

RATES REMISSION AND POSTPONEMENT ON MĀORI FREEHOLD LAND POLICY REVIEW: CONSULTATION DOCUMENT



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This consultation document has been prepared to give effect to the requirements of Section 82 of the Local Government Act 2002. It includes the following sections:

- Background
- What changes are proposed?
- Options considered by Council
- How to have your say
- Further information
- What happens next?

Our Rates Remission and Postponement on Māori Freehold Land Policy is due for review and we would like your feedback on the draft policy. Consultation is open from **Friday 5 April to Monday 6 May**.

Background

All councils are required to have a policy on rates remissions and postponements on Māori Freehold Land and review the policy every six years.

The policy sets out the criteria under which Masterton District Council (MDC) will consider applications for remissions and postponements on Māori Freehold Land in the district. A rates remission is when the Council agrees to waive the requirement to pay rates on a property in a particular financial year, either in part or in full. A postponement is when the Council agrees that the payments of rates for a particular financial year can be deferred to be paid in the future.

Changes to the rating of Māori Land

The Local Government (Rating of Whenua Māori) Amendment Act 2021 made changes to the rating of Māori land to reduce barriers for landowners. Among other things it:

- expanded the purpose of the Local Government (Rating) Act 2002 to facilitate the administration of rates in a manner that supports the principles set out in the Preamble to Te Ture Whenua Māori Act 1993;
- required Council's policy to support the Preamble principles; and
- enabled landowners to apply to Council for a rates remission while their land is under development, if it meets certain criteria.

Other changes included making most unused Māori freehold land non-rateable, the ability for the Council to write off unpaid rates, and enabling landowners to apply to the Council for a change in the way their property is treated for rating purposes in certain circumstances. Further information is available on the Te Puni Kōkiri website: www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/whenua-maori/proposed-changes-to-the-rating-of-maori-land.

What changes are proposed?

This is the first time we have reviewed the Rates Remission and Postponement on Māori Freehold Land Policy (the Policy) since changes were made to the rating of Māori land by the Local Government (Rating of Whenua Māori) Amendment Act 2021. We are proposing some amendments to the policy to ensure it aligns.

Proposed Change 1: Supporting the Preamble of Te Ture Whenua Māori Act 1993

A key change to the rating legislation was expanding its purpose to facilitate the administration of rates in a manner that supports the principles set out in the Preamble to Te Ture Whenua Māori Act 1993.

The Preamble principles are wide-ranging with the most relevant to the Policy being:

“...And whereas it is desirable to recognise that land is a taonga tuku iho of special significance to Māori people and, for that reason, to promote the retention of that land in the hands of its owners, their whanau, and their hapu, and to protect wahi tapu: and to facilitate the occupation, development, and utilisation of that land for the benefit of its owners, their whanau, and their hapu...”

We have made amendments to the Policy to reference the Preamble and have proposed a new key policy objective to support the connection of mana whenua and Māori to their traditional lands and resources, and cultural values, where appropriate, through the relief from rates.

Proposed Change 2: Māori Land under development

Changes to the rating legislation included the ability for owners of Māori Freehold Land to apply for a rates remission for the period in which the land is being developed if it meets any or all of the below criteria:

- benefits Māori by providing support for marae in the Masterton district
- benefits owners by facilitating the occupation, development, and utilisation of the land
- benefits Masterton by creating new employment opportunities or new homes
- benefits MDC by increasing the council's rating base in the long term.

We have amended the Policy to state that Māori land under development will be considered for a remission in line with the new legislative criteria.

Proposed Change 3: Other amendments to improve the Policy

We are proposing some other amendments that we think improve the Policy. This includes requiring MDC to advise landowners of any intention to cancel or reduce rates relief and taking any feedback received from landowners into account before making a final decision. We believe this reflects a fairer process for landowners.

We have also made minor edits to improve the flow and readability of the Policy.

Options considered by Council

The Council has considered three options in reviewing the policies. The Council is required to have a policy under section 102 of the Local Government Act 2002 so revoking the policy is not an option.

Option 1 - Adopt the proposed Rates Remission and Postponement on Māori Freehold Land Policy (the Council's preferred option)

Advantages	Disadvantages
<ul style="list-style-type: none">Provides greater clarity for landowners of their eligibility for rates relief.The policy would better support the principles set out in the Preamble to Te Ture Whenua Māori Act 1993.The policy would align with the requirements of the Local Government (Rating) Act 2002.	<ul style="list-style-type: none">No disadvantages identified.

