

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE.]

House of Representatives, 2nd September, 1910.

Hon. Mr. Millar.

ROSLYN SEWERAGE.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to confer Additional Powers upon the Mayor, Councillors, and Burgesses of the Borough of Roslyn. Title.

5 BE IT 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 Roslyn Sewerage Act, 1910.
- 2. In this Act, if not inconsistent with the context,—

Short Title.
Interpretation.

~~“Auditor” means the Controller and Auditor General:~~

10 “Borough” means the Borough of Roslyn :

“Council” means the Council of the Borough of Roslyn :

“Owner of any property” means the person for the time being entitled to receive the rack-rent thereof, or who would be so entitled if the same were let to a tenant at a rack-rent.

15 3. (1.) The Council shall have power *by special order* to define and constitute as a sewerage area within the borough all such parts thereof as, in the opinion of the Council, would be directly benefited by the construction and maintenance of a system of drainage for such area, and are not within the Dunedin Drainage and Sewerage District. Council may constitute sewerage area.

20 (2.) The Council may from time to time *by special order* redefine such sewerage area by adding thereto such part or parts of the borough as in the opinion of the Council is or are or would in the immediate future be directly benefited by the construction or maintenance of a sewerage system.

25 (3.) Any owner or occupier of property included in the sewerage area as defined or redefined may ~~within one month after any determination of the Council defining or redefining such sewerage area,~~
Struck out.

30 ~~appeal from such determination to a Stipendiary Magistrate, whose decision shall be final and take the place of the determination of the Council appealed from.~~

4. (1.) The Council may from time to time by special order, without any poll of the ratepayers, borrow for the purposes of this Council may borrow by special resolution.

Struck out.

Act such sum or sums of money, not exceeding in the whole twenty thousand pounds, as it from time to time determines.

(2.) The Council may out of any loan-moneys pay—

(a.) Any preliminary expenses incurred in connection with the scheme for which the loan was raised, if the Auditor certifies them to be directly for the benefit of the scheme: 5

(b.) The first year's interest of the loan.

(3.) The Council shall make and levy a special rate, not exceeding *one shilling* in the pound, on the capital value of all property within such sewerage area for the payment of interest or interest and sinking fund upon such loan, and such rate shall be an annually recurring rate. 10

New.

at any time between the first passing and the coming into force of the special order by which his property is so included apply to a Magistrate for an order excluding the said property from the sewerage area, and the order of the Magistrate on any such application shall be final. 15

New clause.

Special provisions
as to borrowing.

4A. (1.) At any time after the constituting of such sewerage area the Council may for the purposes of this Act raise a special loan, not exceeding in the whole the sum of £20,000, under the provisions of the Local Bodies' Loans Act, 1908. 20

(2.) All the rateable property within the sewerage area as defined or as redefined from time to time shall be liable to the special rate to be made as security for the said loan, but any property added to the sewerage area on a redefinition thereof shall be liable only in respect of rates which become payable after such redefinition. 25

Council may make
agreements as to
private connections.

5. (1.) It shall be lawful for the Council, by agreement with or at the request and the expense (including five per centum for costs of supervision) of the owner of any property in such sewerage area, to execute on or in connection with such property any works for the sewerage or sanitation thereof, or the supply of water thereto where water is required in connection with such sewerage or sanitation, or any works which the Council has power under section two hundred and sixteen of the Municipal Corporations Act, 1908, to ~~do or~~ cause to be done after failure of the owner to comply with notice to do any such works, and in every case without the necessity for giving any such notice; ~~and~~. 30 35

(2.) The Council and any such owner may at the time of the making of such agreement or thereafter agree that the amount of such expense, with interest thereon, shall be paid by instalments in accordance with the provisions of section two hundred and nineteen of the Municipal Corporations Act, 1908, and any such agreement shall be deemed to have been made under and by virtue of the powers created by that section. 40 45

Council may borrow
for private
connections.

6. (1.) The Council, for the purpose of providing for the payment of the cost of any work executed by the Council in pursuance of agreements with owners under the *last preceding* section of this Act, may from time to time, ~~by ordinary resolution, and without a poll of the ratepayers,~~ borrow under the *Local Bodies' Loans Act, 1908*, upon such terms and conditions as it ~~shall~~ thinks fit, any sum of money not exceeding in the whole the sum of one thousand pounds at any one time. 50

(2.) All moneys borrowed under this section shall be applied exclusively to the purposes aforesaid.

(3.) The Council may execute and do such instruments and things as it ~~shall~~ thinks fit for securing any sum ~~or sums~~ so borrowed, with interest thereon, and may by any such instruments covenant for repayment thereof.

(4.) The Council shall apply all moneys received from owners under such agreements as aforesaid to the repayment of the moneys so borrowed.

(5.) No lender shall be concerned to inquire as to the purposes for which any money is borrowed under this section, nor as to the proposed expenditure thereof, and shall not be concerned to see to the application of any such money.

Struck out.

7. Any money borrowed under the provisions of this Act shall be borrowed on such terms that such money shall yield to the lender a rate of interest not exceeding *five* pounds per centum per annum.

Interest not to exceed 5 per cent.

New clause.

7A. No money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than five per centum per annum.

8. (1.) It shall be lawful for the Council to discharge into the Kaikorai Stream the effluent from any septic tank or other system of purification of sewage, provided that such effluent ~~shall~~ *is* from time to time be of such degree of purity as ~~shall~~ *is* not be objected to by the District Health Officer appointed under the Health Act, 1908.

Disposal of effluent.

(2.) No person shall discharge or cause or permit or suffer to be discharged or to flow into any sewer, or into any drain connected with a sewer, any waste liquid or ~~refuse~~ products of any manufacturing process, without the express sanction of the Council having been first obtained in writing, and then only for and during such period or periods and subject to the observance of such conditions (including a power of cancellation of such sanction) as the Council may think fit to impose, and in particular such waste liquids or products shall be first subjected to any such chemical or other process as the Council ~~shall~~ prescribes or approves. Any person contravening this ~~part of the section~~ *provision* shall be guilty of an offence, and shall be liable to a ~~penalty~~ *fine* not exceeding *one* pound for every day that such offence ~~shall~~ continues.

New clause.

9. It shall be lawful for the Council to enter into agreements with any other local authority giving them the right to use the sewerage system to be constructed under this Act for such time and on such conditions as may be agreed upon.

Other local authorities may contribute.