



Friday 26 February 2010

[Archive](#)

QLD GOVERNMENT DEFERS DEBATE ON LAND VALUATION BILL

The Queensland Government this week agreed to postpone debate on the *Valuation of Land Amendment Bill 2010* ([Shop Talk 12/2/10](#) & [19/2/10](#)) to enable consultation with industry. Debate was originally scheduled to occur on 25 February and the Parliament resumes on 8 March. While this is a welcome development, these are consultations that should have occurred before the Bill was introduced. The Minister for Natural Resources, Stephen Robertson MP, this week justified the lack of consultation before the Bill was introduced by claiming the industry should have been aware the Government would introduce legislation because of his Department losing the Pacific Fair Case ([Shop Talk 29/1/10](#)). As the [Rule of Law Association](#) said in a [letter to the Australian Financial Review](#) yesterday: "Apparently we are to assume that it is now axiomatic that whenever a Queensland law is interpreted by a court contrary to what the Queensland government wants, the law will be changed retrospectively." Mr Robertson also doesn't understand that the Court of Appeal (by a 3-nil majority) in the Pacific Fair Case did not change the valuation law in Queensland, or make new law, but merely confirmed the method of valuation that has been applied in Queensland for many decades.

This week Mr Robertson was still claiming that \$600 million of council rates was at risk unless this retrospective Bill was passed. The Government has never justified this claim. It appears to be based on advice that the last three valuations could be challenged unless the Bill is made retrospective. Even if this advice was correct – and our legal advice disputes this – it could easily be resolved by a simple legislative amendment that all settled valuations (i.e. those that were not objected to or were settled after objection) cannot be challenged. This is in accordance with principles of natural justice. Our estimate of the amount of land tax revenue at risk from current objections and appeals is no more than \$25 million and the maximum amount of council rates at risk would be of a similar order.

A full rebuttal of claims made by the Queensland Government about this Bill is available at www.fightthelandtaxgrab.com.au.

QLD EASTER AND ANZAC TRADING HOURS NOW AVAILABLE

The particularly complex [Queensland trading hours](#) for the Easter and Anzac weekends have now been officially posted on the Department of Justice and Attorney General's website. We have updated our [Australia-wide trading hours guide](#) which includes a handy guide to the Queensland trading hours prepared by the National Retail Association.

PCA CENTRE MANAGEMENT AND RETAIL LEASE COURSES

In March and April the PCA will be holding several courses in Sydney and Melbourne, including a one-day [Retail Leases Act Course](#) (NSW, 4 March; Victoria, 12 March), a two-day [Introduction to Shopping Centre Management and Marketing Course](#) (9-10 March), and a three-day [Shopping Centre Management and Marketing Advanced Skills Course](#) (23-25 March). For further information, contact the PCA Professional Development Team on 02 9033 1900.

PCA WA TRADE PRACTICES AND RETAIL TENANCY ACT SEMINARS

The PCA's WA Division is running two separate three-hour retail seminars in Perth in March. The first will focus on the [Trade Practices Act and the Retail Tenancy Act](#), (4 March) and the second will focus on [How to Avoid Going to the State Administrative Tribunal](#) (30 March). For further information, contact [Rowena Ong](#) (email) or call 08 9426 1202.