WHENUA MAAORI RATES AND REMISSION POLICY 2026

INTRODUCTION

Maaori freehold land has unique legal, cultural and practical characteristics that make it different from general (freehold) land.

Some of the differences are already recognised in legislation when valuing a property for rating purposes or in setting out circumstances when a property is unrateable as per part 1 schedule 1 of the Local Government (Rating) Act 2002 (LGRA).

A remission of rates is where rates are applied as per legislation, but further relief is remitted by Council under the rules of its Remission Policy. This Policy provides a mechanism to ensure rates are fair and equitable for the land use and type.

This Policy was adopted under sections 102(1) of the Local Government Act 2002 (LGA) and supports the principles in the Preamble to Te Ture Whenua Maaori Act 1993 (TTWMA) (LGA s102(3A)).

In preparing and applying this Policy, Council has had regard to the matters in Schedule 11 of the LGA (objectives for rates relief on Maaori freehold land), recognises that whenua Maaori is a taonga tuku iho, seeks to retain that land in the hands of its owners, their whaanau and hapuu, and to facilitate occupation, development and utilisation for their benefit.

OBJECTIVES

The objectives of this Policy are to:

- Give effect to Schedule 11 of the LGA objectives in a fair and transparent way for whenua Maaori.
- Provide clarity to owners, trustees, occupiers, and ratepayers about eligibility and the criteria for rates remission on whenua Maaori.
- Recognise where natural features, cultural values or access constraints limit use of the land and may justify rates relief.
- Facilitate development and papakaainga by applying the remission for Maaori freehold land under development (LGRA s.114A).

CONDITIONS AND CRITERIA

This Policy applies to rates on Maaori land in specific circumstances. For this Policy, “Maaori land” is defined as:

- Maaori customary land (as defined in TTWMA).

- Maaori freehold land (as defined in TTWMA) that is in Maaori ownership.
- Crown land reserved for Maaori, where the ratepayer is Maaori or an organisation owned by Maaori operating for the benefit of Maaori.
- General land that ceased to be Maaori land under Part 1 of the Maaori Affairs Amendment Act 1967, where the land is beneficially owned by the persons, or by the descendants of the person, who owned the land immediately before the land ceased to be Maaori land.
- General land that ceased to be Maaori land through a mechanism other than Part 1 of the Maaori Affairs Amendment Act 1967, where the land is:
    - Beneficially owned by the persons, or by the descendants of the persons, who owned the land immediately before the land ceased to be Maaori land; and
    - Owned by more than 10 Maaori either individually or through a whaanau trust, Maaori incorporation, Maaori trust board, or other legally incorporated entity.
- General land owned by a post settlement governance entity (PSGE) or subsidiary entity, excluding land returned by the Crown as commercial redress or purchased by the owners, except where the land is:
    - Set aside and protected for cultural, historic or natural conservation purposes or it is waahi tapu
    - Used for community benefit of Maaori
    - Used for papakaainga housing on general title land.

This Policy will not be considered for Maaori land that is:

- commercially leased, or
- primarily used or occupied by people other than the owners, their hapuu or whaanau (unless the land is used for the provision of community services), or
- used (or intended to be used) for purposes which do not align with the objectives of this Policy.

DEFINITIONS AND GENERAL CONDITIONS

- Ratepayer may include owners, trustees, lessees, licensees, or persons using the land (per LGRA sections 10, 92 and 96).
- Applications may be made by owners, trustees, occupiers, or authorised agents, and must include property details, basis for eligibility and supporting documentation (e.g., Maaori Land Court freehold order, reservation order, maps).
- Decisions to remit or postpone, and the extent thereof, are at Council's discretion under the LGRA within this Policy, and apply for the rating year granted. Council may renew relief for further years where circumstances remain unchanged.
- Council may require evidence each year, potentially by way of statutory declaration, to confirm the rating unit still meets the criteria.
- Unless otherwise specified, the remission will apply from the beginning of the rating period in which the application is received.
- Nothing in this Policy prevents owners of Maaori land from applying for a rates remission or rebate under Councils General Rates Remission Policy.

Advice note: No application for rates remission is required where Maaori freehold land has been classified as unrateable in accordance with Part 1 of Schedule 1 of the LGRA, except where the land may have multiple uses and may be considered for remission under relevant parts of this Policy.

PART 1 – REMISSIONS FOR UNDEVELOPED / PARTIALLY USED / INACCESSIBLE LAND AND WAAHI TAPU

Council may remit all or part of rates (including penalties) where a portion of the land is undeveloped, unused, waahi tapu, and/or inaccessible. This means that there is a portion of the land where no person:

- Leases the land
- Resides on the land
- Maintains livestock on the land.

For the purposes of this Policy the following activities do not constitute use:

- Tikanga and cultural practices, including whaanau camping, gathering kai (food), rongoaa (healing), and other cultural materials
- Maintaining or improving the natural or historical heritage value of the land
- Maintenance and caretaking that does not generate income.

Qualifying rating units will be eligible for 100% remission of the general rate on the portion of the rating unit that is undeveloped and unused. In situations where there are targeted rates for council services, these will not be remitted.

Where Council is satisfied that the criteria is met, it may waive the requirement to apply for a remission annually.

PART 2 – REMISSION TO ADJUST RATEABLE LAND VALUES

Maaori freehold land has legislative adjustments applied to its rateable value, however, does not recognise the difficulties associated with the complexities of developing and using Maaori land.

Where the rating valuation does not recognise inequitable outcomes for whenua Maaori, Council may remit a portion of rates to reflect a fairer level of rating.

