

Powers, functions and duties that the Council retains

The Council retains the sole right to exercise the powers, functions and duties outlined in the table below.

Biosecurity Act 1993

Section of Act	Power, Function, Duty
13	Make, review amend or revoke a regional pest management strategy
72(1)	Notify a regional pest management strategy in certain circumstances (list in the provision, relating primarily to the anticipated benefits/effects of the strategy)
75	Refuse to notify a proposal for a regional pest management strategy
79	Appoint Hearing Commissioners to inquire into and report upon a notified proposal for a regional pest management plan
79B(4)	Make decisions regarding a proposed regional pest management strategy that include any consequential alterations arising out of submissions and any other relevant matter that are considered relating to matters raised in submissions
83(1)	Decide whether or not to: <ul style="list-style-type: none"> • make a joint regional pest management strategy with another regional council and • separately notify a joint regional pest management strategy
84(4)	If a management agency for a pest management strategy resigns by notice in writing to the Minister or the Council, or goes into liquidation, or ceases to exist, the Council may, without following the required procedure, appoint a different qualified body to be the management agency for a strategy and publicly notify any such appointment
85(4)	May, in certain circumstances (detailed in provision), disallow a plan proposed by a management agency for the

	implementation of a pest management strategy
88(3)	Review a pest management strategy at any time in accordance with s88 of the Act
100	In certain circumstances (detailed in provision) and without a regional pest management strategy, undertake small-scale management of unwanted organisms. This must be effected by way of a publicly notified 'small-scale management programme'

Land Transport Act 1998

Section of Act	Power, Function, Duty
175(1)	Regional Council must prepare a regional land transport strategy for its region
176(2)	Regional Council may amend its regional land transport strategy at any time during its currency to reflect any significant change in the circumstances that existed when the strategy was prepared or to include a regional passenger transport plan that has been prepared by it since the preparation of the strategy
178(1)	Regional Council must establish a land transport committee for its region
Schedule 4	May fix infringement fees lower than the statutory rate, where certain parking offences are committed in breach of local authority bylaws

Land Transport Management Act 2003

Section of Act	Power, Function, Duty
12(1)	Where a local authority recommends that any activities or activity classes be included in a national land transport programme or that any safety administration outputs be included in a safety administration programme, that local authority must prepare a land transport programme for the next financial year and make that programme available to

	the public in written form
13	Local authority need not prepare a land transport programme for a financial year if the local authority's LTCCP or annual plan includes the matters required to be in a land transport programme prepared by the local authority, and the local authority provides details of those matters as required by section 12 in a form that Transfund and the LTSA are satisfied complies with the provisions of this Act relating to the form of a land transport programme; and in preparing the plan, the local authority has taken into account the matters referred to in s12(3) and (5)
15(2)	When preparing a land transport programme, a regional council must consult various parties (listed in provision)
27(1),(2) and (3)	Regional Council may hold an interest in, or acquire the ownership of, a public transport service or any public transport infrastructure. Where the public transport service indirectly receives funding from the national land transport account, any interest that the Regional Council has in the public transport service must be held in a council controlled trading organisation, whether or not in conjunction with another local authority
35	Local authority must consider the needs of persons who are transport disadvantaged, when preparing a land transport programme

Local Electoral Act 2001

Section of Act	Power, Function, Duty
8(1)	May direct the electoral officer to conduct an election (whether on behalf of some other person or body or otherwise) that is not required to be held under the Act
9(1)	May direct the electoral officer to conduct a referendum that is not required to be held under this or any other Act on various matters (listed in provision)
9(2)	Must determine whether the matter that is the subject of the referendum affects all or part of its local government area, and must direct the electoral officer to conduct the referendum for all or the appropriate electors of the local

	government area accordingly
12(1)	Must appoint electoral officer
19I(1)	<p>Must determine:</p> <ul style="list-style-type: none"> (a) the proposed number of constituencies; and (b) the proposed name and the proposed boundaries of each constituency; and (c) the number of members proposed to be elected by the electors of each constituency
19ZD(1)	May, at any time, resolve that a poll be held on the question whether the region should be divided into 1 or more Maori constituencies
27(1)	May, not later than 12 September in the year that is 2 years before the year in which the next triennial general election is to be held, resolve that the next 2 triennial general elections of the local authority and its community boards (if any), and any associated election, will be held using a specified electoral system other than that used for the previous triennial general election
31(1)	May, no later than 28 February in the year immediately before the year in which the next triennial general election is to be held, resolve that a poll be held on a proposal that a specified electoral system be used for the elections of the local authority and its community boards (if any)
36(1)	Every election or poll conducted for a local authority must be conducted using 1 or more methods of voting adopted by resolution of the local authority
37(1)	Before passing any resolution under s36(1) that will apply to elections or polls conducted for any other local authority, the local authority concerned must consult that local authority
79(1)	May determine, by resolution, that the voting documents in respect of a triennial general election, or a poll or election conducted in conjunction with a triennial general election, are to be processed during the voting period

