

Draft Rates Remission Policy

2024

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Introduction

In order to allow rates relief where it is considered fair and reasonable to do so, the Council is required to adopt a policy specifying the circumstances under which rates will be considered for remission. There are various types of remission, and the circumstances under which a remission will be considered for each type may be different. The objectives, conditions and criteria relating to each type of remission are set out on the following pages. The policy aims to support the principles set out in the preamble to Te Ture Whenua Maori Act 1993.

This policy is a single document that comprises the Councils policies adopted under sections 102(2)e and 102(3) of the Local Government Act 2002 and is made up of the following nine parts:

Māori freehold land	
Part 1	Rates remission and rates postponement on Māori freehold land
Rates postponement	
Part 2	Rates postponement for farmland located in the urban rating areas of the Kāpiti Coast district
Part 3	Optional Rates postponement
Rates relief	
Part 4	Rates remission for Council community properties, sporting, recreation, and other community organisations
Part 5	Rates remission for recreation, sporting and other community organisations which lease or own private property for a period of one year or longer
Part 6	Rates remission of late payment penalty
Part 7	Rates remissions for land protected for natural, indigenous biodiversity or cultural conservation purposes
Part 8	Rates relief for residential rating units containing two separately habitable units
Part 9	Rates assistance
Part 10	Water Leak Rates remission

Māori freehold land

Part 1 - Rates remission and rates postponement on Māori freehold land

Policy objective

The objectives of this policy are to:

- recognise that certain pieces of Māori freehold land may have particular conditions, features, ownership structures, or other circumstances that make it appropriate to provide for relief from rates;
- recognise where there is no occupier or person gaining an economic or financial benefit from the land;
- recognise that the Council and the community benefit through the efficient collection of rates;

- meet the requirements of section 102 of the Local Government Act 2002 to have a policy on the remission and postponement of rates on Māori freehold land and to support the principles in the preamble to the Te Ture Whenua Maori Act 1993; and
- Support the connection of mana whenua and Māori to their traditional lands and resources, and cultural values where appropriate to provide for relief from rates.

Policy conditions and criteria

Application for a remission or postponement under this policy should be made prior to the commencement of the rating year. Applications made after the commencement of the rating year may be accepted at the discretion of the Council. A separate application should be made for each rating year.

Owners or trustees making application should include the following information in their applications:

- details of the rating unit or units involved;
- documentation that shows that the land qualifies as land whose beneficial ownership has been determined Māori freehold land by a freehold order issued by the Māori Land Court; and
- the objectives that will be achieved by the Council providing a remission.

The Council may investigate and grant remission or postponement of rates on any Māori freehold land in the district.

Relief and the extent thereof are at the sole discretion of the Council and may be cancelled and reduced at any time, in accordance with the policy.

The Council will give a remission or postponement of up to 100% of all rates for the year for which it is applied for based on the extent to which the remission or postponement of rates will:

- support the use of the land by the owners for traditional purposes;
- support the relationship of Māori and their culture and traditions with their ancestral lands;
- avoid further alienation of Māori freehold land;
- facilitate any wish of the owners to develop the land for economic use;
- recognise and take account of the presence of wāhi tapu that may affect the use of the land for other purposes;
- recognise and take 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); and
- recognise and take account of the importance of the land for community goals relating to:
 - the preservation of the natural character of the coastal environment;
 - the protection of outstanding natural features; and
 - the protection of significant indigenous vegetation and significant habitats of indigenous fauna.
- recognise the level of community services provided to the land and its occupiers;
- recognise matters related to the physical accessibility of the land; and
- provide for an efficient collection of rates and the removal of rating debt.

The policy shall apply to owners of Māori freehold land who meet the relevant criteria as jointly approved by the Chair of the Council committee with responsibility for managing Council finances, and the Group Manager Corporate Services.

This policy relates to Kāpiti Coast District Council rates only.

Rates Postponement

This policy is adopted under section 102(3) of the Local Government Act 2002 and aims to support the principles set out in the preamble to the Te Ture Whenua Maori Act 1993.

Part 2 - Rates postponement for farmland located in the urban rating areas of the Kāpiti Coast district

Policy objective

The objective of this policy is to encourage owners of farmland located in the urban rating areas to refrain from subdividing their land for residential, commercial, and industrial purposes unless doing so demonstrably supports intended outcomes of the Kāpiti Coast District Plan.

