

STRATEGY AND POLICY REVIEW COMMITTEE
2 FEBRUARY 2009 **GOVERNANCE AND COMPLIANCE**

A5	2010 GENERAL VALUATION
LOCATION/ADDRESS:	N/A
EXECUTIVE DIRECTOR:	CATHY HENDERSON, ACTING EXECUTIVE DIRECTOR ORGANISATION SYSTEMS AND SUPPORT
PREPARED BY:	DAVID GRAFFEN, PROPERTY CO- ORDINATOR
FILE NO.:	90/02/11
ATTACHMENTS:	1 – DECLARATION OF IMPARTIALITY

1. PURPOSE

Under the Valuation of Land Act 1960, Council must undertake a General Valuation of all properties within the municipality every two years. Provisions of the aforementioned Act also require Council to do as follows:

- Adopt a resolution to “cause” a General Valuation to be made;
- Appoint valuer(s) for this purpose; and
- Give notice of the resolution to the Valuer-General.

It is recommended that Council complies with its statutory obligations by making the necessary resolutions for the 2010 General Valuation. Under the legislation, these further resolutions are required even though Council resolved to extend the valuations contract at its meeting in December 2008.

2. RECOMMENDATION

That the Strategy and Policy Review Committee recommend that Council resolves to:

- 2.1 cause a General Valuation of all rateable properties within the municipal boundaries of the City of Port Phillip to be undertaken pursuant to Section 6(1) of the Valuation of Land Act 1960, as at 1 January 2010 being the relevant date prescribed by the Valuer-General Victoria and to be returned no later than 30 June 2010.
- 2.2 appoint Westlink Corporation Pty Ltd (trading as Westlink Consulting) to make and return the 2010 General Valuation pursuant to Section 13DA of the Valuation of Land Act 1960, and in particular to appoint Paul Farrelly, Monique Lopes, Katrina Williamson, Brendan Sheales, Frank Carbone, Angela Passaro, Florianna Khait and David Graffen to serve this purpose.
- 2.3 authorise officers to advise the Valuer-General and other relevant rating authorities of the resolution to “cause” the 2010 General Valuation to be undertaken pursuant to Section 6(1) of the Valuation of Land Act 1960.

- 2.4 note the Declarations of Impartiality (copies attached) made by Paul Farrelly, Monique Lopes, Katrina Williamson, Brendan Sheales, Frank Carbone, Angela Passaro, Florianna Khait and David Graffen in compliance with Section 13DH of the Valuation of Land Act 1960.

3. BACKGROUND AND CONTEXT

- 3.1 The General Valuation is a legislative requirement of the State Government under the Valuation of Land Act 1960 which applies to all Councils. A General Valuation must be undertaken every two years on the even years. The next General Valuation is known as the 2010 General Valuation. In this valuation, all properties within the municipality must be valued as at 1 January 2010 to become effective by 1 July 2010.
- 3.2 Information from the General Valuation is used to base the comparative levels of Council Rates and State Land Tax Charges.
- 3.3 Council is well placed to meet its statutory obligations. At its meeting held on 18 December 2006, Council awarded a contract to service its property valuation responsibilities. Westlink Corporation Pty Ltd (trading as Westlink Consulting) was awarded the valuation contract for a two year period with a two year option commencing on 1 February 2007. On 18 December 2008, Council resolved to exercise the two year contract option commencing on 1 February 2009. The contract requires a General Valuation to be undertaken for all rateable properties within the City of Port Phillip in accordance with the Valuer General Victoria's best practice guidelines.

4. CONSULTATION AND STAKEHOLDERS

4.1 Internal Consultation

Consultation with respect to the planning for the 2010 General Valuation was undertaken as part of the extension of the Municipal Valuation Contract No 0946 in December 2008.

In addition there is constant consultation between senior staff, Council's contract supervisor and contractors.

4.2 External Consultation

The Valuer-General's Department nominates a supervisor for each municipality who regularly monitors the progress of the General Valuation to ultimately determine whether a generally true and correct Certificate may be issued to enable Council and other authorities to use the valuation for rating purposes. The Valuer- General representative has been consulted in regard to this initial phase of the 2010 General Valuation.

5. DISCUSSION

5.1 RECOMMENDED OPTION

5.1.1 It is recommended that Council consider this report and make formal resolutions in compliance with its statutory requirements as outlined in Section 2. The table below contains a summary of the necessary resolutions noting the relevant provisions of the Valuation of Land Act 1960.

Resolution	Valuation of Land Act 1960
To cause the 2010 General Valuation to be made	Section 6 (1)
To appoint valuers and other personnel to undertake and return the General Valuation	Section 13DA
To authorise notification of the above resolutions to the Valuer-General and rating authorities	Section 6 (1)
To note declarations of impartiality provided by the appointed valuers and personnel	Section 13DH

5.1.2 No alternative options exist that would meet Council's obligations under the Valuation of Land Act 1960. The 2010 General Valuation is a legislative requirement and must proceed. It is necessary for Council to adopt formal resolutions to "cause" the General Valuation to be made, appoint valuers for this purpose and advise the Valuer-General and other relevant rating authorities of the resolution.

5.2 POLICY IMPLICATIONS

5.2.1 The 2010 General Valuation will be performed in accordance with all relevant legislation in particular the Valuation of Land Act 1960 and the Local Government Act 1989.

5.2.2 The 2010 General Valuation will be undertaken in accordance with the Valuation Best Practice 2010 Specification Guidelines as approved by the Valuer-General's Department.

5.2.3 Council's Municipal Valuation Contract No 0946 contains specifications drafted to ensure compliance with all legislative requirements and best practice guidelines.

5.3 FINANCE / RESOURCE IMPLICATIONS

5.3.1 There is currently a budget allocation for the remainder of the 2008-09 for the commencement of the 2010 General Valuation. It is expected that Council will allocate the required budget for 2009-10.

5.4 LEGAL & RISK IMPLICATIONS

5.4.1 The proposal requires formal resolutions of Council which are not contentious. Therefore the level of risk exposure is minimal.

5.7 SUSTAINABILITY ASSESSMENT

SOCIAL EQUITY

It is important to produce a true and accurate reflection and comparison of the property values within the City of Port Phillip, in order to understand how “market rates” are distributed across our community so that no particular section / part of the municipality is disadvantaged through the payment of rates.

ECONOMIC VIABILITY

The City of Port Phillip is charged with the duty of raising sufficient monies to provide relevant and effective services for its community. Valuations are an important component of Council income.

ENVIRONMENTAL RESPONSIBILITY

The monies collected through the payment of rates will support the City of Port Phillip to implement sustainable services.

CULTURAL VITALITY

The monies collected through the payment of rates will support the City of Port Phillip to continue to build on cultural vitality.

6. IMPLEMENTATION STRATEGY

6.1 TIMELINE

6.1.1 Council’s Municipal Valuation Contract No 0946 contains an agreed timetable to ensure the return of the 2010 General Valuation will occur no later than 30 April 2010.

6.2 COMMUNICATION

6.1.2 Council’s decision will be communicated in writing to Westlink Corporation Pty Ltd, the Valuer General and other relevant rating authorities.