1. On 6 November 2017, the Supreme Court of Queensland delivered its judgement in the matter of *Linville Holdings Pty Ltd v Fraser Coast Regional Council* [2017] QSC 252.
2. The Court declared that for each of thefinancial years ending on 30 June 2015, 30 June 2016 and 30 June 2017, Fraser Coast Regional Council failed to validly make and levy rates and charges, because it did not decide by resolution at its budget meeting for that year what rates and charges were to be levied, as required by section 94(2) of the *Local Government Act 2009* (LGA 2009).
3. To provide certainty for Local Governments and ratepayers, the Local Government Legislation (Validation of Rates and Charges) Amendment Bill 2018 amends the *City of Brisbane Act 2010* (COBA 2010) and the LGA 2009 to:
* validate rates and charges made and levied or to be levied by a Local Government for a financial year up to and including the financial year ending 30 June 2018 without an express resolution at the Local Government’s budget meeting for the financial year
* apply the validating provisions to rates and charges made and levied under the repealed *City of Brisbane Act 1924* (COBA 1924), the *Local Government Act 1993* (LGA 1993) or the *Local Government Act 1936* (LGA 1936)
* declare that anything done, or to be done, in relation to the rate or charge is as valid as it would have been or would be if the Local Government had decided to levy the rate or charge by resolution under COBA 2010, the repealed COBA 1924, the LGA 2009, the repealed LGA 1993 or the repealed LGA 1936.
1. Cabinet approved the introduction of the Local Government Legislation (Validation of Rates and Charges) Amendment Bill 2018 into the Legislative Assembly.
2. *Attachments*
* [Local Government Legislation (Validation of Rates and Charges) Amendment Bill 2018](Attachments/Bill.PDF)
* [Explanatory Notes](Attachments/ExNotes.PDF)