



30 January 2024

45 Pipitea Street, Thorndon, Wellington 6011

PO Box 805, Wellington 6140

Phone +64 4 495 7200

Email OIA@dia.govt.nz

Website www.dia.govt.nz

Darcey-Lee Humm

fyi-request-25036-465368a3@requests.fyi.org.nz

Tēnā koe Darcey-Lee

Your Official Information Act 1982 request, reference OIA 2324-0431

I am responding to your email of 5 December 2023 in relation to Section 199K of the Local Government Act 2002 (the Local Government Act) from Land Information New Zealand (LINZ) and requesting the following under the Official Information Act 1982 (the Act):

I would like to request information regarding the protocol for Māori owned land exemptions and the role of a development contribution commissioner.

Transfer of your request

On 11 December 2023 you were notified that LINZ had transferred your request to Te Tari Taiwhenua | the Department of Internal Affairs (the Department), under section 14 of the Act.

Clarification of your request

On 14 December 2023, you were contacted by the Department to clarify your request, as Section 199K of the Local Government Act does not relate to Māori-owned land exemptions.

On 8 January 2024, we emailed you again, reiterating our invitation for you to meet with us to potentially rescope of your request, and requesting that you advise us of suitable meeting times. As we did not receive a response from you to either email, we have been unable to clarify this request.

Response to your request

We are unable to provide any information relating to protocols for exemptions to Māori-owned land within section 199k of the Local Government Act, as no such exemptions exist within section 199k.

There is an exemption in section 197 of the Local Government Act that exists for Māori-owned land, in the subsection defining a development contribution as comprising of money, land, or both, and excluding Māori land. There are also some local councils that have made adjustments to their development contribution systems for Māori, such as providing discounted contributions for papakāinga.

Other than the case above, there are no distinctions for Māori-owned land within the development contribution system. If there is another section of the Local Government Act that you would like to enquire about regarding Māori-owned land or the development contribution, I invite you to lodge a revised request with the Department.

You have the right under section 28 of the Act to seek a review of my decision by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602. The postal address of the Office of the Ombudsman is PO Box 10152, Wellington. Alternatively, you can phone 0800 802 602 or email info@ombudsman.parliament.govt.nz.

Nāku noa, nā

A handwritten signature in black ink that reads "Jeremy Cauchi". The signature is written in a cursive, flowing style.

Jeremy Cauchi
Director Ministerial, Monitoring and Capability