ} 46' 40''$ to the centre line of the Kerepehi-Turua Road; thence westwards along the centre line of that road to the point of commencement.