79(2)	May determine, by resolution, that the voting documents in respect of any election or poll (other than a triennial general election or a poll conducted in conjunction with a triennial general election) are to be processed during the voting period
117(2), (3)	<p>If a vacancy occurs in the office of a member of a local authority within 12 months before the next triennial general election the local authority must, at its next meeting (other than an extraordinary meeting) or, if that is not practicable, at its next subsequent meeting (other than an extraordinary meeting), determine by resolution:</p> <p>(a) that the vacancy will be filled by the appointment by the local authority or community board of a person named in the resolution who is qualified to be elected as a member; or</p> <p>(b) that the vacancy is not to be filled</p>

Local Government Act 1974

Section of Act	Power, Function, Duty
256(3)	Local authority may resolve that certain local archives shall not be available for public inspection until after the expiration of a period of time specified in that resolution, being not more than 25 years, if it appears to the local authority that those archives contain information which, if made available under this section, would or might constitute a breach of good faith on the part of the local authority or on the part of the persons who obtained the information
259(1)(a)	Local authority must give the Chief Archivist at least 3 months' notice in writing of its intention to destroy archives protected by the Chief Archivist under s156(1), specifying the archives proposed to be destroyed and the date on or after which they are to be destroyed
619(2)	Wellington Regional Council may purchase, or otherwise acquire, a piece of land it considers to be of intrinsic worth or for the benefit, enjoyment, and use of the public and hold

	that land as a regional park or regional reserve
619(4)	Any land vested in a public body may, if Wellington Regional Council and the public body controlling the land so agree, be transferred to the Council upon such terms as may be agreed upon between the Council and the public body. The Council will hold any such land subject to the trusts (if any) affecting the land at the time of the transfer, and the Council may exercise all the powers and authorities in respect of the land that were possessed by the public body from which the land was transferred
619(5)	Wellington Regional Council may set aside any of its land as a regional park. It may also establish and maintain any such land as a botanic garden (other than reserves land subject to the Reserves Act 1977)
619(7)	Wellington Regional Council may make grants to a local authority towards payment of the cost of providing, improving, or maintaining public access, whether by the road or otherwise, to a regional park
619C, 619D	Wellington Regional Council has responsibility for, and must prepare, approve and maintain a management plan in respect of, certain regional parks (listed in s619C)
619I(5)	Wellington Regional Council may make a change to an approved management plan for a regional park by following the procedure specified in ss619F to 619H of the Act
684B	<p>Regional Council may from time to time, by bylaw under the Act, do all or any of the following things in relation to waters within its region:</p> <ul style="list-style-type: none"> (a) Generally regulate and control, for the purposes of navigation and safety, the use or management of ships (b) Regulate the placing and maintenance of moorings and maritime facilities (c) Regulate and control, and prevent nuisances arising from the speed, use, anchoring, mooring, and management of ships and seaplanes or the towing of

	<p>any thing or person</p> <p>(d) Take certain action in the interests of navigation safety (detailed in provision)</p> <p>(e) Regulate and control the use of any anchorage</p> <p>(f) Put in place ship traffic separation schemes and ship traffic management schemes</p> <p>(g) Prescribe the use of safety equipment and the marking and identification of personal water craft</p> <p>(h) Fix fees and charges in respect of the use of any land, building, equipment, or other property, that is owned by the council and operated for navigation-related purposes</p> <p>(i) Exempting specified classes of persons from compliance with any provision of the bylaws or providing for the council to exempt any person from compliance with any provision of the bylaws</p>
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Local Government Act 2002

Section of Act	Power, Function, Duty
7(3)	Local authority may, after taking account of the matters specified in s7(5), exempt a small organisation that is not a council-controlled trading organisation, for the purposes of s6(4)(i) (entities that are not council controlled organisations)
7(6), 7(7)	Local authority must review any exemption it has granted within a three-yearly cycle and can revoke an exemption at any time
15(1)	All local authorities within a region must, no later than 1 March after each triennial general election of members, enter into an agreement containing protocols for communication

