

CUSTOMER SERVICES

Application for Rates Postponement on Land Subject to a District Plan Zone Change

I/We, the undersigned, apply for rates postponement on land that has been subject to a District Plan zone change.

Valuation reference of property: _____ Legal description: _____

Record of Title references: _____ Zone: _____

(Please include all title references covered by this application.)

Location of property: _____

Current use of land: _____

(If there is a current lease for farming purposes, please note the duration of lease.)

Current subdivision consents: Applied for Approved Not applicable

Details of applicant

Owner: _____

Address: _____

Contact phone number: _____

All owners must sign

I/We have read and understand the provisions in the Council's policy for "Rates Postponement on Land subject to a District Plan Zone Change" and have initialled the pages of the attached policy.

Signed: _____

Print name: _____

Date: _____

Signed: _____

Print name: _____

Date: _____

PLEASE NOTE – A signature is not required if you submit this form electronically. By entering your name in the signature boxes above you are giving your authority for this application to proceed.

Extract from Rates Postponement Policy

5.6. Land subject to a District Plan zone change

- 5.6.1. Where business and residential areas expand into rural land, the value of land can increase at a rate greater than other rural land due to its potential for residential or business development. This can lead to inequity in rating where land is valued for its potential use rather than actual use.

5.6.2. Objective

To provide temporary rates relief to land impacted by an increase in rating valuation due to a change in District Plan Zoning or inclusion in a future development area, where the rating valuation of the land is in some measure attributable to the potential use to which the land may be put for residential or business purposes.

To preserve uniformity and equitable relativity with a comparable rating unit elsewhere in a rural zone in that part of the District where the rating valuation does not contain any "potential" value.

5.6.3. Criteria and Conditions

1. To qualify for postponement under this policy, the Council must be satisfied that the rating unit is situated in an area that has recently been rezoned or included in a future development area.
2. When considering whether rates postponement will be granted, consideration will be given to:
 - The extent that the rating valuation of the land is attributable to the potential use for residential, commercial or industrial development
 - The status of any resource consent that has been approved on the property
 - The length of time the property has been in the current ownership in relation to the timing of the change in zoning.
3. On approval of an application for rates postponement the Council will request its Valuation Service Provider to issue a special rates postponement value for that rating unit.
4. The rates postponement value will be determined so as to:
 - (a) Exclude any potential value that, at the date of the valuation, the land may have for residential, commercial or industrial development; and
 - (b) Preserve uniformity and equitable relativity with comparable parcels of land, the valuations of which do not contain any such potential value.
5. There is no right of objection to rates postponement values issued under this policy. (The owner still has the right to object to the rating valuation of the property in terms of the Rating Valuations Act 1988.)
6. The amount of rates postponed due to a change in District Plan zoning shall be the difference between the amount of the rates for that period calculated on the rateable value of the property and the amount of the rates that would be payable for that period if the rates postponement value of the property were its rateable value.
7. Notice of the amount of rates postponed shall be entered in the rating records and will be notified with the rates assessment issued in respect of that rating unit.
8. Subject to the rates postponement value remaining in force, rates postponed due to a change in the District Plan zoning will be remitted after five years from the commencement of the rating period in respect of which they were set and assessed, unless the postponed rates become payable in accordance with 5.7.5 of this policy.
9. Where part of the land ceases to qualify for rates postponement, and the balance of the rating unit still meets the criteria of this policy, the Council will require that a part only of the postponed rates will be required to be paid. The part of the postponed rates to be paid will be in proportion to the value of the land that no longer qualifies for rates postponement.

Initial: _____

5.7. Applications for Postponement and General Criteria and Conditions

5.7.1. Applications must be in writing on the prescribed form.

5.7.2. Prior to approving an application for postponement of rates under this policy, the Council will require evidence that:

- The applicant has had access to independent financial advice and understands the effects of rates postponement on their equity in the property
- All joint property owners agree to rates postponement
- Where there is a mortgage on the property, the mortgagee agrees to rates postponement.

5.7.3. The Council will require annual confirmation that any dwelling or other improvements on land where rates postponement is in place is fully insured.

5.7.4. Rates postponement will apply from the beginning of the rating year in which the application is made, although the amount postponed may include arrears from previous years.

5.7.5. Postponed rates will become payable on the earliest of the following dates:

- The interest of the person who was the ratepayer at the date on which the rates postponement was approved becoming vested in another person other than:
 - (a) The ratepayer's spouse or de facto partner, or former spouse or de facto partner; or
 - (b) The executor or administrator of the ratepayer's estate; or
 - (c) Where the ratepayer was the proprietor of the interest as a trustee, the new trustee under the trust
- The rating unit is subdivided, changes use or is sold
- At a date specified by the Council at the time the application is approved
- In the event of a change in the ratepayer's circumstances, on written notice by the Council.

5.7.6. Penalty charges (pursuant to section 57 and 58 of the Local Government (Rating) Act 2002) will not be added to postponed rates.

5.7.7. The amount of rates postponed, including postponement fees where applicable, will be secured by a Statutory Land Charge on the Record of Title of the Rating Unit.

5.7.8. The administrative cost of setting up the postponement including any costs of registering, updating or releasing the charge on the Record of Title will be met by the applicant at the time the application is approved or added to the amount postponed.

5.7.9. Where a rates postponement arrangement is in place, the Council will send an annual statement at the start of each rating year showing:

- The total amount of postponed rates
- The interest rate charged for the year
- Accrued interest
- Any fees charged during the year.

5.7.10. The amount of rates postponed will be reported annually to the Audit and Risk Committee.

Initial: _____