

# NOTICE OF OBJECTION UNDER SECTION 16, 17 AND 18

## Valuation of Land Act 1960

**NOTE: Only objections lodged within two (2) months of the issue date of the rate notice can be processed.**

I/We hereby give notice that I/we object to the valuation assessment(s) shown in the Valuation, Rate and Charge notice for 2016-2017 from Central Goldfields Shire Council.

on the ground(s) below\*:

- (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 land are not correctly stated in the notice of valuation, assessment notice or other document.
- (h)  That the AVPCC allocated to a property is incorrect.

\*tick where applicable

Have you already objected within the last 12 months?

- No
- Yes - Please provide details

\*Details given on original notice:

Address (incl. suburb) and / or Description of Land, District and Parish	Property Identification No.	Land Area Hectare/m2	Building Area m2	Site Value \$	Capital Improved Value \$	Net Annual Value \$

\*Particulars of the original notice should be:

Address (incl. suburb) and / or Description of Land, District and Parish	Property Identification No.	Land Area Hectare/m2	Building Area m2	Site Value \$	Capital Improved Value \$	Net Annual Value \$

\*Reasons for objecting, including market evidence and arguments for proposed valuation(s) are:


\*Objector's Details (Please print)

Name			
Status	Owner <input type="checkbox"/>	Occupier <input type="checkbox"/>	
Postal address			
	Postcode :		
Contact numbers	Private:	Business:	Mobile:
Date			
Signature			

\*If insufficient space, or for multiple properties, attach additional schedules/documentation as required.

\*\*Local sales data is available for sale to objectors from Landata on 8636 2456.

## ADVICE TO RATEPAYERS- ENQUIRIES AND OBJECTIONS TO VALUATIONS

The following advice provides general information on the process for objection to a valuation in accordance with the Valuation of Land Act 1960 (VLA 1960). Applicants should refer to that Act for specific details. Further advice can also be obtained from the Valuer General web site at [www.land.vic.gov.au](http://www.land.vic.gov.au).

### Objection and Appeals Process

Council is responsible for obtaining and performing municipal valuations for rating purposes. The role of Valuer General Victoria (VGV) is one of a statutory obligation to ensure that the municipal valuations are undertaken in accordance with the VLA 1960. The Valuation appears on the Rates, Valuations and Charges Notice (Rates notice) issued by Council. Valuations are made by registered professional Valuers based on complex formulae of indices and property information compared to recent sales trends, inspections and market conditions. Council gives notice that an objection to a valuation is to apply only to the financial year in which the objection is received.

### Who May Object

A person aggrieved by the assessment of the value of any land may lodge an objection. An aggrieved person is a person who is liable to pay any rate on the land or an occupier of the land. The notice of objection must be in writing.

### Lodging the Objection with Council- The objection MUST:

- Be in written form (Standard form attached.);
- Be directed to the Council as the rating authority;
- Provide details as to the assessment of value; and
- Detail the grounds on which the objection is made.

For further information regarding eligibility for lodging an objection refer to Section 16 of the [Valuation of Land Act 1960](#).

### The grounds for objection

The grounds for objection are detailed in Section 17 of the VLA 1960, and are listed as items (a) to (g) on the Notice of Objection Form. An increase in dollar charges for rates is not sufficient reason alone to object to the valuation.

### Where can I obtain property sales information to assist with my objection?

Property sales information may be purchased from the DSE Landata Customer Service by calling (03) 8636 2456. Alternatively, you may collect sales information from auction results published in the press or from local real estate agents.

### Lodging the Objection with Council

When lodging an objection there are certain time restrictions that must be adhered to.

The objector has two (2) months from the issue date that appears on the rate notice to lodge an objection with the Council. Central Goldfields Shire Council issues its annual rate notices in August/September each year. Supplementary rate notices may be issued during the year and objections will be received up to 2 months from the date of issue of that notice.

Refer to Section 18B of the VLA 1960 for further details regarding the time for lodging objections with the Council.

### Dealing with the objection

Once the objection has been lodged with the Council the matter is referred to the Council's valuer. The valuer "must provide a reasonable opportunity for the objector to discuss the matter with him or her" (S21(2) VLA 1960).

Within two (2) months after receiving the objection notice, the valuer has the option to:

- (a) Agree that an adjustment to the valuation is justified and provide a notice recommending an appropriate adjustment to the objector, the Council and the VGV; or
- (b) Disagree with the objection, whereby no adjustment to the valuation is justified and the valuer provides a written notice of disallowance to the objector.