	and co-ordination among them during the period until the next triennial general election of members
15(3)	Agree to amend the protocols for communication and co-ordination that have been set out in the triennial agreement
16(1), 16(2)	Where a Regional Council, or a Regional Council controlled organisation, proposes to undertake a significant new activity that one or more territorial authorities within the region are already undertaking (or intend to undertake) the Regional Council must advise all the territorial authorities within its region and the Minister of the proposal and the reasons for it and it must include the proposal in its draft long-term council community plan
16(4)	Regional Council may submit that matter of a proposed significant new activity to mediation
16(6)	If mediation is unsuccessful, the Regional Council may ask the Minister to make a binding decision on the proposal
17(1)	Regional Council may transfer 1 or more of its responsibilities (other than a responsibility that may be transferred under section 33 of the Resource Management Act 1991) to a territorial authority in accordance with this section
17(3)(a)	A transfer under s17(1) must be made by agreement between the local authorities concerned and may be on such terms and conditions as are agreed
17(3)(b)	A transfer under s17(1) may be – by agreement – either a substantive transfer of responsibilities, or a delegation of the undertaking of responsibilities with the transferring local authority remaining responsible for the exercise of those responsibilities
17(4)	A Regional Council can only accept the transfer of a power from a territorial authority in accordance with s17(2) if it has: <ul style="list-style-type: none"> i. included the proposal in its annual plan or draft long-term council community plan; or

	<p>ii. used the special consultative procedure</p> <p>And if in all cases it has given prior notice to the Minister of the proposal</p>
17(6)	If a transfer of responsibilities has been made, either local authority that was party to the transfer may initiate a variation of the terms of the transfer or the reversal of the transfer
31(4)	A local authority that receives a report from the Local Government Commission in accordance with ss31(1) and 31(2) must consider and respond to the Commission in relation to the report or recommendation
40(1)	Local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement (information to be included in statement listed in s40(1)(a)-(n))
40(3)	Local authority must update its local governance statement as it considers appropriate
42(1)	Local authority must appoint a Chief Executive in accordance with clauses 33 and 34 of Schedule 7 of the Act
45(1)	On receipt of a report from the Auditor-General in accordance with s44 of the Act, local authority must, within 28 days, respond in writing to the Auditor-General, and send a copy of the response to the Minister
45(4)	An individual member of a local authority may respond independently to the Auditor-General
56(1)	Local authority may establish, or become a shareholder in, a council controlled organisation, subject to the approval of such a proposal in accordance with the special consultative procedure
57(1)	<p>Local authority must adopt a policy that sets out an objective and transparent process for:</p> <p>(a) the identification and consideration of the skills, knowledge, and experience required of directors of</p>

	<p>a council organisation</p> <p>(b) the appointment of directors to a council organisation</p> <p>(c) the remuneration of directors of a council organisation</p>
57(2)	<p>Local authority may appoint a person to be a director of a council organisation only if the person has, in the opinion of the local authority, the skills, knowledge, or experience to:</p> <p>(a) guide the organisation, given the nature and scope of its activities</p> <p>(b) contribute to the achievement of the objectives of the organisation</p>
65(1)	<p>Local authority that is a shareholder in a council organisation must regularly undertake performance monitoring of that organisation, in light of the local authority's objectives for that organisation, the desired results set out in the organisation's statement of intent, and the overall aims and outcomes of the local authority</p>
65(2)	<p>Local authority must, as soon as practicable after a council-controlled organisation's statement of intent is delivered to it, agree to the statement of intent or require the statement of intent to be modified in accordance with Schedule 8 of the Act</p>
81(1)	<p>Local authority must:</p> <p>(a) establish and maintain processes to provide opportunities for Maori to contribute to the decision-making processes of the local authority</p> <p>(b) consider ways in which it may foster the development of Maori capacity to contribute to the decision-making processes of the local authority</p>

	<p>(c) provide relevant information to Maori for the purposes of paragraphs (a) and (b)</p>
82(2)	<p>Local authority must have in place processes for consulting with Maori in accordance with s82(1) (which sets out principles of consultation)</p>
83(1)	<p>Where a local authority is required to use the special consultative procedure, it must:</p> <ul style="list-style-type: none">(a) prepare a statement of proposal and a summary of the information contained in the proposal(b) include the statement of proposal on the agenda for a meeting of the local authority(c) make the statement of proposal available for public inspection at the principal public office of local authority and such other places as the local authority considers necessary in order to provide all ratepayers and residents of the district with reasonable access to that statement(d) distribute in accordance with section 89(c) the summary of the information contained in the statement of proposal(e) give public notice, and such other notice as the local authority considers appropriate, of the proposal and the consultation being undertaken(f) include in the public notice a statement about how persons interested in the proposal may obtain the summary of information about the proposal and may inspect the full proposal(g) include in the public notice a statement of the period within which submissions on the proposal may be made to the local authority

