

VALUATION OF LAND.

No. 16 of 1981.

AN ACT to amend the Valuation of Land Act 1978-1979.

[Assented to 26 May 1981.]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Valuation of Land Amendment Act 1981*. Short title and citation.

(2) In this Act the Valuation of Land Act 1978-1979 is referred to as the principal Act. Act No. 74 of 1978 amended by Act No. 22 of 1979.

(3) The principal Act as amended by this Act may be cited as the Valuation of Land Act 1978-1981.

Commence-
ment.

2. This Act shall come into operation on 1 July 1981.

Section 4
amended.

3. Section 4 of the principal Act is amended in subsection (1)—

(a) as to the definition “gross rental value”—

(i) by inserting after “if let” the following—

“ on a tenancy from year to year ” ;

(ii) by deleting “and” after paragraph (b); and

(iii) by deleting “dollars;” at the end of paragraph (c) and substituting the following—

“ dollars; and

(d) calculation of the gross rental value of any land shall include any payment normally or usually made for or in relation to a tenancy of the kind in question but shall not include any allowance, by discounting or otherwise, for advance payment or late payment of rent that may apply; ” ;

and

(b) by deleting the definition “unimproved value” and substituting the following definition—

“ “unimproved value” means—

(a) in relation to any land situate within a townsite, the site value;

(b) in relation to any land not included in any area referred to in paragraph (a) of this definition, the capital amount that an estate of fee simple in

the land might reasonably be expected to realize upon sale assuming that any improvements had not been made but where any such land is—

- (i) land held under a lease granted under the Land Act 1933 for grazing purposes, land held under a lease granted under the Forests Act 1918, land held under a lease granted under section 12EB of the Country Areas Water Supply Act 1947, or land held pursuant to an agreement made with the Crown in right of the State and scheduled to an Act approving the agreement—the value thereof is an amount equal to 20 times the annual rental reserved by the lease or agreement;
- (ii) land held under a coal mining lease granted under the Mining Act 1904—the value thereof is an amount equal to \$12.50 for every hectare of the land or part thereof;
- (iii) land held under a lease, other than a coal mining lease, or occupied under the Mining Act 1904, other than a miners homestead lease, a Business Area or a Market Garden Area—the value thereof is an amount equal to \$25 for every hectare of the land or part thereof;

- (iv) land comprised in the annual cutting section allotted by the Forests Department in respect of areas of State forests, timber reserves or other Crown land and held under a sawmilling permit or licence from the Crown for cutting or removing timber—the value thereof is an amount equal to \$3.75 for every hectare of land or part thereof;
- (v) land held or used under any other lease, licence or concession from the Crown with the right to take any profit from the land—the value thereof is an amount equal to \$2.50 for every hectare of land or part thereof;
- (vi) other land of the Crown which is temporarily occupied for private purposes without title or authority—the value thereof is an amount equal to 20 times the ground rent which might reasonably be demanded for the land, or the value of the land in fee simple, whichever is the lesser sum; ” .

Section 5
amended.

4. Section 5 of the principal Act is amended in subsection (2) by inserting after “financial” the following—

“ or rating ” .

5. Section 24 of the principal Act is amended— Section 24 amended.

(a) by deleting “Subject” and substituting the following—

“ (1) Subject ” ; and

(b) by inserting the following subsections—

“ (2) Any improvements on any land that are, in the opinion of the Valuer General, not capable of occupation shall not be included for the purposes of determining the gross rental value of the land.

(3) Subject to subsection (2), the gross rental value of any land shall include the value of such of the items set out below as are fixed to the land, namely—

(a) lifts, escalators or hoists of any description;

(b) air conditioning, cooling, heating or circulating equipment;

(c) water heating, cooling or pumping equipment;

(d) sewerage or drainage pumps;

(e) vehicle turntables; and

(f) door control and surveillance equipment of any nature,

including the control equipment used therewith and whether provided by the landlord or not. ” .
