

Authorised Version No. 153
Valuation of Land Act 1960
No. 6653 of 1960

Authorised Version incorporating amendments as at
19 June 2019

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An Act to provide for the Appointment of a Valuer-general and a Valuers' Qualification Board, and to make further Provision with regard to the Valuation of Land by Municipalities, and for other purposes.

Long title amended by No. 8181 s. 2(1)(Sch. item 198).

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

1 Short title and commencement

- (1) This Act may be cited as the **Valuation of Land Act 1960**.
- (2) This Act shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the Government Gazette and different days may be so fixed for different Parts or sections of this Act.

* * * * *

S. 1(3) amended by Nos 7276 s. 2(a), 8405 s. 5(a)(b), repealed by No. 121/1986 s. 112.

2 Definitions

S. 2
amended by
No. 55/1989
s. 5(1)(a).

- (1) In this Act unless inconsistent with the context or subject-matter—

area means the territory within which a rating authority levies rates or taxes;

S. 2(1) def. of
AVPCC
inserted by
No. 58/2012
s. 111(1).

AVPCC means an Australian Valuation Property Classification Code;

S. 2(1) def. of
business day
inserted by
No. 67/2017
s. 34(a).

business day means a day other than—

- (a) a Saturday or a Sunday; or
- (b) a day appointed under the **Public Holidays Act 1993** as a public holiday or public half-holiday;

S. 2(1) def. of
capital improved value
inserted by
No. 55/1989
s. 5(1)(b).

capital improved value means the sum which land, if it were held for an estate in fee simple unencumbered by any lease, mortgage or other charge, might be expected to realize at the time of valuation if offered for sale on any reasonable terms and conditions which a genuine seller might in ordinary circumstances be expected to require;

S. 2(1) def. of
collection agency
inserted by
No. 58/2012
s. 111(1).

collection agency has the same meaning as it has in section 3 of the **Fire Services Property Levy Act 2012**;

S. 2(1) def. of
collection agency general valuation
inserted by
No. 58/2012
s. 111(1),
repealed by
No. 67/2017
s. 34(b).

* * * * *

Commissioner means Commissioner of State Revenue under the **Taxation Administration Act 1997**;

S. 2(1) def. of *Commissioner* inserted by No. 3/2004 s. 15(a).

council has the same meaning as in the **Local Government Act 1989**;

S. 2(1) def. of *council* substituted by No. 12/1989 s. 4(1)(Sch. 2 item 125.1).

* * * * *

S. 2(1) def. of *council general valuation* inserted by No. 94/2009 s. 3(a), repealed by No. 67/2017 s. 34(c).

estimated annual value of any land, means the rent at which the land might reasonably be expected to be let from year to year (free of all usual tenants' rates and taxes) less—

S. 2(1) def. of *estimated annual value* inserted by No. 55/1989 s. 5(1)(c) (as substituted by No. 78/1991 s. 15(a)), amended by No. 91/1994 s. 4(a).

- (a) the probable annual average cost of insurance and other expenses (if any) necessary to maintain the land in a state to command that rent (but not including the cost of rates and charges under the **Local Government Act 1989**); and
- (b) the land tax that would be payable if that land was the only land its owner owned;

farm land means any rateable land—

S. 2(1) def. of *farm land* inserted by No. 55/1989 s. 5(1)(c), substituted by No. 91/1994 s. 4(b).

- (a) that is not less than 2 hectares in area; and
- (b) that is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming,

fish-farming, tree-farming,
bee-keeping, viticulture, horticulture,
fruit-growing or the growing of crops
of any kind or for any combination
of those activities; and

- (c) that is used by a business—
- (i) that has a significant and substantial commercial purpose or character; and
 - (ii) that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
 - (iii) that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating;

S. 2(1) def. of *fire services property levy* inserted by No. 58/2012 s. 111(1).

fire services property levy has the same meaning as *levy* has in section 3 of the **Fire Services Property Levy Act 2012**;

S. 2(1) def. of *general valuation* inserted by No. 6825 s. 2, amended by Nos 55/1989 s. 11(2)(a), 94/2009 s. 3(c), 58/2012 s. 111(2), substituted by Nos 66/2016 s. 26, 67/2017 s. 34(d).

general valuation means a valuation that a valuation authority is causing or has caused to be made—

- (a) under Part II of all rateable land in an area; or
- (b) under Part IIA of all non-rateable leviable land;

Information Privacy Principle has the same meaning as in the **Privacy and Data Protection Act 2014**;

S. 2(1) def. of *Information Privacy Principle* inserted by No. 42/2017 s. 69.

improvements, for the purpose of ascertaining the site value of land, means all work actually done or material used on and for the benefit of the land, but in so far only as the effect of the work done or material used increases the value of the land and the benefit is unexhausted at the time of the valuation, but, except as provided in subsection (2AA), does not include—

S. 2(1) def. of *improvements* inserted by No. 55/1989 s. 5(1)(d) (as amended by No. 81/1989 s. 3 (Sch. item 56)), amended by No. 10/1996 s. 27(1).

- (a) work done or material used for the benefit of the land by the Crown or by any statutory public body; or
- (b) improvements comprising—
 - (i) the removal or destruction of vegetation or the removal of timber, rocks, stone or earth; or
 - (ii) the draining or filling of the land or any retaining walls or other works appurtenant to the draining or filling; or
 - (iii) the arresting or elimination of erosion or the changing or improving of any waterway on or through the land—

unless those improvements can be shown by the owner or occupier of the land to have been made by that person or at that person's expense within the fifteen years before the valuation;

S. 2(1) def. of
leviable land
inserted by
No. 58/2012
s. 111(1).

leviable land has the same meaning as it has in
section 3 of the **Fire Services Property
Levy Act 2012**;

S. 2(1) def. of
mortgage
inserted by
No. 55/1989
s. 5(1)(d).

mortgage includes every charge upon land which
is registered under any Act relating to the
registration of deeds or instruments affecting
title to land, and includes a transfer or
conveyance to a registered building society,
subject to a deed of defeasance in favour of a
borrower;

S. 2(1) def. of
*municipal
district*
inserted by
No. 94/2009
s. 3(a).

municipal district has the same meaning as in the
Local Government Act 1989;

S. 2(1) def. of
municipality
repealed by
No. 12/1989
s. 4(1)(Sch. 2
item 125.2).

* * * * *

S. 2(1) def. of
*net annual
value*
inserted by
No. 55/1989
s. 5(1)(e) (as
amended by
No. 78/1991
s. 15(b)).

net annual value of any land, means—

- (a) except in the case of the lands
described in paragraphs (b) and (c)—
 - (i) the estimated annual value of the
land; or
 - (ii) five per centum of the capital
improved value of the land—
(whichever is the greater); or
- (b) in the case of any rateable land which
is—
 - (i) farm land; or

- (ii) a house, flat or unit (other than an apartment house, lodging house or boarding house) in the exclusive occupation of the owner and used for residential purposes; or
- (iii) a house or unit (other than an apartment house, lodging house or boarding house) in the exclusive occupation of a tenant and used for residential purposes; or
- (iv) a residential unit in respect of which a residence right in a retirement village (as defined in the **Retirement Villages Act 1986**) exists—

five per centum of the capital improved value of the land; or

- (c) in the case of parklands, reserves or other lands owned by the Crown or any statutory authority, occupied (other than under any lease) for pastoral purposes only—the estimated annual value of it;

non-rateable leviable land has the same meaning as it has in section 3 of the **Fire Services Property Levy Act 2012**;

S. 2(1) def. of *non-rateable leviable land* inserted by No. 58/2012 s. 111(1).

non-rateable non-leviable land means land that is not rateable land and not leviable land;

S. 2(1) def. of *non-rateable non-leviable land* inserted by No. 67/2015 s. 8(1).

S. 2(1) def. of
*notice of
valuation*
inserted by
No. 94/2009
s. 3(a),
amended by
No. 67/2017
s. 34(e).

notice of valuation means a notice given under
section 15(1)(a)(i) or 15(3)(a);

owner in relation to any land, means the person
who is entitled to receive the rack-rent for
the land or who, if the land were let at a
rack-rent, would be entitled to receive the
rent;

Part means Part of this Act;

prescribed means prescribed by this Act or by
regulations under this Act;

S. 2(1) def. of
rateable land
inserted by
No. 58/2012
s. 111(1).

rateable land has the same meaning as it has
in section 3(1) of the **Local Government
Act 1989**;

S. 2(1) def. of
*rating
authority*
amended by
Nos 81/1989
s. 3(Sch. item
55(a)(b)),
105/1995 s. 4,
40/1997
s. 138(Sch. 2
item 16.1),
66/2000 s. 56,
3/2004
s. 15(b).

rating authority means—

(a) any council in respect of its powers
under any Act;

(b) any Authority under the **Water
Act 1989**;

* * * * *

(d) Melbourne Water Corporation;

(e) the Minister responsible for
administering section 139 of the **Water
Industry Act 1994**, when exercising
the power to levy rates under that
section;

(f) the Commissioner;

- (g) any other authority which levies rates or taxes and is prescribed for the purpose by proclamation of the Governor in Council published in the Government Gazette;

* * * * *

S. 2(1) def. of *registered valuer* inserted by No. 8649 s. 2, repealed by No. 91/1994 s. 3(1)(a).

releasable information means—

- (a) the net annual value, the site value and the capital improved value for each property recorded in the valuation record, where that value has been determined in the relevant valuation specified in section 7C(1);

- (b) a property description for each property recorded in the valuation record;

* * * * *

S. 2(1) def. of *relevant municipal district* inserted by No. 94/2009 s. 3(a), repealed by No. 67/2017 s. 34(f).

residential use land means any rateable land—

- (a) which is a unit or self-contained dwelling-house used solely for residential purposes; and
- (b) which is situated in the municipal district of a council in which rates are levied in whole or in part on the site value of rateable land; and

S. 2(1) def. of *residential use land* inserted by No. 55/1989 s. 5(1)(f).

(c) the site value of which, or in the case of a unit, the site value of the larger property of which the unit forms a part, has been declared by a valuer responsible for making valuations within the municipal district concerned to have been materially increased by reason that it is suitable for development or further development which is allowed by or pursuant to any relevant planning scheme;

S. 2(1) def. of *return* inserted by No. 69/2011 s. 48.

return, in relation to a general valuation or supplementary valuation, means the act of the valuer giving to the valuation authority a general valuation or a supplementary valuation which has been signed and dated;

S. 2(1) def. of *site value* inserted by No. 55/1989 s. 5(1)(f).

site value of land, means the sum which the land, if it were held for an estate in fee simple unencumbered by any lease, mortgage or other charge, might in ordinary circumstances be expected to realise at the time of the valuation if offered for sale on such reasonable terms and conditions as a genuine seller might be expected to require, and assuming that the improvements (if any) had not been made;

S. 2(1) def. of *transmission easement* inserted by No. 3/2004 s. 15(a), amended by No. 88/2005 s. 117(Sch. 2 item 10.1).

transmission easement has the same meaning as in the **Land Tax Act 2005**;

transmission easement holder has the same meaning as in the **Land Tax Act 2005**;

S. 2(1) def. of *transmission easement holder* inserted by No. 3/2004 s. 15(a), amended by No. 88/2005 s. 117(Sch. 2 item 10.1).

unit means—

S. 2(1) def. of *unit* inserted by No. 55/1989 s. 5(1)(f), amended by No. 22/2006 s. 8(1).

- (a) a unit on a registered plan of strata subdivision subject to Schedule 2 to the **Subdivision Act 1988**; and
- (b) a stratum estate within the meaning of the **Transfer of Land Act 1958**; and
- (c) a building or part of a building in the exclusive occupation of a person who is entitled to occupation by virtue of being a shareholder in a company which owns the building or a tenant of such a shareholder; and
- (d) a residential unit in respect of which a residence right in a retirement village under the **Retirement Villages Act 1986** is in force;

urban farm land means any farm land the site value or net annual value of which has been declared by the valuer appointed by the valuation authority to make the general or supplementary valuation to have been materially increased—

S. 2(1) def. of *urban farm land* inserted by No. 55/1989 s. 5(1)(f), amended by No. 94/2009 s. 3(b).

- (a) by reason of its proximity to land which has been or is being developed for residential, industrial, commercial or other urban purposes; or

- (b) by reason of its proximity to land which has been or is being subdivided into allotments used or intended to be used predominantly for recreational or residential purposes—

and on which in the opinion of the valuer any farming operations would be ancillary to the predominant use of the land;

valuation authority, in relation to rateable land in a municipal district, means—

- (a) the valuer-general; or
- (b) if a council for a municipal district that has the power under section 10 to cause general valuations to be made for the municipal district, the council;

S. 2(1) def. of *valuation authority*, in relation to a municipal district inserted by No. 94/2009 s. 3(a), substituted as *valuation authority*, in relation to rateable land in a municipal district by No. 67/2017 s. 34(g).

valuation authority, in relation to non-rateable leviable land, means—

- (a) the valuer-general; or
- (b) a collection agency that has the power under section 13G to cause general valuations to be made—

- (i) in respect of land located in its municipal district; or
- (ii) in respect of land that is not located in its municipal district, if the collection agency has been directed by the Minister administering the **Fire Services Property Levy Act 2012** to be the collection agency in respect of the land;

S. 2(1) def. of *valuation authority*, in relation to non-rateable leviable land inserted by No. 58/2012 s. 111(1), substituted by No. 67/2017 s. 34(h).

Valuation Best Practice Specifications

Guidelines means the guidelines prepared by the valuer-general under section 5AA;

S. 2(1) def. of *Valuation Best Practice Specifications Guidelines* inserted by No. 58/2012 s. 111(1), amended by No. 34/2014 s. 28.

valuation record means the record of general and supplementary valuations established and maintained by the valuer-general under section 7C.

S. 2(1) def. of *valuation record* inserted by No. 94/2009 s. 3(a), amended by No. 67/2017 s. 34(i).

* * * * *

S. 2(1) def. of *valuer-general general valuation* inserted by No. 94/2009 s. 3(a), substituted by No. 58/2012 s. 111(3), repealed by No. 67/2017 s. 34(j).

(2) In estimating the value of improvements on any land for the purpose of ascertaining the site value of the land, the value of the improvements is the sum by which the improvements upon the land are estimated to increase its value if offered for sale on such reasonable terms and conditions as a genuine seller might in ordinary circumstances be expected to require.

S. 2(2) inserted by No. 55/1989 s. 5(1)(f).

(2AA) Works relating to a port, being buildings, breakwaters, berths, wharfs, aprons, canals or associated works are improvements within the meaning of this Act.

S. 2(2AA) inserted by No. 10/1996 s. 27(2).

S. 2(2A)
inserted by
No. 55/1989
s. 5(1)(f) (as
amended by
No. 78/1991
s. 15(c)).

(2A) In determining the estimated annual value of any land, the rent at which the land might reasonably be expected to be let from year to year is to be taken to be the annual rent at which the land might reasonably be let at the usually prevailing terms and conditions.

S. 2(3)
inserted by
No. 55/1989
s. 5(1)(f).

(3) If it is necessary to determine the capital improved value or site value of any rateable land in respect of which any person is liable to be rated, but which forms part of a larger property, the capital improved value and site value of each part are as nearly as practicable the sum which bears the same proportion to the capital improved value and site value of the whole property as the estimated annual value of the portion bears to the estimated annual value of the whole property.

S. 2(3A)
inserted by
No. 58/2012
s. 111(4).

(3A) If it is necessary to determine the capital improved value or site value of any non-rateable leviable land in respect of which the fire services property levy is to be levied, but which forms part of a larger property, the capital improved value and site value of each part are as nearly as practicable the sum which bears the same proportion to the capital improved value and site value of the whole property as the estimated annual value of the portion bears to the estimated annual value of the whole property.

S. 2(3B)
inserted by
No. 67/2015
s. 8(2).

(3B) If it is necessary to determine the capital improved value or site value of any land that is non-rateable non-leviable land in respect of which land tax is to be imposed under the **Land Tax Act 2005**, but which forms part of a larger property, the capital improved value and site value of each part are as nearly as practicable the sum which bears the same proportion to the capital improved value and site value of the whole property as the estimated annual value of the portion bears to the estimated annual value of the whole property.

