

Mr Herron

SOUTHLAND CATCHMENT BOARD
EMPOWERING

[LOCAL BILL]

Title.	ANALYSIS
1. Short Title.	8. Requirements as to contents of public notice of classification list varied for purposes of this Act.
2. Interpretation.	9. Grounds of appeal against classification list varied for purposes of this Act.
3. Certain rates over defined parts of the Southland Catchment District authorized to be made on an acreage basis.	10. Ratepayers' voting powers at loan poll.
4. For recovery purposes, capital values of whole properties to be charged with rate.	11. Conditions of making rates varied for purposes of this Act.
5. Limitations of rates.	12. Particulars required to be transcribed in rate book varied for purposes of this Act.
6. Valuation rolls of the defined parts of the catchment district to be supplied by Valuer-General, and valuation rolls to be conclusive as to areas of properties.	13. Grounds of appeal against rate book varied for purposes of this Act.
7. Requirements as to contents of a classification list varied for purposes of this Act.	Schedules.

A BILL INTITULED

AN ACT to authorize the Southland Catchment Board **Title.**
to make and levy certain rates on an acreage basis.

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

1. This Act may be cited as the Southland Catchment **Short Title.**
Board Empowering Act 1953.

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

“ Board ” means the Southland Catchment Board:

“ Catchment district ” means the Southland Catchment District:

“ General Act ” means the Soil Conservation and Rivers Control Act 1941:

“ Property ” means a separate property as it appears in the valuation roll.

Certain rates over defined parts of the Southland Catchment District authorized to be made on an acreage basis.

3. (1) In addition to the powers conferred on the Board by the general Act, the Board is hereby authorized and empowered, subject to the provisions of the general Act and of the Local Bodies' Loans Act 1926, to make and levy the rates mentioned in the *First* Schedule to this Act over any of the portions of the catchment district defined in the *Second* Schedule to this Act by the method provided in subsection *two* of this section. 5 10

(2) The rates shall be made and levied on a graduated scale on the basis of an amount for each acre of each class of land liable to be rated according to the classification of the rateable property upon which the rate is to be levied made under the general Act. 15

For recovery purposes, capital values of whole properties to be charged with rate.

4. In classifying lands for the purpose of a rate, the acreage of parts of any property falling into two or more classes shall be specified: 20

Provided that in any such case, for the purpose of recovering the rate, the whole property shall be charged with the total amount of all rates made and levied on parts of the property. 25

Limitations of rates.

5. The amount of any rate levied in any year under this Act shall not exceed twelve shillings an acre of the land in any class. 30

Valuation rolls of the defined parts of the catchment district to be supplied by Valuer-General, and valuation rolls to be conclusive as to areas of properties.

6. (1) The Valuer-General shall, if required so to do by the Board, supply to the Board a valuation roll of any of the portions of the catchment district defined in the *Second* Schedule to this Act, and section twenty-eight of the Valuation of Land Act 1951 shall, with the necessary modifications, apply to such valuation roll and to the supplying thereof. 35

(2) Section twenty-nine of the Valuation of Land Act 1951, with the exception of paragraph (b) thereof, shall apply to any roll supplied to the Board under subsection *one* of this section.

(3) For the purposes of the making and levying of any rate to which this Act applies, the areas appearing on the valuation roll as corrected from the district valuation roll up to the thirty-first day of March next preceding the date of the levy shall be conclusive evidence of such areas. 40 45

(4) Subsection three of section ninety-two of the general Act shall not apply to the apportionment of the rateable value, and the following subsection shall for the purposes of this Act be deemed to be substituted therefor:

“(3) Where the classification of land defined in the Second Schedule to the Southland Catchment Board Empowering Act 1953 is made pursuant to section one hundred and two of this Act, the Valuer-General shall from time to time, in every case where portions of the land are classified in different classes, specify in the valuation roll supplied to the Board under subsection one of section six of that Act the acreage of parts of any property falling into two or more classes.”

7. Paragraphs (c) and (d) of subsection four of section one hundred and two of the general Act shall not apply to a classification of lands in relation to any rate to which this Act applies, and the following paragraphs shall for the purposes of this Act be deemed to be substituted therefor:

Requirements as to contents of a classification list varied for purposes of this Act.

