

Authorised Version No. 001
Valuation of Land Regulations 2014

S.R. No. 148/2014

Authorised Version as at
1 November 2014

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1 Objective

The objective of these Regulations is to prescribe certain matters for the purposes of the **Valuation of Land Act 1960**.

2 Authorising provision

These Regulations are made under section 52 of the **Valuation of Land Act 1960**.

3 Commencement

These Regulations come into operation on 1 November 2014.

4 Revocation

The following Regulations are **revoked**—

- (a) the Valuation of Land (General and Supplementary Valuation) Regulations 2003¹;
- (b) the Valuation of Land (General Valuation) (Amendment) Regulations 2006²;
- (c) the Valuation of Land (General and Supplementary Valuation) (Amendment) Regulations 2007³;
- (d) the Valuation of Land (General and Supplementary Valuation) Amendment Regulations 2009⁴.

5 Definition

In these Regulations—

the Act means the **Valuation of Land Act 1960**.

6 Oath of fidelity and secrecy

For the purposes of section 3A(3)(b) of the Act, the prescribed oath of fidelity and secrecy is the oath set out in Schedule 1.

7 Form of notification of decision by rating authority

Notice given under section 6(1) of the Act of a decision to cause a general valuation to be made must be given in the form in Schedule 2.

8 Prescribed form of report to valuer-general

For the purposes of section 7AA(1) of the Act, a report of a valuation is in the prescribed form if—

- (a) it is data, text or images able to be stored and transmitted electronically; and
- (b) it contains the information required to be contained in a valuation record by the Valuation Best Practice Specifications Guidelines; and
- (c) it contains the information required to be contained in a report of general valuation by the Valuation Best Practice Specifications Guidelines.

9 Prescribed form of report of supplementary valuation to the valuer-general following return to council

For the purposes of section 13DFA(1) of the Act, a report of a supplementary valuation is in the prescribed form if—

- (a) it is data, text or images able to be stored and transmitted electronically; and

- (b) it contains the information required to be contained in a valuation record by the Valuation Best Practice Specifications Guidelines.

10 Prescribed form of returned valuations

For the purposes of section 13DH(1) of the Act, a returned valuation is in the prescribed form if—

- (a) it is data, text or images able to be stored and transmitted electronically; and
- (b) it contains the information required to be contained in a valuation record by the Valuation Best Practice Specifications Guidelines; and
- (c) it contains the information required to be contained in a report of general valuation by the Valuation Best Practice Specifications Guidelines.

11 Prescribed form of report of supplementary valuations to the valuer-general following return to collection agency

For the purposes of section 13M(1) of the Act, a report of a supplementary valuation is in the prescribed form if—

- (a) it is data, text or images able to be stored and transmitted electronically; and
- (b) it contains the information required to be contained in a valuation record by the Valuation Best Practice Specifications Guidelines.

12 Prescribed form of return of valuations

For the purposes of section 13O(1) of the Act, a valuation is returned in the prescribed form if—

- (a) it is data, text or images able to be stored and transmitted electronically; and
- (b) it contains the information required to be contained in a valuation record by the Valuation Best Practice Specifications Guidelines; and
- (c) it contains the information required to be contained in a report of general valuation by the Valuation Best Practice Specifications Guidelines.

13 Prescribed information for objections

For the purposes of section 16(2)(a) of the Act, the prescribed information is the information set out in Schedule 3.

14 Prescribed amount for exchange of information on certain objections

For the purposes of 20(1)(b) of the Act, the prescribed amount is—

- (a) a net annual value of \$120 000; or
- (b) a site value of \$1 500 000; or
- (c) a capital improved value of \$2 000 000.

15 Prescribed information to be given by the valuer

For the purposes of section 20(2) of the Act, the prescribed information is—

- (a) the address of the land; and
- (b) the rating authority's property reference number; and
- (c) details of the land and improvements; and

- (d) a description of the rating authority's valuation approach including, if appropriate, any sales or rentals relied on; and
 - (e) a response to the information contained in the objection, if appropriate.
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SCHEDULES

SCHEDULE 1

Regulation 6

OATH OF FIDELITY AND SECRECY

I, [*insert name*] of [*insert address*] swear that I will truly and faithfully perform any duties carried out under the **Valuation of Land Act 1960** to the best of my skill and knowledge, and that I will not divulge or communicate any matter coming to my knowledge in relation to any books, documents or papers inspected for the purpose of making a valuation pursuant to the Act or any other matter coming to my knowledge in the performance of my duties to any person except for the purpose of carrying into effect the provisions of the Act.