- (4) If it is necessary to determine the site value of a unit described in paragraph (a) or (b) of the definition of *unit* in subsection (1), subsection (3), (3A) or (3B) applies (as appropriate), and a unit forms part of a larger property which is the land comprised in the strata subdivision.
- S. 2(4)
inserted by
No. 55/1989
s. 5(1)(f),
amended by
Nos 58/2012
s. 111(5),
67/2015
s. 8(3).
- (5) If it is necessary to determine the capital improved value or site value of a lot or lots on a registered cluster plan subject to Schedule 2 to the **Subdivision Act 1988**, the rateable land, non-rateable leviable land or non-rateable non-leviable land (as appropriate) includes any interest in common property and accessory lots, but does not form part of a larger property.
- S. 2(5)
inserted by
No. 55/1989
s. 5(1)(f),
amended by
Nos 22/2006
s. 8(2),
58/2012
s. 111(6),
67/2015
s. 8(4).
- (6) Despite anything in this Act, the **Local Government Act 1989** or the **Fire Services Property Levy Act 2012**, the capital improved value and the site value of any rateable land, non-rateable leviable land or non-rateable non-leviable land which is, or part of which is, land which is the subject of a covenant under subsection (1) of section 3A of the **Victorian Conservation Trust Act 1972** is calculated on the basis that the owner of the land is bound by that covenant as to the development or use of the land or part of the land.
- S. 2(6)
inserted by
No. 55/1989
s. 5(1)(f),
amended by
Nos 58/2012
s. 111(7),
67/2015
s. 8(5).
- (7) If any area of land which is not less than 4 hectares in size is planted after the commencement of the **Forests Act 1907** with trees approved of by the Secretary within the meaning of the **Conservation, Forests and Lands Act 1987** as being suitable for mining or commercial purposes, and those trees are planted not more than 3 metres apart from each other, in computing the net annual value or capital improved value of that area of land, the increase in the value of the area of land by reason of the
- S. 2(7)
inserted by
No. 55/1989
s. 5(1)(f),
amended by
No. 76/1998
s. 16.

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trees planted on it must not be taken into consideration.

S. 2(8)
inserted by
No. 55/1989
s. 5(1)(f),
amended by
Nos 93/1995
s. 218(1)
(Sch. 2
item 8.1,
58/2012
s. 111(8),
67/2015
s. 8(6), 7/2017
s. 307(1)–(3),
repealed by
No. 17/2019
s. 56.

* * * * *

S. 2(9)
inserted by
No. 55/1989
s. 5(1)(f) (as
amended by
No. 86/1989
s. 26(2) (as
amended by
No. 48/1991
s. 66(3)(a))),
amended by
Nos 91/1994
s. 38(a),
10/2005
s. 3(Sch. 1
item 23),
58/2012
s. 111(9),
repealed by
No. 17/2019
s. 56.

* * * * *

S. 2(10)
inserted by
No. 55/1989
s. 5(1)(f),
amended by
No. 58/2012
s. 111(10).

(10) Despite anything in this Act, the **Local Government Act 1989** or the **Fire Services Property Levy Act 2012**—

- (a) the capital improved value and site value of any parklands, reserves or other lands owned by the Crown or any statutory authority which are occupied (otherwise than under any lease) for pastoral purposes only are twenty times the net annual value; and

- (b) the capital improved value and site value of unused roads and water frontages licensed under the **Land Act 1958** or any corresponding previous enactment are twenty times the annual licence fee payable for them under that Act.

S. 2(10)(b)
amended by
No. 96/1994
s. 58(a)(b).

2A Determination of estimated annual value

S. 2A
inserted by
No. 105/1995
s. 3.

- (1) Despite any law to the contrary, in determining the estimated annual value of any land for any valuation used by a rating authority for a rating period which commenced before, on or after 1 October 1995 no deduction is to be made for—
- (a) any provision, allowance or notional contribution to a sinking fund for the renewal or replacement of any building, fitting, fixture or other improvement on that land; or
- (b) any provision or allowance or setting aside of an amount for depreciation of any building, fitting, fixture or other improvement on that land.
- (2) Nothing in subsection (1) affects—
- (a) the rights or obligations of the parties in the proceeding known as **The Shell Co. of Australia Limited and Number 1 Spring Street Pty. Ltd. v City of Melbourne** (Number 5994 of 1994) in the Supreme Court of Victoria;
- (b) the determination of the estimated annual value of any land in any proceeding relating to an objection, or an objection requested to be treated as an appeal, to the valuation of that land for a rating period commencing before 1 October 1995 if—
- (i) the objection or appeal has been lodged before 18 October 1995; and

(ii) the proceeding has not been finally determined before that time—

to the extent that the proceeding relates to the same rating period as the objection or appeal.

(3) Nothing in this section applies to the determination of the estimated annual value of any land in relation to any rating period which commenced—

(a) after the rating period which was the subject of the proceeding referred to in subsection (2)(a); or

(b) after the rating period referred to in subsection (2)(b) which was the subject of the proceeding—

but before 1 October 1995 with respect to the parties in those proceedings.

Part I—Valuer-general

3 Valuer-general and other employees

- (1) A valuer-general, a deputy valuer-general and any employees that are required for the administration of this Act are to be employed under Part 3 of the **Public Administration Act 2004**.

S. 3(1)
amended by
Nos 9427
s. 3(Sch. 2
item 15),
91/1994
s. 38(b)(i)(ii),
substituted by
No. 46/1998
s. 7(Sch. 1),
amended by
No. 108/2004
s. 117(1)
(Sch. 3
item 213).

* * * * *

S. 3(2)
amended by
No. 8649
s. 3(a),
repealed by
No. 91/1994
s. 3(1)(b).

- (3) For the purposes of this Act valuers may be employed on a basis of payment by fees to make valuations in special cases or to advise in respect of such valuations.

S. 3(3)
amended by
Nos 8649
s. 3(b),
91/1994
s. 3(1)(c).

- (4) With the approval of the Minister administering the Department concerned the services of any employee in any other Department or the Public Service may be used for the purposes of this Act.

S. 3(4)
amended by
Nos 78/1991
s. 28(3)(a),
46/1998
s. 7(Sch. 1).

- (5) Upon payment of such fees as may be set by the valuer-general the valuer-general the deputy valuer-general or any valuer nominated by the valuer-general may make valuations of land at the request of—

S. 3(5)
inserted by
No. 7762 s. 2,
amended by
Nos 55/1989
s. 11(2)(b),
91/1994
s. 5(a).

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S. 3(5)(a)
amended by
Nos 46/1998
s. 7(Sch. 1),
67/2017
s. 35(a).

- (a) a Minister or the permanent head of any government department or the principal officer of any public office or any officer authorized by the Minister, the Department Head or the principal officer (whichever case is applicable) to make the request; or
- (b) the secretary or other similar officer of an authority constituted for any public purpose; or

S. 3(5)(ba)
inserted by
No. 67/2017
s. 35(b).

- (ba) the Chief Executive Officer of a council; or

- (c) the owner of the land or his legal representative—

S. 3(5)(c)(i)
amended by
No. 8649
s. 3(c),
substituted by
No. 79/2000
s. 285(Sch. 1
item 9).

- (i) where the valuation is required for determining, for the purposes of the **Duties Act 2000** or any corresponding previous enactment, the value of any land that is the subject of settlement or gift or for taxation purposes; or
- (ii) for the purpose of settling any dispute as to the value of the land where both parties to the dispute have agreed that the valuer-general should make such a valuation.

3A Access to lands, buildings etc.

S. 3A
inserted by
No. 6825 s. 3,
amended by
No. 7315
s. 5(1),
substituted by
No. 7762 s. 3.

(1) The valuer-general the deputy valuer-general and any valuer appointed or employed pursuant to the provisions of this Act or the **Local Government Act 1989** may, when reasonably necessary for the purposes of any valuation, enter at all reasonable hours in the daytime into and upon any land building or premises and inspect the same without liability for trespass, may put either verbally or in writing to the owner or his agent or the person in occupation or charge of that land building or premises any relevant questions to enable the making of a true and correct valuation, and may, in the case of a valuation made pursuant to paragraph (a) or (b) of subsection (5) of section 3, inspect any books documents and papers for the purpose of such valuation and without charge take extracts therefrom.

S. 3A(1)
amended by
Nos 55/1989
s. 11(4),
46/1998
s. 7(Sch. 1) (as
amended by
No. 12/1999
s. 3(Sch. 1
item 29)).

(2) If after being informed of the purpose in desiring to enter and inspect the land building or premises or in putting the questions or in seeking to inspect such books documents or papers relevant to the making of a true and correct valuation, and of the authority so to do, any such owner agent or person refuses or fails to allow such entry or inspection, or refuses or wilfully omits to answer to the best of his knowledge or belief any such question either verbally or in writing as the questioner may have requested, or wilfully makes any false answer or statement in reply to that question, or refuses to allow such books documents or papers to be inspected or extracts taken therefrom, he

S. 3A(2)
amended by
No. 10/2004
s. 15(Sch. 1
item 33.1(a)
(b)).

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shall be guilty of an offence against this Act and liable to a penalty not exceeding 2 penalty units.

S. 3A(3)
amended by
Nos 8649
s. 4(a),
46/1998
s. 7(Sch. 1) (as
amended by
No. 12/1999
s. 3(Sch. 1
item 29)).

(3) Every person appointed or employed pursuant to section 3 for the purposes of this Act—

S. 3A(3)(a)
amended by
Nos 8649
s. 4(b),
55/1989 s. 6.

(a) shall maintain and aid in maintaining the secrecy of all matters related to any information obtained or documents created by the valuer-general for the purpose of providing valuation advice and shall not communicate any such matter to any person whomsoever except for the purposes of this Act; and

S. 3A(3)(b)
amended by
Nos 57/1989
s. 3(Sch. item
208.1), 6/2018
s. 68(Sch. 2
item 130).

(b) shall take such oath or affirmation of fidelity and secrecy as may be prescribed, and the oath or affirmation may be administered by the valuer-general the deputy valuer-general or a magistrate.

S. 3A(4)
amended by
Nos 10/2004
s. 15(Sch. 1
item 33.2(a)
(b)), 6/2018
s. 68(Sch. 2
item 130).

(4) A person required under this section to take an oath or affirmation who acts in the execution of the provisions of subsection (3) before he has taken such oath or affirmation shall be guilty of an offence against this Act and liable to a penalty not exceeding 4 penalty units.

S. 3A(5)
amended by
Nos 10/2004
s. 15(Sch. 1
item 33.3(a)
(b)), 6/2018
s. 68(Sch. 2
item 130).

(5) A person required under this section to take an oath or affirmation who wilfully acts in contravention of the true intent of such oath or affirmation shall be guilty of an offence against this Act and liable to a penalty not exceeding 10 penalty units or imprisonment not exceeding 12 months or both.

(6) Despite subsection (3), the Secretary of the Department administering this Act has access to any material that is—

S. 3A(6)
inserted by
No. 52/1998
s. 308.

- (a) required by the Secretary for the purposes of the **Freedom of Information Act 1982**; and
- (b) prepared under or for the purposes of this Act.

4 Power of delegation

- (1) For the purposes of carrying out the objects and purposes of this Act and exercising his powers duties and responsibilities hereunder, the valuer-general is hereby authorized with the approval of the Minister to delegate to the deputy valuer-general or to any other person holding an office of valuer under this Act any of his powers duties and functions under this Act.
- (2) Any such delegation may be made in respect of any particular matter or any class of matters or generally, or may be limited to any part of the State, and may be made subject to such terms and conditions as the valuer-general thinks fit.
- (3) Any delegation under this section shall be revocable at will and shall not prevent the exercise or performance of any power duty or function by the valuer-general.

4A Ministerial power of delegation

The Minister may, in writing, delegate to the Secretary his or her powers under section 8AA(2).

S. 4A
inserted by
No. 94/2009
s. 4.

5 Functions of valuer-general

- (1) The functions of the valuer-general shall be—
 - (a) to carry out the duties and functions conferred by this or any other Act;

S. 5
amended by
No. 7235
s. 3(a).

S. 5(1)(a)
substituted by
No. 62/2014
s. 60.

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S. 5(1)(ab)
inserted by
No. 94/2009
s. 5,
substituted by
No. 69/2011
s. 49,
amended by
Nos 58/2012
s. 112, 67/2017
s. 36.

(ab) to cause general valuations and supplementary valuations to be made;

S. 5(1)(ac)
inserted by
No. 94/2009
s. 5.

- (ac) to establish and maintain the valuation record, and to make certain parts of the valuation record publicly available in accordance with section 7D;
- (b) to collect and collate such evidence as he thinks necessary or desirable to assist valuers in the making of valuations;
- (c) to make available to valuers any evidence that may be of assistance in the making of valuations;
- (d) generally to investigate and report to the Minister on any matter he considers likely to improve the standard of valuing in Victoria.

S. 5(2)
inserted by
No. 7235
s. 3(b),
amended by
Nos 9225
s. 3(a),
91/1994
s. 5(b).

- (2) Upon payment of such fees as may be set by the valuer-general the valuer-general may subject to and in accordance with any written policy directions of the Minister supply to any person any information in his possession as to the details of any sale or transfer of land or of an interest in land.

S. 5(3)
inserted by
No. 8/1988
s. 3,
repealed by
No. 91/1994
s. 5(c).

* * * * *

5AA Valuation Best Practice Specifications Guidelines

S. 5AA
inserted by
No. 34/2014
s. 29.

- (1) The valuer-general must prepare the Valuation Best Practice Specifications Guidelines at the commencement of every revaluation. S. 5AA(1)
amended by
No. 67/2017
s. 37.
- (2) The Valuation Best Practice Specifications Guidelines must be published on the valuer-general's Internet site.
- (3) The valuer-general may amend the Valuation Best Practice Specifications Guidelines during the revaluation. S. 5AA(3)
amended by
No. 67/2017
s. 37.
- (4) If the valuer-general makes any amendment to the Valuation Best Practice Specifications Guidelines during the revaluation— S. 5AA(4)
amended by
No. 67/2017
s. 37.
 - (a) the amendment must be published on the valuer-general's Internet site; and
 - (b) notice of the amendment must be published on the valuer-general's Internet site specifying—
 - (i) the nature of the amendment; and
 - (ii) the reason for the amendment; and
 - (iii) the date from when the amendment is effective.

5A Determining value of land

S. 5A
inserted by
No. 7333 s. 3.

- (1) Unless otherwise expressly provided where pursuant to the provisions of any Act a court board tribunal valuer or other person is required to determine the value of any land, every matter or thing which such court board tribunal valuer or person considers relevant to such determination shall be taken into account.

- (2) In considering the weight to be given to the evidence of sales of other lands when determining such value, regard shall be given to the time at which such sales took place, the terms of such sales, the degree of comparability of the lands in question and any other relevant circumstances.
- (3) Without limiting the generality of the foregoing provisions of this section when determining such value there shall, where it is relevant, be taken into account—
- (a) the use to which such land is being put at the relevant time, the highest and best use to which the land might reasonably be expected to be put at the relevant time and to any potential use;
 - (b) the effect of any Act, regulation, local law, planning scheme or other such instrument which affects or may affect the use or development of such land;
 - (c) the shape size topography soil quality situation and aspect of the land;
 - (d) the situation of the land in respect to natural resources and to transport and other facilities and amenities;
 - (e) the extent condition and suitability of any improvements on the land; and
 - (f) the actual and potential capacity of the land to yield a monetary return.

S. 5A(3)(b)
amended by
Nos 45/1987
s. 205(Sch.
item 150),
12/1989
s. 4(1)(Sch. 2
item 125.3).

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*	*	*	*	*	S. 5A(4)(5) inserted by No. 99/2005 s. 73, expired by force of No. 6653 s. 5A(6).
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*	*	*	*	*	S. 5A(6) inserted by No. 99/2005 s. 73, amended by No. 85/2006 s. 172(1), expired by force of No. 6653 s. 5A(6).
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5B Valuation of transmission easements

S. 5B
inserted by
No. 3/2004
s. 16.

(1) For the purposes of Division 4 of Part 2 of the **Land Tax Act 2005**, the value of a transmission easement is the amount by which it decreases the site value of the land encumbered by it, that is, the amount of the difference between—

S. 5B(1)
amended by
No. 88/2005
s. 117(Sch. 2
item 10.2(a)).

- (a) the sum which would have been the site value of the land encumbered by the transmission easement if that land were not so encumbered; and
- (b) the site value of that land as so encumbered.