	<p>(h) ensure that any person who makes a submission on the proposal within that period is sent a written notice acknowledging receipt of that person's submission and is given a reasonable opportunity to be heard by the local authority (if that person so requests)</p> <p>(i) ensure that the notice given to a person under paragraph (h)(i) contains information advising that person of that person's opportunity to be heard and explaining how that person may exercise that person's opportunity to be heard</p> <p>(j) ensure that, except as otherwise provided by Part 7 of the Local Government Official Information and Meetings Act 1987, every meeting at which submissions are heard or at which the local authority, community board, or committee deliberates on the proposal is open to the public</p> <p>(k) subject to the Local Government Official Information and Meetings Act 1987, make all written submissions on the proposal available to the public</p>
83(3)	Notwithstanding the requirement to use the special consultative procedure, a local authority may, before making a decision, request or consider comment or advice from an officer of the local authority or any other person in respect of the proposal
83A(1)	Where the Act requires a local authority to carry out consultation by way of the special consultative procedure, it may (but is not required to) carry out that consultation in accordance at the same time as, or combined with, any other special consultative procedure that it is required to carry out under the Act or any other enactment
89(b)	Local authority must determine the form to be taken by a summary of the information contained in a statement of proposal

89(c)	Local authority may determine the manner in which a summary of the information contained in a statement of proposal is to be distributed
90(1)	<p>Local authority must adopt a policy setting out:</p> <ul style="list-style-type: none"> (a) that local authority's general approach to determining the significance of proposals and decisions in relation to issues, assets, or other matters; and (b) any thresholds, criteria, or procedures that are to be used by the local authority in assessing the extent to which issues, proposals, decisions, or other matters are significant
91(1)	Local authority must, not less than once every 6 years, carry out a process to identify community outcomes for the intermediate and long-term future of its region
91(3)	<p>Local authority may decide for itself the process that it is to use to facilitate the identification of community outcomes under subsection s91(1), but must, before finally deciding on that process, take steps</p> <ul style="list-style-type: none"> i. to identify, so far as practicable, other organisations and groups capable of influencing either the identification or the promotion of community outcomes; and ii. to secure, if practicable, the agreement of those organisations and groups to the process and to the relationship of the process to any existing and related plans <p>In all cases, the local authority must ensure that the process encourages the public to contribute to the identification of community outcomes</p>
92(1)	Local authority must monitor and, not less than once every 3 years, report on the progress made by the community of its region in achieving the community outcomes for the region

92(2)	Local authority may decide for itself how it is to monitor and report under subsection s91(1), but the local authority must seek to secure the agreement of organisations and groups identified under s91(3)(a) to the monitoring and reporting procedures, including the incorporation of any research, monitoring, or reporting undertaken by those organisations and groups
93(4)	Local authority may amend its LTCCP at any time
93(8)	Local authority must, in relation to the preparation and adoption of a long-term council community plan, act in such manner, and include in that plan such detail, as it considers reasonable, having regard to ss77-84, 96,97 and 101 of the Act, the significance of any matter, and the extent of the local authority's resources
95(1)	Local authority must prepare and adopt an annual plan
98(1)	Local authority must prepare and adopt in respect of each financial year an annual report containing in respect of that year the information required by Part 3 of Schedule 10 of the Act
100(1)	Local authority must ensure that each year's projected operating revenues are set at a level sufficient to meet that year's projected operating expenses
100(2)	Local authority may set projected operating revenues at a different level from that required by that subsection if the local authority resolves that it is financially prudent to do so
102(1)	Local authority must, in order to provide predictability and certainty about sources and levels of funding, adopt the funding and financial policies described in s102(4)
102(3)	Local authority may adopt any of the policies listed in s102(4) as part of its LTCCP
102(4)	Local authority must adopt: <ul style="list-style-type: none"> (a) a revenue and financing policy (b) a liability management policy

	<p>(c) an investment policy</p> <p>(d) a policy on development contributions or financial contributions</p> <p>(e) policy on partnerships between the local authority and the private sector</p> <p>(f) a policy on the remission and postponement of rates on Maori freehold land</p> <p>(Must adopt in accordance with the special consultative procedure under 102(2))</p>
102(5)	Local authority may adopt a rates remission policy or a rates postponement policy
139(1)	Regional Council may apply to the Governor-General for a declaration that a regional park or regional reserve in its region is to be protected in perpetuity from sale or other disposition by the Regional Council
139(3)	Notwithstanding the making of a declaration under s139(1), if retention of the land would not materially enhance the conservation or recreational values of the regional park or regional reserve, a Regional Council may sell or dispose of part of a regional park or regional reserve in order to make a minor boundary adjustment to the park or reserve, or for the purpose of the more efficient administration of the regional park or regional reserve
140(4)(b)	Local authority may sell or exchange endowment property and use the proceeds of the sale or exchange for a purpose identified by the local authority in accordance with s141, unless such a sale or exchange is expressly prohibited by the instrument that vested the property in the local authority
141(1)(b)	Local authority must include in its draft LTCCP a statement of its intention to sell or exchange endowment property and the use to which the proceeds of the sale or exchange will be put, and must adopt the LTCCP in accordance with the requirements of Part 6 of the Act

