

**VALUATION OF LAND AND LOCAL GOVERNMENT
(AMENDMENT) ACT.**

Act No. 31, 1959.

An Act to make further provision with respect to the determination of the unimproved value of land; for this purpose to amend the Valuation of Land Act, 1916, the Local Government Act, 1919, and certain other Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 7th December, 1959.] Elizabeth II,
No. 31, 1959.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Valuation of Land and Local Government (Amendment) Act, 1959". Short title
and
citation.

(2) The Valuation of Land Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Valuation of Land Act, 1916-1959.

2. The Valuation of Land Act, 1916, as amended by subsequent Acts, is amended by inserting at the end of section six the following new subsection :— Amend-
ment
of Act No.
2, 1916.

(2) Notwithstanding anything in subsection one of this section, in determining the unimproved value of any land it shall be assumed that— Sec. 6.
(Unim-
proved
value of
land.)

(a) the land may be used, or may continue to be used, for any purpose for which it was being used, or for which it could be used, at the date to which the valuation relates; and

(b) such improvements may be continued or made on the land as may be required in order to enable the land to continue to be so used,

but

No. 31, 1959.

but nothing in this subsection prevents regard being had, in determining that value, to any other purpose for which the land may be used on the assumption that the improvements, if any, referred to in subsection one of this section had not been made.

Amendment
of Act No.
41, 1919.
Sch. 3.
Sec. 2.

(Unim-
proved
capital
value.)

3. The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after subsection one of section two of Schedule Three the following new subsection :—

(1A) Notwithstanding anything in subsection one of this section, in fixing the unimproved capital value of any land it shall be assumed that—

- (a) the land may be used, or may continue to be used, for any purpose for which it was being used, or for which it could be used, at the date to which the valuation relates; and
- (b) such improvements may be continued or made on the land as may be required in order to enable the land to continue to be so used,

but nothing in this subsection prevents regard being had, in fixing that value, to any other purpose for which the land may be used on the assumption that the improvements, if any, referred to in subsection one of this section had not been made.

Validation
and
saving.

4. Sections two and three of this Act shall be deemed to have commenced on the second day of August, one thousand nine hundred and fifty-seven, but any alteration of the law by this Act does not affect—

- (a) any objections to valuations that have been finally determined or disposed of, by a court or otherwise, before the date on which Her Majesty's assent to this Act is signified, or
- (b) any objections to valuations that have been duly made or lodged under any Act before that date and have not been finally determined or disposed of, by a court or otherwise, before that date.

Any objection referred to in paragraph (b) of this subsection may be dealt with as if this Act had not been enacted.