Policy conditions and criteria

The policy will apply to rating units that are:

- located in the urban rating area of a ward of the Kāpiti Coast district;
- individual or contiguous rating units, 10 hectares in area or more;
- farmland whose rateable value in some measure is attributable to the potential use to which the land may be put for residential, commercial, industrial, or other non-farming development; and
- actively and productively farmed by the ratepayer or the farming business.

The application for rate postponement must be made to the Council prior to the commencement of the rating year.

Applications received during a rating year will be eligible for the commencement of the following rating year. No applications will be backdated.

A new application must be made for each financial year.

Ratepayers making application should include the following documents in support of their application:

- details of ownership of the rating unit; and
- information on the farming activities.

If an application is approved the Council will request its valuation service provider to determine a rates postponement value of the land. The rates postponement value specifically excludes any potential value that, at the date of valuation, the land may have for residential purposes, or for commercial, industrial, or other non-farming use.

The rates postponed for any rating period will be the difference between the rates calculated according to the rateable land value and the rates calculated according to the rates postponement land value.

Any objection to the rate postponement land value, determined by the Council and its valuation service provider, will not be upheld.

All rates whose payment has been postponed and which have not been written off become due and payable immediately on:

- the land (or any part of) ceasing to be farmland;
- the land being subdivided;
- the value of the land ceasing to have a portion of its value attributable to the potential use to which the land may be put for residential, commercial, industrial, or other non-farming development; or
- there being a change of ownership of the farmland.

Postponed rates may be registered as a charge against the land so that any postponed rates will be paid on or before the sale or transfer of the property.

Postponed farmland rates are written off after five years if a property is not subdivided or sold.

The policy shall apply to ratepayers who meet the relevant criteria as jointly approved by the Chair of the Council Committee with responsibility for managing Council finances and the Group Manager Corporate Services.

Part 3 - Optional Rates postponement

Policy objective

The objective of this policy is to assist residential ratepayers 65 years of age and over who want to defer the payment of rates by using the equity in their property. The policy also applies to those who may have financial difficulties or unusual circumstances, as long as they have the required equity in their property.

Policy criteria

Current and all future rates may be postponed indefinitely:

- if at least one of the applicants is 65 years of age or older; or
- in demonstrable cases of significant financial difficulty.

Only rating units defined as residential, that are owned by the applicant and used by the applicant as their sole or principal residence will be eligible for consideration of rates postponement.

For the year of application, the applicant must have applied for the government rates rebate before any rates will be postponed.

The postponed rates (including any GWRC postponed rates) will not exceed 80% of the available equity in the property.

The available equity is the difference between the Council's valuation of the property and the value of any encumbrances against the property, including mortgages and loans.

The property must be insured for its full value.

All rates are eligible for postponement except for:

- targeted rates for water supplied by volume; and
- lump sum options which are rates paid in advance.

All applications for postponement must be made on the prescribed form.

Those applying for postponement of rates because they are experiencing significant financial difficulty should provide clear details and proof of their circumstances.

Policy conditions and criteria

The Council recommends that all applicants seek advice from an appropriately qualified and independent financial advisor on the financial impacts and appropriateness of postponing their rates.

The Council will postpone payment of the residual rates (the amount of rates payable after any optional payment has been made) if the ratepayer meets the above criteria.

An administration fee will be charged on the postponed rates which will not exceed the administrative and financial costs to the Council of the postponement.

If the property in respect of which postponement is sought is subject to a mortgage, then the applicant will be required to obtain the mortgagee's consent before the Council will agree to postpone rates.

The postponed rates, or any part thereof, may be paid at any time.

The applicant may choose to postpone a lesser amount of rates than the amount they may be entitled to under the terms of this policy.

Any postponed rates (under this policy) will be postponed until:

- a) the ratepayer's death;
- b) the ratepayer no longer owns the rating unit;
- c) the ratepayer stops using the property as his or her residence; or
- d) until a date specified by the Council.

Postponed rates will be registered as a statutory charge against the property to protect the Council's right to recover postponed rates. At present, the law does not allow councils to register such a statutory land charge against Māori freehold land. Accordingly, Māori freehold land is not eligible for rates postponement (unless and until the law is changed so that the Council can register a statutory land charge).

