

## Policy 6.21 Public Private Partnership

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|----------------------------|--------------------------------|
| <b>Directorate</b>         | Strategy and Business Services |
| <b>Responsible Officer</b> | Director                       |

### Scope

This policy and associated procedures provide guidelines for Council's dealings with private persons in regard to partnership arrangements that provide benefit to the local community.

### Purpose

- To ensure the delivery cost efficient, quality facilities and services that meet specifically identified needs of the local community
- To demonstrate compliance with all relevant Public Private Partnership legislation and guidelines.

### Definitions

| Term                             | Definition                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Public Private Partnership (PPP) | The <i>NSW Local Government Act (1993)</i> defines a PPP as "an arrangement between Council and a private person for the purpose of providing public infrastructure on facilities (being infrastructure on facilities in respect of which the Council has an interest, liability or responsibility under the arrangement), or delivering services in accordance with the arrangement or both. |

### Legislative requirements

*Local Government Act 1993*

*Local Government Regulations 2003*

*Local Government Amendment (public private partnerships) Act 2004*

### Policy Statement

Bega Valley Shire Council will explore opportunities to finance, construct or operate public infrastructure and facilities, or commercial developments on council land, through 'Public Private Partnerships' in a systematic manner by:

- Acknowledging that Public Private Partnerships (PPP) can be entered as one model that can deliver community services or facilities.
- Complying with relevant legislative guidelines which facilitate the management, risk minimisation and rigorous adhesion to critical elements of any PPP entered into.
- Conducting an assessment of other services or facility delivery models prior to entering into any PPP.
- Only entering into a PPP upon the resolution of Council.
- Considering commercial development opportunities on Council property and infrastructure as identified in Council's Land Investment Strategy.

## Policy Version Control

| Policy title        | Public Private Partnerships                                                                                                                                                                                                                                 |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy No.:         | 6.21                                                                                                                                                                                                                                                        |
| Directorate         | Strategy and Business Services                                                                                                                                                                                                                              |
| Outcome Area        | Strong Consultative Leadership                                                                                                                                                                                                                              |
| Goal(s)             | <ol style="list-style-type: none"> <li>1. We are an informed and engaged community with a transparent, consultative and responsive Council.</li> <li>2. Our Council is financially sustainable and services and facilities meet community needs.</li> </ol> |
| Responsible Officer | Director                                                                                                                                                                                                                                                    |
| Version             | 3                                                                                                                                                                                                                                                           |
| Adopted             | 29 November 2017                                                                                                                                                                                                                                            |
| Next revision       | May 2021                                                                                                                                                                                                                                                    |

## Related Council Policies

| Policy No.: | Title                              |
|-------------|------------------------------------|
| 6.08        | Procurement of assets and services |

Note: Policy details may change prior to review date due to legislative changes. For the most up-to-date version please refer to Council's website [www.begavalley.nsw.gov.au](http://www.begavalley.nsw.gov.au)