



The Hon Dr Anthony Lynham MP
Minister for Natural Resources, Mines and Energy

Our ref CTS 5405/19

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
Cnr George and Alice Streets
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for forwarding for response petition 3005-18 (the petition) as tabled in the Legislative Assembly on 26 March 2019.

In response to the petition, I advise that the *Land Valuation Act 2010* (the Act) implemented major reforms to Queensland's statutory land valuation system. PricewaterhouseCoopers were engaged by the then Department of Environment and Resources Management to undertake an analysis of statutory valuation processes in Queensland and recommend reforms. The package of reforms that was implemented by the Act included a number of changes to streamline the objections and appeals processes including:

- greater information exchange and objection conferences for properties (\$5m and over);
- the extension of the period for a landowner to lodge an objection (45 to 60 days) and appeal (42 to 60 days);
- simplifying the objection properly made test requirements;
- extending the period to correct an objection (14 to 28 days);
- removing the restriction on a landowner to only appeal on the grounds submitted in their objection; and
- introducing internal review rights for landowners to appeal a range of administrative decisions including whether an objection has been properly made or has lapsed and for such reviews to be appealable to the Queensland Civil Administrative Tribunal (QCAT).

Stakeholders were consulted during the development of the reforms – the Valuation Reform Reference Group (VRRG) comprising representatives from the commercial, industrial, local government, rural, tourism, mining, law and residential development sectors were closely consulted and supported the reforms.

Any landowner in Queensland who does not agree with their statutory land valuation may lodge an objection – there is no fee associated with this process. The *Land Valuation Act 2010* (the Act) allows for a fee but no fee has been prescribed.

Landowners have access to extensive resources to assist them with understanding their valuation and the associated property market. Land owners can view and compare their own land valuation with those around, and view local residential sales, by utilising various online tools. The Valuer-General continues to provide hard copy annual valuation display listings in local governments that have received an annual valuation to allow landowners to view hard copy information as well.

A call-centre specific to valuations is activated from the issue of an annual valuation and remains open for the duration of the 60 day objection lodgement period. The call centre staff are able to provide responses to many valuation related questions but where complex matters are raised, callers are referred to relevant valuation staff throughout the State who then make direct contact with the landowners to resolve their issues.

Comprehensive guides to objections are also available to assist landowners with the process of lodging objections – the guides provide details on appropriate grounds and associated information to assist the owner with lodging an appropriate objection. This results in objections that contain more meaningful information which then assists the departmental valuer in assessing the objection and making an appropriate decision. Objections may be lodged by hard copy or via the online valuation objection lodgement system. The online system provides many benefits including automated lodgement confirmation and status tracking.

The Act does require that the objector has the onus of proving their case but this is not considered an onerous requirement – acceptable grounds include any one of sales evidence, any physical characteristics or constraints on the use of the land or advice of other issues which may affect the valuation – other issues could be where the objector believes that the valuation is based on the wrong use such as a residential house valued as an industrial site.

Where the departmental valuer believes that information provided by the objecting landowner (objector) requires clarification, a conference may be requested with the objector. This is arranged by the departmental valuer, with a delegate of the Valuer-General attending as well. There is no requirement for professional representation at these conferences and relevant information is shared with the objector – the Valuer-General would not have legal representation in these conferences. These conferences are arranged and conducted with no charge to the objector.

Where valuations are greater than \$5 million, the Valuer-General must offer the objector an objection conference. Where this offer is accepted, the Valuer-General must appoint an independent chairperson to manage the objection conference process – the chairperson ensures that there is a full exchange of opinion between the parties including full disclosure of information. Again, there is no fee for this process and no requirement for an objector to engage formal representation – the chairperson provides ongoing guidance through the process.

Where a valuation is changed as a result of an objection, the Act requires that an appropriate adjustment is made to any land tax liability, rates, rent under the Land Act or any other statutory rate, charge or assessment that used the valuation.

Where an objector is not satisfied with their objection decision, they may lodge an appeal to the Land Court within 60 days of the issue of the objection decision. Again, there is no fee associated with lodging an appeal and the Land Court operates with as little formality as possible - an appellant is entitled to represent themselves.

External to the objection process, the Department of Natural Resources, Mines and Energy provides a complaint management framework. Landowners can lodge a complaint at no charge – these are then processed within the framework.

Another component of review arrangements implemented with the Act was the establishment of an Independent Peer Review Panel (IPRP), external to the department but with recognised expertise in matters related to statutory valuation. This independent peer review process is the only regular external review process of its type known to exist in Australia.

There have been three IPRP statutory valuation reviews conducted since 2011. The reviews have provided complimentary commentary relating to objection processes as well as the Valuer-General's enhancements to provide as much information and transparency as possible through the statutory valuation process.

I am confident that the objection process that applies to statutory valuations in Queensland is fair and transparent and provides ongoing support to objectors from their initial decision to lodge an objection, to actual lodgement, and continuing through the process.

I provide you with this response for tabling pursuant to Standing Order 125(3). Any enquiries regarding this response can be referred to Mr Simon Zanatta, Chief of Staff, on telephone 3719 7360.

Yours sincerely



Dr Anthony Lynham MP
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