

OFFICE USE

Complied with policy criteria

ownership / use / contiguous

Title _____

Date _____

Acknowledged _____



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Rates Remission

Adverse possession

This application is made under the Council's Policy on remission contiguous land being acquired through adverse possession.

Ratepayers Names:

Contact Postal Address:	Contact Person:
	Telephone:
	Email:

A. Please list the **properties owned by the applicant** (*please continue on a separate sheet if necessary.*):

Valuation Number(s)	Property usage:	Property Location:	Date of purchase:

B. Please list the **properties you have been in contiguous possession** of for a remission (*please continue on a separate sheet if necessary.*):

Valuation Number(s)	Property usage:	Property Location:	Date of possession:

Are you the ratepayer for at least one of the rating units for which relief is sought under this policy?

Yes No

Are the rates paid up to date under (A) on the rating unit(s) owned by the applicant?

Yes No

Have you been in exclusive and continuous possession of the rating unit(s) under (B) for no less than 5 years, continue to be in possession of the rating unit(s) and have paid rates on the rating unit(s) for 5 years so that the rates for that period are paid to date.

Yes No

Are these properties under (B) used jointly as a single unit for the purposes of section 20(b) of the Local Government (Rating) Act 2002.

Yes

No

Signed: _____

Name: _____

Date: _____

Remission policy on contiguous land being acquired through adverse possession

Objective

To provide relief from rates set per rating unit or per separately used or inhabited part of a rating unit for land comprised of rating units that do not all meet the requirements of section 20 of the Local Government (Rating) Act 2002 only because each rating unit is not owned by exactly the same person or persons as the other rating units, but the same person or persons has been in continuous possession of and paying rates on the land they do not own for 5 or more years.

Conditions and Criteria

1. The applicant must own and be the ratepayer for at least one of the rating units for which relief is sought under this policy. The rates must be paid up to date on the rating unit(s) owned by the applicant
2. Each of the rating units under (1) must be owned by exactly the same person or persons as the others for the purposes of section 20(a) of the Local Government (Rating) Act 2002.
3. For rating units that the applicant does not own but for which they seek rates relief under this policy, the applicant must satisfy the Council that they have been in exclusive and continuous possession of the rating unit(s) for no less than 5 years, that they continue to be in possession of the rating unit(s) and that they have paid rates on the rating unit(s) for 5 years so that the rates for that period are paid to date.
4. The rating units under (1) and (3) must be used jointly as a single unit for the purposes of section 20(b) of the Local Government (Rating) Act 2002.
5. The rating units under (1) and (3) must be contiguous or separated only by a road, railway, drain, water race, river, or stream for the purposes of section 20(c) of the Local Government (Rating) Act 2002.
6. Applications will not be accepted for land in the circumstances referred to in section 159 subsections (a)-(e) of the Land Transfer Act 2017.
7. The Council will not be responsible for any impacts that obtaining a remission of rates may have on a persons ability to apply for creation of records of title in a persons name based upon adverse possession.
8. Rating units that meet the criteria under this policy may qualify for a remission of the rates set per rating unit or per separately used or inhabited part of a rating unit. Rates will be remitted to the extent that the rates would have been reduced if section 20 of the Local Government (Rating) Act 2002 had applied (or further reduced if it already applies in part).
9. Rates relief granted under this policy will be provided for a maximum of 1 year after eligibility to apply for creation of records of title in a person's name based upon adverse possession.

Application

1. Applications must be made in writing (annually on the form supplied by the Council).
2. Eligible applications received during a rating year will be applicable from the commencement of the following rating year. Rates relief under this policy will not be backdated.