

**IN THE LAND VALUATION TRIBUNAL
AT AUCKLAND**

**I TE TARAIPŪNARA WĀRIU WHENUA
KI TĀMAKI MAKĀURAU**

Decision [2024] NZLVT 013

IN THE MATTER OF

an objection pursuant to s 36 of the
Rating Valuations Act 1998

BETWEEN

R M WITHINGTON

(ENV-2024-AKL-000008)

Objector

AND

WESTERN BAY OF PLENTY
DISTRICT COUNCIL

Respondent

Tribunal: Judge D A Kirkpatrick, Chairperson

Hearing: On the papers

Last case event: 25 March 2024

Date of Decision: 2 April 2024

Date of Issue: 2 April 2024

DETERMINATION OF THE LAND VALUATION TRIBUNAL

A: The objection has been withdrawn by consent. The District Valuation Roll requires no amendment.

B: There is no order as to costs.



REASONS

Introduction

[1] This determination relates to an objection filed by Mr Roger Withington to the valuation adopted by Western Bay of Plenty District Council in relation to the property at 45C Strathmore Drive, Katikati under the Rating Valuations Act 1998. The parties have now resolved the objection and have confirmed the objection may be withdrawn.

Background

[2] A general revaluation was undertaken as at 1 September 2022.¹ The property was valued at \$1,015,000, comprising \$1,010,000 Land Value and \$5,000 Value of Improvements.

[3] The valuation was reviewed, and on 20 December 2023 the Council advised that a decision had been made to alter the valuation as follows:

- (a) Capital Value: \$892,500;
- (b) Land Value: \$890,000;
- (c) Value of Improvements: \$2,500.

[4] The objection before this Tribunal was based on the Objectors view that the property had been valued incorrectly. The Objector proposed that the Land Value be \$750,000 and Value of Improvements be \$0. He suggested there should be no Capital Value. The Objector noted that the address was incorrect.

Property address

[5] The Council's original valuation, the Council's acknowledgement letter, and the Council's revaluation decision record the address of the property concerned to be 29B Strathmore Drive, Aongatete.

[6] The Objector advised the Tribunal that the relevant address is 45C Strathmore

¹ Valuation reference 6808/30908.

Drive, RD2, Katikati.

[7] By email dated 9 February 2024, the Council advised that the Objector's advice as to the property address is correct and their records have been corrected.

Withdrawal of objection

[8] By email dated 14 March 2024, the Objector advised:

... as of today I have received a corrected invoice for 45C Strathmore Drive Katikati plus a re evaluation on the rates with no explanation of how they arrived at those figures considering no improvement have been made. So it's the best I can hope for so please withdraw my objection with you ...

[9] By joint memorandum dated 20 March 2024,² the parties advised:

... we confirm that the valuation objection may be withdrawn as the parties have agreed to settle the Rating Valuation Objection and the matter will no longer require a Land Valuation Tribunal Hearing.

This was resolved by way of the Western Bay of Plenty District Council correcting it's Rating Information Database to the correct address i.e., from 29b Strathmore Drive Katikati to 45c Strathmore Drive Katikati and conveying this information to its Valuation Provider, plus the valuation provider reviewing the valuation.

[10] The valuation for 45C Strathmore Drive, Kaitiki is as follows:

- | | |
|----------------------------|------------|
| (a) Capital Value: | \$892,500; |
| (b) Land Value: | \$890,000; |
| (c) Value of Improvements: | \$2,500. |

[11] Rule 15 of the Land Valuation Tribunal Rules 1977 allows an objector to withdraw an objection with leave of the Tribunal.

[12] Leave is granted to withdraw.

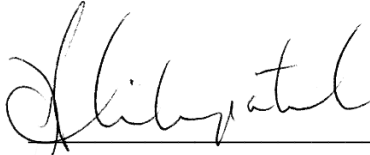
Outcome

[13] The objection has been withdrawn by consent. The District Valuation Roll

² The joint memorandum was attached to an email dated 25 March 2024.

requires no amendment.

[14] There is no order as to costs.



D A Kirkpatrick
Land Valuation Tribunal Chairperson