Following option (a) (the valuation is adjusted) the VGV has two (2) months after receiving this notice of recommendation to either agree or disagree with the adjustment to the valuation as recommended by the valuer.

- If the Valuer General agrees that the adjustment is justified, a confirmation notice is sent to all parties involved (all parties include the Council, objector, valuer and the State Revenue Office); or
- If the VGV disagrees with the adjustment made, a notice of disallowance is sent to all parties.

Following option (b) (where the valuer rejects the objection and no adjustment to the valuation is justified), the objector and the Council are notified directly. No action from the VGV is required.

Where the objector is dissatisfied with this outcome of (a) or (b) above as the Valuer-General Victoria's decision to disallow, they have grounds to appeal. Refer to the Valuation Appeals Process.

Because of this process it can take between 8 to 12 weeks to deal with any particular objection.

### Valuation Appeals Process

The process for appeal is available where:

- the objector is dissatisfied with the determination provided by the Council valuer or the Valuer-General (see dealing with the objection) or;
- If two (2) months has passed since lodging the objection with the Council and the Council's valuer has not acted; or
- If two (2) months has passed since a recommendation for adjustment has been referred to the Valuer-General and the Valuer-General has not confirmed or disallowed the adjustment of land value.

If an objector is dissatisfied with the objection outcome, they can apply directly to the Victorian Civil and Administrative Appeals Tribunal (VCAT) to review the matter.

For the Appeals process refer to Section 22 and 23 of the Valuation of Land Act 1960 which can be viewed at [www.dms.dpc.vic.gov.au](http://www.dms.dpc.vic.gov.au)

### IMPACT COSTS AND BENEFITS

Council advises that for example, an adjustment to the valuation of a Maryborough Residential property will result in a \$5.34 adjustment per \$1,000 change to the CIV. (CIV 1,000 x rate in \$ .005340) for the 2016-2017 financial year.

The administrative cost to Council for each objection is estimated at \$150 being staff and Valuers time and resources.

The cost to an objector of lodging an appeal with VCAT is approximately \$200.

Council will seek to have costs awarded in its favour where any objection proceeds to VCAT or on Appeal for which the valuation is upheld.

### OBJECTION TO RATE OR CHARGE RAISED

A ratepayer may under section 184 of the Local Government Act 1989 object to the classification of the land used by Council for differential rating purposes. An application for review must be received within 30 days of (rates) notice from Council. Any Appeal must be made to the County Court within 60 days after first receiving written notice of the rate or charge and must be on grounds other than in respect to the valuation. **See Local Government Act 1989, section 183 and 184.**

**VALUATION OBJECTION – ADDITIONAL INFORMATION**

**RESIDENTIAL PROPERTIES**

**Description of Dwelling**

Dwelling description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area: \_\_\_\_\_ m<sup>2</sup>

**Description of other improvements (eg: garage)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Area: \_\_\_\_\_ m<sup>2</sup>

**COMMERCIAL / INDUSTRIAL PROPERTIES**

**Main Structure**

Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Gross Area: \_\_\_\_\_ Net lettable Area: \_\_\_\_\_ m<sup>2</sup>

**Other Structures**

\_\_\_\_\_  
\_\_\_\_\_

Gross Area: \_\_\_\_\_ m<sup>2</sup> Net lettable Area: \_\_\_\_\_ m<sup>2</sup>

Number of car parking spaces \_\_\_\_\_

Is the property owner occupied or tenanted \_\_\_\_\_

If let, commencement date of lease \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Term of lease \_\_\_\_\_ years

Actual rent payable per year \$ \_\_\_\_\_ net and/or gross

**FARM / VACANT LAND PROPERTIES**

**Land Description**

Area \_\_\_\_\_ Hectares/Square Meters (Delete inapplicable option)

Description of fencing, pastures, water supply, orchards, plantations, etc \_\_\_\_\_

Irrigation details including user permits or dam/bore licences \_\_\_\_\_

Major soil types, arable land, bush, etc \_\_\_\_\_

**Description of Structures (If any)**

Main Dwelling : \_\_\_\_\_

\_\_\_\_\_ Area: \_\_\_\_\_ m<sup>2</sup>

Additional Dwelling(s): \_\_\_\_\_

\_\_\_\_\_ Area: \_\_\_\_\_ m<sup>2</sup>

Other structural improvements, eg Sheds: \_\_\_\_\_

If there are any additional attachments, please indicate the number