SCHEDULE 2

FORM

Regulation 7

Valuation of Land Act 1960

Valuation of Land Regulations 2014

NOTICE OF DECISION UNDER SECTION 6(1)

On behalf of [*name of valuation authority*], notice is given that it decided to cause a general valuation to be made of:

- (a) all the rateable land within the [description of the rating area] of a rating authority or in any one or more subdivisions of such an area;
- (b) all the non-rateable leviable land within the [description of the rating area] of a rating authority or in any one or more subdivisions of such an area;
- (c) non-rateable leviable land for which a rating authority is responsible for valuing not located within the municipal district [description of the non-rateable leviable area].

The valuation is to be returned not later than [*date*] and the valuer or valuers [*to be*] appointed are [*name(s)*].

Notice of this general valuation has been sent to [*names of relevant authorities*].

Signed:

Date:

SCHEDULE 3

Regulation 13

**INFORMATION REQUIRED FOR OBJECTION TO
VALUATION UNDER SECTION 16(2)(a)**

PART A

For each land objected to

1. The address of the land.
2. The rating authority's land reference number.
3. The name of the aggrieved person and whether that person is an owner and/or occupier.
4. The postal address of the aggrieved person (if different to the address of the subject land).
5. The telephone contact details of the aggrieved person.
6. The area of the land in square metres or hectares.
7. The date of lodgement of the objection.
8. The value or values for which an objection is being lodged.

PART B

B1 For land classified as residential land

1. The description of the dwelling including the area in square metres.
2. The details of any structural improvements erected on the property.

B2 For land classified as commercial or industrial land

1. The gross area of any buildings on the land in square metres.
2. The lettable area of any buildings on the land in square metres.
3. The nature of occupancy of any building on the land.
4. The commencement date and term in years of any lease relating to the land.
5. The actual net and/or gross rent payable per year, as specified in any lease.
6. The details of rent reviews specified in any lease.

7. The details of any incentives provided by the lessor in relation to the letting of the land.
8. The details of any outgoings relevant to the lease and the name of the person responsible for those outgoings.
9. The number of car parking spaces on the land or associated with any lease relating to the land and the annual rent payable for those spaces.
10. The details of any fixed plant.

B3 For land classified as rural production land

1. A description of the major soil types and topographical features on the land with the area of each type in hectares.
 2. The details of the type and extent of any vegetation or planting found on the land with the area of each type in hectares.
 3. The details of the existence and extent of any irrigation including details of user permit and access rights, and any dam and bore licences.
 4. A description of the fencing, pastures and water supply on the land.
 5. The details of any leases or licences for unused roads or water frontages.
 6. A description of the main dwelling on the land (if any).
 7. A description of any additional dwelling or other structural improvements to the land including any fixed plant.
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ENDNOTES

1. General Information

The Valuation of Land Regulations 2014, S.R. No. 148/2014 were made on 30 September 2014 by the Governor in Council under section 52 of the **Valuation of Land Act 1960**, No. 6653/1960 and came into operation on 1 November 2014: regulation 3.

The Valuation of Land Regulations 2014 will sunset 10 years after the day of making on 30 September 2024 (see section 5 of the **Subordinate Legislation Act 1994**).

2. Table of Amendments

There are no amendments made to the Valuation of Land Regulations 2014 by statutory rules, subordinate instruments and Acts.

3. Explanatory Details

¹ Reg. 4(a): S.R. No. 153/2003 as amended by S.R. Nos 117/2006, 78/2007 and 41/2009 and extended in operation by S.R. No. 160/2013.

² Reg. 4(b): S.R. No. 117/2006.

³ Reg. 4(c): S.R. No. 78/2007.

⁴ Reg. 4(d): S.R. No. 41/2009.