

A guide to lodging proceedings

Land Valuation Tribunal

Using this guide

This guide provides information needed to:

- lodge an objection to a rating valuation; and
- lodge a claim for compensation for land acquired or taken for or injuriously affected or damaged by a public work.

What is the Land Valuation Tribunal?

The Land Valuation Tribunal (the Tribunal) was established under the Land Valuation Proceedings Act 1948.

Proceedings commonly arise under:

- the Rating Valuations Act 1998, being objections to the review of a valuation of property by a local council; and
- the Public Works Act 1981, being claims where the parties are unable to resolve compensation payable for land acquired or taken for, or injuriously affected or damaged by, a public work.

What are the fees and costs?

There is a \$50.00 fee to lodge with the Tribunal an objection to a rating valuation or a claim for compensation. If the objection or claim proceeds to a hearing, a hearing fee is also payable.

Refer to the Ministry of Justice website for information on how to pay the fee:

<https://www.justice.govt.nz/tribunals/land-and-title/land-valuation-tribunal/how-to-apply/>

Who can lodge an objection to a rating valuation?

Any affected person who is dissatisfied with a rating review, including an owner, ratepayer, occupier or body corporate, can lodge an objection with the Tribunal.

The requirements are set out in the Rating Valuations Act 1998 and the Rating Valuations Regulations 1998.

How to lodge an objection to a rating valuation

An objection to a rating valuation can only be lodged with the Tribunal once your objection has been reviewed by your local council and you have received from the council a written decision on conclusion of the review.

To lodge an objection with the Tribunal, you must complete and submit an “Objection to Valuation” form, pay the filing fee and send to the council a copy of your “Objection to Valuation” form. Your objection must be lodged within 20 working days of receiving your review decision.

The requirements are set out in the Rating Valuations Act 1998 and the Rating Valuations Regulations 1998.

The “Objection to Valuation” form is available at <https://www.justice.govt.nz/tribunals/land-and-title/land-valuation-tribunal/how-to-apply/> or by contacting the Tribunal for your area.

Who can lodge a claim for compensation?

Under the Public Works Act 1981, compensation arises to a landowner when land is acquired or taken for, or injuriously affected or damaged by, a public work. Land includes an interest in land, such as a lease.

The requirements are set out in the Public Works Act 1981. Legal advice is recommended.

How to lodge a claim for compensation

The requirements are set out in the Public Works Act 1981. Legal advice is recommended.

What happens next?

Once you have lodged a proceeding with the Tribunal, you will receive an acknowledgement letter outlining the next steps, including any required to validate the proceeding.

The proceeding will be subject to directions to a hearing. The directions generally:

- provide time for the parties to discuss / mediate an agreed outcome;
 - set times for the exchange and the filing of evidence in the event an agreed outcome is not reached; and
 - give an indication of when the proceeding will be heard (if required) and the hearing time allocated.
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How do I contact the Tribunal?

You can find the contact details for your local Tribunal listed at:

<https://www.justice.govt.nz/tribunals/land-and-title/land-valuation-tribunal/contact/>

Email: EnvironmentCourt@justice.govt.nz

Website: <https://www.justice.govt.nz/tribunals/land-and-title/land-valuation-tribunal/>