

Challenging Your Rates Notice

Members of the Victorian Farmers Federation are encouraged to formally object to their rates notice where they are concerned about their property valuation. The following provides background and a guide as to how you can go about lodging an objection.

BACKGROUND

Unlike writing a submission regarding the Council's draft budget (where submissions challenge the municipal rate, valuation increases and differential rates), challenging your rates notice is arguing against one thing only; your property valuation.

If you believe your property valuation was incorrect for any of the reasons listed below, you should write a letter listing your concerns. (The back of your rates notice should indicate where these letters should be sent).

ON WHAT GROUNDS CAN YOU OBJECT?

Listed below are the reasons you may object to your property valuation, as well as details on what you are entitled to as a rates payer.

If you are not happy with the council's valuation of your land, you can **lodge an official objection within two months** of the Notice of Valuation being issued.

You must clearly outline the grounds of your objection. The grounds for objecting are limited and are outlined in the *Valuation of Land Act 1960*:

- The value is too high or too low.
- The interests held in the land are not correctly apportioned.
- The apportionment of the valuations is incorrect.
- Lands which should be included in one valuation have been valued separately.
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- The person named in the notice of valuation, assessment notice or other document is not liable to be so named, or
- Area, dimensions, or description of the land are not correct.

In response to an objection:

- The Valuer must provide you with a reasonable opportunity to discuss the objection. The Valuer must decide within four months whether to recommend an adjustment to the Valuer-General.
- If the Valuer recommends that the valuation is adjusted, the Valuer-General must decide within two months whether to confirm this.

Appeals

- If you are dissatisfied with the decision of the Valuer or the Valuer-General, you can apply to appeal the decision to the Victorian Civil and Administrative Tribunal (VCAT) within 30 days of the date the decision was given to you.
- In certain circumstances, you may appeal to the Supreme Court.

For further information regarding your rights when it comes to unfair rates notices visit; [http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/LTObject_Store/LTObjSt7.nsf/DDE300B846EED9C7CA257616000A3571/552BAC18583E729CCA257A990071355E/\\$FILE/60-6653aa132%20authorised.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/LTObject_Store/LTObjSt7.nsf/DDE300B846EED9C7CA257616000A3571/552BAC18583E729CCA257A990071355E/$FILE/60-6653aa132%20authorised.pdf)

WHERE TO APPEAL – EMAIL ADDRESSES FOR YOUR OBJECTION

Your rates notice should include an email address by which to contact your council. If not, you will find a full list of council contacts on the Municipal Association of Victoria website: www.mav.asn.au. Below you will find contact for several key councils.

- Ararat Rural City Council: council@ararat.vic.gov.au
- Baw Baw: bawbaw@bawbawshire.vic.gov.au
- Greater Bendigo City Council: enquiries@bendigo.vic.gov.au/requests@bendigo.vic.gov.au
- Horsham Shire: council@hrcc.vic.gov.au
- Loddon Shire Council: loddon@loddon.vic.gov.au
- Mildura Rural City Council: mrcc@mildura.vic.gov.au
- Moira Shire Council: info@moira.vic.gov.au
- Mount Alexander Shire Council: info@mountalexander.vic.gov.au
- Pyrenees Shire Council: pyrenees@pyrenees.vic.gov.au

STEP-BY-STEP

Step one

Send your objection through to your local council's email address. If your local council is not listed above search your local council name on the internet and go into the 'contact us' tab on the website - the email address should be there. Alternatively, you can contact the council by telephone.

Step two

After sending your appeal through to your local council be sure to send a short email (noting your concerns and rate increase percentage) to:

- your current Member of Parliament,
- the candidate(s) running in your electorate, and
- the leader of each political party.

You will be able to find these contact details on the VFF Election website at: <https://deliveringforagriculture.org/resources/> under 'list of 2018 candidates by electorate and party.'

Step three

Lastly, copy your email to the VFF (email: thanrahan@vff.org.au) so that the VFF can keep track of complaints by council and electorate.

GLOSSARY OF TERMS

- *The rate in the dollar* - The rate in the dollar is the total amount of money to be raised in general rates divided by the total value of all rateable properties. When the total value of all properties goes up, the council should reduce the rate in the dollar.
- *Differential rates* - Differential rates are different rates in the dollar for different categories of rateable land. Differential rates are often applied to farmland, residential properties and commercial properties. Differential rates are used to achieve greater equity or efficiency in the rates system.
- *Property valuations* - The Valuer-General performs annual valuations for calculating council rates, land tax, and the Fire Services Property Levy. If your valuation increases, your rates will likely increase. Information about your property's value is included on the rate notice issued by the council.
- **Valuers must assess the value of a property in three ways which is determined by the Council**
 - *Capital Improved Value* – the total market value of the land plus buildings and other improvements. Most Victorian councils use the Capital Improved Value to levy rates.
 - *Net Annual Value* – the current value of a property's net annual rent. By law, Net Annual Value must be at least 5% of the Capital Improved Value for commercial property and exactly 5% of Capital Improved Value for residential property.
 - *Site Value* – the market value of the land only.