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S. 5B(2)
amended by
No. 88/2005
s. 117(Sch. 2
item 10.2(b)),
substituted by
No. 84/2006
s. 19.

- (2) At the request of the Commissioner, and to enable the Commissioner to assess land tax imposed under Division 4 of Part 2 of the **Land Tax Act 2005**, the valuer-general must cause—

S. 5B(2)(a)
amended by
No. 67/2017
s. 38(1).

- (a) a valuation of each transmission easement to be made as at 1 January in each calendar year; and
- (b) the valuation to be given to the Commissioner before 31 December in that year.

S. 5B(2A)
inserted by
No. 84/2006
s. 19,
amended by
No. 94/2009
s. 6,
repealed by
No. 67/2017
s. 38(2).

* * * * *

- (3) This section does not apply to a transmission easement—

S. 5B(3)(a)
amended by
No. 88/2005
s. 117(Sch. 2
item 10.2(c)).

- (a) held by a transmission easement holder exempted by Order in Council under section 87(1)(a) of the **Land Tax Act 2005**;
or

S. 5B(3)(b)
amended by
No. 88/2005
s. 117(Sch. 2
item 10.2(d)).

- (b) exempted by Order in Council under section 87(1)(b) of the **Land Tax Act 2005**.

6 Participation in general valuations

S. 6 (Heading)
amended by
No. 67/2017
s. 39(1).

S. 6
amended by
Nos 6825 s. 4,
7762 s. 4,
8649 s. 7(3),
12/1989
s. 4(1)(Sch. 2
item 125.4),
55/1989
s. 11(2)(c),
91/1994
s. 38(c)(d),
substituted by
No. 94/2009
s. 7.

(1) A valuation authority that is going to cause a general valuation to be made must give notice of the valuation to each rating authority interested in the valuation of land in the area for which the valuation is being made.

S. 6(1)
amended by
No. 58/2012
s. 113(1),
substituted by
No. 67/2017
s. 39(2).

(1A) A notice under subsection (1) must—

S. 6(1A)
inserted by
No. 67/2017
s. 39(2).

(a) be given to each rating authority at least one month before the valuation authority begins the valuation; and

(b) specify a date by which each rating authority must give notice under subsection (2).

(2) A rating authority that has received notice under subsection (1) may, by notice, require the general valuation prepared by the valuation authority or any specified part of that valuation to show any one or more of the following—

(a) the net annual value;

(b) the site value;

(c) the capital improved value.

(3) A notice under subsection (2) must be given to the valuer-general.

S. 6(4)
amended by
Nos 58/2012
s. 113(2),
67/2017
s. 39(3).

(4) On receiving a notice under subsection (2) in relation to a general valuation caused by a council, the valuer-general must request the valuation authority to show the values requested in the valuation, and the valuation authority must ensure that the request of the valuer-general is given effect to.

S. 6(5)
amended by
No. 67/2017
s. 39(4).

(5) The additional cost incurred by a valuation authority in complying with a request of the valuer-general under subsection (4) must be met by the authority responsible for the request. If there is more than one such authority, the cost must be met in the proportions determined by the valuer-general.

(6) Any cost met by an authority under subsection (5) must be taken into account in the determination of fees under section 8AA.

S. 7
amended by
Nos 6825 s. 5,
7235 s. 4, 7333
s. 4, 7762 s. 5,
8649 s. 5,
10107 s. 3,
55/1989
s. 11(2)(d)
(3)(a)–(d),
91/1994 s. 6,
46/1998
s. 7(Sch. 1),
22/2006 s. 9,
substituted by
No. 94/2009
s. 8,
amended by
Nos 58/2012
s. 114, 67/2017
s. 40(a).

7 Requirement to confer with valuer-general

If a council is causing a general valuation to be made, the valuer-general may require any valuer, appointed or employed by the council to carry out the valuation, to confer with—

- (a) the valuer-general; or
- (b) an officer or employee of the valuer-general, nominated by the valuer-general; or
- (c) any other valuer designated by the valuer-general—

for the purpose of any rate or tax of another rating authority, the area of which—

- (d) is in the municipal district of that council; or

S. 7(d)
inserted by
No. 58/2012
s. 114(2),
amended by
No. 67/2017
s. 40(b).

(e) is not located in the municipal district of that council but is in respect of non-rateable leviable land for which the council is the collection agency.

S. 7(e)
inserted by
No. 58/2012
s. 114(2),
amended by
No. 67/2017
s. 40(b).

7AA Requirement to report on general valuation caused by council

S. 7AA
(Heading)
amended by
Nos 58/2012
s. 115(1),
67/2017
s. 41(1).

S. 7AA
inserted by
No. 94/2009
s. 8.

- (1) A valuer who carries out a general valuation caused by a council must give a report of the valuation in the prescribed form to the valuer-general.
- (2) A report under subsection (1) must be given within 2 months of the date on which the valuation was returned to the council.
- (3) If, after considering a report under subsection (1), the valuer-general is satisfied that—
- (a) the whole or a part or parts of the general valuation are not generally true and correct; and
 - (b) it would be practicable for an amending valuation to be made to render the valuation generally true and correct—
- the valuer-general may so notify the valuer.
- (4) A valuer must comply, as soon as is reasonably possible, with any request for information that the valuer-general makes for the purpose of enabling the valuer-general to fulfil his or her duties under this section.

S. 7AA(1)
amended by
Nos 58/2012
s. 115(2),
67/2017
s. 41(2).

Penalty: 5 penalty units.

S. 7AB
(Heading)
amended by
Nos 58/2012
s. 116(1),
67/2017
s. 42(1).

7AB Return of amended general valuation caused by council

(1) A valuer who has received a notice from the valuer-general under section 7AA(3) may return any amending valuation that he or she considers appropriate in the circumstances.

S. 7AB
inserted by
No. 94/2009
s. 8.

S. 7AB(2)
amended by
Nos 58/2012
s. 116(2),
67/2017
s. 42(2).

(2) If a general valuation caused by a council has been amended under subsection (1), the amended valuation is taken to be the general valuation and the council may adjust the rate or fire services property levy payable retrospectively for any period it considers just.

S. 7AC
(Heading)
amended by
No. 58/2012
s. 117(1),
substituted by
No. 67/2017
s. 43(1).

7AC Assessment by valuer-general of general valuation caused by council

S. 7AC
inserted by
No. 94/2009
s. 8.

S. 7AC(1)
amended by
Nos 58/2012
s. 117(2),
67/2017
s. 43(2).

(1) After taking all appropriate steps under sections 7 and 7AA, the valuer-general must determine whether or not a general valuation caused by a council is generally true and correct.

(2) A determination under subsection (1) may vary in relation to a part or parts of the valuation.

(3) On making a determination under subsection (1), the valuer-general may do the following—

(a) if satisfied that the whole or a part of the valuation is generally true and correct, so certify;

- (b) if satisfied that the whole or a part of the valuation is not generally true and correct, so report on the valuation.

7AD Requirements as to general valuation caused by valuer-general

S. 7AD
(Heading)
substituted by
No. 67/2017
s. 44(1).

S. 7AD
inserted by
No. 94/2009
s. 8.

- (1) The valuer-general must determine whether or not a general valuation that the valuer-general has caused to be made is generally true and correct.
- (2) Before making a determination under subsection (1), the valuer-general may take all reasonable steps to ensure that the valuation is generally true and correct.
- (3) On being satisfied that a general valuation under this section is generally true and correct, the valuer-general may so certify.

S. 7AD(1)
amended by
No. 67/2017
s. 44(2).

7AE Order where general valuation caused by council reported not generally true and correct

S. 7AE
(Heading)
amended by
Nos 58/2012
s. 118(1),
67/2017
s. 45(1).

S. 7AE
inserted by
No. 94/2009
s. 8.

- (1) On receiving a report from the valuer-general that the whole or a part of a general valuation caused by a council is not generally true and correct, the Minister may recommend to the Governor in Council that an Order be made under this section.

S. 7AE(1)
amended by
Nos 58/2012
s. 118(2),
67/2017
s. 45(2).

(2) On receiving a recommendation of the Minister under subsection (1), the Governor in Council may, by Order published in the Government Gazette—

S. 7AE(2)(a)
substituted by
No. 58/2012
s. 118(3).

(a) require a council to cause a new general valuation to be made as soon as possible on—

S. 7AE(2)(a)(i)
substituted by
No. 67/2017
s. 45(3)(a)(i).

(i) all of the rateable land in the whole or any part of the municipal district of the council on the basis or bases of value assessed that are specified in the Order; or

S. 7AE(2)(a)(ii)
amended by
No. 67/2017
s. 45(3)(a)(ii).

(ii) all the non-rateable leviable land in the whole or any part of the area located outside the municipal district of the Council for which the Council is the collection agency on the basis or bases of value assessed that are specified in the Order; or

S. 7AE(2)(b)
amended by
No. 58/2012
s. 118(4),
substituted by
No. 67/2017
s. 45(3)(b).

(b) limit the use, by a council or other rating authority, of a general valuation caused by a council as to any one or more of the bases of value assessed to such period as is specified in the Order.

S. 7AF
inserted by
No. 94/2009
s. 8.

7AF Declaration where general valuation certified true and correct

S. 7AF(1)
amended by
No. 58/2012
s. 119(1),
substituted by
No. 67/2017
s. 46.

(1) In accordance with this section, the Minister may declare that a general valuation is generally true and correct—

(a) as to the whole valuation or any part or parts of the valuation; and

(b) as to any one or more of the bases of value assessed.

- (2) On making a declaration under subsection (1), the whole or that part of the valuation which is declared generally true and correct is taken to be suitable to be adopted and used for the purposes of any rating authority for the full period allowed by Parts II and IIA or any other Act that applies to a particular rating authority using the valuation.
- (3) Before making a declaration under subsection (1), the Minister must be satisfied that the valuer-general has certified under this Part that the valuation, or the relevant part of the valuation is generally true and correct.
- (4) A declaration under subsection (1) must be in writing.

S. 7AF(2)
amended by
No. 58/2012
s. 119(2).

7AG Use of valuation by another rating authority other than a council

S. 7AG
(Heading)
amended by
No. 69/2011
s. 50(1).

S. 7AG
inserted by
No. 94/2009
s. 8.

- (1) A rating authority, other than a council or a collection agency, may apply to the valuer-general to use the whole or part of a general valuation or supplementary valuation made by or for a valuation authority, the record of which is kept by the valuer-general in the valuation record.
- (2) On receiving an application under subsection (1), the valuer-general must give the rating authority a copy of the valuation or part of the valuation that has been declared as being generally true and correct under section 7AF or certified as correct under section 13DFA or 13M.

S. 7AG(1)
amended by
Nos 69/2011
s. 50(2),
58/2012
s. 120(1).

S. 7AG(2)
amended by
No. 67/2015
s. 9(1).

S. 7AG(3)
amended by
No. 69/2011
s. 50(3),
substituted by
No. 67/2015
s. 9(2).

- (3) A copy of the valuation or part of the valuation must be given to the rating authority under subsection (2)—
- (a) in the case of a general valuation or part of a general valuation, within 2 months of—
 - (i) the valuer-general receiving the request (if the valuation is declared as being true and correct under section 7AF at the time of the request); or
 - (ii) the declaration of the valuation as true and correct under section 7AF (if the declaration of the valuation as being true and correct has not been made at the time of the request); and
 - (b) in the case of a supplementary valuation, within 2 months of—
 - (i) the valuer-general receiving the request (if the valuation is certified as correct under section 13DFA or 13M at the time of the request); or
 - (ii) the certification of the supplementary valuation as correct under section 13DFA or 13M (if the certification of the supplementary valuation as correct has not been made at the time of the request).

S. 7AH
inserted by
No. 94/2009
s. 8.

7AH Valuation taken to be made by rating authority

A valuation that has been given to a rating authority for use under section 7AG is taken to be made for the purposes of the rating authority.

7A Restriction on payment of valuers for general valuations

S. 7A
inserted by
No. 91/1994
s. 7.

- (1) A council must not pay any valuer who is not a full-time member of the council's staff for any work in respect of a general valuation for that council unless the valuer-general has issued a certificate of satisfactory valuation or valuation progress in respect of the valuation.
- (2) Despite subsection (1), a council may make such a payment if—
 - (a) it notifies the Valuer-general in writing that it intends to do so; and
 - (b) the Valuer-general fails to give it, within 30 days after the notification, either—
 - (i) a certificate of satisfactory valuation or valuation progress; or
 - (ii) a written notice setting out the matters that need to be rectified before he or she will issue such a certificate.

S. 7A(1)
amended by
Nos 94/2009
s. 9, 58/2012
s. 120(2),
67/2017 s. 47.

7B Council to provide valuation to valuer-general

S. 7B
inserted by
No. 94/2009
s. 10.

- (1) A council that has caused a general valuation or supplementary valuation of rateable land within its municipal district or non-rateable land located outside the municipal district to be made must provide that valuation to the valuer-general within 2 months of the date on which the valuation was returned to the council.
- (2) Subsection (1) does not apply if the valuer employed or appointed by the council has already provided the valuation to the valuer-general—

S. 7B(1)
amended by
Nos 69/2011
s. 51, 58/2012
s. 121(1).

S. 7B(2)(b)
amended by
No. 58/2012
s. 121(2).

- (a) if the valuation is a general valuation, in accordance with section 7AA;
- (b) if the valuation is a supplementary valuation, in accordance with section 13DFA(1) or 13M (as appropriate).

S. 7C
inserted by
No. 94/2009
s. 10.

7C Valuer-general to maintain valuation record

S. 7C(1)
amended by
No. 58/2012
s. 122,
substituted by
No. 67/2017
s. 48.

- (1) The valuer-general is responsible for establishing and maintaining a record of all general valuations and supplementary valuations completed by or provided to the valuer-general under this Act.
- (2) The valuer-general may establish and maintain the valuation record in any form that the valuer-general thinks fit.

S. 7D
inserted by
No. 94/2009
s. 10.

7D What information is available from the valuation record?

- (1) The valuer-general must ensure that, subject to the Information Privacy Principles, any information that forms part of the valuation record and that is releasable information is made available to the public.
- (2) The valuer-general must not make available to the public information in the valuation record that is not releasable information.

S. 7D(3)
amended by
No. 60/2014
s. 140(Sch. 3
item 48),
repealed by
No. 42/2017
s. 70.

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7E Provision of releasable information

On the payment of any fees as may be set by the valuer-general, the valuer-general may, subject to and in accordance with any written policy directions of the Minister, supply to any person releasable information that—

- (a) forms part of the valuation record; and
- (b) is publicly available under section 7D.

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S. 7E
inserted by
No. 94/2009
s. 10,
substituted by
No. 42/2017
s. 71.

S. 8
amended by
Nos 7762
s. 10(2), 8649
s. 6, 55/1989
s. 11(2)(e),
46/1998
s. 7(Sch. 1),
repealed by
No. 94/2009
s. 11.

8AA Fees for copy of valuation

- (1) A rating authority, other than a council or a collection agency, that has received a copy of the whole or part of a valuation for use under section 7AG must pay the valuation authority—
 - (a) on receipt of the valuation, a fee for the use of the valuation; and
 - (b) after that, fees in respect of the servicing of the valuation.

S. 8AA
inserted by
No. 8649 s. 7,
amended by
No. 55/1989
s. 11(3)(e),
substituted by
No. 94/2009
s. 12.

S. 8AA(1)
amended by
Nos 69/2011
s. 52(1),
58/2012
s. 123(1).

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S. 8AA(1A)
inserted by
No. 69/2011
s. 52(2),
amended by
No. 58/2012
s. 123(2),
substituted by
No. 67/2017
s. 49.

(1A) A council or a collection agency that has been provided with a valuation by the valuer-general under section 11 or 13H is not required to pay a fee for the provision of that valuation.

S. 8AA(1B)
inserted by
No. 69/2011
s. 52(2),
amended by
No. 58/2012
s. 123(3).

(1B) A council or a collection agency that has requested a supplementary valuation under section 13DFB or 13N must pay the valuer-general—

- (a) on receipt of the valuation, a fee for the valuation; and
- (b) after that, fees in respect of the servicing of the valuation.

S. 8AA(2)
amended by
No. 69/2011
s. 52(3).

(2) A fee payable under this section is—

- (a) the fee agreed between the parties; or
- (b) in default of an agreement, the fee determined by the Minister.

(3) A fee is not payable under this section unless the valuation or part of the valuation provided has been declared as generally true and correct by the Minister under section 7AF.