Option 2 - Adopt the proposed Rates Remission and Postponement on Māori Freehold Land Policy with amendments

Advantages	Disadvantages
<ul style="list-style-type: none">Advantages would depend on the extent of proposed amendments.	<ul style="list-style-type: none">Depending on the extent of proposed amendments, further community consultation may be required. The policy may not be finalised in time to take effect for the next financial year (from 1 July 2024).

Option 3 - Do not adopt the proposed Rates Remission and Postponement on Māori Freehold Land Policy (the policy would remain the same as at present)

Advantages	Disadvantages
<ul style="list-style-type: none">The public may be more familiar with the current policy.	<ul style="list-style-type: none">The policy would be inconsistent with the requirements of the Local Government (Rating) Act 2002.

Have Your Say

Online – complete an online submission form at mstn.govt.nz (approx. 3-5 min)

Phone – phone us on 06 370 6300 between 9am and 5pm Monday to Friday (excluding public holidays).

Email – email your submission or feedback to: submissions@mstn.govt.nz

Download a submission form from our website or pick one up from the Masterton District Library or the Customer Service Centre at 161 Queen Street. Post it to Masterton District Council, Freepost 112477, PO Box 444, Masterton 5840, or drop it off to our Customer Service Centre.

Hearing

Those wanting to present their views in person to the Council are able to do so as part of the 2024-34 Long-Term Plan Hearings on 22 and 23 May 2024. You will need to indicate on your submission form that you would like to attend the Hearing.

Further Information

Our draft Rates Remission and Postponement on Māori Freehold Land Policy can be found on our website: mstn.govt.nz.

What happens next?

Following the April/May 2024 consultation period and hearings, all feedback received will be considered by the Council at a deliberations meeting in June. Council will then meet to consider the adoption of the policy on Wednesday 26 June 2024. If adopted, the Policy will take effect from 1 July 2024.

RATES REMISSION AND POSTPONEMENT ON MĀORI FREEHOLD LAND POLICY REVIEW: SUBMISSION FORM

This submission form allows you to give feedback on the Masterton District Council Rates Remission and Postponement on Māori Freehold Land Policy. The estimated time to complete is between 3-5 minutes.

Please provide your feedback by 10am Monday 6 May 2024.

Privacy Statement

All submissions will be made available to the public via the Masterton District Council website. Your name, organisation (if applicable) and feedback will be included in public documents. All other personal details provided will remain private. If you have extenuating circumstances, please contact us prior to the submission closure date to request that your name be withheld.

The Privacy Act 2020 applies when we collect personal details. Further information is available by searching the Masterton District Council Submission Policy on the Council website: www.mstn.govt.nz.

Your Details

Full name (required).....

Organisation (if applicable)

Postal address

.....

Phone

Email

Hearing

The Council will hold a hearing on Wednesday 22 and Thursday 23 May 2024 for those wanting to present their views. You will have 5-10 minutes to present your feedback to elected members in person or via Microsoft Teams online..

Would you like to present your views at the hearing?

If yes, please make sure your contact details in the previous section are correct so we can get in touch.

Yes (in person) Yes (via MS Teams) No

About You

These questions help us understand which sectors of the community are providing feedback so we can improve our engagement response. Your responses will not be made public with your submission. Only collated data will be reported to Council.

What is your age range?

- Under 20 20-29 30-39 40-49 50-59 60-64 65+

What is your ethnicity? (you may tick multiple boxes)

- Māori NZ European Pākehā Pacific Asian Other

What is your gender?

- Male Female Another Gender I refer to myself as

Do you live with impairments/long-term health conditions or do you identify as tāngata whaikaha/disabled?

- Yes No Prefer not to answer

Your Thoughts

We want to know what you think about our proposed changes. Read about these in the Consultation Document.

Proposal 1: Supporting the Preamble of Te Ture Whenua Māori Act 1993

Do you support the proposed amendments to the Policy to support the principles set out in the Preamble to Te Ture Whenua Māori Act 1993?

- Yes No

Proposal 2: Māori Land under development

Do you support the proposed amendment to the Policy to state that Māori land under development will be considered for a remission in line with the new legislative criteria?

- Yes No

Proposal 3: Other amendments to improve the Policy

Do you support the proposed amendment to the Policy to require MDC to advise landowners of any intention to cancel or reduce rates relief and taking any feedback received from landowners into account before making a final decision?

- Yes No

Is there anything else you would like to note as part of your feedback on the Rates Remission and Postponement on Māori Freehold Land Policy? (attach separate paper if needed)

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