

Application for determination of the land value for heritage restricted land

(Section 14G of the *Valuation of Land Act 1916* No. 2)

I/We.....

of.....

(current address)

apply for the concession provided by the above Act for land at.....

.....

(address of the land for which the claim is made)

being land described as **Local Government Area**.....**Property ID**.....

Lot No.....**Deposited Plan No**.....

I declare that the following details are correct:

1. The land was used for the purposes of.....

.....

2. The land was “heritage restricted”, as defined (**please see page 2 side for definition**)

3. The land was not listed on the State Heritage Register under the *Heritage Act 1977*

A letter from the local council is attached showing the name of the Planning Instrument restricting the use of the land and providing details of those restrictions.

Applicant’s Signature _____ **Date**/...../.....

This application should be posted to:

Valuation Objections – Customer Service
PO Box 745
BATHURST NSW 2795

VALUATION OF LAND ACT 1916 - SECT 14G

Valuation subject to heritage restrictions under EPI

14G Valuation subject to heritage restrictions under EPI

(1) Land that is "heritage restricted" on the date by reference to which its land value is to be determined is to have its land value determined on the basis of the following assumptions:

- (a) that the land may be used only for the purpose, if any, for which it was used when the value is determined,
- (b) that all improvements on that land when the value is determined may be continued and maintained in order that the use of that land as referred to in paragraph (a) may be continued,
- (b1) that all improvements referred to in paragraph (b) on that land are new (without any deduction being made because of their actual condition),
- (c) that no improvements, other than those referred to in paragraph (b), may be made to or on that land,
- (d) that the cost of construction of improvements on that land has no effect on its land value, with the result that there is to be no reduction in land value because of any difference between the cost of construction of the improvements referred to in paragraph (b) as new improvements and the cost of construction of other improvements used as a basis for comparison in the determination of land value.

(1A) When the land value of heritage restricted land is determined on the basis of the assumptions required by this section, there is to be no deduction from or other adjustment of that land value on account of the effect on land value of any factor concerned with the land being heritage restricted land (other than the effect of those assumptions).

(2) Land is "heritage restricted" as at a particular date if the Valuer-General has determined that it would be reasonable to make the assumptions referred to in subsection (1) in respect of the land as at that date because of any provision of a planning instrument concerned with the heritage significance or heritage value of the land or any building, work or other thing on or in the land.

(3) The Valuer-General may, and on the application of the owner of land must, make a determination as to whether a particular parcel of land is heritage restricted.

(4) An application under subsection (3) is to be in the form required by the Valuer-General and accompanied by such supporting information as the Valuer-General may request.

(5) The Valuer-General is not to determine that land is heritage restricted as at a particular date if the land is the subject of a listing on the State Heritage Register under the *Heritage Act 1977* as at that date.

Note: Division 6 of Part 6 of the *Heritage Act 1977* deals with heritage valuations. In certain circumstances the Valuer-General is required to make a heritage valuation of land that is listed on the State Heritage Register under that Act.