141(1)(d)	Local authority must make a reasonable attempt to notify the donor of endowment property, or his or her successor, as the case may be, that the local authority intends to sell or exchange the property and provide the donor with a reasonable opportunity to comment on the intended sale or exchange
149(1)	<p>Regional Council may make bylaws in relation to the following matters:</p> <ul style="list-style-type: none">(a) forests that the Regional Council owns or controls, whether or not the forest is within the region of the Regional Council(b) parks, reserves, recreation grounds, or other land that the Regional Council owns or controls(c) flood protection and flood control works undertaken by, or on behalf of, the Regional Council(d) water supply works undertaken by, or on behalf of, the Regional Council
150(1)	<p>Local authority may prescribe fees or charges payable for a certificate, authority, approval, permit, or consent from, or inspection by, the local authority in respect of a matter provided for:</p> <ul style="list-style-type: none">(a) in a bylaw made under the Act; or(b) under any other enactment, if the relevant provision does not:<ul style="list-style-type: none">i. authorise the local authority to charge a fee; orii. provide that the certificate, authority, approval, permit, consent, or inspection is to be given or made free of charge

156(2)	<p>Local authority may amend bylaws by:</p> <ul style="list-style-type: none"> (a) making editorial changes or amendments to clarify meaning or amendments of minor effect; or (b) converting an Imperial weight or measure specified in a bylaw into its metric equivalent or near metric equivalent
161(2)	Transfer all or any bylaw making powers to a territorial authority within the region or to another regional council.
179(1), 179(2)	Local authority may contract out to any other local authority or other person the administration of its regulatory functions, including, without limitation, the operational aspects of enforcement, inspection, licensing, and other administrative matters. The local authority retains for the manner in which those tasks are undertaken, including legal responsibility
180(1)	Regional Council may consent to the enforcement and administration of any of its bylaws by a territorial authority with jurisdiction within the region
189(1)	Local authority may purchase, or take in the manner provided in the Public Works Act 1981, any land or interest in land, whether within or outside its district, that may be necessary or convenient for the purposes of, or in connection with, any public work
298(3)	Local authority may apply any of the proceeds of the sale of any shares or equity securities in a Port Company (including any income or capital gain arising on those proceeds) to the payment of costs related to the sale, the performance of any functions of that local authority, and a payment to a community trust established under s225D of the Local Government Act 1974
299(1)	Local authority may borrow from the Commissioners of any sinking fund established by the local authority under the Local Authorities Loans Act 1956 or any former enactment and meet the costs of the borrowing (including interest and principal) from the proceeds of any rate
Schedule 3	Local authority has various powers and duties relating to initiation, promotion, and cost bearing regarding

	reorganisation schemes
Schedule 7, cl 15(1)	Local authority must adopt code of conduct for members
Schedule 7, cl 15(3)	Local authority may amend or replace code of conduct for members
Schedule 7, cl 18(1), 18(2)	Regional Council may remove its chairperson or deputy chairperson from office, and the Regional Council may elect a new chairperson or deputy chairperson
Schedule 7, (19)	Adopt or amend the schedule of ordinary meetings for a future period
Schedule 7 (27)	Adopt and amend a set of standing orders for the conduct of members of the Council and committees
Schedule 7 cl 30 (1)	May appoint committees and other subordinate decision-making bodies as considered appropriate, including a joint committee with another local authority
Schedule 7, cl 30(5)	Local authority may discharge or reconstitute a committee or other subordinate decision-making body
Schedule 7, cl 31(1)	May appoint or discharge any member of a committee
Schedule 7, cl 32(1)	<p>Local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except:</p> <ul style="list-style-type: none"> (a) the power to make a rate (b) the power to make a bylaw (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term council community plan (d) the power to adopt a long-term council community plan, annual plan, or annual report (e) the power to appoint a Chief Executive

	(f) the power to adopt policies required to be adopted and consulted on under the Act in association with the long-term council community plan or developed for the purpose of the local governance statement
Schedule 9, cl 4(1)	Local authority may transfer its liabilities in relation to an undertaking to a council-controlled organisation if the transfer is agreed to by the local authority, the council-controlled organisation and any other affected parties
Schedule 15, cl 2(3)	Local authority may reply to a notice from the Minister advising of a ministerial review of that local authority, regarding the need for the review and the particular matters proposed to be reviewed and any steps that the local authority is taking, or is intending to take, that may remove the need for a review

Local Government Official Information and Meetings Act 1987

Section of Act	Power, Function, Duty
32(1)	May resolve not to observe a recommendation made by the Ombudsman
42(6)	May revoke any delegation made under s42(1) at will
46A(7)	May resolve to deal at that meeting with an item that is not on the agenda for that meeting
48(1)	May, by resolution, exclude the public from the whole or any part of the proceedings of any meeting, on certain grounds (listed in provision)
48(5)	May also provide for one or more specified persons to remain after the public has been excluded if that person, or persons, has or have, in the opinion of the local authority, knowledge that will assist the authority

