

**BEFORE THE LAND VALUATION TRIBUNAL
HAMILTON DISTRICT COURT REGISTRY**

LVP 1/02

IN THE MATTER OF an objection to Valuation

BETWEEN DAVID PYKE
 Objector

AND HAMILTON CITY COUNCIL
 Territorial Authority

AND QUOTABLE VALUE NZ
 Agent for Territorial Authority

Hearing: 26 November 2003

Appearances: Objector in Person
 Mr Williams for Quotable Value NZ

Judgment: 28 November 2003

RESERVED DECISION OF LAND VALUATION TRIBUNAL

[1] Mr Pyke objects to the 2000 valuation of his 2.8520 hectare property, which has a residential address of 126 Horsham Downs Road, Hamilton. It has a legal description of CT 72C/131 South Auckland Land District being Lot 1 DPS91651.

[2] The land is zoned Rural General, a feature of which is a Holding Overlay Zone, which is intended to provide protection to land which is likely to be required for residential or industrial development. The Rural Zone ordinances maintain the open rural character of the area until such time as the land is required for that use.

[3] Mr Pyke accepts the value of improvements given in the 2000 valuation. Before us the only issue was land valuation. Evidence was given for the Respondent by Mr Williams, who supported his valuation.

[4] Mr Pyke objects to the valuation, but apart from his own evidence has called no valuation evidence in support of his view, other than he was permitted by consent to produce a Curnow Tizard compensation valuation, prepared on 8 June 2001, when that firm prepared a report for the Hamilton City Council, who wished to purchase a sliver of land from Mr Pyke for roading purposes.

[5] Mr Pyke's primary concerns were that the 2000 Valuation placed too great an emphasis on the land's potential use and too little emphasis on the actual use to which he was putting it, namely grazing. Further, he felt that an undue emphasis had been given in the 2000 Valuation to some prime comparative sites on River Road.

[6] Having heard the evidence and considered the Curnow Tizard valuation, we are satisfied that Mr Williams has taken a conservative view of the valuation of Mr Pyke's property when producing the 2000 valuation.

[7] Mr Williams' valuation has not been unduly influenced by the premium properties on River Road. He has applied correct valuation principles and used appropriately other comparative sites.

[8] Indeed, the Curnow Tizard valuation produced by Mr Pyke supports the contention that Mr Williams has taken a conservative approach.

[9] Accordingly, we are satisfied that the initial valuation is correct. Mr Pyke's objection is hereby dismissed.

[10] There will be no order for costs.

V WINIATA
Member

JUDGE R P WOLFF
Chairman

