

Mr. Walsh

TAURANGA COUNTY COUNCIL EMPOWERING

[LOCAL BILL.]

ANALYSIS

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A BILL INTITULED

AN ACT to empower the Tauranga County Council to reduce the values on which general rates may be made and levied over the whole county. Title.

5 WHEREAS a general revision of values of the Tauranga County became effective for rating purposes on the thirty-first day of March, nineteen hundred and fifty-two: And whereas in the opinion of the Tauranga County Council the rateable values placed on certain farm lands will result in excessively high general rates being made and levied on such lands: And whereas the payment of such general rates will in the opinion of the Council make the farming of such lands uneconomic: And whereas the Council is of the opinion that such lands are not immediately required for subdivision and are being used for purposes of primary production: And whereas it is expedient that the Council be empowered to make and levy general rates over the whole county on certain reduced rateable unimproved values. Preamble.

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

Short Title and commencement.

1. (1) This Act may be cited as the Tauranga County Council Empowering Act 1952. 5

(2) This Act shall come into force on the first day of December, nineteen hundred and fifty-two.

Interpretation.

2. In this Act, unless the context otherwise requires,—

“ Council ” means the Tauranga County Council: 10

“ County ” means the Tauranga County:

“ Occupier ” has the same meaning as in the Rating Act 1925:

“ Rateable value ” has the same meaning as in the Rating Act 1925: 15

“ Special farm land ” means land which for the time being—

(a) Is subject to any general rates made and levied by the Council; and

(b) Is used exclusively or principally for agricultural, horticultural, or pastoral purposes or for the keeping of bees or of poultry or other live stock; and 20

(c) Is not in the opinion of the Council likely to be required for building purposes within any reasonable period; and 25

(d) Is shown in the valuation roll for the time being in force as having an area of not less than three acres and an unimproved value of not less than thirty-five pounds per acre: 30

“ Special farm-land list ” means a special farm-land list made by the Council in accordance with this Act:

“ Valuation roll ” means the valuation roll for the time being in force for the purposes of the Rating Act 1925. 35

Preparation of special farm-land list with special rateable values.

3. (1) At any time after the thirty-first day of March and before the first day of June in each year, the Council may cause a special farm-land list to be made, in the form in the Schedule to this Act, or to the like effect, of all pieces of special farm land in the county which are liable to be rated separately by the Council. 40

(2) The particulars in the special farm-land list, other than the special rateable value, shall be taken from the valuation roll.

(3) The Council shall determine with respect to every property described in the special farm-land list whether or not the rateable value should be reduced for the purposes of this Act, after taking into consideration all relevant matters, including the following matters, namely:—

10 (a) Whether the general rates payable by the occupier are excessive or unduly burdensome:

(b) Whether any reduction would be likely to impose an undue burden of rates on the other rate-payers of the county, or any of them:

15 (c) Any alteration of the rateable value since the valuation roll came into force.

(4) The amount to which the Council determines to reduce the rateable value of any property, or, if it determines not to make any reduction, the existing rateable value, shall be entered in the special farm-land list as the special rateable value of the property.

(5) The special farm-land list shall be signed by two members of the Council and shall be the special farm-land list for the county for the year ending on the 25 thirty-first day of March next following.

4. (1) The special farm-land list, so signed by two members of the Council, shall be conclusive evidence of the contents thereof, and that it has been made in accordance with the provisions of this Act.

Signing of special farm-land list and deposit for inspection.

30 (2) A copy of the special farm-land list shall be kept in the public office of the Council and shall at all times be open to public inspection, without fee, during office hours.

35 5. The special farm-land list made under this Act shall be deemed to be part of the valuation roll; and all general rates becoming payable to the Council while the special farm-land list is in force in respect of any property described in such list, whether levied before or after the coming into force of the list, shall be 40 assessed on or by reference to the special rateable value of such property as appearing in the special farm-land list.

Special farm-land list to be part of valuation roll for rating purposes.

Decision of Council to be final.

Special provision in respect of general rates levied for year ending 31 March 1953.

6. The decision of the Council on any matters relating to the preparation of the special farm-land list shall be final.

7. In order to give effect to the intention of this Act, in respect of general rates levied by the Council for the year ending on the thirty-first day of March, nineteen hundred and fifty-three, the following provisions shall apply, namely:—

- (a) The time allowed for the preparation of the special farm-land list under subsection *one* of section *three* of this Act shall be extended to the thirty-first day of December, nineteen hundred and fifty-two: 10
- (b) The determinations of the Council pursuant to subsection *three* of section *three* of this Act shall apply in all respects as if the special farm-land list had been prepared before the making and levying of general rates for the year ending on the thirty-first day of March, nineteen hundred and fifty-three, and the Council shall have power to refund to any occupier whose name appears in the special farm-land list any amount paid by him in excess of the amount properly payable for the aforesaid year in respect of any property described in the special farm-land list: 20 25
- (c) The power of correction given to a local authority by section fifty-seven of the Rating Act 1925 shall extend and apply to the modification of any rate demand for the year ending on the thirty-first day of March, nineteen hundred and fifty-three, issued before the signing of the special farm-land list by the Council. 30

SCHEDULE

Schedule.

SPECIAL FARM-LAND LIST

SPECIAL farm-land list for the County of Tauranga, to come into force on the day of 19 :—

No. on Valuation Roll.	Occupier.			Owner.			Description and Situation of Rateable Property.	If Let, for What Term, and in What Manner.	Rateable Value.	Special Rateable Value.
	Surname.	Christian Name.	Trade or Occupation.	Surname.	Christian Name.	Trade or Occupation.				