



Māori land rates remission and postponement policy

Objectives

The objectives of this policy are to:

- support strategic direction for Māori outcomes set in the council's Auckland Plan
- provide equity in rating by recognising limitations on the use, development and sale of Māori freehold land (MFL) compared to other land.

Conditions and criteria

This policy allows the council to remit the rates on MFL that is in multiple ownership. The policy will also apply to other types of Māori land that is in multiple ownership, including land returned under settlement, and land converted from Māori freehold land title under the Māori Affairs Act 1967, where the council considers it just and equitable to do so.

This policy is not available for land that is:

- out of Māori ownership
- commercially leased or not held in accordance with tikanga Māori values
- or used for purposes which do not align with the objectives of the policy.

Land returned for commercial redress will not generally be eligible for remission under this policy. The council may consider a remission for such land, or part thereof, where the land:

- is set aside and protected for cultural, historic or natural conservation purposes or because it is wāhi tapu (under Part 1 of the policy)
- used for a marae or urupā (under Part 3 of the policy).

Applications to the council on the prescribed form by the ratepayer or the ratepayer's agent must specify whether they are applying for remission under part 1, 2, 3, 4 or 5 of the policy. The application should state how the remission will support the objectives above and how the property fits within the objectives. For the rates to be remitted the council may require evidence each year, by way of statutory declaration, to confirm that the rating unit still complies with the conditions and criteria of the policy. The council can apply for a remission on behalf of the ratepayer, provided the property meets all the criteria. The council reserves the right to seek further information for example, a Memorial Schedule of Owners, if the council deems it necessary.

The remission will apply from the beginning of the rating period in which the application is approved and will not be backdated to prior years.

Part 1 - Remissions for undeveloped and unused Māori Land

A property is eligible for a remission under part 1 of this policy if the land, or part of the land, is undeveloped and unused. This means that no person:

1. leases the land
2. does one or more of the following things on the land, for profit or other benefit:
 - a. resides on the land
 - b. de-pastures or maintains livestock on the land
 - c. uses the land in any other way that is not related to:



- i. the maintenance of the cultural traditions associated with the land, including include visiting, cultural use, whanau camping, and the collection of kai, kai moana, medicinal, and cultural material
- ii. maintaining or improving the natural or historic heritage value of the land.

This scheme includes wāhi tapu sites and land that has been set aside and protected for cultural, historic or natural conservation purposes.

A qualifying rating unit will be eligible for a 100 per cent remission of the rates on the portion of the rating unit that is undeveloped and unused.

Part 2 - Remission to adjust Māori rateable land values

The council will consider remission for land that:

- is valued for a highest and best use that in the view of the council is unlikely to be achieved within Māori ownership
- has significant impediments to development and use due to the nature of its ownership, such as owners being deceased and not succeeded to, but which does not already qualify for the maximum rateable valuation adjustment of 10 per cent of the land value.

If an application is approved under this scheme the Council will request its Valuation Service Provider to determine a rates-remission value of the land. The rates remission land value will be assessed as follows:

For land that has a best potential use that in the view of the council is unlikely to be achieved within Māori ownership: the land will be valued to exclude any potential for subdivision and/or development that the land may have that is unlikely to be achieved in Māori ownership. The rates remission land value will be prepared to preserve uniformity and equitable relativity with comparable parcels of land whose valuation does not contain any such potential value for subdivision and/or development.

For land that has significant impediments to development and use due to the nature of its ownership, such as owners being deceased and not succeeded to: the rates remission land value will be calculated as if the maximum valuation adjustment of 10 per cent had been applied.

A property may be eligible for one or both of these adjustments to the rates remission land value. For properties that qualify for both adjustments, the rates remission land value will be an assessment of the net effect of both adjustments.

The rates remission for any rating period will be an amount equal to the difference between the amount of the rates for that period calculated according to the rateable land value of the property and the amount of the rates that would be payable for that period if the rates remission land value of the property were its rateable land value.

No objection to the amount of any rate remission or rates remission land value determined by the Council and its Valuation Service Provider will be upheld.

Part 3 - Remission for marae and urupā greater than 2 hectares in size

Under the Local Government Rating Act 2002, land used for marae or urupā (burial grounds) is non-rateable, for a maximum land area of two hectares.

Under this scheme the council will remit 100 per cent of the rates, excluding any rate levied for a service actually provided to the rating unit, for land exceeding the two hectare limit for non-rateability that is used for a:



- marae, including land used for access, parking, curtilage, Marā kai (gardens), Whanau hopuni (camping and temporary accommodation) and land used for customary practice, cultural use, wananga, recreational and arts facilities
- urupā.

A remission will not be applied for land used for commercial or other private benefit, private residential housing, or which is covered by a liquor licence. Where a property has qualifying and non-qualifying uses the rates remission will be apportioned for the part of land that qualifies for remission under this scheme.

Part 4 - Remission for Māori land used for non-commercial purposes for the community benefit of Māori

Part 4 caps the rates paid on land that is used for non-commercial purposes for the community benefit of Māori.

A property is eligible for a remission under part 4 of this policy if the land, or part of the land, is used for non-commercial purposes for the community benefit of Māori (including papakāinga housing, community facilities, Marae and associated infrastructure).

For eligible rating units, the council will remit the portion of the rating unit's rates that are attributable to its land value.

Part 5 - Remission of previous years rates arrears on Māori land

The remission of the historical rate arrears removes barriers that may stop owners developing the land and encourages them to start paying the rates.

A property is eligible for a remission of the previous years' rates arrears under part 5 of this policy if the owners pay the current year's rates for three years. If the annual rates are paid for three years, the previous years' arrears, along with the arrears penalties will be remitted."