

POLICY ON REMISSION AND POSTPONEMENT OF RATES ON MAORI LAND

Section 102(4)(f) of the Local Government Act 2002 provides that a local authority must adopt a policy on the remission and postponement of rates on Maori freehold land, and that policy must be adopted as part of the Long Term Council Community Plan.

Maori freehold land in this context is defined in Section 5 of the Local Government (Rating) Act 2002 as land whose beneficial ownership has been determined by the Maori Land Court by freehold order. There is currently no such land in Waitakere City.

Section 108(3) states:

“For the avoidance of doubt, a policy adopted under Section 102(4)(f) is not required to provide for the remission of, or postponement of the requirement to pay rates on Maori freehold land.”

The policy on remission and postponement of rates on Maori freehold land is that no rates on such land shall be remitted or postponed, there being no such land currently in the City.

In the event that at some future time any land in the City does become subject to Part 4 of the Local Government (Rating) Act 2002, the policy be reviewed in the light of the circumstances relating to that land.

POLICY ON PARTNERSHIPS WITH THE PRIVATE SECTOR

1. In accordance with Section 107 of the Local Government Act 2002 (Act) (see over page), Waitakere City Council has adopted and shall comply with this policy in relation to the partnerships with the private sector.
2. The Council recognises the value of forming partnerships with private sector entities and the assistance that these partnerships can provide in enhancing development, community well-being and contributing towards achieving community outcomes.
3. The Council will consider partnership arrangements with the private sector for the provision of infrastructure and/or services where such a partnership is likely to deliver on Council's strategic direction and the Long Term Council Community Plan with better value for money or enhanced community wellbeing based on cost, time, customer service, alignment with community desires and financial arrangements.
4. Without limiting the scope of Council commitment and by way of example, commitment of Council resources to partnerships will generally be in the form of grant, loan, investment, or guarantee. The resources committed may be financial, or they may be non-financial including but not limited to staff time, human capital, intellectual property, accommodation, office equipment or other Council assets.
5. The circumstances in which the Council will provide funding or other resources to any form of partnership with the private sector will generally be some or all of the following:
 - (i) the core function or functions of the partnership are identified as satisfying a community need
 - (ii) the partnership is structured so as to efficiently and effectively deliver enhanced service levels
 - (iii) the partnership will be assessed against the public interest in terms of effectiveness, accountability and transparency, together with a consideration of equity for disadvantaged groups, public access, consumer law, and security and privacy rights.
6. The circumstances where a Private Sector Partnership may be considered is where:
 - Council is unwilling or unable to bear all of the risk (in a broader sense, not limited to financial risk) of a particular project or service
 - The particular project or service will deliver significant community benefit, the achievement of the Long Term Council Community Plan objectives or the achievement of community outcomes but the delivery of that project or services is outside the scope of the Council's core activities
 - The particular project or service are of such a scale that they would not otherwise be able to be provided by the Council without entering into a partnership with the private sector
 - Benefits will be achieved as a consequence of the private sector partnership, which benefits are greater than any costs of the partnership to the community.
7. The Council will not be required, but may elect, to consult with the community in respect of any proposal to provide funding or other resources to any form of partnership with the private sector unless the partnership or the services provided related to a matter that is determined "significant" in terms of Council's policy on significance, in which case Council will consider the level and nature of consultation required to comply with that policy.
8. Council may impose conditions before providing funding or other resources to any form of partnership with the private sector and these will generally include:
 - (i) an emphasis on transparency and disclosure of processes and outcomes, acknowledging the need to protect commercial confidentiality where appropriate
 - (ii) risk allocation between the partners being clear and enforceable, with consequential financial outcomes and an agreed exit/termination strategy
 - (iii) clearly specified outputs including measurable performance standards
 - (iv) responsibilities for the monitoring of outcomes to remain with the Council
 - (v) Mechanisms for delivering ongoing value for money
 - (vi) All private sector parties being fully accountable to Council for the delivery of their agreed contribution to the partnership.
9. Risks Assessment and Management
 - (i) A comprehensive risk assessment will be carried out before a partnership proposal is promoted or entered into
 - (ii) Where the partnership proposal is "significant" the subsequent public consultation procedure may identify further risks and/or assist the Council's understanding of the community's perception of risk
 - (iii) Appropriate risk management mechanisms will be incorporated into partnership agreements
 - (iv) A partnership agreement will require regular reporting to the Council reporting sufficient to enable the Council to determine the partnership's overall process and success in achieving predetermined and specified objectives.