“(c) Include particulars, from the valuation roll of the defined portion of the catchment district for the time being in force, of the valuation number, situation, description, area, and names of owner and occupier of the land:

“(cc) Specify the acreages of parts of any property falling into two or more classes:

“(d) Specify the number of votes exercisable by each ratepayer in accordance with section ten of the Southland Catchment Board Empowering Act 1953:”

8. Paragraphs (e) and (f) of subsection six of section one hundred and two of the general Act shall not apply to the notice of classification to be given in relation to any rate to which this Act applies, and the following paragraphs shall for the purposes of this Act be deemed to be substituted therefor:

Requirements as to contents of public notice of classification list varied for purposes of this Act.

“(e) That the classification list shows the division of properties into classes to be rated according to a graduated scale:

“(f) That there are no rights of objection or appeal in respect of matters appearing in the classification list except those given by section one hundred and three of this Act as varied for the purposes of the Southland Catchment Board Empowering Act 1953:”

Grounds of appeal against classification list varied for purposes of this Act.

9. (1) The words "apportionment of rateable values" in subsection one of section one hundred and three of the general Act shall for the purposes of this Act be deemed to be deleted and the words "the division of a property into classes" substituted therefor. 5

(2) Paragraphs (e) and (g) of subsection one of section one hundred and three of the general Act shall not for the purposes of this Act apply to appeals under that section, and the following paragraphs shall for the purposes of this Act be deemed to be substituted: 10

"(e) That the area of any part of the property classified in a rateable class of land is not correct:

"(g) That the number of votes that may be exercised by him is not correctly specified." 15

Ratepayers' voting powers at loan poll.

10. (1) For the purposes of this Act, the number of votes that may be exercised by any ratepayer upon a proposal to raise a special loan shall be determined as follows:

(a) If the area of his rateable property in the portion of the catchment district defined for the purposes of the loan, determined in accordance with the *next succeeding* subsection, does not exceed one hundred acres he shall have one vote: 20 25

(b) If the area of his rateable property determined as aforesaid exceeds one hundred acres but does not exceed two hundred acres he shall have two votes:

(c) If the area of his rateable property determined as aforesaid exceeds two hundred acres he shall have three votes. 30

(2) For the purposes of this section, the area in respect of which any person claims to be entitled to vote shall be ascertained as follows: 35

(a) The area appearing in the classification list of any land classified as Class A shall be included in the area for the purposes of the *last preceding* subsection:

(b) The area appearing as aforesaid of any land classified as Class B shall for the purposes of the *last preceding* subsection be reduced by one-sixth: 40

(c) The area appearing as aforesaid of any land classified as Class C shall for the purposes of the *last preceding* subsection be reduced by two-sixths:

5 (d) The area appearing as aforesaid of any land classified as Class D shall for the purposes of the *last preceding* subsection be reduced by three-sixths:

10 (e) The area appearing as aforesaid of any land classified as Class E shall for the purposes of the *last preceding* subsection be reduced by four-sixths:

15 (f) The area appearing as aforesaid of any land classified as Class F shall for the purposes of the *last preceding* subsection be reduced by five-sixths.

(3) Where any person is entitled to vote by virtue of being the occupier of lands of more than one class, the number of votes he may exercise shall be determined in accordance with the total area of all such lands as ascertained in accordance with the preceding subsections of this section.

20 **11.** Paragraphs (d) and (f) of section fifty-one of the Rating Act 1925 shall not apply in relation to any rate to which this Act applies, and the following paragraphs shall for the purposes of this Act be deemed to be substituted therefor:

30 “(d) In the case of every rate, that it be of a stated amount for each acre of land in each class of land classified as rateable comprised in the property as appearing in the valuation roll:

35 “(f) Where the total amount of rates due by any one ratepayer would, on the basis prescribed by this Act, be less than one shilling, he shall be rated at one shilling.”

40 **12.** (1) In the case of every rate to which this Act applies, the particulars to be transcribed in the rate book shall include the total areas of the properties and the areas of the several classes of land in each property as appearing in the valuation roll and the amount per acre payable as a rate with respect to each part or the whole of the property, as the case may be, and it shall not be necessary for the rate book to contain particulars of rateable values.

