

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

*House of Representatives, 15 August 1973.*

Words struck out by the Committee are shown in italics within bold round brackets; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.

*Right Hon. Mr Marshall*

**WELLINGTON CITY COUNCIL EMPOWERING**

[LOCAL]

ANALYSIS

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A BILL INTITULED

An Act to empower the Wellington City Council to reduce the rateable value of certain rural land and to prepare a farm-land roll.

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

1. **Short Title and commencement**—(1) This Act may be cited as the Wellington City Council Empowering Act 1973.
- 10 (2) This Act shall be deemed to have come into force on the 1st day of April 1973.

No. 77—2

Price 5c

## PART I

## SPECIAL RURAL-LAND LIST

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

“City” means the City of Wellington: 5

“Council” means the Wellington City Council:

*New*

“General rate” means a general rate made and levied under section 90 of the Municipal Corporations Act 1954: 10

“Land value” has the same meaning as in the Valuation of Land Act 1951:

“Occupier” has the same meaning as in the Rating Act 1967:

“Rateable value” has the same meaning as in the Rating Act 1967: 15

“Special rural land” means land which for the time being is—

(a) Subject to any general rates made and levied by the Council; and 20

(b) Used by the occupier for residential purposes and is not in the opinion of the Council likely to be required for subdivisinal purposes before the 31st day of March 1975; and

(c) Shown in the valuation roll as having *(an area of not less than 2 acres and in respect of which a land value has)* been assessed under the land-value system; and 25

(d) Not urban farm land within the meaning of the Rating Act 1967: 30

“Special rural-land list” means a special rural-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)* has the same meaning as in the Rating Act 1967. 35

**3. Preparation of special rural-land list**—(1) At any time after the 31st day of March and before the 1st day of June in each year, the Council may cause a special rural-land list to be made in the form in the Schedule to this Act *(or to the like effect)* of all pieces of special rural land in the city which are liable to be rated separately by the Council. 40

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

5 (3) The Council shall determine in respect of every property described in the special rural-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:

10 (a) Whether the general rates payable by the occupier are (excessive or) unduly burdensome, or whether the increase in the general rates is excessive:

(b) Whether any reduction would be likely to impose an undue burden of rates on the other ratepayers of the city, or any of them:

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

(d) The increase in value as a result of the land having been valued in accordance with the land value system as against having been valued on the unimproved value system.

20 (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 rural-land list as the special rateable value of the property.

30 **4. Deposit of list and objections**—Sections 121 to 126 of the Rating Act 1967 shall, with the necessary modifications, apply in respect of every special rural-land list as if references in those sections to the farm-land roll were references to the special rural-land list.

**5. List to be evidence, and to be open for inspection—**

(1) The special rural-land list shall be conclusive evidence of its contents and that it has been made in accordance with this Act.

35 (2) A copy of the special rural-land list shall be kept in the public office of the Council, and shall be open to public inspection, without fee, during ordinary office hours.

**6. List to be part of roll for rating purposes—**(1) The special rural-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 rural-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 assessed on or by reference to the special rateable value of such property as appearing in the special rural-land list. All rates, other than general rates, becoming payable to the Council while the said list is in force in respect of any such property shall be assessed on or by reference to the ordinary rateable value of the property as appearing in the valuation roll. 5

*New*

(2) A copy of every special rural-land list made under this Part of this Act shall be sent to the Valuer-General forthwith after it has been made. 10

**7. Special provisions in respect of year ending 31 March 1974**—In order to give effect to the intention of this Act, in respect of general rates levies by the Council for the year ending with the 31st day of March 1974, the following provisions shall apply: 15

- (a) The time allowed for the preparation of the special rural-land list under subsection (1) of section 3 of this Act shall be extended to the 31st day of December 1973: 20
- (b) The determinations of the Council pursuant to subsection (3) of section 3 of this Act or, as the case may be, the decisions of the Council or the Court pursuant to section 4 of this Act, shall apply in all respects as if the special rural-land list had been prepared before the making and levying of general rates for the year ending with the 31st day of March 1974, and the Council shall have power to refund to any (*occupier*) ratepayer whose name appears in the special rural-land list any amount paid by him in excess of the amount properly payable for that year in respect of any property described in the special rural-land list: 25 30
- (c) The power of correction given to a local authority by sections 57 and 58 of the Rating Act 1967 shall extend and apply to the modification of any rate demand for the year ending with the 31st day of March 1974, issued before the making of the special rural-land list. 35 40

PART II

FARM-LAND ROLL

8. Varying the date of coming into force of farm-land roll—Whereas following the amalgamation of the Makara section of the Hutt County with the City of Wellington as from the 1st day of April 1973 and in consequence of an application under section 118 of the Rating Act 1967 for the preparation of a farm-land roll, the Wellington City Council is in the course of preparing such a roll in accordance with section 120 of the Rating Act 1967: And whereas pursuant to section 133 of the Rating Act 1967 the roll will come into force on the 1st day of April 1974: And whereas it is desirable that the roll be deemed to have come into force on the 1st day of April 1973: Be it therefore enacted as follows:

- (1) Notwithstanding anything in section 133 of the Rating Act 1967, the farm-land roll in the course of preparation by the Wellington City Council shall be deemed to have come into force on the 1st day of April 1973.
- (2) The Wellington City Council is hereby authorised to make refunds of the overpaid amount of any rates found to be overpaid as a result of its farm-land roll being deemed to have come into force on the 1st day of April 1973.

*New*

25 **9. Expiry of Act**—The provisions of this Act shall expire on the 1st day of April 1975, and on that date this Act shall be deemed to be repealed.



**SCHEDULE****SPECIAL RURAL-LAND LIST**

Special rural-land list for the City of Wellington, 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				