

# SHOPPING CENTRE

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## COUNCIL OF AUSTRALIA

### Media Release

11 February 2010

#### **QUEENSLAND GOVERNMENT REFUSES TO ACCEPT THE LAW**

"The Queensland Government has today refused to accept a decision by the highest Court of Queensland.

The *Valuation of Land and Other Legislation Bill 2010*, introduced into Parliament today, deliberately and retrospectively overturns a decision handed down in December 2009 by the Queensland Court of Appeal in what is known as the *Pacific Fair Case*.

"The Court of Appeal's decision late last year simply confirmed what the law in relation to valuation of land has always been in Queensland", said the Executive Director of the Shopping Centre Council of Australia, Milton Cockburn.

"It is dishonest for the Government to claim that the Court of Appeal got it wrong and that the Court had ignored decades of valuation practice in Queensland".

"If the Government believes that the Court had got it wrong, it could have appealed the decision in the High Court".

"The fact that the Government hasn't appealed the decision demonstrates that its own legal advisers believe the Court of Appeal was correct".

"The Bill, if passed, will massively increase the cost of doing business in Queensland. It will increase costs for all businesses, not just for shopping centres or for commercial offices."

"Contrary to the Government's claim, the Bill will impact on residential properties. The new law, if it is properly applied, will increase the value of residential land, resulting in higher land tax payments and higher council rates."

"No longer can Queensland claim to be a low land tax State. The Government is gathering land tax revenue by stealth by massively and artificially boosting the value of the land on which all successful businesses are located."

"The decision to make the legislation retrospective is unfair and unjust and contrary to all principles of good government. All businesses now also face the prospect that laws will be retrospectively amended if the Queensland Government does not like the decisions handed down by the Courts."

**Contact: Milton Cockburn, Executive Director, 0419 750 299 or Angus Nardi, Deputy Director, 0408 079 184.**