Conditions of making rates varied for purposes of this Act.

Particulars required to be transcribed in rate book varied for purposes of this Act.

(2) Section fifty-two of the Rating Act 1925 shall apply to any rate to which this Act applies with the modifications in the section and in the form numbered (7) in the First Schedule to that Act required by virtue of the *last preceding* subsection.

5

Grounds of appeal against rate book varied for purposes of this Act.

13. Paragraph (a) of section fifty-six of the Rating Act 1925 shall not apply to appeals against any rate book prepared with respect to any rate to which this Act applies, and the following paragraph shall for the purposes of this Act be deemed to be substituted therefor:

10

“(a) That any person is rated in the rate book on property not appearing in the valuation roll or that the area of any property or of any class of land in any property is different from the area thereof set out in the valuation roll.”

15

SCHEDULES

Schedules.

FIRST SCHEDULE

Section 3 (1)

RATES AUTHORIZED BY THIS ACT

1. A special rate as security for the repayment of, and the payment of interest on, any loan for an authorized purpose for the benefit of the defined portion of the catchment district.

2. A maintenance rate under section ninety-one of the general Act.

SECOND SCHEDULE

Section 3 (1)

PORTIONS OF CATCHMENT DISTRICT THAT MAY BE RATED

1. All that portion of the Catchment District defined as follows:

Waikiwi River Rating District No. 2

All that area in the Southland Land District, situated in Blocks XIV, XV, XVI, and XVII, Invercargill Hundred, and bounded by a line commencing at the intersection of the right bank of the Waikiwi River with the boundary between Sections 32 and 47, Block XVI, Invercargill Hundred; thence in a north-westerly direction along the boundary between the said Sections 32 and 47 to Ferry Road; thence across Ferry Road and in a north-westerly and north-easterly direction along the western and northern boundaries respectively of Section 7, Block XVI; thence across an unnamed road to the western boundary of Section 9, Block XVI; thence in a north-westerly direction along the western boundary of Section 9, Block XVI, to its intersection with the boundary of the Oreti River Reserve

SECOND SCHEDULE—continued

PORTIONS OF CATCHMENT DISTRICT THAT MAY BE RATED—
continued

Waikiwi River Rating District No. 2—continued

on its left bank; thence in an easterly and northerly direction along the said river reserve boundary to its intersection with the boundary between Sections 10 and 15, Block XVI; thence in a north-easterly direction along the north-western boundary of Sections 10, 11, and 12, Block XVI; thence in a south-easterly direction along the boundary between Sections 12 and 13, Block XVI; thence across Howell Road to the intersection on its south-east side of the boundary between Sections 37 and 38, Block XVI; thence in a north-easterly direction along the south-eastern boundary of Howell Road to the intersection of West Plains Road; thence in an easterly direction along the southern boundary of West Plains Road to the extension of the eastern boundary of Leonard Road; thence in a northerly direction to and along the eastern boundary of Lamand Road; thence in an easterly direction along the northern boundary of Sections 40, 39, and 38, Block XIV; thence in a southerly direction along the eastern boundary of Section 38, Block XIV, to the intersection of the boundary of Sections 21 and 22, Block XIV; thence in an easterly direction along the boundary of the said Sections 21 and 22; thence across Steele Road; thence in a northerly direction along the eastern boundary of Steele Road to the intersection of Moore's Road; thence in an easterly direction along the southern boundary of Moore's Road to the intersection of the Main North Road; thence in a southerly direction along the western boundary of the Main North Road to the intersection of West Plains Road; thence in a westerly direction along the northern boundary of West Plains Road to the intersection of the western boundary of the Invercargill-Kingston Railway Reserve; thence in a southerly direction along the western boundary of the said railway reserve to the intersection of the boundary of part Section 1 and Section 3, Block XV; thence in a westerly direction along the northern boundaries of Sections 3, 4, 5, 6, 7, 8, 9, 10, 13, 16, and 18, Block XV, to the intersection with the eastern boundary of West Plains School Road; thence in a southerly direction along the western boundary of Section 18, Block XV, to the intersection of the boundaries of Sections 11, 18, 124, and 125, Block XV; thence in a south-westerly direction along the north-western boundary of Section 11, Block XV, to the intersection of Thomson Road; thence in a south-westerly direction across Thomson Road; thence in a southerly direction along the western boundary of Thomson Road to the intersection of Bay Road; thence in a south-westerly direction along the north-western boundary of Bay Road to the intersection of Ferry Road; thence in a westerly direction along the northern boundary of Ferry Road to the intersection of the boundary of Sections 20 and 22, Block XV; thence in a south-westerly direction across Ferry Road and along the boundary of