Local Government (Rating) Act 2002

Section of Act	Power, Function, Duty
13(1)	Local authority may set a general rate for all rateable land within its district
15(1)	Local authority may set a uniform annual general charge for all rateable land within its district
16(1)	Local authority may set a targeted rate for 1 or more activities or groups of activities if those activities or groups of activities are identified in its funding impact statement as the activities or groups of activities for which the targeted rate is to be set
19(1)	Local authority may set a targeted rate in accordance with its funding impact statement for the quantity of water provided by the local authority
23(3)	<p>Local authority may set a rate that is not provided for in its LTCCP and funding impact statement, if:</p> <ul style="list-style-type: none"> (a) it is satisfied that the rate is required to meet an unforeseen and urgent need for revenue that cannot reasonably be met by any other means, having regard to the manner in which it has, in its LTCCP and funding impact statement allocated the costs of the activities or groups of activities to which the need for revenue relates; and (b) it has given at least 14 days' public notice of its intention to set the rate
27(7)	Regional Council may keep a rating information database in separate parts for the constituent districts of the region and delegate the function of maintaining those parts to the territorial authorities concerned
41(1), 41(2) Refund an overpayment greater than \$500,000	Local authority must issue an amended rates assessment if an error in the rating information database or rates record in respect of the rating unit concerned is corrected with five years after an amended rates assessment is issued. If this results in an overpayment by the ratepayer, the local

	authority must refund the ratepayer to the extent of the overpayment.
53(1)	One or more local authorities may appoint a person or a local authority to collect the rates they assess
54(1) Decline to collect rates when they exceed \$1000	Local authority may decline to collect rates in a financial year that are, in its opinion, uneconomic to collect
55(1), 55(3)	Local authority may adopt a policy for the payment of some or all rates that are identified in the rates assessment before the due date or dates for those rates in the current financial year. The policy may provide for a discount of the amount of the rates if payment is made by a specified date before the due date or dates
56(1)	Local authority may adopt a policy for the payment of rates in anticipation of rates for subsequent financial years
57(1)	Local authority may authorise penalties to be added to rates that are not paid by the due date
58(1)	Local authority may impose various specific types of penalty (listed in provision)
67(1)	If payment is not made to satisfy a judgement for payment of rates, local authority may apply, in accordance with s67(2), to the Registrar of the High Court to have the judgment enforced by sale or lease of the rating unit
67(4)	Local authority may offer land, which is subject to enactments that prohibit the alienation or transfer of that land, for lease on certain terms (detailed in provision)
72(1)	Local authority may consent to the sale or lease of a rating unit by private treaty for any consideration that the Registrar of the High Court thinks reasonable, if the unit cannot be sold or leased by public auction or public tender
77(2)	Local authority may, at any time, give public notice in the locality of the land that it intends to have certain land declared abandoned 1 month after the date of the notice and to sell or lease the land

79(2)	Local authority may impose any conditions it sees fit upon the sale of abandoned land by public auction or public tender, although it must place a reserve on the land
79(3)	Local authority may refuse any tender for abandoned land, or put the abandoned land up for sale or lease as often as may be required until it is sold or leased
79(4)	If abandoned land is not sold or leased at public auction or by public tender, the local authority may sell or lease the land by private treaty for any consideration that is not less than the reserve
79(5)	Local authority may bid for the abandoned land at any public auction of it and may buy the land, but it must not bid less than the reserve price
82(3)	If the proceeds of a sale or lease of abandoned land under s79 are not sufficient to meet the rates, interest, costs, and expenses, the local authority may write off the deficiency
116(1)	Local authority may consent to exemption, by the Governor-General by Order in Council, of Maori Freehold Land from all liability for rates
119(1)	Local authority may set a rate again in the financial year in which the rate was set
120(2)	Local authority may decide to set replacement rates if: <ul style="list-style-type: none"> (a) it has obtained an opinion from a barrister or solicitor that the rates in question would be likely to be set aside or declared invalid if they were subjected to judicial review by the High Court (b) it determines that it is desirable to set the rate again because of an irregularity in setting the rate, or a mistake in calculating the rate, or a relevant change in circumstances
126(2) Refund excess rates greater than \$500,000	Local authority must refund the whole amount of any excess rates paid that are entered as a credit against future rates, upon written application from the ratepayer

132(1)	<p>Local authority may delegate the exercise of functions, powers, or duties conferred by this Act on the local authority to:</p> <p>(a) its chief executive officer; or</p> <p>(b) any other specified officer of the local authority</p>
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Reserves Act 1977