Council will consider a remission where:

- the land carries a best potential use value that is significantly more than what is likely to be achieved, or
- there are significant impediments to development and use due to the nature of ownership, for example, owners being deceased and not succeeded to and does not already qualify for the maximum rateable valuation adjustment (currently set at 10% of the land value).

For approved applications, where Council considers the land carries a best potential use value that is significantly more than what is likely to be achieved, Council will:

- request a valuation from its valuation service provider (VSP) that excludes any potential for subdivision and/or any development that the land may have that is unlikely to be achieved (the remission land value)
- calculate the rates that would be payable if the remission land value was applied
- provide a remission of the difference between the rates charged and the rates that would be payable on the remission land value.

Note: there will no objection process on the land value determined by Council and its VSP.

For approved applications where Council considers there are significant impediments affecting the land, the remission land value will be calculated using the maximum valuation adjustment of 10%.

PART 3 – REMISSION FOR MAAORI FREEHOLD LAND UNDER DEVELOPMENT (LGRA s114A)

The purpose of this part is to support the development and use of Maaori land by enabling Council to address situations where Maaori land that was previously non rateable, or eligible for a remission for an unused area (under Part 1), becomes liable for rates due to development work that has not yet been completed.

Council will provide a remission on a Maaori land rating unit (or part of a unit) that was non-rateable or eligible for remission under Part 1 immediately prior to the commencement of development, to the extent that rates would have been payable had the development not begun.

This remission will remain in effect until the development has been completed. Council will also meet its obligations under section 114A of the LGRA to consider remission of rates where the ratepayer is developing or intending to develop the land that will provide additional residential accommodation for the owners, their hapuu, iwi, and/or community facilities for the benefit of Maaori.

To be eligible for a remission under section 114A, the ratepayer must apply in writing, detailing the following information:

- the additional dwellings or nature of the development
- evidence development has commenced
- statement of how development aligns with Maaori aspirations or community benefits.

The remission will be the difference between the rates that would have been payable if the land had not entered development and the rates assessed after the development commenced.

The remission will apply from the date the development begins and will remain in effect until the development is completed and the land can be utilised for its intended purpose. Where Council is satisfied that the criteria is met, it may waive the requirement to apply annually.

Remissions may cease if development halts for more than 12 months without reasonable explanation.

PART 4 – REMISSION FOR NON-COMMERCIAL COMMUNITY USE THAT BENEFITS MAAORI

The purpose of this part is to facilitate the operation of charitable or non-commercial groups that deliver community benefits for Maaori. A full remission to the general rate and the uniform annual general charge (UAGC) will be applied to land which is Maaori freehold land that is used for community benefit of Maaori including but not limited to, health clinics, community and cultural centres, kaumaatua, and/or housing vulnerable people.

The organisation must operate on a non-commercial basis. Community facilities which are operated for the private pecuniary profit of any members of the organisation do not qualify for any rates remission.

To apply for a rates remission, the following must be provided to support the application:

- Objectives
- Funding and financial information
- Information about activities and/or programmes and how they benefit Maaori.

Where Council is satisfied that the criteria has been met, it may, at its discretion apply a remission under this Policy without requiring an annual application from the ratepayer.

PART 5 – REMISSION OF PREVIOUS YEARS' RATES ARREARS ON WHENUA MAAORI

In addition to statutory write-offs, Council may remit historic rates arrears on whenua Maaori, where doing so supports the objectives of Schedule 11 of the LGA and enables the ongoing occupation, use, and/or development of the land and promotes highest net revenue over time.

Council may approve remission of historic arrears where:

- a rates payment agreement has been entered into for the property; and
- all rates and charges due from the date the payment agreement commenced have been paid in full and on time for a continuous period of two years.

Where these conditions are met, Council will remit any outstanding rates arrears that accrued before the payment agreement was put in place.

PART 6 – REMISSION FOR PAPAKAAINGA HOUSING ON GENERAL TITLE LAND

The purpose of this remission is to support papakaainga development and the occupation of kaainga by whaanau on general title land that is collectively owned and operated for the benefit of Maaori. This remission recognises that such land shares similar characteristics to Maaori freehold land, such as multiple ownership, communal living arrangements, and limited ability to realise fullest and best market value and therefore applies targeted rates relief to ensure rating parity and improve affordability for whaanau.

Eligibility (all must be met):

- The land is general title
- The papakaainga is owned or operated by Maaori or a Maaori organisation (e.g., PSGE, Ahu Whenua Trust, Maaori incorporation, or other legally incorporated Maaori entity)
- The Papakaainga is appropriately protected from alienation from the owners for example through terms of a trust deed
- Papakaainga housing is used solely for members of the hapuu/iwi and their whaanau, with an appropriate mechanism to ensure this (such as lease conditions)
- The housing is non-commercial (not market rentals) and primarily for whaanau occupation (e.g. long-term tenancies)
- There is a minimum of three dwellings on one record of title.

For qualifying property, the level of remission that will apply will be equal to the discount in rates that would apply, if the land received the Maaori freehold land valuation discount for the number of owners. This will apply as a discount to the land value as follows:

Number of beneficial owners	Land value discount
Under 10	3.5%
10-24	4.0%
25-49	6.0%
50-99	8.0%
100 or more	10.0%

GENERAL

Applications must be made using the prescribed form where available, or otherwise in writing, and must include enough information to confirm the applicant's authority and demonstrate that the relevant criteria are met.

Remissions granted under this Policy will normally apply from the beginning of the rating year in which approval is given and may be reviewed periodically. This Policy does not limit the statutory powers and duties of Council under other legislation.

DELEGATIONS AND REVIEW

Decisions under this Policy are delegated to the chief executive or their delegate. The Policy will be reviewed at least once every six years, using consultation that gives effect to section 82 of the LGA.