For the rates to be postponed the Council will require evidence each year, by way of statutory declaration, of the ratepayer's property insurance and the value of encumbrances against the property, including mortgages and loans.

Review or suspension of policy

The policy is in place indefinitely and can be reviewed subject to the requirements of the Local Government Act 2002 at any time. Any resulting modifications will not change the entitlement of people already in the scheme to continued postponement of all future rates.

The Council reserves the right not to postpone any further rates once the total of postponed rates and accrued charges exceeds 80% of the rateable value of the property as recorded in the Council's rating information database.

The policy acknowledges that future changes in policy could include withdrawal of the postponement option.

Procedures

Applications must be on the required application form which is available on the Council's website.

The policy will apply from the beginning of the rating year in which the application is made although the Council may consider backdating past the rating year in which the application is made depending on the circumstances.

The policy shall apply to ratepayers who meet the relevant criteria as approved by the Group Manager Corporate Services (with sub-delegation to Chief Financial Officer).

Rates relief

These policies are adopted under section 102(3) of the Local Government Act 2002 and aims to support the principles set out in the preamble to the Te Ture Whenua Maori Act 1993.

Part 4 - Rates remission for Council community properties, sporting, recreation, and other community organisations

Policy objective

The objectives of this policy are to:

- facilitate the on-going provision of non-commercial (non-business) community services and/or sporting and recreational opportunities that meets the needs of Kāpiti Coast district's residents;
- provide rating relief to Council community properties, sporting, recreation and other community organisations; and
- make membership of the sporting, recreation and other community organisations more accessible to the general public, particularly disadvantaged groups. These include children, youth, young families, older persons and economically disadvantaged people.

Policy conditions and criteria

The policy may apply to land owned by the Council, which is used exclusively or principally for community purposes, sporting, recreation, or to land which is owned and occupied by a charitable organisation and used exclusively or principally for sporting, recreation or other community purposes.

The policy does not apply to:

- organisations operated for private pecuniary profit, or those which charge commercial tuition fees; and
- groups or organisations whose primary purpose is to address the needs of adult members (over 18 years) for entertainment or social interaction, or who engage in recreational, sporting, or community services as a secondary purpose only.

Under this policy the following rate remission may apply to the Council and those sporting, recreation and other community organisations which qualify:

- a 50% remission may apply to the Council rates and charges (excluding water and wastewater).

No second remission of rates will be made on those properties which have already received a rate remission for a financial year or those properties which are fully or partially non-rateable under the provisions of schedule one, part two, of the Local Government (Rating) Act 2002.

The policy requires that applications for rate remission from all qualifying organisations must be made to the Council prior to the commencement (by 30 June) of the rating year for which the remission is being applied. No applications will be backdated.

Organisations making an application must provide the following documents in support of their application:

- statement of objectives;
- full financial accounts; and
- information on activities and programmes.

The policy may automatically apply to land owned by the Council which is used exclusively or principally for community purposes, sporting, and recreation.

The policy may apply to recreation, sporting and other community organisations who meet the relevant criteria as jointly approved by the Chair of the Council committee with responsibility for managing the Council finances and the Group Manager Corporate Services.

Part 5 - Rates remission for recreation, sporting and other community organisations which lease or own private property for a period of one year or longer

Policy objective

The objectives of this policy are to:

- facilitate the on-going provision of non-commercial (non-business) community services and/or recreational opportunities that meets the needs of Kāpiti Coast district's residents;
- provide rating relief to recreation, sporting and other community organisations; and
- make membership of the recreation, sporting and other community organisations more accessible to the general public, particularly disadvantaged groups. These include children, youth, young families, older persons, and economically disadvantaged people.

Policy conditions and criteria

The policy may apply to property leased or owned by a charitable organisation for a period of at least one year, is used exclusively or principally for recreation, sporting or community purposes, and the organisation is liable for the payment of the Council's rates under the property's lease agreement, or as the property owner.

The policy does not apply to:

- organisations operated for private pecuniary profit, or those which charge commercial tuition fees; and
- groups or organisations whose primary purpose is to address the needs of adult members (over 18 years) for entertainment or social interaction, or who engage in recreational, sporting, or community services as a secondary purpose only.

