

58.12 RATES RELIEF ON MAORI FREEHOLD LAND POLICY

Source: LTCCP 2004/2005, adopted 30/6/04

BACKGROUND

Maori freehold land means land whose beneficial ownership has been determined by the Maori Land Court by freehold order. Maori freehold land may be managed on behalf of the owners by a Maori Land Incorporation such as the Mawhera Incorporation.

A majority of Maori freehold land in the Buller district is owned by the Mawhera Incorporation with income generated from the leasing of these properties.

Schedule 11 of the Local Government Act 2002 identifies the matters which must be taken into account by Council when considering rates relief on Maori Freehold Land.

The matters that the local authority must consider are:

- (a) the desirability and importance within the district of each of the objectives below; and
- (b) whether, and to what extent, the attainment of any of those objectives could be prejudicially affected if there is no remission of rates or postponement of the requirement to pay rates on Maori freehold land; and
- (c) whether, and to what extent, the attainment of those objectives is likely to be facilitated by the

remission of rates or postponement of the requirement to pay rates on Maori freehold land; and

- (d) the extent to which different criteria and conditions for rates relief may contribute to different objectives.

The objectives referred to above are:

- (a) supporting the use of the land by the owners for traditional purposes:
- (b) recognising and supporting the relationship of Maori and their culture and traditions with their ancestral lands:
- (c) avoiding further alienation of Maori freehold land:
- (d) facilitating any wish of the owners to develop the land for economic use:
- (e) recognising and taking account of the presence of waahi tapu that may affect the use of the land for other purposes:
- (f) recognising and taking account of the importance of the land in providing economic and infrastructure support for marae and associated papakainga housing (whether on the land or elsewhere):
- (g) recognising and taking account of the importance of the land for community goals relating to:

Rates 58

- (i) the preservation of the natural character of the coastal environment:
- (ii) the protection of outstanding natural features:
- (iii) the protection of significant indigenous vegetation and significant habitats of indigenous fauna:
- (h) recognising the level of community services provided to the land and its occupiers:

- (i) recognising matters related to the physical accessibility of the land.

POLICY

As a general policy the Buller District Council will not remit or postpone rates in relation to Maori freehold land.

However it should be noted the owners may still apply to Council under its general remissions policy if applicable.