Rating Delegations Schedule 2019

- Local Government (Rating) Act 2002
- Rates Rebate Act 1973
- Rating Valuations Act 1998
- Rates Remission Policy (R04) Section 85
- Rates <u>Postponement</u> Policy (P04) Section 87
- Remission & Postponement of Rates on Maori Freehold Land (ML04)

Rating Delegations

Act	Section	Delegations	Title
Local Government (Rating) Act 2002	27(5)	Determine whether to divide rating units and the methodology for division.	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer
Local Government (Rating) Act 2002	29	Determine objections to the Rating Information Database.	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer
Local Government (Rating) Act 2002	35	Remove a name from the Rating Information Database.	 Chief Executive GM: Corporate Services Manager District Administration Property Information Team Leader
Local Government (Rating) Act 2002	39	Determine objections to rates records.	Chief ExecutiveGM: Corporate ServicesChief Financial Officer
Local Government (Rating) Act 2002	40	Correct an error in the rating information database or rates records.	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer
Local Government (Rating) Act 2002	52	Agree the method by which rates may be paid.	Chief ExecutiveGM: Corporate ServicesChief Financial Officer
Local Government (Rating) Act 2002	54	Determine that the rates payable on a rating unit in a financial year are uneconomic to collect, and not to collect them. Notify the ratepayer.	Chief ExecutiveGM: Corporate ServicesChief Financial Officer

Local Government (Rating) Act 2002	61	Collect unpaid rates from the owner (where ratepayer is other than the owner)	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services
Local Government (Rating) Act 2002	62	Collect, accept, or recover as a debt unpaid rates from persons other than the owner	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services
Local Government (Rating) Act 2002	63	Commence proceedings to recover as a debt unpaid rates and execute all related statutory and legal documents on behalf of the Council	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services
Local Government (Rating) Act 2002	67	Apply to the Registrar of the High Court to have a judgment for rates enforced by sale or lease of the rating unit.	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services
Local Government (Rating) Act 2002	72	Give consent of the Council to the sale or lease of a rating unit by private treaty for any consideration that the Registrar thinks reasonable	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services
Local Government (Rating) Act 2002	77	Give public notice that the Council intends to have the land declared abandoned and to sell or lease the land. Apply to the District Court for an order that declares the land to be abandoned and authorises the Council to sell or lease the land. Commence proceedings under section 67 to sell or lease abandoned land	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services
Local Government (Rating) Act 2002	78	Sell or lease the land under sections 79 to 83 of the Act	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services
Local Government (Rating) Act 2002	79	Determine whether the sale or lease of abandoned land will be by public auction or public tender. Determine any terms or conditions of sale or lease and place a reserve on the land. Decide to refuse any tender; or put the abandoned land up for sale or lease as often as may be required until it is sold or	 Chief Executive GM: Corporate Services Chief Financial Officer

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		leased. If the abandoned land is not sold or leased at public auction or by public tender, sell or lease the land by private treaty for any consideration that is not less than the reserve.	
		Bid for the abandoned land at any public auction of it and buy the land on behalf of the Council.	
Local Government (Rating) Act 2002	80	Approve documents for execution under Council seal.	Chief ExecutiveGM: Corporate ServicesChief Financial Officer
Local Government (Rating) Act 2002	82	If the proceeds of a sale or lease of abandoned land under section 79 are not sufficient to meet the rates, interest, costs, and expenses, write off the deficiency.	 Chief Executive GM: Corporate Services Chief Financial Officer
Local Government (Rating) Act 2002	85	Remit all or part of the rates on a rating unit (including penalties for unpaid rates) in accordance with the rates remission policy.	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services Team Leader - Rating Services Technical Rates Officer
Local Government (Rating) Act 2002	87	Postpone the requirement to pay all or part of the rates on a rating unit (including penalties for unpaid rates) in accordance with the rates postponement policy.	 Chief Executive GM: Corporate Services Chief Financial Officer Manager - Transaction Services Team Leader - Rating Services Technical Rates Officer
Local Government (Rating) Act 2002	99	Apply to the Maori Land Court for an order charging the unpaid rates against land.	 Chief Executive GM: Corporate Services Chief Financial Officer Manager Enabling MFL Manager - Transaction Services
Local Government (Rating) Act 2002	114	Remit all or part of the rates (including penalties for unpaid rates) on Maori freehold land in accordance with the policy on the remission and postponement of rates on Maori freehold land.	 Chief Executive GM: Corporate Services Chief Financial Officer Manager Enabling MFL Manager - Transaction Services
Local Government (Rating) Act 2002	115	Postpone the requirement to pay all or part of the rates on Maori freehold land (including penalties for unpaid rates) in accordance with the policy on	 Chief Executive GM: Corporate Services Chief Financial Officer Manager Enabling MFL Manager - Transaction Services

		the remission and postponement of rates on Maori freehold land.	Team Leader - Rating ServicesTechnical Rates Officer
Local Government (Rating) Act 2002	135	Sign documents as evidence for court proceedings	 Chief Executive GM: Corporate Services Chief Financial Officer Manager Enabling MFL Manager - Transaction Services