Under this policy the following rate remission may apply to those recreational, sporting and other community organisations which qualify:

- a 50% remission of the Council's rates and charges (excluding water and wastewater).

This 50% maximum rate remission may also apply to recreation, sporting and other community organisations that qualify and have a liquor licence. (Note: The reason for allowing recreation, sporting, and other community organisations with liquor licences to also receive a 50% rate remission is because the change in social drinking patterns means that the liquor licenses no longer provide the same level of funding as was previously the case).

No second remission of rates will be made on those properties which have already received a rate remission for a financial year or those properties which are fully or partially non-rateable under the provisions of schedule one, part two, of the Local Government (Rating) Act 2002.

The policy requires that applications for rate remission must be made to the Council prior to the commencement (by 30 June) of the rating year for which the remission is being applied. No applications will be backdated.

Organisations making application must provide the following documents in support of their application:

- statement of objectives;
- full financial accounts;
- evidence of their lease or ownership of the property;
- evidence of rates paid to the property owner or to the Council for each financial year; and
- information on activities and programmes.

The policy may apply to recreation, sporting and other community organisations who meet the relevant criteria as jointly approved by the chair of the Council committee with responsibility for managing Council finances and the Group Manager Corporate Services.

Part 6 - Rates remission of late payment penalty

Policy objective

The objective of this policy is to enable the Council to act fairly and reasonably when rates have not been received by the penalty date.

Policy conditions and criteria

The policy will apply to a ratepayer who has had a penalty levied where it is demonstrated that the penalty has been levied because of an error by the Council. Remittance will be upon either receipt of an application from the ratepayer or identification of the error by the Council.

The policy may also apply to a ratepayer where the Council considers that it is fair and equitable to do so. Matters that will be taken into consideration include the following:

- the ratepayer's payment history; being two clear years history without penalty OR two years history without a previous penalty remission;
- the impact on the ratepayer of extraordinary events;
- the payment of the full amount of rates due; or
- the ratepayer entering into an agreement with the Council for the payment of their rates.

Under this policy the Council reserves the right to impose conditions on the remission of penalties. The policy shall apply to ratepayers who meet the relevant criteria as approved by the Group Manager Corporate Services (with sub-delegation to the Chief Financial Officer).

Part 7 - Rates remission for land protected for natural, indigenous biodiversity or cultural conservation purposes

Policy objective

The objective of this policy is to preserve and promote natural values present on privately owned land, and to encourage the maintenance, enhancement, and protection of land for indigenous biodiversity, natural or cultural conservation purposes.

Policy conditions and criteria

This policy supports the provisions of the Kāpiti Coast Operative District Plan (district plan) and the Ecosystems and Indigenous Biodiversity chapter's objectives and policies. It recognises that most features of natural value are already protected by rules in the district plan and encourages landowners to maintain, enhance and protect features of natural value by offering a financial incentive.

Ratepayers who own rating units which have some feature(s) of natural value which are voluntarily legally protected, may qualify for a remission of rates under this policy, for example:

- properties that have a QEII National Trust covenant under the Queen Elizabeth the Second National Trust Act 1977 registered on their record(s) of title; or
- properties that have a conservation covenant with the Department of Conservation registered on their record(s) of title.

Ratepayers who own rating units which contain some feature(s) of natural value which are protected under the district plan or other involuntary protection applied to the land may also qualify for remission of rates under this policy, for example:

- properties that have a site listed in the district plan heritage register (excluding any buildings); or
- heritage features that are protected by a section 221 consent notice (Resource Management Act 1991) registered on the record of title (excluding buildings).

Ratepayers who own rating units which contain some feature(s) of natural value which are not protected under the district plan or other legal protection may also qualify for remission of rates under this policy, where the natural value meets one or more of the criteria set out in Appendix 1 of the National Policy Statement for Indigenous Biodiversity (NPSIB). Examples may include, but are not limited to:

- land containing native vegetation which is being managed for conservation purposes;
- appropriately restored wetlands;
- appropriately restored dune lands; or
- appropriately protected and restored riparian strips.

This policy does not apply to land that is non-rateable under section 8 of the Local Government (Rating) Act 2002 and is liable only for rates for water supply or wastewater disposal.

No second remission of rates will be made for those properties which have already received a remission of rates under Part 1, Part 4, or Part 5 of the Council's Rates remission policy in the same financial year.

