

Rates Remission Policy

This policy is prepared pursuant to Sections 109 and 110 of the LGA 2002. Council reviews this policy at least every six years. A summary of this policy is included with every Rates Assessment.

Decisions on remission of penalties will be delegated to committees, sub-committees or officers as set out in the Council's Delegations Manual.

Disputes over the application of the policy shall be in writing addressed to the Chief Executive.

Remissions for Community, Sporting and other Organisations

Objectives

To facilitate the on-going provision of non-commercial community services and recreational opportunities for the residents of the District. The purpose of granting rates remission to an organisation is to:

- Assist the continued existence of non-profit organisations
- Make membership of the organisation more accessible to the general public, particularly groups including children, youth, young families, and the elderly and economically disadvantaged people
- Ensure sports clubs are not penalised for having a liquor licence.

Conditions and Criteria

1. This policy does not apply to organisations meeting the criteria of Schedule 1 of the Local Government (Rating) Act 2002.
2. The policy will apply to land owned by Council and/or owned and occupied by a charitable organisation, which is used exclusively or principally for sporting, recreation, or community purposes.
3. The policy does not apply to any body (including a society, associated organisation, whether incorporated or not) that is carried on for the purpose of profit or gain.
4. The policy does not apply to groups or organisations who engage in recreational, sporting or community services as a secondary purpose only.
5. No remission will be granted on targeted rates for water supply, sewage disposal or refuse collection.
6. Organisations making first applications should include the following documents in support of their application:
 1. Evidence of constitution
 2. Statement of the organisation's objectives
 3. Full financial statements
 4. Information on planned activities and programmes
 5. Details of membership
7. All remissions made under this policy will be confirmed by Council or a delegated Committee in open meeting.
8. The list of entities receiving this remission will be reviewed on a three yearly basis.
9. Annual remissions of 50% of all rates, other than those detailed in (5) above, will be applied to those societies and associations who meet the criteria.

Remission of Penalties

Objective

To enable Council to act reasonably in its consideration of overdue rates which have not been received by the penalty date due to circumstances outside the ratepayer's control.

Conditions and Criteria

1. Automatic remission of penalty will be granted where payment is received within seven days of the penalty date provided the ratepayer has made no late payments for rates within the preceding three years.
2. Remission of penalty may be granted at the Council's discretion where regular payments are being made in accordance with an agreement to clear all outstanding rates within an agreed timeframe.
3. Remission of penalty will be considered in any one rating year where payment has been late due to significant family disruption. Remission will be considered in the case of death, serious illness or accident of a family member as at due date.
4. A penalty will be remitted where there is an administrative error on the part of Council or an agent acting for Council.
5. Each application will be in writing (including email) and will be considered on its merits.

Remission of Wastewater Charges to Schools

Objective

To provide relief and assistance to educational establishments in paying wastewater charges.

Conditions and Criteria

1. The policy will apply to educational establishments as defined in Schedule 1 Part 1 clause 6 (a-b) of the Local Government (Rating) Act 2002.
2. The policy does not apply to school houses or any part of a school used for residential purposes.
3. Wastewater charges for schools will be calculated as follows:
4. $\text{Staff plus pupil numbers} \div 20 = \text{number of pans}$. The wastewater charge for the educational establishment will be charged at:
5. 100% for the first four pans charges then the fifth to tenth pan charges will be discounted by 25% and all pan charges exceeding ten will be discounted by 50%.
6. The student numbers is the number of students on the roll on March 1 in the year immediately before the year in which the charge relates.
7. The number of staff is the number of full time equivalent and administration staff employed on 1 March immediately before the year in which the charge relates.

Remission on New Subdivisions

Objectives

- To provide temporary rates relief to new subdivisions to limit the immediate rates impact of multiple Uniform Annual General Charges (UAGC) and service charges in the first year.
- To provide a rating policy that is consistent with accommodating growth expectations for the District.
- To encourage or at least not discourage continued subdivision activity in the District as allowed by the District Plan.

Conditions and Criteria

1. The policy will apply to land that is:
 - a. newly subdivided into 3 lots or more where the titles have been issued; and
 - b. owned by the original developer who is holding the individual titles pending their sale.
2. Remission of the UAGC, Community Rate, Tourism Rate and unconnected service charges will be actioned quarterly for each unsold lot except one.
3. Remission will apply for a maximum of two rating years.
4. Council or delegated committee may consider, in open meeting, an extension beyond this upon written application from the developer.

Remission of Uniform Charges of Non-Contiguous Rating Units Owned by the Same Ratepayer

Objective

To provide relief from uniform charges for rural land which is non-contiguous, farmed as a single entity and owned by the same person.

Conditions and Criteria

1. Rating units that meet the criteria under this policy may qualify for a remission of the UAGC and specified targeted rates set on a fixed dollar charge per rating unit
2. The ratepayer will remain liable for at least one of each type of charge.
3. Applications will not be backdated
4. Rates types affected by this policy are:
 - Uniform Annual General Charge
 - Community rate
 - Tourism Rate
5. Rating units that receive a remission must be held in common ownership with each other and operated as a single farming or horticultural unit.
6. Applications for remissions must be in writing.
7. Remissions will continue (requiring no further application) until Council becomes aware of a change in circumstances or Council changes this policy.

Remission policy on contiguous land being acquired through adverse possession

Objective

To provide relief from rates set per rating unit or per separately used or inhabited part of a rating unit for land comprised of rating units that do not all meet the requirements of section 20 of the Local Government (Rating) Act 2002 only because each rating unit is not owned by exactly the same person or persons as the other rating units, but the same person or persons has been in continuous possession of and paying rates on the land they do not own for 5 or more years.

Conditions and Criteria

1. The applicant must own and be the ratepayer for at least one of the rating units for which relief is sought under this policy. The rates must be paid up to date on the rating unit(s) owned by the applicant
2. Each of the rating units under (1) must be owned by exactly the same person or persons as the others for the purposes of section 20(a) of the Local Government (Rating) Act 2002.
3. For rating units that the applicant does not own but for which they seek rates relief under this policy, the applicant must satisfy the Council that they have been in exclusive and continuous possession of the rating unit(s) for no less than 5 years, that they continue to be in possession of the rating unit(s) and that they have paid rates on the rating unit(s) for 5 years so that the rates for that period are paid to date.
4. The rating units under (1) and (3) must be used jointly as a single unit for the purposes of section 20(b) of the Local Government (Rating) Act 2002.
5. The rating units under (1) and (3) must be contiguous or separated only by a road, railway, drain, water race, river, or stream for the purposes of section 20(c) of the Local Government (Rating) Act 2002.
6. Applications will not be accepted for land in the circumstances referred to in section 159 subsections (a)-(e) of the Land Transfer Act 2017.
7. The Council will not be responsible for any impacts that obtaining a remission of rates may have on a persons ability to apply for creation of records of title in a persons name based upon adverse possession.

8. Rating units that meet the criteria under this policy may qualify for a remission of the rates set per rating unit or per separately used or inhabited part of a rating unit. Rates will be remitted to the extent that the rates would have been reduced if section 20 of the Local Government (Rating) Act 2002 had applied (or further reduced if it already applies in part).
9. Rates relief granted under this policy will be provided for a maximum of 1 year after eligibility to apply for creation of records of title in a person's name based upon adverse possession.

Application

1. Applications must be made in writing (annually on the form supplied by the Council).
2. Eligible applications received during a rating year will be applicable from the commencement of the following rating year. Rates relief under this policy will not be backdated.