

## LAND VALUATION AMENDMENT BILL 2023

**Submission No:** 18  
**Submitted by:** Valuers Registration Board of Queensland  
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22 September 2023

Committee Secretary  
Transport and Resources Committee  
Parliament House  
George Street  
Brisbane Qld 4000

By email: [trc@parliament.qld.gov.au](mailto:trc@parliament.qld.gov.au)

Dear Committee Secretary

**Re: Land Valuation Amendment Bill 2023**

Thank you for the invitation for the Valuers Registration Board of Queensland (the Board) to provide feedback on the Land Valuation Amendment Bill 2023 (the Bill).

The Board welcomes the intent of the Bill to simplify the valuation and objections process for all parties. While this intent is to be applauded, there are some elements of the proposed changes that we believe require further consultation to ensure the profession understands how the changes will impact on their business and allow the profession to identify and address any major areas of concern.

For example, the Bill proposes that the Valuer-General be given the power to implement guidelines that would then automatically become part of the legislation.

This is a significant increase in the powers of the Valuer-General, particularly the binding nature of the guideline. Further consultation would no doubt be welcomed by the profession to better understand the need for such a change, how this power may be utilised in the future, and what safeguards are in place to address potential issues.

It was also noted in the Explanatory Notes that *'the power is conferred on the valuer-general, who possesses the relevant skills and qualifications needed to perform the functions under the Land Valuation Act, which includes making valuations'*. The Board considered that a legislated requirement for appointed Valuers-General to be a Registered Valuer would also provide further assurance in making of these guidelines.

It was noted from the Explanatory Notes (**VRBQ bolding**):

*Valuer-general to make guidelines*

*Clause 5 confers the valuer-general with legislative power to make statutory guidelines about any matter relating to the administration of the Act or the valuation of land. **A guideline will be binding in relation to the valuations to which it applies.** This raises a potential breach of the FLP, about whether the Bill has sufficient regard to the institution of Parliament, in relation to the delegation of legislative power.*

*The guideline is intended to enhance the transparency of statutory valuation processes and practices. Valuation practices and processes are technical and need to be responsive to changes in the property market, the way properties are traded and changes in professional practice. This detail is suited to a guideline, which frees the Act of unnecessary detail, and assists with clarity.*

*The potential breach is justified because the guidelines, including any amended or replaced guidelines, will be tabled in Queensland's Legislative Assembly within 14 sitting days after it is made, and will be subject to parliamentary disallowance, ensuring sufficient parliamentary oversight. The guidelines must also be consistent with the Act. **Further to this, the power is conferred on the valuer-general, who possesses the relevant skills and qualifications needed to perform the functions under the Land Valuation Act, which includes making valuations.***

Changes to the Independently Chaired Objection mediation process and the removal of the without prejudice coverage nature of the evidence would also benefit from greater consultation and understanding of how this will work in reality, especially given the successful resolution of objections in the past five years as stated in the Explanatory Notes.

### **Land Valuation Act 2010**

We note that the following Section 131 Evidence from the *Land Valuation Act 2010* would be replaced. It currently states:

**'Evidence of anything said by a person in an objection conference is inadmissible in any proceeding.'**

Thank you again for the opportunity to provide feedback on the detail of the proposed changes. Should any additional information or clarification regarding the Board's feedback be required, please do not hesitate to contact us directly via [REDACTED].

Yours Sincerely

[REDACTED]

Andrea Blake  
Chair