

**Reprint  
as at 1 July 2003**



**Wellington Regional Council  
(Stadium Empowering) Act 1996**

Local Act 1996 No 5  
Date of assent 2 September 1996  
Commencement 2 September 1996

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

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**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**

**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

**Minister** means the Minister of Local Government

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

**Stadium** means a multi-purpose sporting and cultural venue for the benefit of the public of the Region built or proposed to be built on the land described in Schedule 1

**territorial authority** has the same meaning as in section 2 of the Local Government Act 1974

**Trust** means the Wellington Regional Stadium Trust referred to in section 6.

**3 Purposes of Act**

The purposes of this Act are to—

- (a) enable the Council to lend a sum not exceeding \$25 million to the Trust to facilitate the planning, development, and construction of the Stadium; and

- (b) require the Council to participate in the establishment of, and act as one of the settlors of, the Trust before exercising any other powers conferred by this Act.

#### **4 Stadium contribution**

The Council may—

- (a) contribute to meeting the costs of the planning, development, and construction of the Stadium by lending to the Trust, on such terms and conditions as the Council in its absolute discretion thinks fit, a sum or sums not exceeding \$25 million in total:
- (b) for the purpose of making any loan under paragraph (a)—
  - (i) borrow money by way of special loan under the Local Authorities Loans Act 1956; or
  - (ii) raise a loan under Part 7B of the Local Government Act 1974,—as the case may be.

#### **5 Stadium purposes rate**

- (1) The Council may from time to time, by resolution, make and levy a stadium purposes rate in accordance with this section for any or all of the purposes of—
  - (a) making any loan under section 4(a); or
  - (b) meeting the annual costs of any borrowing under section 4(b); or
  - (c) repaying part or all of any sum borrowed under section 4(b).
- (2) Except as otherwise provided in this section, the provisions of the Local Government (Rating) Act 2002, the Local Government Act 1974, and any other enactment apply to a rate made and levied under subsection (1) as if it were a targeted rate that is set and assessed under the Local Government (Rating) Act 2002.
- (3) In determining the type of targeted rate, the Council must—
  - (a) take account of the direct and indirect benefits that are, in the opinion of the Council, likely to accrue, by reason of the construction and development of the Stadium,—

- (i) in any constituent district or part of it in which the rate will be set and assessed; and
  - (ii) to any property on which the rate must be set and assessed; and
  - (b) satisfy itself that the rate or rates are fair and reasonable as between each constituent district or part of them, or each respective specified type or group of property, as the case may be.
- (4) In determining the type of targeted rate for a particular constituent district, the Council must have regard to net equalised capital value, population or related demographic characteristics, distance from the Stadium, and any other relevant characteristics of each constituent district, or part of the constituent district, that the Council considers appropriate.
- (5) Every rate made under subsection (1) must be assessed in accordance with the basis and system of rating on which that rate was made.
- (6) *[Repealed]*
- (7) *[Repealed]*
- Section 5(2): substituted, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).
- Section 5(3): substituted, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).
- Section 5(4): substituted, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).
- Section 5(5): substituted, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).
- Section 5(6): repealed, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).
- Section 5(7): repealed, on 1 July 2003, by section 137(1) of the Local Government (Rating) Act 2002 (2002 No 6).

## 6 Establishment of Trust

- (1) The Council may, and shall before exercising any of the powers conferred by section 4 or section 5, jointly with the Wellington City Council, establish a trust to be known as the Wellington Regional Stadium Trust.
- (2) The Wellington Regional Stadium Trust—
- (a) shall be responsible for the planning, development, construction, ownership, operation, and maintenance of the

- Stadium as a multi-purpose sporting and cultural venue;  
and
- (b) may undertake such additional functions as are specified in the trust deed establishing the Trust, being functions ancillary to the responsibilities in paragraph (a) for the benefit of the public of the Region.
- (3) The trust deed establishing the Trust—
- (a) shall include the matters set out in Schedule 2; and
  - (b) shall comply with and be registered under the provisions of the Charitable Trusts Act 1957; and
  - (c) may provide that the Council and the Wellington City Council shall not in any circumstances be liable for the debts, liabilities, or commitments of the Trust.
- (4) The trust deed shall not be executed by the Council without the written approval of the Minister who shall, before giving such approval, be satisfied that the trust deed is consistent with the provisions of this section and such of the provisions of sections 225F to 225J of the Local Government Act 1974 as are appropriate and relevant to the purposes of the Trust.
- (5) The Council is hereby empowered to exercise such rights, powers, and privileges, and to perform such duties and responsibilities, as are conferred on the Council under the provisions of the trust deed establishing the Trust.
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**Schedule 1**  
**Wellington Land District—Wellington**  
**City**

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1.73 hectares, approximately, being part Lot 30, DP 80544. Part CT 47A/798, marked A on SO Plan 37605.