S. 8A
inserted by
No. 6825 s. 6,
amended by
Nos 7235
s. 5(a)(b),
12/1989
s. 4(1)(Sch. 2
items 125.8–
125.18),
55/1989
s. 11(2)(f)
(3)(f)–(h),
repealed by
No. 91/1994
s. 38(e).

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S. 8B
inserted by
No. 7019 s. 2,
repealed by
No. 7762 s. 6.

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Pt 2 (Heading)
substituted by
No. 94/2009
s. 13,
amended by
No. 67/2015
s. 10.

Pt 2
(Heading and
ss 9–13)
amended by
Nos 6825 ss 7,
8, 6886 s. 3,
7315 s. 5(1),
substituted as
Pt 2 (Heading
and ss 9–13H)
by No. 8405
s. 2.

Pt 2 Divs 1–3
(Headings
and ss 9–13D)
repealed.¹

* * * * *

New s. 9
inserted by
No. 94/2009
s. 14,
substituted by
No. 67/2017
s. 50.

9 Valuer-general is valuation authority

Subject to section 10, the valuer-general is the valuation authority in respect of rateable land in a municipal district of a council.

New s. 10
inserted by
No. 94/2009
s. 14,
amended by
No. 67/2015
s. 11,
substituted by
No. 67/2017
s. 51.

10 Council is valuation authority if nomination is in force

- (1) A council has the power to cause a valuation of all land in its municipal district for a specified year if it makes a nomination for that year which meets the requirements of this section.
- (2) The requirements are that the nomination is—
 - (a) made to the valuer-general; and
 - (b) in writing; and
 - (c) made on or before the relevant day for that calendar year.

- (3) A nomination for a specified year also meets the requirements if—
- (a) it is made after the relevant day; and
 - (b) the valuer-general accepts it.
- (4) For the purposes of subsection (3)(b), the valuer-general may accept a nomination after the relevant day if the valuer-general considers it appropriate to do so.
- (5) A nomination that meets the requirements of this section continues in force until the earlier of the following—
- (a) the date on which it is revoked;
 - (b) 30 June 2022.
- (6) A council may revoke a nomination by giving notice, in writing, to the valuer-general by 30 June of the calendar year that immediately precedes the next calendar year in which a general valuation is to be made.
- (7) In this section—
- "relevant day** means—
- (a) for the 2019 calendar year, 30 January 2018; or
 - (b) for the 2020 calendar year, 30 June 2019; or
 - (c) for the 2021 calendar year, 30 June 2020; or
 - (d) for the 2022 calendar year, 30 June 2021;
- specified year** means any of the following years—
- (a) the 2019 calendar year;
 - (b) the 2020 calendar year;

- (c) the 2021 calendar year;
- (d) the 2022 calendar year.

S. 11
(Heading)
amended by
No. 67/2017
s. 52(1).

11 General valuation to be made each year

For the purposes of the **Local Government Act 1989**, a valuation authority must—

New s. 11
inserted by
No. 94/2009
s. 14,
substituted by
No. 69/2011
s. 53.

S. 11(a)
amended by
No. 67/2017
s. 52(2)(a).

- (a) cause a general valuation of rateable land within an area to be made as at 1 January in each calendar year; and

S. 11(b)
amended by
No. 67/2015
s. 12.

- (b) before 30 April that year, cause a general valuation made in accordance with paragraph (a)—

- (i) to be returned to it; and

S. 11(b)(ii)
substituted by
No. 67/2017
s. 52(2)(b).

- (ii) to be provided to the council of the municipal district to which the area relates.

New s. 12
inserted by
No. 94/2009
s. 14,
amended by
No. 67/2017
s. 53.

12 Minister may direct a general valuation of land

The Minister, after consultation with the valuer-general, may direct a council that is a valuation authority to cause a valuation of rateable land within the relevant municipal district to be made as at, and returned before, dates other than those specified in section 11.

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Pt 2 Div. 3A
(Heading)
repealed by
No. 94/2009
s. 15.

Pt 2 Div. 3A
(Heading and
ss 13DA–
13DJ)
inserted by
No. 55/1989
s. 8 (as
amended by
No. 78/1991
ss 16, 17).

**13DA Valuations for the purposes of the Local
Government Act 1989**

S. 13DA
(Heading)
substituted by
No. 67/2017
s. 54.

S. 13DA
inserted by
No. 55/1989
s. 8,
amended by
No. 91/1994
s. 3(2),
substituted by
No. 94/2009
s. 16.

(1) A valuation authority, when making a valuation under this Act for the purposes of the **Local Government Act 1989**, may appoint one or more people to carry out the valuation.

S. 13DA(1)
amended by
No. 69/2011
s. 54(1).

(2) A valuation authority must not appoint a person under subsection (1) unless the person holds the qualifications or experience specified from time to time by the Minister by notice published in the Government Gazette.

S. 13DA(2)
amended by
No. 69/2011
s. 54(2).

(3) If—

(a) a valuer who is qualified under subsection (2) and acceptable to a council, as valuation authority, is not reasonably available to the council; and

S. 13DA(3)(a)
amended by
No. 69/2011
s. 54(3).

(b) the valuer-general reasonably believes it is necessary to do so—

the valuer-general, or a valuer nominated by the valuer-general, may carry out valuations for the council for a fee.

S. 13DB
inserted by
No. 55/1989
s. 8,
repealed by
No. 91/1994
s. 8(1).

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S. 13DC
inserted by
No. 55/1989
s. 8 (as
amended by
No. 78/1991
s. 16(a)–(f)).

13DC Valuations generally

S. 13DC(1)
substituted by
No. 58/2012
s. 124.

(1) In every valuation for the purposes of the **Local Government Act 1989**, each separate occupancy on rateable land must—

- (a) be computed at its net annual value, its capital improved value and, if required by a rating authority, its site value;
- (b) be allocated an AVPCC based on the Valuation Best Practice Specifications Guidelines.

(2) A council may use in respect of rateable land within its municipal district valuations in force in respect of that land immediately before the constitution of the council for such period as the latest of the valuations might have been used by the council for which it was made.

S. 13DC(3)
substituted by
Nos 17/1998
s. 3(1),
22/2006 s. 10,
repealed by
No. 94/2009
s. 17.

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S. 13DC(4)
substituted by
No. 22/2006
s. 10,
repealed by
No. 94/2009
s. 17.

(5) In a general valuation, regard must be had to every circumstance affecting the land at the date the valuation is returned that, were it to occur or come into existence subsequently, would be a circumstance in which, under section 13DF(2), a supplementary valuation could be made.

S. 13DC(5)
substituted by
Nos 17/1998
s. 3(2),
22/2006 s. 10.

(6) If several parcels of land in the same municipal district are occupied by the same person and separated from each other only by a road or railway or other similar area across or around which movement is reasonably possible, the parcels must be regarded as together forming rateable land and valued accordingly.

(7) If any person is liable to be rated in respect of 2 or more unoccupied parcels of land in the same municipal district and the parcels form one continuous area, the parcels must be regarded as together forming rateable land and valued accordingly.

S. 13DC(7)
amended by
No. 91/1994
s. 9.

(7A) If a portion of a parcel of land on which a building is erected is occupied separately, or is obviously adapted to being occupied separately, from other land in the parcel, that portion must be regarded as forming a separate rateable property and must be valued accordingly.

(8) If any portion of a parcel or parcels of land forming rateable land for the purposes of a municipal rate or of a rate to be levied by any other rating authority using the valuation is subject—

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- (a) to a rate levied in respect of that portion only; or
- (b) to a differential rate which differs from the rate levied in respect of the remainder of that parcel or those parcels—

the value of the land must be apportioned so as to show separately the value of the portion.

- (9) If land comprising one undertaking extends continuously beyond the boundaries of any municipal district the value, for the purposes of any rate, of so much of the land as is within any one municipal district, must be assessed as part of the value of the whole of the land.

S. 13DD
inserted by
No. 55/1989
s. 8 (as
amended by
No. 78/1991
s. 17(1),
amended by
Nos 105/1995
s. 5(a),
17/1998
s. 4(1),
repealed by
No. 67/2017
s. 55.

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S. 13DE
inserted by
No. 55/1989
s. 8 (as
amended by
No. 78/1991
s. 17(2)),
amended by
No. 17/1998
s. 4(2),
repealed by
No. 67/2017
s. 55.

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13DF Supplementary valuation

S. 13DF
inserted by
No. 55/1989
s. 8.

(1) Despite anything in this or any other Act, a person referred to in section 13DA may carry out a supplementary valuation—

S. 13DF(1)
substituted by
No. 67/2015
s. 13(1).

(a) for the purposes of the **Local Government Act 1989**; or

(b) for the purposes of the **Fire Services Property Levy Act 2012** in relation to rateable land.

(2) A supplementary valuation may be made in any of the following circumstances—

(a) if any land which should be included in the valuation then in force is not included;

(ab) if any land which should not have been included in the valuation then in force was included;

S. 13DF(2)(ab)
inserted by
No. 67/2015
s. 13(2).

(b) if the value of the land is materially altered by the approval of a planning scheme under the **Planning and Environment Act 1987** or an amendment to a planning scheme under that Act, or by the granting, refusal or cancellation of a permit under such a scheme;

(c) if by reason of the sale of lots, any land in respect of which two or more persons are liable to be rated has been valued together as rateable land;

(d) if by reason of the purchase of land or any other cause, any land in respect of which only one person is liable to be rated has been valued as if more than one person was liable to be rated;

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S. 13DF(2)(f)
repealed by
No. 93/1995
s. 218(1)
(Sch. 2
item 8.2(a)),
new
s. 13DF(2)(f)
inserted by
No. 67/2015
s. 13(3).

- (e) if any land has become rateable since the return of the existing valuation;
- (f) if any land has ceased to be rateable land since the return of the existing valuation;

S. 13DF(2)(g)
amended by
Nos 93/1995
s. 218(1)
(Sch. 2
item 8.2(b)),
7/2017
s. 307(4),
repealed by
No. 17/2019
s. 57.

* * * * *

- (h) if by reason of the destruction or removal of buildings or other improvements on land or by reason of any physical changes of a permanent nature to land or improvements or by the making of roads or any other work of man or by adverse natural causes, the capital improved value, net annual value or site value of that land has been materially decreased;
- (i) if any land or part of any land is burdened by a covenant under section 3A(1) of the **Victorian Conservation Trust Act 1972** or, if upon variation or release of such a covenant, the capital improved value, net annual value or site value of that land has been materially decreased or materially increased;

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- (j) if by reason of the erection or construction of buildings or other improvements on land or by reason of any physical changes of a permanent nature to land or improvements or by the making of roads or any other work of man or by favourable natural causes, the capital improved value, net annual value or site value of that land has been materially increased;
- (k) if there has been a change in occupancy which affects the net annual value of the land;
- (ka) if there has been a change in occupancy which affects the AVPCC allocation given to the land; S. 13DF(2)(ka) inserted by No. 34/2014 s. 30(1).
- (l) if there has been an error made in the AVPCC allocation given to the land, discovery of which has given rise to a change in the land use classification of the land; S. 13DF(2)(l) repealed by No. 22/2006 s. 11(1)(a), new s. 13DF(2)(l) inserted by No. 85/2006 s. 172(2), expired by force of No. 6653 s. 13DF(10), new s. 13DF(2)(l) inserted by No. 58/2012 s. 125.
- (la) if any rateable land that was not leviable land has become leviable land since the return of the existing valuation; S. 13DF(2)(la) inserted by No. 67/2015 s. 13(4).
- (lb) if any rateable land that was leviable land has become land that is not leviable land since the return of the existing valuation; S. 13DF(2)(lb) inserted by No. 67/2015 s. 13(4).
- (m) if by reason of the sale, transfer or conveyance of any land or the transfer, surrender or expiration of a lease of any

land there are on the land any of the improvements described in paragraph (b) of the definition of *improvements* in section 2(1) which were not made by the person who is the owner or occupier of the land;

(n) if for any reason other than a reason referred to in any of paragraphs (a) to (m), the capital improved value, net annual value or site value—

(i) of any land specified by Order of the Governor in Council published in the Government Gazette; or

(ii) of the land in any area specified by Order of the Governor in Council published in the Government Gazette—

is or is likely to have been materially altered as a consequence of any Act, proclamation, Order in Council, regulation, by-law or local law;

(o) if any arithmetical error has been made in calculating any valuation upon which any rate is payable or if by reason of any error in describing the land or any matter relating to the land or any improvements to it, an incorrect valuation has resulted.

(3) Any supplementary valuation when returned and certified by the valuer-general under section 13DFA must be treated as a part of the valuation in force and has the effect of cancelling anything contained in the existing valuation which is not consistent with the supplementary valuation.

S. 13DF(3)
amended by
No. 22/2006
s. 11(1)(b).

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- (3A) Despite subsection (3), the council that caused or requested the supplementary valuation to be made may, for the purposes of levying or adjusting a municipal rate or fire services property levy, use the supplementary valuation before it is certified by the valuer-general.
- S. 13DF(3A)
inserted by
No. 22/2006
s. 11(2),
amended by
Nos 34/2014
s. 30(2),
67/2017
s. 56(1).
- (4) If a supplementary valuation has been made in any of the circumstances referred to in subsection (2) other than paragraph (o), the amount of any rate or fire services property levy payable in relation to that land must be calculated—
- S. 13DF(4)
amended by
No. 34/2014
s. 30(3).
- (a) for any period until the day of that return—by reference to the existing valuation; and
- (b) from the day after that return for the remainder of the period—upon the supplementary valuation.
- (5) If a supplementary valuation has been made in any of the circumstances referred to in subsection (2)(l) or (2)(o), the council may adjust the rate or fire services property levy payable retrospectively for any period it considers just.
- S. 13DF(5)
amended by
No. 34/2014
s. 30(4).
- (6) The valuer in making a supplementary valuation must—
- (a) have regard to the general levels of value upon which the valuation in force within the municipal district or ward was based; and
- (b) assess the value that the land to which the supplementary valuation applies would have had if at the time at which the last valuation of the municipal district or ward was made it had been in the condition in which it is at the time of the making of the supplementary valuation, having regard to every circumstance which affects the value

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of the land at the time of the making of
the supplementary valuation, if it is a
circumstance requiring the making of a
supplementary valuation of the land under
subsection (2).

S. 13DF(7)
amended by
Nos 105/1995
s. 5(b),
34/2014
s. 30(5),
repealed by
No. 67/2015
s. 13(5).

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S. 13DF(8)
amended by
No. 22/2006
s. 11(3).

(8) The valuer must make entries on the return showing every alteration made on supplementary valuations or on an adjustment or determination of VCAT or the Supreme Court under Part III for as long as the valuation remains in force.

S. 13DF(9)
inserted by
No. 85/2006
s. 172(3),
expired by
force of
No. 6653
s. 13DF(10),
new
s. 13DF(9)
inserted by
No. 34/2014
s. 30(6),
amended by
No. 67/2017
s. 56(2).

(9) For the purposes of subsection (5), a reference to a council includes the council acting in its capacity as a collection agency.

S. 13DF(10)
inserted by
No. 85/2006
s. 172(3),
expired by
force of
No. 6653
s. 13DF(10).

* * * * *

**13DFA Certification of supplementary valuation caused by
a council**

S. 13DFA
(Heading)
amended by
No. 67/2017
s. 57(1).

S. 13DFA
inserted by
No. 22/2006
s. 12.

- (1) If a council is a valuation authority, within one month after returning a supplementary valuation to the council, the valuer must submit a report of the valuation in the prescribed form to the valuer-general.
- (2) If, after considering the report by the valuer, the valuer-general is satisfied that the supplementary valuation is correct, the valuer-general must so certify in writing to the council.
- (3) If, after considering the report by the valuer, the valuer-general is not satisfied that the supplementary valuation is correct, the valuer-general must inform the valuer, who must make a further supplementary valuation in accordance with section 13DF.
- (4) The valuer-general may at any time require the valuer to give further information concerning the supplementary valuation to the valuer-general.
- (5) If, within 2 months after receiving a report on a supplementary valuation, the valuer-general has not certified the valuation or informed the valuer under subsection (3), the valuer-general is deemed to have certified the valuation at the end of that period.
- (6) In calculating the period referred to in subsection (5), any time between the time when the valuer-general requires the valuer to give him or her further information under subsection (4)

S. 13DFA(1)
amended by
No. 67/2017
s. 57(2).

and the time when that requirement is complied with is not to be counted.

