

22 September 2023

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

trc@parliament.qld.gov.au

Dear Committee Secretary,

Thank you very much for the opportunity to comment on the Land Valuation Amendment Bill 2023. The API comprises a membership cohort of 7900 Australian property professionals and 4000 firms. We advocate for our members with a range of stakeholders, providing the professional recognition each member deserves. Our members are active across all sectors of the property profession – in private practice and the public sector, including those working in valuation, property management, facilities management, property law, property education, property development, funds and asset management, town planning, property consultancy and advisory.

### ***Statutory Guidelines***

The API notes that the draft Bill empowers the Valuer General to make statutory guidelines to provide consistency in valuation for statutory purposes. The API sets and maintains the highest standards of professional practice, ethical behaviour, education and professional conduct for members. We are committed to upholding and lifting the qualities of integrity, experience, competency, professionalism and specialist expertise of API members.

API valuer members are required, as a profession, to comply with the International Valuation Standards (IVS) produced and published by the International Valuation Standards Council (IVSC) and adopted by the API.

Some of our members have raised concerns about this amendment. In particular, the concern that the Bill may permit the Valuer General to make a guideline that could create mandatory requirements for valuations of land for statutory purposes that are inconsistent with existing and accepted valuation standards, concepts and principles, case law and legal precedent(s).

The concern is that this reading of this section would allow the Valuer General to change or introduce a law to follow any valuation principle it desires regardless of whether this is contrary to existing standards, rules or legal precedent.

This proposed change could circumvent the existing parliamentary process and may be seen to be undermining the legislative framework as the Valuer General is a statutory office holder under the *Land Valuation Act 2010*.

### **Queensland**

155 Queen St

Capital Building, L4

BRISBANE QLD

T 07 3107 1752

E [qld@api.org.au](mailto:qld@api.org.au)

W [api.org.au](http://api.org.au)

The API is concerned to ensure any proposed statutory guidelines developed by the Valuer General are consistent with the standards and rules binding on API valuer members. We strongly recommend that the API be consulted during the development of these guidelines to ensure that compliance with them does not put an API member's insurance cover at risk due to a failure to comply with API standards or rules, including the IVS.

In addition, the API's recommendation, in order to allay concerns and address any changes necessary, would be to have the proposed section (Clause 5) reviewed by the appropriate legal experts and either have the Bill amended or have the advice released via the committee.

### ***Agreements for lease***

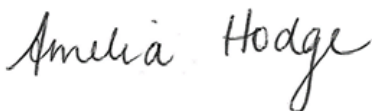
The API notes that the Bill proposes to remove "agreement to lease" as a criterion of encumbrance under the legislation. Such an amendment is inconsistent with the usual understanding of encumbrances on title and it is not clear why such an amendment is necessary. Agreements to lease impact the value of the land and disregarding their existence does not support accurate valuation for statutory purposes.

### ***Objections and Conferences***

The API believes that any changes to the valuation objection process and the holding of conferences should permit transparent and fair processes for the landowner to object to the Valuer General's assessments and provide clear guidance to API valuers involved in this process as well as the public.

The API works constructively and places a very high value on the relationship our members have cultivated with both the Valuer General and members of the State Valuation Service in Queensland. We would value the opportunity to discuss these matters further.

Please do not hesitate to contact me on the below details.  
Yours sincerely,



**Amelia Hodge**  
Chief Executive Officer  
Australian Property Institute Ltd  
0400 996 234  
[ahodge@api.org.au](mailto:ahodge@api.org.au)

### **Queensland**

155 Queen St                      T 07 3107 1752  
Capital Building, L4              E [qld@api.org.au](mailto:qld@api.org.au)  
BRISBANE QLD                  W [api.org.au](http://api.org.au)