All rates remission applications under this policy will be treated on a case-by-case basis and will be approved/declined by the Group Manager Customer and Community or Group Manager Corporate Services considering the following criteria:

- The degree to which feature(s) of natural value are present on the land, using the ECO-P1, the District Plan Criteria for identification of significant biodiversity; Representativeness, Diversity and pattern, Rarity and Distinctiveness, Ecological context, Tāngata Whenua values (ECO-P1);
- the extent to which the preservation of natural values(s) will be promoted by granting remission on rates on the rating unit;
- the extent to which the natural value(s) are legally (eg: covenanted) and physically (eg: fenced) protected;
- the potential of the feature(s) as a significant habitat for indigenous fauna;
- the potential for the area to provide continuity and linkage within landscape – the site provides or has potential to provide a corridor/buffer zone to an existing area of natural value;
- the extent to which the feature(s) are being managed for conservation purposes and threats to the natural value(s) are being controlled;
- the extent to which the existing natural value is being enhanced through extending the size, minimising edge effects and mitigating biodiversity loss within the area;
- whether, and to what extent, public access to/over the protected area is provided for;
- the degree to which feature(s) of natural value inhibit the economic utilisation of the land;
- in respect of geological sites and wāhi tapu:
 - the importance of the place to tangata whenua;
 - the community association with, or public esteem for, the place;
 - the potential of the place for public education; and

- the representative quality and/or a quality or type or rarity that is important to the district.

Applications for rates remission in accordance with this policy must be in writing and supported by documentary evidence, for example, a copy of the covenant agreement or if not protected by a covenant, a restoration management plan.

The restoration management plan will:

- be periodically reviewed by the Council in conjunction with the landowner;
- ensure that the site will be managed in a manner that protects and enhances the natural values; and
- may contain conditions which shall be complied with on an on-going basis, including requirements to fence off the area, undertake pest weed & animal control.

In granting rates remission under this policy, the Council may specify certain conditions before remission will be granted.

The amount of the rate remission will be determined by the size of the natural feature(s) and the available funding in each financial year.

The size of the natural feature(s) will be defined in the District Plan (if it is an ecological site or listed on a heritage register); or the size of the conservation covenant area (if it has a QEII or other conservation covenant); or the size of the feature defined using the ECO-P1 criteria. If the size of the feature(s) changes (increases or decreases), the property owner must notify the Council.

If an application for rates remission under this policy is approved, the application will automatically be considered for rates remission under this policy each year that the policy remains in place, and applicable conditions continue to be met on an on-going basis, unless the land containing the natural or cultural feature is subdivided. A new application in respect of the new property(s) would be required if this occurs.

All rates remission applications under this policy will be considered on a case-by-case basis and will be approved/declined by the Group Manager Customer and Community or the Group Manager Corporate Services.

Part 8 - Policy for rates relief for residential rating units containing two separately habitable units

Policy objective

The objectives of this policy are:

Objective 1

To enable the Council to provide relief for ratepayers who own a residential rating unit containing two habitable units, where the second unit is:

- either a consented family flat or is designated a minor flat¹ ; and
- used only to accommodate non-paying guests and family.

Objective 2

To enable the Council to provide relief for ratepayers who own a residential rating unit containing two habitable units, where the second unit is:

- designated a minor flat; and

¹ A designated minor flat has a floor area less than 60m² in a rural zone and a floor area less than 54m² in an urban zone.

- only rented out for less than one month each year.

Policy conditions and criteria

Objective 1

- 1.1 The Council may remit a second targeted rate for community facilities and Districtwide water supply fixed rates set on a separately habitable portion of the rating unit, provided that:
 - a) the ratepayer provides a written application each year;
 - b) their rating unit contains two habitable units, where the second unit is either a consented family flat or is designated a minor flat;
 - c) the second unit is used only for family and friends of the occupants of the first unit on a non-paying basis; and
 - d) the application is accompanied by a statutory declaration of intent made by the ratepayer that declares that all the above conditions will be complied with in the ensuing year.
- 1.2 If a rating unit contains more than two habitable units used by non-paying guests and family, only one is entitled to remission.