Section of Act	Power, Function, Duty
14(1)	<p>Local authority may declare any land vested in it to be a reserve within the meaning of this Act subject to any conditions specified in the resolution</p> <p>Declaration must be made by way of resolution of the local authority (note: resolution does not have force and effect until approved and gazetted by the Minister of Conservation (s14(5)))</p>
16(2A)	<p>Local authority must classify certain reserves (detailed in provision) according to their primary purpose, and give notice of the same to the Commissioner</p>
16(10)	<p>Regional Council, in which a reserve is vested, may from time to time, by notice in the <i>Gazette</i>, declare that a reserve shall be known by such name as is specified in the notice, and the Regional Council may in like manner change the name of any reserve</p>
24A(1)	<p>Regional Council in which a local purpose reserve is vested may, by notice in the <i>Gazette</i>, change the purpose for which that reserve is classified within its classification as a local purpose reserve</p>
24(1)(b)	<p>Local authority may resolve that the classification of a reserve needs to be changed or revoked, and may notify the Minister of Conservation of that resolution</p>
28(1),(2),(3)	<p>Where the Council is appointed to control and manage a reserve vested in the Crown, and shall by virtue of that appointment be authorised to expend and apply money in controlling and managing the reserve in accordance with the</p>

	particular purpose for which the reserve is classified, where the amount of expenditure required to do so is greater than that delegated to the Chief Executive and committees
77(1)	Local authority, if satisfied that any private land or any Crown land held under Crown lease should be managed so as to preserve the natural environment, or landscape amenity, or wildlife or freshwater-life or marine-life habitat, or historical value, and that the particular purpose or purposes can be achieved without acquiring the ownership of the land, or, as the case may be, of the lessee's interest in the land, for a reserve, may treat and agree with the owner or lessee for a covenant to provide for the management of that land in a manner that will achieve the particular purpose or purposes of conservation
79(2)	Local authority may, if it thinks fit, establish a bank account to be called 'The Reserves Account' into which all money received in respect of all the reserves administered by it shall be paid
85A	Regional Council that is also an administering body may, if the Minister of Conservation so authorises, apply the whole or part of the revenue derived from trees grown on that reserve for any purpose for which that Regional Council may lawfully apply its funds or such specific purpose as the Minister, with the consent of the Minister of Local Government, may direct
89(1)	Local authority may, in certain circumstances (listed in provision), apply money in its general fund or account, or make advances from that fund or account to the administering body of the reserve upon such terms and conditions as it thinks fit, towards the management, improvement, maintenance, and protection of that reserve or any other reserve, notwithstanding that the reserve may be situate outside the district of the local authority
89(2)	Local authority may, out of its general fund or account, contribute such sums as it thinks fit towards the cost of the acquisition by the Crown of any land or interest in land for the purposes of this Act, or in payment for the consideration for any conservation covenant, notwithstanding that the land may be situate outside the district of the local authority

90(1)	Local authority may borrow money for the improvement and development of the reserve or the purchase of other land for addition to the reserve or for payment of the consideration for any conservation covenant
91	Local authority may incur a debit balance in the accounts of a particular recreation reserve by advancing money out of its general fund or account to meet payments incurred in managing, administering, maintaining, protecting, improving, or developing the reserve, in anticipation of the collection of revenue from that reserve

Resource Management Act 1991

Section of Act	Power, Function, Duty
16(2)	Prescribe noise emission standards in plans made for the purposes of any of ss9, 12, 13, 14, 15, 15A, and 15B of the Act
20(1)	May resolve, before publicly notifying a proposed plan, that any rule in the plan does not have effect until the plan becomes operative
33(1)	Transfer any one or more of its functions, powers, or duties under this Act, except this power of transfer, to another public authority, in accordance with s33 of the Act
33(8)	Change or revoke a transfer (made under this section) at any time by notice to the transferee
36(1)	Local authority may fix various administrative charges (detailed in provision)
86(1) Where not provided for the Council's current LTCCP and Annual Plan	<p>May, while the Council's plan is operative, acquire by agreement under the Public Works Act 1981 any land (including any interest in land) in its region, if, in accordance with the plan, it considers is necessary or expedient to do so in order to:</p> <ul style="list-style-type: none"> • terminate or prevent any non-complying or prohibited activity in relation to that land; or • to facilitate activity in relation to that land that is in accordance with the objectives and policies of the

