



Gross Rental Value Valuation Policy 3.111

Interim Valuations – Effective Date of Amendment

Background

Section 23(5) of the *Valuation of Land Act 1978* provides that the Valuer General shall determine when a valuation made under this Section comes into force, whether before or after the date on which the valuation is made.

Legislative Authority

Valuation of Land Act 1978 23(5)
Strata Titles Act 1985

Policy

Preamble

In formulating this policy, the following issues have been considered with respect to the degree to which values may retrospectively come into force.

The primary source of information regarding changes to land is through advice from agencies responsible for the regulation and approval of land development - authorities including Local Government, Department for Planning and Infrastructure and Landgate. It is the responsibility of the valuation and rating authorities to ensure that any amendments to values arising from development approvals leading to changes are dealt with in a timely manner. This policy reflects the principle that owners or ratepayers should not be caused any undue hardship or disadvantage when, through no fault of their own, an otherwise necessary amendment to value is overlooked but also acknowledges the need for fairness and balance in the overall approach to amending values as a result of change.

It is therefore policy that a value subject to increase will not be retrospectively amended to any significant degree when that action has been caused by an oversight of the approving, valuing or rating authority.

It is also the policy that values subject to decrease should not be unreasonably and retrospectively amended to the extent that a rating authority's rate base for previous financial years is eroded. Section 34A of the *Valuation of Land Act 1978* states that 'Any amendment of a valuation consequent upon the allowance, wholly or in part, of an objection to or an appeal against a valuation shall not apply for the purpose of any rating or taxing year before the year in respect of which the objection was served.'

Consequently it is the policy that an Interim Value should not give greater benefit than a valid objection.



Date of Value coming into Force

1. Normal Operations

1.1 It has been determined that **'the date'** shall be **'the first day of the month following'**:

- (a) For new buildings, the date the building was capable of being occupied.
- (b) For additions to buildings, the date determined by a rating authority or a Valuer that the building works were capable of being occupied.
- (c) For the demolition of improvements, the date upon which the improvements become uninhabitable.
- (d) (i) For the subdivision or amalgamation of land, the date of final approval of the subdivision or amalgamation by the Western Australian Planning Commission (WAPC).
(ii) In the case of subdivision, amalgamation or amendments that do not require WAPC approval, the date upon which the Deposited Plan is approved by the Inspector of Plans and Surveys.
- (e) For land created under the Strata Titles Act 1985, the date of approval of the strata plan by the approving authority (Western Australian Planning Commission and/or the Local Authority), as required under the Act. In the case of a strata plan, as distinct from a survey strata plan, the effective date cannot predate the completion date of the building.
- (f) When land becomes rateable or non-rateable, the date determined as such by the rating authority.
- (g) When a plan of subdivision or amalgamation having the final approval of the Western Australian Planning Commission lapses due to the time limiting provisions of the *Planning and Development Act 2005* the land shall be valued without regard to that plan of subdivision from the date the subdivision is no longer of effect.
- (h) When one or more of the original lots contained within an approved plan of amalgamation is sold thereby rendering the amalgamation no longer feasible, the land shall be valued without regard to that plan of subdivision from the date of notification of sale.



- 1.2 Significant increases arising from corrections or reviews of existing values will apply from the first day of the month following detection of the error. Reductions in values will be backdated to 1 July of the current rating year.
- 1.3 Only under exceptional circumstances and with the approval of the Valuer General (or delegate) will either an increase or a reduction of values be backdated prior to 1 July of the current rating year.

2. Values Amended due to Property Data Verification Projects

- 2.1 Increases in value that result from data verification exercises, as distinct from increases due to events listed under 1.1 and 1.2 above will apply from 1 July of the next rating year.
- 2.2 Only under exceptional circumstances, and with the approval of the Valuer General, (or delegate) will increases in value be dated prior to 1 July of the next rating year.

General

Except where expressly stated, any variation from the above requires Chief Valuer approval while any variation that would impose a greater degree of retrospectiveness requires the approval of the Manager Valuation services.

While the above is a statement of the general policy, none of the above provisions prevents the Valuer General from determining an alternative date that an interim valuation made under Section 23 of the Valuation of Land Act 1978 shall come into force.

Date of Most Recent Review

31 January 2006

Authorising Officer

G Fenner, Valuer General