Objective 2

- 2.1 The Council may remit a second targeted rate for community facilities and Districtwide water supply fixed rates set on a separately habitable portion of the rating unit, provided that:
 - a) the ratepayer provides a written application each year;
 - b) their rating unit contains two habitable units, where the second unit is designated a minor flat;
 - c) their rating unit contains two habitable units; where the second unit is only rented out for less than one month each year; and
 - d) the application is accompanied by a statutory declaration of intent made by the ratepayer that declares that all the above conditions will be complied with in the ensuing year.
- 2.2 If a rating unit contains more than two habitable units used by non-paying guests and family, only one is entitled to remission.

Application process for Objectives 1 and 2

The application for remission must be made to the Council prior to the commencement (by 30 June) of the rating year for which the remission is being applied. Applications will not be backdated.

Decisions for remission of rates for rating units consisting of two separately habitable units will be delegated to the Group Manager Corporate Services (with sub- delegation to the Chief Financial Officer).

Part 9 - Rates assistance

Policy objectives

The objective of this policy is to set out the circumstances in which the Council will offer financial assistance (a remission of rates) to those people experiencing difficult financial circumstances.

Introduction

This policy is divided into three sections as follows:

1. People who are facing on-going financial difficulties:
 - a. Ratepayers who own their own home.

- b. Ratepayers who own rental properties, who are applying jointly with and on behalf of a tenant facing difficult financial circumstances.
2. People who are facing temporary financial difficulties.
3. Water rate remission for vulnerable households relating to high water use.

1. On-going financial assistance

Policy conditions and criteria

General criteria

Application for on-going financial assistance must be made between 1 January and 30 June in the rating year in which the assistance is being applied for. Applications will be processed from 1 February onwards.

Funding will be available until such time as the rates assistance fund is fully subscribed in each financial year.

Ratepayers who own their own home

A. *A ratepayer who is experiencing on-going financial difficulty may be eligible for financial assistance (a remission of rates) of up to \$300 if they meet the following criteria:*

- the applicant owns the property;
- the applicant resides at the property at the time of application;
- total household income before tax for the specified financial year, is less than or equal to the gross NZ Superannuation income level for a couple where both qualify;
- the applicant has first applied for the central government rates rebate; and
- expenditure on Kāpiti Coast District Council rates (after netting off any central government rates rebate) is more than 5% of net disposable income.

B. *Ratepayers who own rental properties, who are applying jointly with and on behalf of a tenant facing difficult financial circumstances*

A tenant who is experiencing on-going financial difficulty can make a joint application with their landlord for financial assistance (a remission of rates) of up to \$300. Only the landlord, as the owner of the property, can receive this financial assistance (a remission of the Council's rates) from the Council. If the landlord receives a remission, they must pass it on to the tenant.

The tenant and landlord may be eligible for financial assistance if the following criteria have been met:

- the landlord is renting to a tenant whose total household income before tax for the specified financial year, is less than or equal to the gross NZ Superannuation income level for a couple where both qualify and proof of income is supplied;
- the landlord and tenant provide a joint application form and an explanation of the financial difficulty experienced with appropriate support;
- expenditure on Kāpiti Coast District Council rates is more than 5% of the tenant's net disposable income;
- the tenant has a rental agreement for no less than six months and a copy of the rental agreement is provided;
- the landlord provides proof of the current record of the rental paid; and
- proof at the end of the year that the full amount of annual rate remission has been forwarded on to the tenant.

Should the landlord receive the remission and then not continue to pass on the remission to the tenant, the amount of the remission will be subsequently charged to the relevant rateable property.

2. Temporary financial assistance

The Council will make available financial assistance (a remission of rates) of up to \$300 per rateable property for those applicants who are experiencing financial difficulties due to, for example, repair of water leaks, a serious health issue (including on-going serious health issues) or for essential housing maintenance.

Applications may be made throughout the year and will be considered until the available Rates assistance fund is fully subscribed.

Policy conditions and criteria

A ratepayer who has incurred significant one-off expenditure may be eligible for financial assistance (a remission of rates) of up to \$300 if they meet the following criteria:

- the applicant is the owner of the property;
- the applicant resides at the property at the time of application;
- total household income before tax for the specified financial year, is less than or equal to the gross NZ Superannuation income level for a couple where both qualify;
- the applicant has also applied for the central government rates rebate and is receiving all relevant funding;
- one-off expenditure has been incurred in relation to repairs for water leaks, a serious health issue or for essential housing maintenance within the same financial year and proof of expenditure and reasons for expenditure are provided; and
- the effect of the one-off expenditure is to reduce net disposable income such that rates, net of any central government rates rebate, is more than 5% of net disposable income.

