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**WELLINGTON REGIONAL COUNCIL (STADIUM
EMPOWERING)**

[LOCAL]

ANALYSIS

Title
1. Short Title
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A BILL INTITULED

An Act to permit the Wellington Regional Council to contribute to the funding of a multi-purpose sporting and cultural venue for the benefit of the public of the Wellington Region and to permit the Council to make and levy a stadium purposes rate

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Wellington Regional Council (Stadium Empowering) Act **1996**.

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

“Constituent district” means any district of a territorial authority which is situated within the Region and, where only part of such a district is situated within the Region, means that part of that district:

“Constituent territorial authority” means the territorial authority for any constituent district:

“Council” means the Wellington Regional Council constituted by clause 9 of the Local Government (Wellington Region) Reorganisation Order 1989:

“Region” means the Wellington Region constituted by clause 4 of the Local Government (Wellington Region) Reorganisation Order 1989:

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“Stadium related activity” includes any activity, undertaking or expenditure for the purpose of or ancillary to the planning, development, management, operation, maintenance, or promotion of a multi-purpose sporting and cultural venue for the benefit of the public of the Region: 5

“Territorial authority” has the same meaning as in section 2 of the Local Government Act 1974.

3. Stadium related activity—(1) Notwithstanding section 597A of the Local Government Act 1974, the Council shall, for the purposes of any stadium related activity, have all the powers and functions conferred on a territorial authority by section 601 of the Local Government Act 1974. 10

(2) Except as otherwise provided in this Act, the provisions of the Local Government Act 1974 and any other enactment shall apply to the Council as if the powers and functions conferred by **subsection (1)** of this section had been conferred on the Council by the Local Government Act 1974. 15

4. Stadium purposes rate—(1) The Council may from time to time, for the purposes of any one or more stadium related activities, by resolution, make and levy a stadium purposes rate in accordance with this section. 20

(2) Except as otherwise provided in this section, the provisions of the Rating Powers Act 1988 and any other enactment shall apply to any rate made and levied under **subsection (1)** of this section as if it were a works and services rate made and levied under section 34 of the Rating Powers Act 1988. 25

(3) A rate under **subsection (1)** of this section may be made and levied— 30

(a) As a uniform rate in the dollar on every rateable property within the region; or

(b) Subject to **subsection (4)** of this section, as a uniform rate in the dollar on every rateable property within each constituent district or part thereof, so that the rate made and levied in any one or more of the constituent districts or parts thereof may vary from that in another or others; or 35

(c) On a differential basis in accordance with Part V of the Rating Powers Act 1988. 40

(4) No rate shall be levied in accordance with **subsection (3) (b)** of this section except pursuant to a special order of the Council, and sections 84 to 87 of the Rating Powers Act 1988

shall, with the necessary modifications, apply to any such special order and to any alteration or revocation of the basis on which any such rate is made and levied, as if that rate had been made and levied on a differential basis.

5 (5) The Council shall, both in determining whether any rate is to be made in accordance with **paragraph (a) or paragraph (b) or paragraph (c) of subsection (3)** of this section and in determining the relationship between any rate made under that **paragraph (b)** and any rate made under that **paragraph (c)**,—

10 (a) Satisfy itself that the rate, and, where applicable, any such relationship, will be fair and reasonable; and

(b) Shall take account of the benefits that, by reason of the stadium related activity or activities for the purposes of which the rate is to be made, are likely to accrue, directly or indirectly, to or in—

15 (i) Any property; or
(ii) Any constituent district, or any part of a constituent district, in which any property is situated.

20 (6) Notwithstanding anything to the contrary in Part VI of the Rating Powers Act 1988 or in section 127 or section 129 of that Act, every rate made under **subsection (1)** of this section shall be levied in accordance with the basis and system of rating on which that rate was made.