Rates Rebate Act 1973	13	To witness declarations made on Applications for rates rebates	 Community & Customer Services Manager Team Leader, Kaikohe Service Centre Branch Manager, Kerikeri Branch Manager, Kaitaia Customer Service Officers Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services
Rating Valuations Act 1998	50 & 34	Determine an objection following review, EXCEPT THAT where the determination differs from the outcome of the registered valuers review, the matter must be brought to the Council for final determination.	 Chief Executive GM: Corporate Services Manager District Administration Property Information Team Leader
Rating Valuations Act 1998	50 & 36	Require an objection to be heard by the Land Valuation Tribunal.	 Chief Executive GM: Corporate Services Manager District Administration Property Information Team Leader

Policy Delegations

Local Government (Rating) Act 2002 Section 85

Rates Remission and Postponement - Policy R04

Approval of any application for remission of rates up to \$20,000 by Chief Financial Officer Over \$20,000 by General Manager – Corporate Services and the Chief Financial Officer jointly

Policy Statement No		Officer/s	Amount
R04/01	Remissions of penalties	 Chief Executive GM: Corporate Services Community & Customer Services Manager Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services Branch Managers 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ \$1,000 ⇒ \$1,000 ⇒ \$500
R04/02	Remissions of additional penalties	 Chief Executive GM: Corporate Services Community & Customer Services Manager Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services Branch Managers Customer Service Officers 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ \$500 ⇒ \$500
R04/04	Remission of rates on land owned or used by charitable or community organisations	General Manager – Corporate Services and the Chief Financial Officer	Jointly
R04/05	Remission of charges on properties only partly within district	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Service 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%
R04/06	Remission of charges on contiguous properties	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%

		Services	⇒ 100%
R04/07	Remission of school sewerage charges	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%
R04/08	Remission of excess water charges (up to 50% of normal water reading applications for more than 50% go to Council)	 Chief Executive GM: Corporate Services Community & Customer Services Manager Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100%
R04/09	Remission of postponed rates (basis of remission specified in each postponement policy)	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%
R04/11	Remission of rates on land subject to protection for natural, historic or cultural conservation purposes. (This now requires confirmation that the land concerns meets conservation or other requirements pursuant to the District Plan and that the covenant meets Council requirements.)	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%

Local Government (Rating) Act 2002 Section 87

Rates Remission and Postponement - Policy P04

Any application for a postponement of rates outside of those allowed under these policies must be made in writing to Council. It must set out in detail the reasons why the application is being made outside of the policies established under the LG (Rating) Act 2002. Council is under no obligation to approve any applications that do not comply with the established policies and Council's decision on the matter is final

Over \$20,000 by General Manager – Corporate Services and the Chief Financial Officer jointly

Policy Statement No		Officer/s	Amount
P04/01	Postponement of rates on land subject to protection for natural, cultural or conservation purposes. (This now requires confirmation that the land concerns meets conservation or other requirement pursuant to the District Plan and that the covenant meets Council requirements.)	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%
P04/02	Postponement of rates on unusable land.	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%
P04/03	Postponement of rates on landlocked general title land	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%
P06/04	Postponement of rates on farmland	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%

P04/05 Postponement of rates on residential land	 Chief Executive GM: Corporate Services Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100% ⇒ 100%
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Local Government (Rating) Act 2002 Section 108 & 109

Remission and Postponement of Rates on Maori Freehold Land ML04

All applications to be authorised by any two (2) delegated officers jointly

Policy Statement No		Officer/s	Amount
ML04/01	Remission of rates on unoccupied Maori freehold land.	 Chief Executive GM: Corporate Services Manager Enabling MFL Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100%
ML04/02	Remission of rates on Maori freehold land used for the purposes of Papakainga or other housing projects subject to occupation licences or other informal arrangements	 Chief Executive GM: Corporate Services Manager Enabling MFL Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100%
ML04/03	Postponement of Rates on Maori freehold land	 Chief Executive GM: Corporate Services Manager Enabling MFL Chief Financial Officer Team Leader - Rating Services Technical Rates Officer Manager - Transaction Services 	 ⇒ 100%