*SECOND SCHEDULE—continued**PORTIONS OF CATCHMENT DISTRICT THAT MAY BE RATED—
continued**Waikiwi River Rating District No. 2—continued*

Sections 20 and 22, Block XV, and across an unnamed road reserve to the boundary of Sections 21 and 23, Block XVI; thence in a north-westerly direction along the north-eastern boundary of Sections 23 and 25, Block XVI; thence in a south-westerly direction along the boundary of Sections 25 and 27, Block XVI; thence in a north-westerly direction along the south-west boundary of Sections 27 and 29, Block XVI; thence directly across Hughes Road; thence in a south-westerly direction along the north-westerly boundary of Hughes Road to the intersection of the boundaries of Sections 15, 16, and 21, Block XVII; thence in a southerly direction along the boundary of Hughes Road to the intersection of the boundary of Sections 14 and 15, Block XVII; thence in a westerly direction along the boundary of the said Sections 14 and 15 to the intersection of the Oreti River Reserve; thence in a north-easterly direction along the boundary of Section 15, Block XVII, and the Waikiwi River Reserve to a point opposite the boundary between Sections 32 and 47, Block XVI; and thence across the Waikiwi River to the commencing point.

2. All that portion of the catchment district defined as follows:

Curran's Creek Rating District

All that area in the Southland Land District, situated in Blocks III, IV, XII, and XIII, Oteramika Hundred, bounded by a line commencing at the east end of the common boundary of Sections 7 and 20, Block XIII, Oteramika Hundred, on the west side of the Waituna Lagoon Road Reserve; thence in a westerly direction along the boundary between the said Sections 7 and 20 to the boundary between Blocks V and XIII; thence in a northerly direction along the boundary of the said Blocks V and XIII to the intersection of the boundary between Blocks XII and XIII; thence in an easterly direction along the boundary between the said Blocks XII and XIII to the intersection of the eastern boundary of the Waituna Lagoon Road Reserve; thence in a northerly direction along the eastern boundary of the Waituna Lagoon Road Reserve to the intersection of the unnamed road reserve; thence in a northerly direction across the unnamed road reserve to the south-western corner of Section 12, Block XII; thence in a northerly direction along the eastern boundary of the Waituna Lagoon Road Reserve to the intersection of the boundary between Sections 7 and 12, Block XII; thence in a westerly direction across the Waituna Lagoon Road and along the common boundary of Sections 6 and 13, Block XII; thence in a northerly direction along the boundary of Sections 5 and 6, Block XII; thence across the Waituna Gorge Road; thence in a westerly direction along the southern boundary of Section 4,

SECOND SCHEDULE—*continued*

PORTIONS OF CATCHMENT DISTRICT THAT MAY BE RATED—
continued

Currans Creek Rating District—continued

Block XII, to the boundary of Blocks III and XII; thence in a northerly direction along the boundary of Blocks III and XII to the intersection of the boundaries of Blocks III, IV, and XII; thence in a westerly direction across Kapuka Road; thence in a westerly, northerly, and easterly direction along the southern, western, and northern boundaries respectively of Section 87, Block III; thence across Kapuka Road; thence in a northerly and easterly direction along the western and northern boundaries of Section 26, Block IV; thence in a southerly direction along the western boundary of Sections 24 and 27; thence in an easterly direction along the southern boundary of Section 27; thence in a south-easterly direction along the south-western boundary of Section 28; thence directly across Ashers Road; thence in an easterly and northerly direction along the southern and eastern boundaries of Section 30, Block IV, to the intersection of the boundary of Sections 29 and 34, Block IV; thence in an easterly direction along the boundary of Sections 29 and 34, Block IV; thence in a southerly direction by the eastern boundary of Blocks IV, XII, and XIII to the intersection of the common boundary of Sections 18 and 19, Block XIII; thence in a south-westerly and north-westerly direction along the south-eastern and south-western boundaries of Section 19, Block XIII; thence in a northerly direction across a road reserve; thence in a north-westerly direction along the south-western boundary of Section 6, Block XIII; thence in a westerly direction across the Waituna Lagoon Road to the commencing point at the south-eastern corner of Section 7, Block XIII.