S. 13DFB
inserted by
No. 94/2009
s. 18,
amended by
No. 69/2011
s. 55,
substituted by
No. 67/2017
s. 58.

13DFB Valuation authority to make supplementary valuation if requested by council

- (1) The valuer-general must cause a supplementary valuation under section 13DF to be made if so requested by the council of that municipal district.
- (2) A request made by a council under subsection (1) must—
 - (a) be made to the valuer-general in writing; and
 - (b) be accompanied by a report of the valuation data in the form prescribed by the Valuation Best Practice Specifications Guidelines.
- (3) If a council requests a supplementary valuation to be caused by the valuer-general under subsection (1), the valuer-general must give the supplementary valuation to the council within 10 business days after the supplementary valuation is returned to the valuer-general.

S. 13DG
inserted by
No. 55/1989
s. 8.

13DG Valuation on union of or annexation by council

- (1) If a council is one formed by union, the last valuations in force for the united councils are to be treated as one valuation made by the council formed by the union.
- (2) If a council has had annexed to its municipal district part of a former municipal district, the last valuation in force for that part is to be treated as part of the valuation of the new municipal district, but this does not affect the time within which the valuation authority must make the next valuation of all rateable land in the municipal district.
- (3) If a council has had annexed to its municipal district any area which is not part of a former municipal district—

S. 13DG(2)
amended by
No. 94/2009
s. 19(1).

- (a) the valuation authority must, immediately after the annexation, make a valuation of all rateable land in that area (either separately or together with a valuation for the rateable land in the rest of the council's municipal district); and **S. 13DG(3)(a) amended by No. 94/2009 s. 19(2)(a).**
- (b) the valuation for that annexed area, if made separately, is to be treated together with any valuation for the rest of the council's municipal district, as the valuation for the council; and
- (c) paragraphs (a) and (b) do not affect the time within which the valuation authority must make the next valuation of all rateable land in the municipal district. **S. 13DG(3)(c) amended by No. 94/2009 s. 19(2)(b).**

13DH Valuer's powers and duties

S. 13DH inserted by No. 55/1989 s. 8.

- (1) A valuer must return valuations in the prescribed form.
- (2) Before any valuation and return is made the person appointed to make it must make a statutory declaration that the valuation and return will be impartial and true to the best of that person's judgment and will be made by that person or under that person's immediate personal supervision.

* * * * * **S. 13DH(3) repealed by No. 94/2009 s. 20.**

* * * * * **S. 13DI inserted by No. 55/1989 s. 8, amended by Nos 91/1994 s. 38(f), 94/2009 s. 21, repealed by No. 69/2011 s. 56.**

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 Government Act 1989 and rateable land

<p>S. 13DJ inserted by No. 55/1989 s. 8, amended by Nos 91/1994 s. 38(g), 22/2006 s. 13, repealed by No. 67/2017 s. 59.</p>	*	*	*	*	*
<p>Pt 2 Div. 4 (Heading and ss 13E–13G) inserted by No. 8405 s. 2, amended by Nos 8817 s. 3, 55/1989 s. 11(2)(g), repealed by No. 91/1994 s. 3(1)(b).</p>	*	*	*	*	*
<p>Pt 2 Div. 5 (Heading and s. 13H) inserted by No. 8405 s. 2, repealed by No. 91/1994 s. 3(1)(b).</p>	*	*	*	*	*

Part IIA—Valuations for Fire Services Property Levy Act 2012

Part 2A
(Heading and
ss 13E–13P)
inserted by
No. 58/2012
s. 126.

13E Application of Part

This Part applies to the valuation of non-rateable
leviable land.

S. 13E
inserted by
No. 58/2012
s. 126,
amended by
No. 67/2017
s. 60.

13F Valuer-general is valuation authority

Subject to section 13G, the valuer-general is the
valuation authority in respect of non-rateable
leviable land.

S. 13F
inserted by
No. 58/2012
s. 126,
substituted by
No. 67/2017
s. 61.

13G Collection agency may make valuations where nomination is in force

- (1) A collection agency has the power to cause a
valuation of the land specified in subsection (2)
for a specified year if it makes a nomination for
that year which meets the requirements of this
section.
- (2) For the purposes of subsection (1), the land is—
 - (a) non-rateable leviable land in the municipal
district of which the collection agency is the
council; and
 - (b) non-rateable leviable land not located in the
municipal district of which the collection
agency is the council, if the Minister
administering the **Fire Services Property
Levy Act 2012** has directed that the council
will be a collection agency in respect of the
land.

S. 13G
inserted by
No. 58/2012
s. 126,
amended by
No. 66/2016
s. 27,
substituted by
No. 67/2017
s. 62.

- (3) The requirements are that the nomination is—
 - (a) made to the valuer-general; and
 - (b) in writing; and
 - (c) made on or before the relevant day for that calendar year.
- (4) A nomination for a specified year also meets the requirements if—
 - (a) it is made after the relevant day; and
 - (b) the valuer-general accepts it.
- (5) For the purposes of subsection (4)(b), the valuer-general may accept a nomination after the relevant day if the valuer-general considers it appropriate to do so.
- (6) A nomination that meets the requirements of this section continues in force until the earlier of the following—
 - (a) the date on which it is revoked;
 - (b) 30 June 2022.
- (7) A collection agency may revoke a nomination by giving notice, in writing, to the valuer-general by 30 June of the calendar year that immediately precedes the next calendar year in which a general valuation is to be made.
- (8) In this section—

relevant day means—

 - (a) for the 2019 calendar year, 30 January 2018; or
 - (b) for the 2020 calendar year, 30 June 2019; or
 - (c) for the 2021 calendar year, 30 June 2020; or

- (d) for the 2022 calendar year,
30 June 2021;

specified year means any of the following years—

- (a) the 2019 calendar year;
(b) the 2020 calendar year;
(c) the 2021 calendar year;
(d) the 2022 calendar year.

13H General valuation to be made each year

For the purposes of the **Fire Services Property Levy Act 2012**, a valuation authority must—

- (a) cause a general valuation of non-rateable
leviable land to be made as at 1 January in
each calendar year; and
(b) before 30 April that year, cause a general
valuation made in accordance with
paragraph (a)—
(i) to be returned to it; and
(ii) to be provided to the relevant collection
agency.

S. 13H
(Heading)
amended by
No. 67/2017
s. 63(1).

S. 13H
inserted by
No. 58/2012
s. 126.

S. 13H(a)
amended by
No. 67/2017
s. 63(2)(a).

S. 13H(b)
amended by
No. 67/2015
s. 14.

S. 13H(b)(ii)
amended by
No. 67/2017
s. 63(2)(b).

**13I Minister may direct a general valuation of
non-rateable leviable land**

- (1) The Minister, after consultation with the
valuer-general, may direct a collection agency
that is a valuation authority to cause a valuation of
non-rateable leviable land to be made as at, and
returned before, dates other than those specified in
section 13H.

S. 13I
inserted by
No. 58/2012
s. 126.

S. 13I(1)
amended by
No. 67/2017
s. 64.

- (2) The Minister may direct the valuer-general to cause a valuation of non-rateable leviable land to be made.

S. 13J
(Heading)
substituted by
No. 67/2017
s. 65.

13J Valuations for the purposes of the Fire Services Property Levy Act 2012

- (1) A valuation authority, when making a valuation under this Act for the purposes of the **Fire Services Property Levy Act 2012**, may appoint one or more people to carry out the valuation.
- (2) A valuation authority must not appoint a person under subsection (1) unless the person holds the qualifications or experience specified from time to time by the Minister by notice published in the Government Gazette.

S. 13J
inserted by
No. 58/2012
s. 126.

- (3) If—
- (a) a valuer who is qualified under subsection (2) and acceptable to a council, as valuation authority, is not reasonably available to the council; and
- (b) the valuer-general reasonably believes it is necessary to do so—

the valuer-general, or a valuer nominated by the valuer-general, may carry out valuations for the council for a fee.

S. 13K
inserted by
No. 58/2012
s. 126.

13K Valuations generally

- (1) In every valuation for the purposes of the **Fire Services Property Levy Act 2012**, each separate occupancy on non-rateable leviable land must—
- (a) be computed at its net annual value, its capital improved value and, if required, its site value; and
- (b) be allocated an AVPCC based on the Valuation Best Practice Specifications Guidelines.

- (2) In a general valuation, regard must be had to every circumstance affecting the land at the date the valuation is returned that, were it to occur or come into existence subsequently, would be a circumstance in which, under section 13L(2), a supplementary valuation could be made.
- (3) Several parcels of land must be regarded as together forming non-rateable leviable land and valued accordingly if the parcels of land—
- (a) are in the same—
 - (i) municipal district; or
 - (ii) area that is not located in a municipal district; and
 - (b) are occupied by the same person; and
 - (c) are separated from each other only by a road or railway or other similar area across or around which movement is reasonably possible.
- (4) If any person is liable to be levied in respect of 2 or more parcels of land in the same municipal district or in an area not located in a municipal district and the parcels form one continuous area, the parcels must be regarded as together forming non-rateable leviable land and must be valued accordingly.
- (5) If a portion of a parcel of land on which a building is erected is occupied separately, or is obviously adapted to being occupied separately, from other land in the parcel, that portion must be regarded as forming separate non-rateable leviable land and must be valued accordingly.
- (6) If any portion of a parcel or parcels of land forming non-rateable leviable land for the purposes of a levy rate or of a rate to be levied by

S. 13K(3)
inserted by
No. 34/2014
s. 31.

S. 13K(4)
inserted by
No. 34/2014
s. 31.

S. 13K(5)
inserted by
No. 34/2014
s. 31.

S. 13K(6)
inserted by
No. 34/2014
s. 31.

any other rating authority using the valuation is subject—

- (a) to a rate levied in respect of that portion only; or
- (b) to a differential rate which differs from the rate levied in respect of the remainder of that parcel or those parcels—

the value of the land must be apportioned so as to show separately the value of the portion.

S. 13K(7)
inserted by
No. 34/2014
s. 31.

- (7) If land comprising one undertaking extends continuously beyond the boundaries of any municipal district, for the purposes of any levy, the value of so much of the land as is within any one municipal district, must be assessed as part of the value of the whole of the land.

S. 13L
inserted by
No. 58/2012
s. 126.

13L Supplementary valuation

- (1) Despite anything in this or any other Act, a person referred to in section 13J may carry out a supplementary valuation for the purposes of the **Fire Services Property Levy Act 2012**.
- (2) A supplementary valuation may be made in any of the following circumstances—
 - (a) if any land which should be included in the valuation then in force is not included;
 - (ab) if any land which should not have been included in the valuation then in force was included;
 - (b) if the value of the land is materially altered by the approval of a planning scheme under the **Planning and Environment Act 1987** or an amendment to a planning scheme under that Act, or by the granting, refusal or cancellation of a permit under such a scheme;

S. 13L(2)(ab)
inserted by
No. 67/2015
s. 15(1).

- (c) if by reason of the sale of lots, any land in respect of which two or more persons are liable to pay the fire services property levy has been valued together as non-rateable leviable land;
- (d) if by reason of the purchase of non-rateable leviable land or any other cause, any land in respect of which only one person is liable to pay the fire services property levy has been valued as if more than one person was liable to pay the fire services property levy;
- (e) if any land has become non-rateable leviable land since the return of the existing valuation;
- (ea) if any land has ceased to be non-rateable leviable land since the return of the existing valuation;

S. 13L(2)(ea)
inserted by
No. 67/2015
s. 15(2).

* * * * *

S. 13L(2)(f)
amended by
No. 7/2017
s. 307(5)(6),
repealed by
No. 17/2019
s. 57.

- (g) if by reason of the destruction or removal of buildings or other improvements on land by reason of any physical changes of a permanent nature to land or improvements or by the making of roads or any other work of man or by adverse natural causes, the capital improved value, net annual value or site value of that land has been materially decreased;
- (h) if any land or part of any land is burdened by a covenant under section 3A(1) of the **Victorian Conservation Trust Act 1972** or, if upon variation or release of such a covenant, the capital improved value, net

annual value or site value of that land has been materially decreased or materially increased;

- (i) if by reason of the erection or construction of buildings or other improvements on land or by reason of any physical changes of a permanent nature to land or improvements or by the making of roads or any other work of man or by favourable natural causes, the capital improved value, net annual value or site value of that land has been materially increased;
- (j) if there has been a change in occupancy which affects the net annual value of the land;
- (ja) if there has been a change in occupancy which affects the AVPCC allocation given to the land;
- (k) if by reason of the sale, transfer or conveyance of any land or the transfer, surrender or expiration of a lease of any land there are on the land any of the improvements described in paragraph (b) of the definition of *improvements* in section 2(1) which were not made by the person who is the owner or occupier of the land;
- (l) if there has been an error made in the AVPCC allocation given to the land, discovery of which has given rise to a change in the land use classification of the land;
- (m) if for any reason other than a reason referred to in any of paragraphs (a) to (l), the capital improved value—

S. 13L(2)(ja)
inserted by
No. 34/2014
s. 32(1).

- (i) of any land specified by Order of the Governor in Council published in the Government Gazette; or
 - (ii) of the land in any area specified by Order of the Governor in Council published in the Government Gazette—
is or is likely to have been materially altered as a consequence of any Act, proclamation, Order in Council, regulation, by-law or local law;
 - (n) if any arithmetical error has been made in calculating any valuation upon which any fire services property levy is payable or if by reason of any error in describing the land or any matter relating to the land or any improvements to it, an incorrect valuation has resulted.
- (3) Any supplementary valuation when returned and certified by the valuer-general under section 13M must be treated as a part of the valuation in force and has the effect of cancelling anything contained in the existing valuation which is not consistent with the supplementary valuation.
- (4) Despite subsection (3), for the purposes of the **Fire Services Property Levy Act 2012**, the collection agency that caused or requested the supplementary valuation to be made may use the supplementary valuation before it is certified by the valuer-general.
- (5) If a supplementary valuation has been made in any of the circumstances referred to in subsection (2) other than paragraph (n), the amount of any fire services property levy payable in relation to that land must be calculated—
- (a) for any period until the day of that return—
by reference to the existing valuation; and

S. 13L(4)
amended by
No. 67/2017
s. 66.

S. 13L(5)
amended by
No. 67/2015
s. 15(3).

S. 13L(6)
amended by
No. 34/2014
s. 32(2).

- (b) from the day after that return for the remainder of the period—upon the supplementary valuation.
- (6) If a supplementary valuation has been made in any of the circumstances referred to in subsection (2)(l) or (2)(n), the collection agency may adjust the fire services property levy payable retrospectively for any period it considers just.
- (7) The valuer in making a supplementary valuation must—
 - (a) have regard to the general levels of value upon which the valuation in force was based; and
 - (b) assess the value that the land to which the supplementary valuation applies would have had if at the time at which the last valuation was made it had been in the condition in which it is at the time of the making of the supplementary valuation, having regard to every circumstance which affects the value of the land at the time of the making of the supplementary valuation, if it is a circumstance requiring the making of a supplementary valuation of the land under subsection (2).

S. 13L(8)
repealed by
No. 67/2015
s. 15(4).

* * * * *

- (9) The valuer must make entries on the return showing every alteration made on supplementary valuations or on an adjustment or determination of VCAT or the Supreme Court under Part III for as long as the valuation remains in force.

13M Certification of supplementary valuation caused by a collection agency

S. 13M
(Heading)
amended by
No. 67/2017
s. 67(1).

S. 13M
inserted by
No. 58/2012
s. 126.

S. 13M(1)
amended by
No. 67/2017
s. 67(2).

- (1) If a collection agency is a valuation authority, within one month after returning a supplementary valuation to the collection agency, the valuer must submit a report of the valuation in the prescribed form to the valuer-general.
- (2) If, after considering the report by the valuer, the valuer-general is satisfied that the supplementary valuation is correct, the valuer-general must so certify in writing to the collection agency.
- (3) If, after considering the report by the valuer, the valuer-general is not satisfied that the supplementary valuation is correct, the valuer-general must inform the valuer, who must make a further supplementary valuation in accordance with section 13L.
- (4) The valuer-general may at any time require the valuer to give further information concerning the supplementary valuation to the valuer-general.
- (5) If, within 2 months after receiving a report on a supplementary valuation, the valuer-general has not certified the valuation or informed the valuer under subsection (3), the valuer-general is deemed to have certified the valuation at the end of that period.
- (6) In calculating the period referred to in subsection (5), any time between the time when the valuer-general requires the valuer to give him or her further information under subsection (4) and the time when that requirement is complied with is not to be counted.

