



PUBLIC EXCLUDED

Report PE04.375
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Committee Policy, Finance and Strategy
Author Wayne Hastie Council Secretary

Remission of Rates Request

1. Purpose

To consider a request to grant a rate remission to a family whose house was damaged during the February 2004 storms.

2. Public Excluded

Grounds for exclusion of the public under section 48 (1) of the Local Government Official Information and Meeting Act are:

That the public conduct of the whole or relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists, i.e. to protect the privacy of natural persons.

3. Background

This request relates to the Seiuli family who live at 24 York Place, Porirua East. A falling tree extensively damaged their house in the February 2004 storms. Porirua City Council considered a request from the family for assistance and agreed to grant them a remission of their rates and to provide an ex gratia payment. Porirua City Council also resolved to request that Greater Wellington provide a remission of rates of \$142.79. The full background to the case is provided in **Attachment 1** to this Report.

4. Rates Remissions

Greater Wellington adopted a rates remission policy as part of the Long Term Council Community Plan. The policy does not provide for the remission of rates resulting from storm damage. However, there is a transitional provision in the Local Government (Rating) Act 2002 that enables the Council to remit rates as if the Rating Powers Act 1988 were still in effect. This transitional provision expires on 30 June 2004, but is likely to be extended for a further year.

Section 180 of the Rating Powers Act 1988 states:

Where the use that may be made of any land has been detrimentally affected by erosion, subsidence, submersion, or other natural calamity, any local authority may, where it considers it to be fair and reasonable to do so, remit, wholly or in part, any rate or charge or uniform annual general charge made and levied in respect of the land, or the payment of any minimum rates specified in section 109 of this Act.

Greater Wellington is therefore empowered to remit rates in accordance with this provision.

5. Considerations

The Seiuli family has been severely affected as a result of the damage to their house and Porirua City Council has agreed to provide financial assistance.

A number of schemes were put in place to provide assistance to those affected by the February storms. Mayoral relief funds were set up in many areas and the Government has provided financial assistance in a number of forms. Greater Wellington has received funding from the Government to provide rates remissions for commercial properties affected in a number of districts in the Region (this will be the subject of a subsequent report to the Council). None of these schemes will assist the Seiuli family.

Given the particular circumstances of the case, the level of relief sought, and the fact that Porirua City Council has requested that Greater Wellington provide assistance, it is recommended that a remission be granted.

6. Communication

Greater Wellington's decision will be communicated to Porirua City Council.

7. Recommendation

That the Committee recommend that Council grant the Seiuli family of 24 York Place, Porirua East, a remission of rates of \$142.79, in accordance with section 139 of the Local Government (Rating) Act 2002 and section 180 of the Rating Powers Act 1988.

Report prepared by:

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Council Secretary

Attachment 1: Letter and Report from Porirua City Council

Public excluded