3. Water rate remission for vulnerable households relating to high water use

Policy objectives

To enable the Council to provide relief for vulnerable households who have incurred high water rates charges.

Policy conditions and criteria

Applications are open from 1 May each year until 30 June or available funding under the Rates Assistance remission policy is fully subscribed, whichever occurs first.

Applications will be assessed against the following criteria:

A. Ratepayer: owner of property – water variable charge paid by property owners

A property owner with two or more dependents living at the property may apply for a water rate remission provided that:

- the applicant owns the property;
- the applicant resides at the property at the time of application;
- the property owner is receiving a working for family's tax credit; and
- total water rate charges from 1 July to 30 April have exceeded the amount which is 5/6ths of the current Districtwide water supply fixed rate (FC) multiplied by 2 (FC x 2 x 5/6).

B. Landlord and tenant: water variable charge – paid by landlord and on- charged to tenant.

A tenant with two or more dependents living at the property may apply for a water rate remission provided that:

- the tenant has a rental agreement for no less than six months and a copy of the rental agreement is provided;
- the tenant resides at the property at the time of application and the property is also classified as residential;
- the tenant is receiving a working for family's tax credit;
- total water rate charges from 1 July to 30 April have exceeded the amount which is 5/6ths of the current Districtwide water supply fixed rate (FC) multiplied by 2 ($FC \times 2 \times 5/6$); and
- their landlord is informed and agrees to adjust any on-charged variable water charge to their tenant by the amount remitted by the Council.

Should the landlord receive the remission and then not continue to pass on the remission to the tenant, the amount of the remission will be subsequently charged to the relevant rateable property.

General conditions

- no rates remission will be provided for any variable charge for water use where that water use is for other than internal or essential household use.

Assessment

All rates remission applications will be treated on a case-by-case basis and will be approved/declined by the Group Manager Corporate Services (with sub-delegation to the Chief Financial Officer). Other information or evidence may also be requested in certain circumstances (for example, information supporting what change of circumstance may have occurred to cause temporary financial difficulty).

Part 10 - Water Leak Rates remission

Policy Objectives

To enable the Council to provide relief for ratepayers who have incurred excess volumetric water rates charges due to a leak on their private water supply pipes.

Policy conditions and criteria

The Council may remit water consumption rates (districtwide water supply volumetric rates) where all the following apply:

- a remission application has been received;
- the leak was on a private water supply pipe. Private Water supply pipe is the section of pipe between the point of supply and the ratepayers' premises through which water is conveyed to the premises. The private water supply pipe will not include any check meter installed on the pipe;
- the leak has been repaired upon discovery or within 21 days from the date of notification from the Council;
- proof of the leak being repaired has been provided; and
- application is made within three months of the date the leak was repaired.

It does not include:

- reasonably discernible water loss from leaking taps, shower heads, toilet cisterns or other water appliances;

- water loss from property sprinkler or other irrigation system, pools, ponds, or similar systems; or
- Leaking hot water systems or plumbing relating to a faulty hot water system.

The amount of the remission will be determined by the difference between the average of the four previous quarterly volumetric water rates charges prior to the leak as deemed reasonable by the Council and the consumption as recorded by the water meter over and above that average.

In the absence of four previous quarterly readings, normal water consumption estimates may be assessed using the mean water use for an equivalent sized household using the invoice usage comparison chart; plus, any other identified water use.

Remissions for a Private Water Leak will be considered on a case-by-case basis limited to the period between:

- the date of leak identification and the date of repair; where repairs are carried out upon discovery; or
- the date of leak notification by the Council to the ratepayer and the date of repair, where repairs are carried out within 21 days of notification

Remission for any particular property will generally be granted only once every year, unless there are extenuating circumstances.

Any remission will only be applied to the Districtwide Water supply volumetric rates and the Districtwide water supply fixed rate will still apply.

All rates remission applications will be treated on a case-by-case basis and will be approved/declined by the Group Manager Corporate Services (with sub-delegation to the Chief Financial Officer). Other information or evidence may also be requested in certain circumstances to enable an application to be considered.