4.71 hectares, approximately, being part Lot 31, DP 80544 and part Lot 1, DP 11017. All CT 47A/799 and part CT 47C/565, marked B on SO Plan 37605.

560 square metres, approximately, being part Lot 30, DP 80544, part Lot 1, DP 10550 and part Lot 1, DP 17895. Balance CT 47A/798 and part CT 44A/19, marked C on SO Plan 37605.

1100 square metres, approximately, being part Lot 1, DP 11017. Balance CT 47C/565, marked D on SO Plan 37605.

1000 square metres, approximately, being part Lot 37, DP 79376, part Lot 1, DP 11017, and part Section 1, SO 20150. Part CT 45D/803, part CT 47C/565, and part Proc. 2764, marked E on SO Plan 37605.

666 square metres, more or less, below reduced level 8 metres and 210 square metres more or less above reduced level 8 metres, mean sea level, being Accessway. Vested DP 80544, marked F on SO Plan 37605.

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## Schedule 2

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### Matters to be included in trust deed

- (1) The trust deed shall contain provisions—
  - (a) specifying the name of the Trust (“The Wellington Regional Stadium Trust”):
  - (b) specifying the responsibilities of the Trust in accordance with section 6(2)(a):
  - (c) specifying any additional functions of the Trust in accordance with section 6(2)(b):
  - (d) specifying the maximum and minimum number of trustees:
  - (e) for the holding of, and voting at, meetings of trustees and specifying the quorum necessary for the holding of meetings of trustees:
  - (f) for the remuneration of trustees:
  - (g) specifying the manner of appointment to or removal from the office of trustee:
  - (h) for the appointment of officers, employees, managers, and agents:
  - (i) specifying the powers of investment of the trustees:
  - (j) specifying the powers of the trustees to enter into contracts or arrangements which they consider conducive to the carrying out of the purposes of the Trust:
  - (k) specifying the powers of the trustees to expend the income of the Trust, which powers shall be exercisable only for the purposes of administering and maintaining the Trust and for the purposes specified in the trust deed:
  - (l) for the keeping of accounts:
  - (m) specifying the manner in which the trust deed may be varied.
- (2) The trust deed establishing the Trust—
  - (a) shall include such of the provisions required by sections 225F to 225K of the Local Government Act 1974 in respect of a community trust established under section 225D of that Act as are appropriate and relevant to the purposes of the Trust; and

- (b) may contain such other provisions as are agreed between the Council and the Wellington City Council.
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## **Local Government (Rating) Act 2002**

Public Act 2002 No 6  
Date of assent 30 March 2002  
Commencement see section 2

### **1 Title**

This Act is the Local Government (Rating) Act 2002.

### **Part 1**

#### **Preliminary and key provisions**

##### Subpart 1—Preliminary provisions

### **2 Commencement**

- (1) Section 137(1), so far as it relates to the item relating to section 122ZAA of the Local Government Act 1974 in Schedule 5, comes into force on the day after the date on which this Act receives the Royal assent.
- (2) The following provisions come into force on the day after the date on which this Act receives the Royal assent, but only for the purpose of rating in a financial year that begins on or after 1 July 2003:
  - (a) section 11, so far as it relates to district valuation rolls; and
  - (b) section 137(1), so far as it relates to—
    - (i) Schedule 4; and
    - (ii) items relating to the Rating Valuations Regulations 1998 in Schedule 5.
- (3) The following provisions come into force on 30 April 2003:
  - (a) section 11, so far as it relates to rating information databases; and
  - (b) sections 27 to 36.
- (4) The rest of this Act comes into force on 1 July 2003.

**Part 5**  
**Replacement of rates and miscellaneous  
matters**

Subpart 2—Miscellaneous matters

*Amendments, savings, repeals of other  
enactments, and transitional provisions*

**137 Amendments to other enactments**

- (1) The Acts and regulations specified in Schedules 4 and 5 are amended in the manner indicated in those schedules.
  - (2) However, those Acts and regulations continue in force as if they had not been amended to the extent necessary for the levying and collection of rates made or levied for the financial year ending on 30 June 2003 or a previous financial year.
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## Notes

### 1 *General*

This is a reprint of the Wellington Regional Council (Stadium Empowering) Act 1996. The reprint incorporates all the amendments to the Act as at 1 July 2003, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

### 2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### 3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989***

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint  
(most recent first)***

Local Government (Rating) Act 2002 (2002 No 6): section 137(1)

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