S. 13N
(Heading)
amended by
No. 67/2017
s. 68(1).

13N Valuation authority to make supplementary valuation if requested by collection agency

S. 13N
inserted by
No. 58/2012
s. 126.

S. 13N(1)
amended by
No. 67/2017
s. 68(2).

(1) The valuer-general must cause a supplementary valuation under section 13L to be made if so requested by the collection agency.

S. 13N(2)
substituted by
No. 34/2014
s. 33.

(2) A request made by a collection agency under subsection (1) must—

(a) be made to the valuer-general in writing; and

(b) be accompanied by a report of the valuation data in the form prescribed by the Valuation Best Practice Specifications Guidelines.

S. 13N(3)
inserted by
No. 34/2014
s. 33,
substituted by
No. 67/2017
s. 68(3).

(3) If a collection agency requests a supplementary valuation to be caused by the valuer-general under subsection (1), the valuer-general must give the supplementary valuation to the collection agency within 10 business days after the supplementary valuation is returned to the valuer-general.

S. 13O
inserted by
No. 58/2012
s. 126.

13O Valuer's powers and duties

(1) A valuer must return valuations in the prescribed form.

(2) Before any valuation and return is made the person appointed to make it must make a statutory declaration that the valuation and return will be impartial and true to the best of that person's judgment and will be made by that person or under that person's immediate personal supervision.

Valuation of Land Act 1960
No. 6653 of 1960
Part IIA—Valuations for Fire Services Property Levy Act 2012

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S. 13P
inserted by
No. 58/2012
s. 126,
repealed by
No. 67/2017
s. 69.

Valuation of Land Act 1960
No. 6653 of 1960
Part III—Objections, reviews and appeals

Part III—Objections, reviews and appeals

Pt 3 (Heading and ss 14–16) amended by No. 6825 s. 9, substituted as Pt 3 (Heading and ss 14–52) by No. 7276, s. 2(b), amended by Nos 7315 s. 5(1), 7333 ss 5, 6, 7762 ss 7–17, 7876 s. 2(3), 8432 s. 3, 8649 ss 9–23, 9225 ss 4–8, 9427 s. 3 (Sch. 2 item 15), 9506 s. 2, 9576 s. 11(1), 9831 s. 12, 9921 s. 255, 110/1986 s. 140(2), 121/1986 s. 112, 50/1988 s. 93(2)(Sch. 2 Pt 2 item 63), 19/1989 s. 16 (Sch. item 56), 55/1989 ss 9, 10, 11(2)(h)–(j), 57/1989 s. 3(Sch. item 208.2), 78/1991 s. 28(3)(c), 91/1994 ss 14–19, 38(h)(i), 105/1995 s. 5(c), 40/1997 s. 138(Sch. 2 item 16.2), substituted as Pt 3 (Headings and ss 14–30) by No. 52/1998 s. 309 (as amended by No. 101/1998 s. 21(d)).

Division 1—Introductory

Pt 3 Div. 1
(Heading)
substituted by
No. 52/1998
s. 309.

14 Definitions

S. 14
substituted by
No. 52/1998
s. 309.

In this Part—

* * * * *

S. 14 def. of
*Commis-
sioner*
repealed by
No. 3/2004
s. 17(a).

Court means the Supreme Court;

land includes any estate or interest in land;

prescribed amount means an amount prescribed
by the regulations for the purposes of this
Part;

S. 14 def. of
*prescribed
amount*
inserted by
No. 22/2006
s. 4.

relevant taxpayer means a transmission easement
holder within the meaning of the **Land Tax
Act 2005**.

S. 14 def. of
*relevant
taxpayer*
inserted by
No. 3/2004
s. 17(b),
amended by
Nos 88/2005
s. 117(Sch. 2
item 10.3),
22/2006
s. 14(a)(i).

* * * * *

S. 14 def. of
Tribunal
repealed by
No. 22/2006
s. 14(a)(ii).

Division 2—Notice of valuations

New Pt 3
Div. 2
(Heading)
inserted by
No. 52/1998
s. 309.

15 Notice of valuation

S. 15
substituted by
No. 52/1998
s. 309,
amended by
No. 3/2004
s. 18,
substituted by
No. 94/2009
s. 22.

S. 15(1)
amended by
Nos 69/2011
s. 57(1),
67/2017
s. 70(1).

- (1) A valuation authority that causes a general or supplementary valuation to be made must either—
- (a) give—
 - (i) notice of that valuation, in accordance with this section; and
 - (ii) notice that some other authority may use one of the bases of value shown in the notice under subparagraph (i) for the purposes of a rate or tax levied by that authority; or
 - (b) give sufficient information to the relevant rating authority as to that valuation to enable the rating authority to give notice in accordance with this section.

S. 15(2)
amended by
No. 69/2011
s. 57(2),
repealed by
No. 67/2017
s. 70(2).

* * * * *

- (3) A rating authority that receives information from a valuation authority under section (1)(b) as to a general valuation must give—

- (a) notice of that valuation in accordance with this section; and
- (b) notice that some other authority may use one of the bases of value shown in the notice under paragraph (a) for the purposes of a rate or tax levied by that authority.
- (4) A notice of valuation must be given within 2 months of the valuation being declared to be generally true and correct by the Minister under section 7AF.
- (5) A notice of valuation must be given to each person within or outside the municipal district in respect of which the valuation has been made who is or will be liable to pay a rate made by the rating authority for the municipal district or a tax levied by the collection agency in respect of land outside the municipal district. **S. 15(5) amended by No. 58/2012 s. 127(1).**
- (6) A notice of valuation must—
- (a) identify the land in respect of which the rate or tax is or will be payable; and **S. 15(6)(a) amended by No. 58/2012 s. 127(2).**
- (b) show the capital improved value, the site value and the net annual value as assessed in respect of the land; and
- (ba) show the AVPCC allocated to the land; and **S. 15(6)(ba) inserted by No. 66/2016 s. 28.**
- (c) state the date at which the value of land was assessed.
- (7) If the person liable for payment of the rate or tax is not the occupier of the land, the authority responsible for giving a notice of valuation must also give such a notice to the occupier. **S. 15(7) amended by No. 58/2012 s. 127(2).**

S. 15(8)
amended by
No. 67/2017
s. 70(3).

(8) A notice under subsection (1)(a)(ii) or (3)(b) must be given before or at the same time as the notice of valuation to which it relates.

(9) This section does not apply in respect of a valuation of a transmission easement made under section 5B.

S. 15(10)
inserted by
No. 58/2012
s. 127(3).

(10) This section applies in respect of a general or supplementary valuation made under Part IIA.

S. 15A
inserted by
No. 3/2004
s. 19,
amended by
No. 88/2005
s. 117(Sch. 2
item 10.4).

15A Commissioner must give notice of valuation of transmission easements

The Commissioner must, in respect of any land tax payable under Division 4 of Part 2 of the **Land Tax Act 2005**, give a transmission easement holder that is liable for the payment of that tax a notice of valuation that—

- (a) shows the aggregate value assessed in respect of the transmission easements; and
- (b) states the date as at which the aggregate value of the transmission easements was assessed.

New Pt 3
Div. 3
(Heading)
inserted by
No. 52/1998
s. 309

Division 3—Objections

New s. 16
inserted by
No. 52/1998
s. 309.

16 Who may object?

S. 16(1)
amended by
No. 71/2004
s. 42(1),
substituted by
No. 94/2009
s. 23(1).

(1) A person aggrieved by a valuation of any land made or caused to be made by a valuation authority may lodge a written objection to that valuation, on any one or more of the grounds set out in section 17, with the authority that gave the notice of valuation.

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Part III—Objections, reviews and appeals

- (2) An objection must—
- (a) contain the prescribed information (if any);
and
 - (b) give particulars of the bases of valuation to which objection is made; and
 - (c) state the grounds on which the objection is based.
- (3) An objection must not be disallowed merely because of a failure to comply with subsection (2).
- (3A) In addition to the requirements of subsection (2), if—
- (a) a ground for the objection is that the value assigned is too high or too low; and
 - (b) the value assigned is not less than the prescribed amount—
- the objection must state the amount that the objector contends is the correct value.
- (3B) An amount stated in an objection in accordance with subsection (3A) is not binding on the objector.
- (4) A person who is given a notice of valuation is deemed to be a person aggrieved by the valuation whether or not the valuation is used for the purposes of a rate or tax levied by the authority that gave the notice.
- (5) A person is deemed to be a person aggrieved by a valuation of land if—
- (a) the person is liable for or required to pay any rate or tax in respect of land; and
 - (b) the person has not been given a notice of valuation.

S. 16(2)(a)
substituted by
No. 22/2006
s. 14(b).

S. 16(3)
substituted by
No. 94/2009
s. 23(2).

S. 16(3A)
inserted by
No. 22/2006
s. 5.

S. 16(3B)
inserted by
No. 22/2006
s. 5.

S. 16(4)
substituted by
No. 71/2004
s. 42(2),
amended by
No. 94/2009
s. 23(3).

S. 16(5)
amended by
No. 71/2004
s. 42(3).

S. 16(5)(b)
substituted by
No. 94/2009
s. 23(4).

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- S. 16(6)
amended by
Nos 94/2009
s. 23(5),
69/2011
s. 58(1).
- (6) A person referred to in subsection (5) must give written notice of an objection to the person or body that issued the assessment of the rate or tax and to the valuation authority that caused the valuation to be made.
- S. 16(6A)
inserted by
No. 84/2006
s. 20(1),
amended by
No. 94/2009
s. 23(6).
- (6A) A person who has been given a notice of valuation and who is subsequently assessed for land tax based on that valuation is deemed to be a person aggrieved by the valuation when the person receives the notice of assessment.
- S. 16(6B)
inserted by
No. 84/2006
s. 20(1),
amended by
Nos 94/2009
s. 23(7),
69/2011
s. 58(2).
- (6B) Despite subsection (1), a person referred to in subsection (6A) must lodge the objection with the Commissioner, who, if it is lodged within time, must forward the objection to the valuation authority that caused the valuation to be made.
- S. 16(6C)
inserted by
No. 84/2006
s. 20(1),
amended by
No. 94/2009
s. 23(7).
- (6C) For the purposes of any time period in this Part other than section 18, an objection referred to in subsection (6B) is taken to have been lodged at the time at which the valuation authority receives the objection from the Commissioner.
- S. 16(7)
inserted by
No. 3/2004
s. 20.
- (7) This section does not apply in respect of a valuation of a transmission easement made under section 5B.
- S. 16(8)
inserted by
No. 84/2006
s. 20(2).
- (8) This section does not apply in respect of a valuation made by the Commissioner or made for the Commissioner by the valuer-general or a valuer nominated by the valuer-general.
- S. 16(9)
inserted by
No. 58/2012
s. 128.
- (9) This section applies in respect of a general or supplementary valuation made under Part IIA.

Note

Section 96(1)(ca) of the **Taxation Administration Act 1997** provides for objections to valuations made for the Commissioner by the valuer-general or a valuer nominated by the valuer-general.

17 Grounds for objection

The grounds for an objection are—

- (a) that the value assigned is too high or too low;
- (b) that the interests held by various persons in the land have not been correctly apportioned;
- (c) that the apportionment of the valuation is not correct;
- (d) that lands that should have been included in one valuation have been valued separately;
- (e) that lands that should have been valued separately have been included in one valuation;
- (f) that the person named in the notice of valuation, assessment notice or other document is not liable to be so named;
- (g) that the area, dimensions or description of the land including the AVPCC allocated to the land are not correctly stated in the notice of valuation, assessment notice or other document.

New s. 17
inserted by
No. 52/1998
s. 309.

S. 17(g)
amended by
No. 58/2012
s. 129.

17A Objections relating to valuation of transmission easements under section 5B

- (1) A relevant taxpayer aggrieved by an assessment of the value of a transmission easement for the Commissioner may lodge a written objection with the Commissioner on any one of the grounds set out in subsection (2).
- (2) The grounds for an objection are—
 - (a) that the value assigned to the transmission easement is too high or too low;

S. 17A
inserted by
No. 3/2004
s. 21.

- (b) that the person named in the notice of assessment or valuation is not liable to be so named.

18 Time for lodging objection

An objection must be lodged—

New s. 18
inserted by
No. 52/1998
s. 309,
amended by
No. 88/2005
s. 117(Sch. 2
item 10.5),
substituted by
No. 22/2006
s. 15.

S. 18(a)
amended by
No. 94/2009
s. 24.

- (a) within 2 months after the notice of valuation is given; or

S. 18(b)
amended by
No. 84/2006
s. 21(a)
substituted by
No. 69/2011
s. 59.

- (b) in the case of a person referred to in section 16(5)—
- (i) if a notice of assessment of the rate or tax was served on the person by a rating authority, within 2 months after the notice was served; or
 - (ii) if a notice of assessment of the rate or tax was not served on the person by a rating authority and the person is the occupier of the land, within 4 months after the date of issue specified on the notice; or

S. 18(c)
inserted by
No. 84/2006
s. 21(b).

- (c) in the case of a person referred to in section 16(6A)—within 2 months after receiving the notice of assessment of land tax.

* * * * *

New s. 19
inserted by
No. 52/1998
s. 309,
amended by
Nos 94/2009
s. 25, 58/2012
s. 130,
repealed by
No. 67/2017
s. 71.

20 Exchange of information on certain objections

- (1) This section applies to an objection if—
- (a) a ground for the objection is that the value assigned is too high or too low; and
 - (b) the value assigned is not less than the prescribed amount.
- (2) Within one month after the objection is lodged with the authority, the valuer to whom the objection has been referred must give the objector the prescribed information concerning the valuation that is the subject of the objection.
- (3) Within one month after receiving the prescribed information under subsection (2), the objector may lodge a written submission concerning the valuation with the valuation authority.

New s. 20
inserted by
No. 52/1998
s. 309,
repealed by
No. 88/2005
s. 117(Sch. 2
item 10.6),
new s. 20
inserted by
No. 22/2006
s. 6.

S. 20(2)
amended by
No. 94/2009
s. 26(1).

S. 20(3)
amended by
No. 94/2009
s. 26(2).

21 Determination of objection

- (1) An objection must be determined in accordance with section 20 and this section.
- (2) If an objection has been lodged with an authority that is not the valuation authority that caused the valuation to be made, the authority must refer the objection to that valuation authority.

New s. 21
inserted by
No. 52/1998
s. 309,
substituted by
No. 22/2006
s. 6.

S. 21(2)
substituted by
No. 94/2009
s. 27(1),
amended by
No. 69/2011
s. 60.

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S. 21(2A)
inserted by
No. 94/2009
s. 27(1).

(2A) A valuation authority with whom a valuation has been lodged or to whom an objection has been referred under subsection (2), must refer the objection to the valuer who made the valuation.

S. 21(2B)
inserted by
No. 94/2009
s. 27(1).

(2B) A valuer to whom an objection has been referred must provide the objector with a reasonable opportunity to discuss his or her objection with the valuer.

(3) Within 4 months after receiving the objection, the valuer must—

(a) if he or she considers that no adjustment in the valuation is justified—give the objector written notice of that decision; or

(b) if he or she considers that an adjustment in the valuation is justified—

(i) recommend accordingly to the valuer-general; and

(ii) give the objector and the valuation authority a copy of the recommendation.

S. 21(3)(b)(ii)
amended by
No. 94/2009
s. 27(2).

(4) The valuer-general, after consultation if practical with the valuer, must determine the objection as follows—

(a) the valuer-general may disallow the recommended adjustment in whole or part if, in his or her opinion, the adjusted valuation is not correct; or

(b) in any other case, the valuer-general must confirm the recommended adjustment.

S. 21(5)
amended by
Nos 94/2009
s. 27(3),
67/2017 s. 72.

(5) Within 2 months after receiving the recommendation, the valuer-general must give written notice of his or her decision to the objector, the valuer and any rating authority that uses or proposes to use the valuation.

(6) Subject to any review or appeal under Division 4, the decision of the valuer-general must be given effect to by the rating authority and every other rating authority using that valuation.

(7) If section 20 applies, subsection (2B) does not require the valuer to provide a reasonable opportunity for the objector to discuss the matter with him or her unless the objector lodges a submission under section 20(3).