3. All that portion of the catchment district defined as follows:

Duck Creek Drainage Rating District

All that area in the Southland Land District, situated in Blocks 8, 19, 22, 23, and 24, Invercargill Hundred, and Blocks 6, 8, and 9, Campbelltown Hundred, and Blocks 1 and 3, Oteramika Hundred, bounded by a line commencing at a point on the right bank of Duck Creek where it intersects the eastern boundary of the Bluff-Invercargill Main Highway; thence in a general north-westerly direction along the eastern boundary of the Bluff-Invercargill Main Highway to the north-western corner of Section 47, Block 19, Invercargill Hundred; thence in a general north-easterly direction along the north-western boundaries of Sections 47 and 48 to their intersection with the southern boundary of Evans Road; thence in an easterly direction along the southern boundary of Evans Road to its intersection with the Invercargill-Fortrose Highway Reserve; thence in a south-easterly direction along the southern boundary of that highway reserve to the north-western corner of the southern portion of Section 38, Block 22, Invercargill Hundred; thence in a northerly direction across the highway,

*SECOND SCHEDULE—continued*PORTIONS OF CATCHMENT DISTRICT THAT MAY BE RATED—
*continued**Duck Creek Drainage Rating District—continued*

railway, and road reserves and along the western boundaries of Sections 38 and 37 to the north-west corner of Section 37; thence in an easterly direction along the northern boundaries of Sections 37 and 39 to the north-east corner of Section 39; thence in a northerly and easterly direction along the western and northern boundaries of Block 23, Invercargill Hundred, to the north-eastern corner of Block 23; thence in a northerly direction along the eastern boundary of Longbush South Road to its intersection with Ryan Road; thence in an easterly direction along the southern boundary of Ryan Road to its intersection with Woodlands South Road; thence in a general south-easterly direction along the south-western boundary of Oteramika Road to its intersection with Mokotua Main Road; thence in a general southerly direction along the western boundary of Mokotua Main Road to its intersection with the Invercargill-Fortrose Main Highway; thence across the main highway reserve and in a general south-westerly direction along the western boundary of Clearwater Road to its intersection with the unnamed road south of Section 29, Block 3, Oteramika Hundred; thence in a westerly direction along the northern boundary of the aforesaid unnamed road to the south-east corner of Section 51, Block 24, Invercargill Hundred; thence in a southerly direction along the eastern boundary of Section 66, Block 9, Campbelltown Hundred, to its intersection with the southern boundary of the said Section 66; thence in a westerly direction along the southern boundaries of Sections 66, 65, 64, and 63, Block 9, Campbelltown Hundred; thence in a northerly direction along the western boundary of Section 63, Block 9, to its intersection with the unnamed road along the north boundary of Section 63; thence in a westerly direction along the southern boundary of the said unnamed road to its intersection with the eastern boundary of Section 53, Block 8, Campbelltown Hundred; thence in a southerly direction along the eastern boundary of Section 53 to its intersection with the southern boundary of Section 53; thence in a westerly direction along the southern boundaries of Sections 53, 52, 51, 50, 49, and 48, Block 8, Campbelltown Hundred, to their intersection with the western boundary of Section 48; thence across the road and in a southerly and north-westerly direction along the eastern boundary of Section 27 and the south-western boundaries of Sections 27, 26, and 23, Block 8, Campbelltown Hundred to a point opposite the southern side of Somerville Street, Town of Woodend; thence in a westerly direction to and along the southern boundary of Somerville Street to its intersection with the Bluff-Invercargill Main Highway; thence in a general north-westerly direction along the eastern boundary of the Bluff-Invercargill Main Highway to the point of commencement.