

Valuation of Land Regulation 2006

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Valuation of Land Act 1916*.

Minister for Lands

Explanatory note

The object of this Regulation is to repeal and remake, without any changes in substance, the provisions of the *Valuation of Land Regulation 2001*. The new Regulation deals with the following matters:

- (a) additional classes of land to be dealt with as "Crown lease restricted" under section 14I of the *Valuation of Land Act 1916*,
- (b) the procedure for lodging an objection to a valuation, and for withdrawing any such objection,
- (c) the refund of the application fee for a valuation or certificate of valuation if the application is withdrawn,
- (d) other matters of a minor, consequential or ancillary nature.

This Regulation comprises or relates to matters of a machinery nature, and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

This Regulation is made under the *Valuation of Land Act 1916*, including section 81 (the general power to make regulations) and sections 14I, 29, 31 and 35.

1 Name of Regulation

This Regulation is the *Valuation of Land Regulation 2006*.

2 Commencement

This Regulation commences on 1 July 2006.

3 Definition

In this Regulation:

"the Act" means the *Valuation of Land Act 1916*.

4 Crown lease restricted land: section 14I

The prescribed classes or descriptions of leases for the purposes of section 14I (2) (d) of the Act are leases for agricultural or pastoral purposes of land owned by or vested in any of the following bodies on behalf of the Crown:

- (a) the New South Wales Land and Housing Corporation,
- (b) the corporation sole with the corporate name of "Minister administering the *Environmental Planning and Assessment Act 1979*",
- (c) the Albury-Wodonga Development Corporation,
- (d) the Ministerial Development Corporation constituted under the *Growth Centres (Development Corporations) Act 1974*,
- (e) the Roads and Traffic Authority,
- (f) the Sydney Water Corporation,
- (g) the Hunter Water Corporation.

5 Lodgment of objections: sections 31 and 35

- (1) For the purposes of section 31 (1) of the Act, the prescribed time is the period of 60 days referred to in section 35 (1) of the Act.
- (2) For the purposes of section 35 (1) of the Act, an objection to a valuation, allowance or apportionment factor may be lodged:
- (a) at the office of the Valuer-General, or
 - (b) in the case of a valuation, allowance or apportionment factor for which notice under section 29 of the Act has been given by a rating or taxing authority on behalf of the Valuer-General, at the office of that authority.

6 Withdrawal of objections: sections 29 and 31

An objector may withdraw an objection under section 29 or 31 of the Act by written notice served on the Valuer-General.

7 Refunds

If an application for a valuation or a certificate of valuation is lodged and subsequently withdrawn, the Valuer-General may refund the fee lodged with the application, less such expenses as the Valuer-General estimates have been incurred in connection with the application.

8 Affixing of marks to documents

- (1) If under the Act or this Regulation a document is required to be signed by a person who is blind or is unable to read or write, the person must affix the person's mark to the document in the presence of a witness.
- (2) The witness must certify that:
- (a) the document was previously read over or explained to the person by the witness, and
 - (b) the person appeared fully to understand the nature and effect of the document.

9 Service of notices

Notices required by the Act or this Regulation may be served personally or by post.

10 Repeal and savings provision

- (1) The *Valuation of Land Regulation 2001* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Valuation of Land Regulation 2001*, had effect under that Regulation continues to have effect under this Regulation.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	No	number	Schs	Schedules
Cl	clause	p	page	Sec	section
ClI	clauses	pp	pages	Secs	sections
Div	Division	Reg	Regulation	Subdiv	Subdivision
Divs	Divisions	Regs	Regulations	Subdivs	Subdivisions
GG	Government Gazette	Rep	repealed	Subst	substituted
Ins	inserted	Sch	Schedule		

Table of amending instruments *Valuation of Land Regulation 2006 (374)*. GG No 84 of 30.6.2006, p 4894. Date of commencement, 1.7.2006, cl 2.