S. 21(7)
amended by
No. 94/2009
s. 27(4).

(8) Despite section 14(2) of the **Interpretation of Legislation Act 1984**, on an objection to the site value of any land contained in a general valuation or supplementary valuation as at 1 January 2018 or any later date, including an objection on foot at the commencement of this subsection, no account is to be taken of section 2(8) or (9) (as in force at the date of the valuation)—

S. 21(8)
inserted by
No. 17/2019
s. 58.

(a) by the valuer to whom the objection is referred in determining whether an adjustment in the site value is justified; or

(b) by the valuer-general in determining whether a recommended adjustment in the site value is correct.

21A Commissioner to be notified of certain objections

S. 21A
inserted by
No. 84/2006
s. 22.

(1) This section applies to an objection made by a person referred to in section 16(6A).

(2) At the same time as, or as soon as practicable after, the valuer or the valuer-general (as the case requires) gives notice to the objector under section 21 of a decision or recommendation on the objection, the valuer or the valuer-general must give a copy of that notice to the Commissioner.

Division 4—Reviews and appeals

Pt 3 Div. 4
(Heading and
ss 22–27)
amended by
No. 52/1998
s. 309 (as
amended by
No. 101/1998
s. 21(d)),
substituted by
No. 22/2006
s. 16.

S. 22
substituted by
No. 22/2006
s. 16.

S. 22(2)
amended by
No. 94/2009
s. 28(1).

S. 22(4)(a)
amended by
No. 94/2009
s. 28(1).

22 Application to VCAT for review

- (1) An objector who is dissatisfied with the decision of a valuer or the valuer-general on the objection may apply to VCAT for review of the decision.
- (2) If the valuer for a valuation authority has not given an objector notice of a decision on the objection or a copy of a recommendation under section 21(3)(b)(ii) within 4 months after the objection was lodged with the valuation authority, the valuer is deemed to have made a decision that no adjustment in the valuation is justified.
- (3) If the valuer-general has not given an objector notice of a decision under section 21(5) within 2 months after a copy of a recommendation was given to the objector under section 21(3)(b)(ii), the valuer-general is deemed to have made a decision disallowing the recommended adjustment.
- (4) An application under this section must be made—
 - (a) in the case of an application in respect of a deemed decision referred to in subsection (2)—within 9 months after the date on which the objection was lodged with the valuation authority;

- (b) in the case of an application in respect of a deemed decision referred to in subsection (3)—at any time after the end of the 2 month period referred to in that subsection;
- (c) in any other case—within 30 days after the date notice of the decision is given to the objector.
- (5) An applicant under this section must serve a copy of the application on the valuation authority. **S. 22(5) amended by No. 94/2009 s. 28(1).**
- (6) The valuation authority must, within 1 month after being served with a copy of the application, forward to the principal registrar of VCAT the notice of objection, copies of any notices given under section 21 in connection with the objection and any information given or submissions lodged under section 20 in connection with the objection. **S. 22(6) amended by Nos 22/2006 s. 7, 94/2009 s. 28(1).**
- (7) The principal registrar of VCAT must notify the valuer-general of an application under this section.
- (8) Despite subsection (2), the valuer for a valuation authority may give an objector notice of a decision on the objection or a copy of a recommendation under section 21(3)(b)(ii) more than 4 months after the objection was lodged with the valuation authority. **S. 22(8) substituted by No. 94/2009 s. 28(2).**
- (9) Despite subsection (3), the valuer-general may give an objector notice of a decision under section 21(5) more than 2 months after a copy of a recommendation was given to the objector under section 21(3)(b)(ii). **S. 22(9) inserted by No. 94/2009 s. 28(2).**

23 Appeal to Supreme Court

- (1) The President of VCAT, on his or her own initiative or on the application of a party, may refer a matter that is the subject of an application under section 22 to the Supreme Court to be

S. 23 substituted by No. 22/2006 s. 16.

treated as an appeal to the Supreme Court if the President is satisfied that the matter raises questions of unusual difficulty or of general importance.

- (2) The principal registrar of VCAT must notify the valuer-general of a referral to the Supreme Court under subsection (1).
- (3) In addition to subsection (1), a matter that is or could be the subject of an application under section 22 may be treated as an appeal to the Supreme Court if, on the application of any party, the Court is satisfied that the matter raises questions of unusual difficulty or of general importance.
- (4) For the purposes of subsection (3), a *party* includes a person who would be a party if the matter were the subject of an application under section 22.
- (5) The prothonotary must notify the valuer-general of an application to the Supreme Court under subsection (3).
- (6) Nothing in this section limits the application of section 77 of the **Victorian Civil and Administrative Tribunal Act 1998**.

Note

Section 77 of the **Victorian Civil and Administrative Tribunal Act 1998** permits VCAT to refer a matter to a more appropriate forum.

S. 24
substituted by
No. 22/2006
s. 16.

24 Grounds of review or appeal

- (1) On a review or appeal the objector's case is limited to—
 - (a) the grounds of the objection; and

(b) any other grounds set out in the application for review or appeal—

unless VCAT or the Court (as the case requires) otherwise orders.

(2) If a ground for the objection or application is that the value assigned is too high or too low, the application for review or appeal (as the case requires) must state the amount that the objector contends is the correct value.

(3) Despite section 14(2) of the **Interpretation of Legislation Act 1984**, on a review or appeal in relation to the site value of any land contained in a general valuation or supplementary valuation as at 1 January 2018 or any later date, including a review or appeal on foot at the commencement of this subsection, no account is to be taken by VCAT or the Court (as the case requires) of section 2(8) or (9) (as in force at the date of the valuation) in determining the correct site value of the land.

S. 24(3)
inserted by
No. 17/2019
s. 59.

25 Powers on review or appeal

(1) On a review or appeal, VCAT or the Court (as the case requires) may—

(a) by order, confirm, increase, reduce or otherwise amend any valuation; and

(b) make any other order it thinks fit.

(2) An appeal to the Court of Appeal from an order of the Court under this section lies only on a question of law and with leave of the Court of Appeal.

S. 25
substituted by
No. 22/2006
s. 16.

S. 25(2)
amended by
No. 62/2014
s. 22.

Note

Section 148 of the **Victorian Civil and Administrative Tribunal Act 1998** provides for appeals on a question of law from orders of VCAT.

S. 26
substituted by
No. 22/2006
s. 16.

26 Costs

- (1) On a review or appeal, VCAT or the Court (as the case requires) may make an order as to the payment of costs, or no order as to the payment of costs, as it thinks appropriate.
- (2) In determining any questions concerning costs, VCAT or the Court must take into consideration the following factors, as appropriate—
 - (a) the desirability of minimising the overall level of legal and valuation costs;
 - (b) any offer, whether or not made without prejudice, by a party in respect of the valuation;
 - (c) the extent of any adjustment to the valuation made by VCAT or the Court;
 - (d) the degree of openness in sharing information between the parties—
 - (i) during the objection process; and
 - (ii) during the review or appeal;
 - (e) any unreasonable conduct on the part of any party—
 - (i) during the objection process; or
 - (ii) during the review or appeal;
 - (f) the failure of a party to give adequate information or supply supporting material when permitted or required to do so;
 - (g) an excessively low value stated by the objector under section 24(2) or an excessively high value contended by the valuation authority or valuer (as the case requires).

S. 26(2)(g)
amended by
Nos 94/2009
s. 29, 67/2017
s. 73.

- (3) The Court may make an order with respect to the assessment of costs in the same manner as it may in respect of any other matter before the Court.

Note

Section 111 of the **Victorian Civil and Administrative Tribunal Act 1998** provides for the assessment of costs in VCAT proceedings.

27 Costs if owner and occupier apply separately

S. 27
substituted by
No. 22/2006
s. 16.

- (1) This section applies if the owner and the occupier of land separately apply for review or appeal in respect of the same assessment of value.
- (2) If this section applies, VCAT or the Court (as the case requires) must not award the owner or occupier any costs in respect of the proceeding unless VCAT or the Court is satisfied—
- (a) if the applicant is the owner, that—
- (i) the owner, before applying for review or appeal, requested the occupier to join in the proceeding; and
- (ii) the occupier refused or failed to do so; or
- (b) if the applicant is the occupier, that—
- (i) the occupier, before applying for review or appeal, requested the owner to join in the proceeding; and
- (ii) the owner refused or failed to do so.
- (3) If the party bringing the proceeding satisfies VCAT or the Court as set out in subsection (2), the owner or occupier refusing or failing to join the proceedings must pay the costs of that person's own application.

Division 5—General

Pt 3 Div. 5
(Heading)
substituted by
No. 52/1998
s. 309.

New s. 28
inserted by
No. 52/1998
s. 309,
repealed by
No. 22/2006
s. 17(a).

New s. 29
inserted by
No. 52/1998
s. 309.

New s. 30
inserted by
No. 52/1998
s. 309,
amended by
No. 22/2006
s. 17(b).

S. 31
repealed by
No. 52/1998
s. 309,
new s. 31
inserted by
No. 71/2004
s. 43.

S. 31(1)(b)
amended by
No. 22/2006
s. 17(b).

* * * * *

29 Recovery of rate or tax pending objection, review or appeal

An objection, review or appeal under this Part to the assessment of the value of any land does not prevent the recovery of any rate or tax based on that valuation pending the determination of the objection, review or appeal.

30 VCAT members not disqualified as witnesses

A member of VCAT is not disqualified from appearing as a witness in any hearing under this Part where he or she is not sitting as a member of VCAT.

31 Transitional provisions—State Taxation Acts (Amendment) Act 2004

- (1) This Act as amended by the **State Taxation Acts (Amendment) Act 2004** applies to—
 - (a) an objection lodged under this Part on or after 16 July 2004; and
 - (b) a review under this Part by VCAT that was not determined before the Assent day if the notice under section 22 requiring the matter to be referred to VCAT was lodged on or after 16 July 2004; and

- (c) an appeal under this Part to the Supreme Court that was not determined before the Assent day if the notice under section 22 requiring the matter to be treated as an appeal was lodged on or after 16 July 2004.
- (2) If—
- (a) a person was given a notice of valuation under section 15(1)(a) or (3) on or after 23 June 2004 but before the Assent day; and
- (b) the person had not lodged an objection to the valuation under section 16 before the Assent day—

the time for lodging the objection is within 2 months after the Assent day, despite anything to the contrary in section 18(2).

- (3) Nothing in this section affects the rights of the parties in the proceedings in the Supreme Court between Port of Melbourne Corporation and Melbourne City Council and Another (No. 5845 of 2003).
- (4) In this section—

Assent day means the day on which the **State Taxation Acts (Amendment) Act 2004** received the Royal Assent.

32 Transitional provisions—Valuation of Land (Amendment) Act 2006

- (1) Division 4 as substituted by section 16 of the **Valuation of Land (Amendment) Act 2006** applies to an objection lodged on or after 1 July 2006.
- (2) Division 4 as in force immediately before the commencement of section 16 of the **Valuation of Land (Amendment) Act 2006** continues to apply to an objection lodged before 1 July 2006.

S. 32
repealed by
No. 52/1998
s. 309,
new s. 32
inserted by
No. 22/2006
s. 18.

S. 33
repealed by
No. 52/1998
s. 309,
new s. 33
inserted by
No. 84/2006
s. 23.

33 Transitional provision—State Taxation Legislation (Miscellaneous Amendments) Act 2006

Sections 16(6A), 16(6B) and 16(6C) apply to a person who is assessed for land tax in respect of the 2007 tax year and any subsequent tax year.

S. 34
repealed by
No. 52/1998
s. 309,
new s. 34
inserted by
No. 94/2009
s. 30.

34 Transitional provision—Valuation of Land Amendment Act 2009

Despite section 10(3)(b), a council that is proposing to make a nomination under section 10 that is to have effect with respect to a general valuation for the year 2012, must make that nomination by 30 September 2010.

S. 35
repealed by
No. 52/1998
s. 309,
new s. 35
inserted by
No. 67/2017
s. 74.

35 Saving of 2018 valuations—State Taxation Acts Further Amendment Act 2017

Despite the amendments made to this Act by Part 9 of the **State Taxation Acts Further Amendment Act 2017**, a council or collection agency may make a valuation for the 2018 calendar year under this Act as if this Act had not been so amended.

S. 36
repealed by
No. 52/1998
s. 309,
new s. 36
inserted by
No. 67/2017
s. 74.

36 Savings provision for objections—State Taxation Acts Further Amendment Act 2017

- (1) This section applies if—
- (a) an objection under section 16 has been made before the commencement of Part 9 of the **State Taxation Acts Further Amendment Act 2017** to a general valuation or supplementary valuation returned before the commencement; and
 - (b) that objection was not finally determined before that commencement.

- (2) Division 3 of Part III, as in force immediately before that commencement, continues to apply to that objection.

37 Savings provision for reviews—State Taxation Acts Further Amendment Act 2017

S. 37
repealed by
No. 52/1998
s. 309,
new s. 37
inserted by
No. 67/2017
s. 74.

- (1) This section applies if—
- (a) an application under section 22 for review of a decision on an objection had been made before the commencement of Part 9 of the **State Taxation Acts Further Amendment Act 2017**; and
 - (b) the general valuation or supplementary valuation to which the application relates was returned before that commencement; and
 - (c) that application was not finally determined before that commencement.
- (2) Division 4 of Part III, as in force immediately before that commencement, continues to apply to that application.

38 Savings provision for appeals to the Supreme Court—State Taxation Acts Further Amendment Act 2017

S. 38
repealed by
No. 52/1998
s. 309,
new s. 38
inserted by
No. 67/2017
s. 74.

- (1) This section applies if—
- (a) an appeal under section 23 to the Supreme Court was on foot before the commencement of Part 9 of the **State Taxation Acts Further Amendment Act 2017** in respect of a general valuation or supplementary valuation; and
 - (b) the general valuation or supplementary valuation to which the appeal relates was returned before that commencement; and

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(c) that appeal was not finally determined before that commencement.

(2) Division 4 of Part III, as in force immediately before that commencement, continues to apply to that appeal.

Ss 39–51A
repealed by
No. 52/1998
s. 309.

* * * * *

Part IV—Miscellaneous

**Pt 4
(Heading)
inserted by
No. 8405 s. 3.**

52 Regulations

The Governor in Council may make regulations for or with respect to any matter or thing authorized or required to be prescribed by this Act or necessary or expedient to be prescribed for carrying this Act into effect.

**S. 52
inserted by
No. 7276
s. 2(b),
amended by
No. 8405
s. 4(a)(b).**

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The **Valuation of Land Act 1960** was assented to on 15 June 1960 and came into operation as follows:

Sections 2–5, Part 2 on 14 December 1960: Government Gazette 14 December 1960 page 3918; sections 6–8, 8A, 14 on 18 January 1962: Government Gazette 17 January 1962 page 88; section 16 on 26 September 1962: Government Gazette 26 September 1962 page 3351.

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided section or clause of a Schedule is amended by the insertion of one or more subsections or subclauses, the original section or clause becomes subsection or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original section or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in an Act which is passed on or after 1 January 2001 form part of that Act. Any heading inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. This includes headings to Parts, Divisions or Subdivisions in a Schedule; sections; clauses; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in an Act which is passed on or after 1 January 2001 form part of that Act. Any examples, diagrams or notes inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, form part of that Act. See section 36(3A).

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- **Punctuation**

All punctuation included in an Act which is passed on or after 1 January 2001 forms part of that Act. Any punctuation inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. See section 36(3B).

- **Provision numbers**

All provision numbers included in an Act form part of that Act, whether inserted in the Act before, on or after 1 January 2001. Provision numbers include section numbers, subsection numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of an Act is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of an Act. See section 36(3)(3D)(3E).

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2 Table of Amendments

This publication incorporates amendments made to the **Valuation of Land Act 1960** by Acts and subordinate instruments.

