

Manawatu-Oroua River District Amendment Act 1929

Local Act 1929 No 10
Date of assent 1 November 1929

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An Act to amend the Manawatu-Oroua River District Act, 1923.

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.

This Act may be cited as the Manawatu-Oroua River District Amendment Act, 1929, and shall form part of and be read together with the Manawatu-Oroua River District Act, 1923 (hereinafter called the principal Act).

2 Rating powers extended for the purpose of providing for compensation payable by Board.

- (1) Section thirty-two of the principal Act is hereby amended by repealing subparagraph (ii) of paragraph (b), and by adding the following new paragraph (c): “Compensation rates over the whole of the rateable land in the district to provide for compensation for damaging or injuriously affecting any land or work in execution of the River Board’s powers.” “Compensation” shall include all costs, charges, and expenses incurred by the River Board in respect of claims for compensation.
- (2) Subsection one of section thirty-three of the principal Act is hereby amended by adding the word “compensation” after the words “in addition to any maintenance,” and by adding to the said subsection one the words “for any work undertaken by the River Board for the benefit of such separate area, or any of the purposes for which such maintenance or compensation or administrative rates may be made and levied.”

3 Relief of rates in defined area from sale of land.

Where any land purchased, taken, or acquired for the purposes of any work undertaken by the River Board for the benefit of any separate area and paid for, or to be paid for by means of a special loan raised or a separate rate made and levied over the area, is sold or leased, all moneys received from such sale or lease shall be credited to such separate area, and the amount thereof shall, if such land were paid for out of special loan, be applied to the sinking fund or repayment of such loan, as the case may be, and otherwise to the reduction of any separate rate or any administrative compensation or maintenance rate thereafter to be levied over the separate area.

4 Board may agree to purchase certain river works.

Where the Board has agreed to carry out at the expense of the local authority or ratepayers concerned any work for the benefit of a separate area, the Board may agree with such local authority or ratepayers that if the work so carried out is adopted by the Board as part of a more comprehensive scheme of river-protection, or is declared by the Board to be necessary for its operations, the Board will purchase such work under the provisions of section seven of the principal Act.

5 Section 33 of principal Act amended.

Subsection three of section thirty-three of the principal Act is hereby amended by adding, after the word “subdivision,” the words “or defined part of a subdivision.”

6 Procedure for raising special loan for separate areas.

Where the River Board purposes to undertake any work for the benefit of a separate area and to make and levy a separate rate over that area for the

recovery of the cost of such work, including the cost of compensation in respect of such work, the following provisions shall apply in any case where the work to be undertaken is one for which a special loan may be raised:—

- (a) At any time after the public notification of the estimate referred to in subsection three of section thirty-three of the principal Act, and before the levying of the separate rate, a majority of the ratepayers in the separate area the capital value of whose rateable properties as appearing in the rate-book of the district is collectively greater than the capital value of the rateable properties of the remainder of the ratepayers in the separate area may, by a request in writing signed by each of them, require the River Board to raise by way of special loan under the Local Bodies' Loans Act, 1926, the cost of such work, including compensation.
- (b) Such request shall be deemed to be an authority for the River Board to raise such special loan, and it shall proceed to do so under the Local Bodies' Loans Act, 1926, but without taking the steps prescribed by sections nine to thirteen of that Act.
- (c) On the raising of such loan the separate rate shall be deemed to be revoked, and no steps shall be taken to levy the whole or any part of it.

7 Consent of ratepayers in separate areas or subdivisions to be obtained for certain works.

The Board shall not construct any works involving the expenditure of more than one thousand pounds for the benefit of any separate area (other than and not being works which the Board has prior to the passing of this Act conditionally or unconditionally resolved to construct for the benefit of any separate area) if a majority of the ratepayers in such separate area the value of whose rateable properties as appearing in the rate-book of the district is collectively greater than the capital value of the rateable properties of the remainder of the ratepayers in the separate area shall, within twenty-one days after the public notification of the estimate and other particulars referred to in subsection three of section thirty-three of the principal Act, notify the Board in writing of their objection thereto.

8 Section 36 of principal Act amended.

Section thirty-six of the principal Act is hereby consequentially amended by the insertion of the word "compensation" after the word "maintenance."