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New land taxes could fund infrastructure

Infrastructure Australia wants governments to look at new taxes to fund major projects because funding has not kept up with population growth.

Funding major infrastructure projects could be done with new broad-based land taxes and targeted levies, an expert report recommends.

Infrastructure Australia's Planning Liveable Cities report also suggests variable pricing on roads and trains could make better use of existing assets.

The report found infrastructure funding has not kept pace with population growth, leading the expert body to recommend governments look at new ways to pay for projects.

"Consider alternative and innovative funding mechanisms, such as a broad-based land tax and targeted levies, to promote equitable and efficient outcomes," the report says.

Infrastructure Australia's executive director of policy and research, Peter Colacino, says Australia's largest cities are growing and changing at a rate not seen for more than 50 years.

"Too many communities have witnessed the delivery of poor-quality housing development which is not well integrated into the local area and not accompanied by the infrastructure and services needed to support it," he said on Tuesday.

"As a result, communities are understandably apprehensive about further growth and change."

The report calls for more strategic thinking from governments of all levels to plan for population growth and infrastructure needs.

WA man has his property seized because he refuses to pay \$300,000 owing in rates

A long-running dispute in Western Australia has ended with a 'sovereign citizen' having his property seized and sold from under him.

Wayne Kenneth Glew, from Geraldton, owed his council \$300,000 in rates and legal costs, which he refused to pay because he believed local governments were unconstitutional.

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Mr Glew is one of an informal movement of 'freemen' or 'sovereign citizens', who believed Australian legislative laws only applied if you consented to them.

City of Greater Geraldton Mayor Shane Van Styn said Mr Glew's actions were an injustice to those doing the right thing by paying their yearly rates.

"[He has] some crazy misconception that the laws do not apply to him, and regrettably we have been forced to take action to seize his property to cover costs that rightfully belong to the ratepayers of Greater Geraldton," Mr Van Styn said.

Mr Glew, a former police officer, has appealed a court order from the council to remove his possessions from the property.

It is not the first time he has taken his fight to the court of appeal.

In 2014 he was declared a "vexatious litigant" by the Supreme Court of WA, with his position being described as "nonsensical and incoherent".

Mr Glew claimed the City of Greater Geraldton could not lawfully make constituents pay rates, because local governments were not written in Australia's constitution.

Constitutional law expert Professor Anne Twomey said the council's actions were legal.

"The State of WA has the power to enact legislation that sets up a system of local government, which includes the City of Greater Geraldton and other places," she said.

Mr Glew said the city could not seize his land because he claimed it under Magna Carta.

"It is not getting sold because I have it held under clause 61 of Magna Carta," he said.

"They cannot touch it, they fenced it — I threw the gates away, they put concrete blocks there — I threw them away, I blocked it.

"I own it and I paid for it."

Magna Carta was originally issued by King John of England in 1215 as a solution to a political crisis.

Since then it has been the foundation of constitutional and parliamentary government for Britain and Commonwealth countries.

Professor Twomey said Magna Carta was an important historic statute but had little relevance in today's society.

"You have got to understand that under British law, their constitution is the system of parliamentary sovereignty and that means parliament itself can always change its own laws," she said.

"There is very little left of Magna Carta in the United Kingdom because many later laws have overridden and changed it from time to time.

"The same issue arises in Australia — Magna Carta became part of Australian law as a received British law ... it would have been a much cut-down version of Magna Carta.

"Only the little dribs and drabs that were left, and even those dribs and drabs they are not entrenched as part of our law they are just part of ordinary statute that can be changed by later statute."

Battling the system

Mr Glew is just one of many who have taken a direct stance against paying rates or taxes.

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In 1970, Midwest farmer Leonard Casely declared his land the Principality of Hutt River and claimed to be a sovereign state after a stoush with the State Government over wheat production quotas.

The so-called micronation was not legally recognised by the Australian Government and in 2017 the Supreme Court of WA ordered the family pay more than \$3 million in taxes owed.

Council says rates needed to run city

Mr Van Styn said seizing Mr Glew's property was a last resort.

"Everyone is required to pay the costs of living in a community," he said.

"We do not have roads and civic services out of nowhere.

"We require rates to run a city that functions with all the services that everyone needs from day to day.

"If people think they are above contributing to that under lawful direction from the state then regrettably we must take such severe action."

Abusing the system

Professor Twomey said despite what people believed, the law would prevail.

"If you notice, all of these people [who] object to paying taxes or rates and everything else say that the laws are invalid," she said.

"The curious thing is I have never heard any single one of them ever complain that the law is invalid if it gives them unemployment benefits or if it gives them any advantage.

"Nor do you ever see them refusing to use a hospital or a school or a road because it has been paid for by other people under invalid taxes or rates.

"People tend to just want to take the benefits and not want to pay or contribute."

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