Valuation of Land Act 1960, No. 6653/1960 (as amended by No. 85/2006)

<i>Assent Date:</i>	15.6.60
<i>Commencement Date:</i>	S. 5A(6) inserted on 3.8.06 by No. 99/2005 s. 73: Special Gazette (No. 191) 2.8.06 p. 1; s. 13DF(10) inserted on 21.12.06 by No. 85/2006 s. 172(3): Government Gazette 21.12.06 p. 2768
<i>Note:</i>	S. 5A(6)(as amended by No. 85/2006 s. 172(1)) provided that s. 5A(4)–(6) expired on 1.7.08; s. 13DF(10) provided that s. 13DF(2)(1)(9)(10) expired on 1.7.08
<i>Current State:</i>	All of Act in operation

Valuation of Land (Amendment) Act 1961, No. 6825/1961

<i>Assent Date:</i>	12.12.61
<i>Commencement Date:</i>	Ss 1–9 on 17.1.62: Government Gazette 17.1.62 p. 88; ss 10–12 on 26.9.62: Government Gazette 26.9.62 p. 3352
<i>Current State:</i>	All of Act in operation

Subordinate Legislation Act 1962, No. 6886/1962

<i>Assent Date:</i>	8.5.62
<i>Commencement Date:</i>	1.8.62: Government Gazette 4.7.62 p. 2314
<i>Current State:</i>	All of Act in operation

Valuation of Land (Rates) Act 1963, No. 7019/1963

<i>Assent Date:</i>	28.5.63
<i>Commencement Date:</i>	28.5.63
<i>Current State:</i>	All of Act in operation

Valuation of Land (Valuations) Act 1964, No. 7235/1964

<i>Assent Date:</i>	22.12.64
<i>Commencement Date:</i>	22.12.64
<i>Current State:</i>	All of Act in operation

Valuation of Land (Appeals) Act 1965, No. 7276/1965

<i>Assent Date:</i>	1.6.65
<i>Commencement Date:</i>	1.12.65: Government Gazette 6.10.65 p. 3103
<i>Current State:</i>	All of Act in operation

Decimal Currency Act 1965, No. 7315/1965

<i>Assent Date:</i>	30.11.65
<i>Commencement Date:</i>	30.11.65
<i>Current State:</i>	All of Act in operation

Valuation of Land (General Amendment) Act 1965, No. 7333/1965

<i>Assent Date:</i>	14.12.65
<i>Commencement Date:</i>	14.12.65
<i>Current State:</i>	All of Act in operation

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Valuation of Land (Amendment) Act 1968, No. 7762/1968

Assent Date: 18.12.68
Commencement Date: 3.2.69 (except ss 2, 3): Government Gazette 30.1.69
p. 236; ss 2, 3 on 1.7.69: Government Gazette 27.6.69
p. 1919
Current State: All of Act in operation

Justices (Amendment) Act 1969, No. 7876/1969

Assent Date: 25.11.69
Commencement Date: All of Act (except ss 3, 5, 6, 7(k)(m)(o)) on 1.4.70:
ss 3, 5, 6, 7(k)(m)(o) on 1.7.70: Government Gazette
25.2.70 p. 463
Current State: All of Act in operation

Statute Law Revision Act 1971, No. 8181/1971

Assent Date: 23.11.71
Commencement Date: 23.11.71: subject to s. 2(2)
Current State: All of Act in operation

Valuation of Land (Valuers) Act 1973, No. 8405/1973

Assent Date: 17.4.73
Commencement Date: 1.7.73: Government Gazette 13.6.73 p. 1966
Current State: All of Act in operation

Lands Compensation Act 1973, No. 8432/1973

Assent Date: 17.4.73
Commencement Date: 1.6.73: Government Gazette 30.5.73 p. 1211
Current State: All of Act in operation

Valuation of Land (Amendment) Act 1974, No. 8649/1974

Assent Date: 17.12.74
Commencement Date: 17.12.74
Current State: All of Act in operation

Valuation of Land (Amendment) Act 1975, No. 8817/1975

Assent Date: 9.12.75
Commencement Date: 15.1.76: Government Gazette 7.1.76 p. 2
Current State: All of Act in operation

Valuation of Land Act 1978, No. 9225/1978

Assent Date: 19.12.78
Commencement Date: 1.2.79: Government Gazette 17.1.79 p. 144
Current State: All of Act in operation

Statute Law Revision Act 1980, No. 9427/1980

Assent Date: 27.5.80
Commencement Date: 27.5.80: s. 1(2)
Current State: All of Act in operation

Valuation of Land (Interest Rate) Act 1980, No. 9506/1980

Assent Date: 23.12.80
Commencement Date: 23.12.80
Current State: All of Act in operation

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Crimes (Classification of Offences) Act 1981, No. 9576/1981

Assent Date: 26.5.81
Commencement Date: 1.9.81: Government Gazette 26.8.81 p. 2799
Current State: All of Act in operation

Local Government Acts (Miscellaneous Amendments) Act 1982, No. 9831/1982

Assent Date: 21.12.82
Commencement Date: All of Act (*except* s. 3(1)(e)) on 21.12.82: s. 1(2);
s. 3(1)(e) on 17.7.68: s. 3(2)
Current State: All of Act in operation

Transport Act 1983, No. 9921/1983

Assent Date: 23.6.83
Commencement Date: Sch. 12 on 1.7.83: s. 1(2)(c)
Current State: This information relates only to the provision/s
amending the **Valuation of Land Act 1960**

Valuation of Land (Valuations) Act 1984, No. 10107/1984

Assent Date: 25.9.84
Commencement Date: 1.10.84: s. 2
Current State: All of Act in operation

Supreme Court Act 1986, No. 110/1986

Assent Date: 16.12.86
Commencement Date: 1.1.87: s. 2
Current State: All of Act in operation

Land Acquisition Compensation Act 1986, No. 121/1986

Assent Date: 23.12.86
Commencement Date: 29.11.87: Government Gazette 25.11.87 p. 3224
Current State: All of Act in operation

Planning and Environment Act 1987, No. 45/1987

Assent Date: 27.5.87
Commencement Date: Pt 1, s. 204 on 27.5.87: s. 2(1); rest of Act (*except* Sch.
items 118, 119) on 16.2.88: Government Gazette
10.2.88 p. 218; Sch. items 118, 119 were never
proclaimed, repealed by No. 86/1989
Current State: All of Act in operation

Land (Transaction Information) Act 1988, No. 8/1988

Assent Date: 27.4.88
Commencement Date: Ss 5(2), 6(2), 7(2), 8(2), 9(2), 10(2) on 1.2.92:
Government Gazette 29.1.92 p. 178; rest of Act on
4.3.92: Government Gazette 4.3.92 p. 519
Current State: All of Act in operation

State Superannuation Act 1988, No. 50/1988

Assent Date: 24.5.88
Commencement Date: S. 93(3) on 1.7.87: s. 2(1); s. 93(4) on 27.11.87:
s. 2(2); Pt 1, Pt 6 Div. 2, s. 91 on 1.1.88: s. 2(3); rest of
Act on 1.7.88: Government Gazette 1.6.88 p. 1487
Current State: All of Act in operation

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Local Government (Consequential Provisions) Act 1989, No. 12/1989

Assent Date: 9.5.89
Commencement Date: S. 4(1)(Sch. 2 items 125.1–125.4, 125.8–125.18) on 1.11.89: Government Gazette 1.11.89 p. 2798
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

County Court (Amendment) Act 1989, No. 19/1989

Assent Date: 16.5.89
Commencement Date: 1.8.89: Government Gazette 26.7.89 p. 1858
Current State: All of Act in operation

Valuation of Land (Amendment) Act 1989, No. 55/1989 (as amended by Nos 81/1989, 86/1989 (as amended by No. 48/1991), 78/1991)

Assent Date: 14.6.89
Commencement Date: 1.10.92: s. 2
Current State: All of Act in operation

Magistrates' Court (Consequential Amendments) Act 1989, No. 57/1989

Assent Date: 14.6.89
Commencement Date: S. 4(1)(a)–(e)(2) on 1.9.89: Government Gazette 30.8.89 p. 2210; rest of Act on 1.9.90: Government Gazette 25.7.90 p. 2217
Current State: All of Act in operation

Water (Consequential Amendments) Act 1989, No. 81/1989

Assent Date: 5.12.89
Commencement Date: 1.11.90: Government Gazette 15.8.90 p. 2473
Current State: All of Act in operation

Local Government (Rating) Act 1991, No. 78/1991 (as amended by No. 22/1992)

Assent Date: 3.12.91
Commencement Date: Ss 19, 26 on 1.11.89: s. 2(1); s. 25 on 1.10.92: s. 2(2); s. 28(1) on 9.5.89: s. 2(3); s. 28(2) on 8.5.90: s. 2(4); rest of Act on 3.12.91: s. 2(5)
Current State: All of Act in operation

Valuation of Land (Amendment) Act 1994, No. 91/1994

Assent Date: 6.12.94
Commencement Date: Pt 1 (ss 1, 2), ss 5–9, 38, 39 on 6.12.94: s. 2(1); ss 3, 36, 37 on 1.1.95: s. 2(2); ss 4, 35 on 1.10.94: s. 2(3); Pt 3 (ss 10–34) on 23.1.95: Government Gazette 19.1.95 p. 121
Current State: All of Act in operation

Crown Lands Acts (Amendment) Act 1994, No. 96/1994

Assent Date: 13.12.94
Commencement Date: Pt 1 (ss 1, 2) on 13.12.94: s. 2(1); rest of Act (ss 3–59) on 26.1.95: Government Gazette 26.1.95 p. 163
Current State: All of Act in operation

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Heritage Act 1995, No. 93/1995

Assent Date: 5.12.95
Commencement Date: S. 218(1) (Sch. 2 item 8) on 23.5.96: Government Gazette 23.5.96 p. 1248
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Valuation of Land (Further Amendment) Act 1995, No. 105/1995

Assent Date: 5.12.95
Commencement Date: 5.12.95: s. 2
Current State: All of Act in operation

State Taxation (Omnibus Amendment) Act 1996, No. 10/1996

Assent Date: 25.6.96
Commencement Date: S. 27 on 25.6.96: s. 2(1)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Taxation Administration Act 1997, No. 40/1997

Assent Date: 3.6.97
Commencement Date: S. 138(Sch. 2 items 16.1, 16.2) on 1.7.97: Government Gazette 12.6.97 p. 1330
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Valuation of Land (Amendment) Act 1998, No. 17/1998

Assent Date: 28.4.98
Commencement Date: 28.4.98
Current State: All of Act in operation

Public Sector Reform (Miscellaneous Amendments) Act 1998, No. 46/1998
(as amended by No. 12/1999)

Assent Date: 26.5.98
Commencement Date: S. 7(Sch. 1) on 1.7.98: s. 2(2)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Tribunals and Licensing Authorities (Miscellaneous Amendments) Act 1998, No. 52/1998 (as amended by No. 101/1998)

Assent Date: 2.6.98
Commencement Date: Ss 308, 309 on 1.7.98: Government Gazette 18.6.98 p. 1512
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Conservation, Forests and Lands (Miscellaneous Amendments) Act 1998, No. 76/1998

Assent Date: 10.11.98
Commencement Date: S. 16 on 15.12.98: s. 2(5)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

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Water Industry (Amendment) Act 2000, No. 66/2000

Assent Date: 8.11.00
Commencement Date: S. 56 on 1.12.01: s. 2(4)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Duties Act 2000, No. 79/2000

Assent Date: 28.11.00
Commencement Date: S. 285(Sch. 1 item 9) on 1.7.01: s. 2
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Land Tax (Amendment) Act 2004, No. 3/2004

Assent Date: 27.4.04
Commencement Date: Ss 15–21 on 28.4.04: s. 2
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Monetary Units Act 2004, No. 10/2004

Assent Date: 11.5.04
Commencement Date: S. 15(Sch. 1 item 33) on 1.7.04: 2(2)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

State Taxation Acts (Amendment) Act 2004, No. 71/2004

Assent Date: 19.10.04
Commencement Date: Ss 42, 43 on 19.10.04: 2(3)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Public Administration Act 2004, No. 108/2004

Assent Date: 21.12.04
Commencement Date: S. 117(1)(Sch. 3 item 213) on 5.4.05: Government Gazette 31.3.05 p. 602
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Statute Law Revision Act 2005, No. 10/2005

Assent Date: 27.4.05
Commencement Date: S. 3(Sch. 1 item 23) on 28.4.05: s. 2
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Land Tax Act 2005, No. 88/2005

Assent Date: 29.11.05
Commencement Date: S. 117(Sch. 2 item 10) on 1.1.06: s. 2
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Water (Resource Management) Act 2005, No. 99/2005

Assent Date: 7.12.05
Commencement Date: S. 73 on 3.8.06: Special Gazette (No. 191) 2.8.06 p. 1
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

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Valuation of Land (Amendment) Act 2006, No. 22/2006

Assent Date: 9.5.06
Commencement Date: Ss 8–18 on 1.7.06: s. 2(1); ss 4–7 on 1.7.07: s. 2(3)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

State Taxation Legislation (Miscellaneous Amendments) Act 2006, No. 84/2006

Assent Date: 10.10.06
Commencement Date: S. 20(2) on 1.1.06: s. 2(2); ss 19, 20(1), 21–23 on 11.10.06: s. 2(1)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Water (Governance) Act 2006, No. 85/2006

Assent Date: 17.10.06
Commencement Date: S. 172 on 21.12.06: Government Gazette 21.12.06 p. 2768
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Valuation of Land Amendment Act 2009, No. 94/2009

Assent Date: 15.12.09
Commencement Date: Ss 3–30 on 1.5.10: s. 2(2)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

State Taxation Acts Further Amendment Act 2011, No. 69/2011

Assent Date: 29.11.11
Commencement Date: Ss 48–60 on 30.11.11: s. 2(1)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Fire Services Property Levy Act 2012, No. 58/2012

Assent Date: 16.10.12
Commencement Date: Ss 111–130 on 17.10.12: s. 2(1)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

State Taxation Legislation Amendment Act 2014, No. 34/2014

Assent Date: 13.5.14
Commencement Date: Ss 28–33 on 14.5.14: s. 2(1)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Privacy and Data Protection Act 2014, No. 60/2014

Assent Date: 2.9.14
Commencement Date: S. 140(Sch. 3 item 48) on 17.9.14: Special Gazette (No. 317) 16.9.14 p. 1
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

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Courts Legislation Miscellaneous Amendments Act 2014, No. 62/2014

Assent Date: 9.9.14
Commencement Date: S. 60 on 10.9.14: s. 2(1); s. 22 on 10.11.14: Special Gazette (No. 364) 14.10.14 p. 1
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

State Taxation Acts Further Amendment Act 2015, No. 67/2015

Assent Date: 1.12.15
Commencement Date: S. 9 on 1.1.12: s. 2(2); s. 8 on 1.1.14: s. 2(3); ss 10, 11, 13, 15 on 2.12.15: s. 2(1); ss 12, 14 on 1.7.16: s. 2(5)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

State Taxation Acts Further Amendment Act 2016, No. 66/2016

Assent Date: 15.11.16
Commencement Date: Ss 26, 27 on 16.11.16: s. 2(1); s. 28 on 1.7.18: s. 2(4)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Heritage Act 2017, No. 7/2017

Assent Date: 15.3.17
Commencement Date: S. 307 on 1.11.17: s. 2(2)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Land Legislation Amendment Act 2017, No. 42/2017

Assent Date: 19.9.17
Commencement Date: Ss 69–71 on 20.9.17: s. 2
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

State Taxation Acts Further Amendment Act 2017, No. 67/2017

Assent Date: 19.12.17
Commencement Date: Ss 34–74 on 20.12.17: s. 2(4)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

Oaths and Affirmations Act 2018, No. 6/2018

Assent Date: 27.2.18
Commencement Date: S. 68(Sch. 2 item 130) on 1.3.19: s. 2(2)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

State Taxation Acts Amendment Act 2019, No. 17/2019

Assent Date: 18.6.19
Commencement Date: Ss 56–59 on 19.6.19: s. 2(1)
Current State: This information relates only to the provision/s amending the **Valuation of Land Act 1960**

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

¹ Pt 2 Divs 1–3:

Pt 2 Div. 1 (Heading and s. 9) amended by No. 8649 s. 8, repealed by No. 91/1994 s. 3(1)(b).

Pt 2 Div. 2 (Heading and ss 10, 11) amended by Nos 9225 s. 3(b), 9427 s. 3(Sch. 2 item 15), 55/1989 s. 7(a)–(d), repealed by No. 91/1994 s. 3(1)(b).

Pt 2 Div. 3 (Heading and ss 12–13D) amended by Nos 8817 s. 2, 9225 s. 3(c)–(e), 110/1986 s. 140(2), 55/1989 s. 7(e)(f), 78/1991 s. 28(3)(b), repealed by No. 91/1994 s. 3(1)(b).