	plan
355(1)	Apply to the Minister of Conservation for any right, title, or interest in any land in the coastal marine area which is land of the Crown and which has been reclaimed or is proposed to be reclaimed to be vested in that person
415	Regional Council may take, purchase, or acquire the whole or part of any deemed mining permit as a public work under the Public Works Act 1981 or by agreement or otherwise
424(9)	Transfer any one or more of those functions, powers, or duties under any bylaw referred to in any of ss424(2), (3), (4), and (8) to another public authority in accordance with s33
Schedule 1, cl 8D	Withdraw a proposal made by Council to prepare, change, or vary a policy statement or plan at any time, where Council has initiated the preparation of the policy statement or plan and if an appeal has not been made to the Environment Court under clause 14, or the appeal has been withdrawn, before the policy statement or plan is approved by the local authority, or, if an appeal has been made to the Environment Court, before the Environment Court hearing commences
Schedule 1, cl 16A	Initiate variations (being alterations other than those under clause 16) to a proposed policy statement or plan, or to a change, at any time before the approval of the policy statement or plan
Schedule 1, cl 17(2)	With the consent of the Environment Court, approve part of a policy statement or plan, if all submissions or appeals relating to that part have been disposed of
Schedule 1, cl 18(4)	Adopt part of a proposed regional coastal plan if all submissions or inquiries relating to that part have been disposed of
Schedule 1, cl 25(2), (3), (4)	Choose to: <ul style="list-style-type: none"> • adopt the request, or part of the request, as if it were a proposed policy statement or plan made by the local authority itself; or • decide to deal with the request as if it were an application for a resource consent; or

	<ul style="list-style-type: none"> reject the request in whole or in part, but only on certain grounds (listed in provision)
Schedule 1, cl 29(4)	After considering a plan or change, decide whether to decline, approve, or approve with modifications, the plan or change, and give reasons for the decision

Wellington Regional Water Board Act 1972

Section of Act	Power, Function, Duty
24	Wellington Regional Council may acquire land and erect dwellings for employees, in accordance with the Act
30	Subject to the consent of the constituent authority within whose district the water supply is to be given, Wellington Regional Council may from time to time, where the supply of water in any local district is in excess of all demands for general, ordinary, and extraordinary supply within the meaning of any bylaw, enter into contracts to supply any person with an extraordinary supply of water for use as a motive power for any term not exceeding 7 years, upon such terms and conditions and at such charges, to be paid in such manner, as Regional Council thinks fit
31	Wellington Regional Council may purchase any waterworks within or outside its region
45(1)	Wellington Regional Council may from time to time, with the prior written consent of the Minister of Forests, sell all or part of any forestry area or of any other land vested in the Regional Council and used for forestry purposes in such manner, for such price, and subject to such terms and conditions as that Minister approves
58(1)	Wellington Regional Council may, in respect of its waterworks, water collection areas, and forestry areas, and other areas under its control, make bylaws for various purposes relating to forestry (listed in provision)
61(1)	Wellington Regional Council may from time to time make bylaws for various purposes relating to underground water (listed in provision)

66(1)	Wellington Regional Council may fix charges, based on total consumption or total allocation or peak usage of water, in respect of permits, issued under bylaws made under Part 4 of the Act, relating to certain land in the region
68A	Wellington Regional Council may affiliate with the New Zealand Catchment Authorities' Association and may out of administrative funds pay the annual subscription to the Association and the actual and reasonable travelling expenses of its representatives incurred in attending meetings of the conferences of the Association or any other meetings whatsoever called, or approved, by the Soil Conservation and Rivers Control Council
72(2)	Wellington Regional Council may from time to time purchase or hire plant and machinery for the purpose of executing any of its works
72(3)	Wellington Regional Council may sell or let out on hire or on loan, on such terms as it thinks fit, any such plant or machinery purchased by it
80(1)	Wellington Regional Council may establish an imprest account which shall be kept at such bank as the Regional Council from time to time appoints
82(1)	Wellington Regional Council may from time to time, by resolution specifying the purpose or purposes of the fund, establish one or more funds for the purpose of providing for the cost of the repair, renewal, replacement, or improvement of any property, plant, fixtures, or appliances and for the cost of purchasing additional property, plant, fixtures, or appliances
83(1)	Wellington Regional Council may from time to time borrow by way of special loan such sums as are necessary for carrying out the purposes of the Act
109(1)	Wellington Regional Council may take, purchase, or otherwise acquire land for the purposes of providing sports grounds and recreation areas for the inhabitants of the region, and may for those purposes develop, manage, and control any land vested in it for soil conservation and river control purposes
110(1)	Wellington Regional Council may make bylaws for all or

	<p>any of the following purposes:</p> <ul style="list-style-type: none">(a) the safety and preservation of and to prevent injury to the buildings, fences, turf, and other property, on sports grounds and recreation areas; and(b) preventing persons gaining or attempting to gain admission to any land, building, or enclosure within any sports ground or recreation area without payment of any admission fee that is payable
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General

- Adopt park management plans
- Adopt floodplain management plans
- Check management plans in relation to major licences
- Borrow, buy land/assets, and dispose of assets, unless provided for/in accordance with the Council's current Annual Plan