

	Paper No.:	
	Date: 14/7/15	
	Member: Mr Simpson	
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Queensland Government

Labor MP Rick Williams in bizarre court row over unpaid water charges and rates

June 17, 2015 12:00am

Kelmeny Fraser and David Murray The Courier-Mail

LABOR MP Rick Williams refused to pay his water and rates bills, arguing to a court last year that the charges were “unconstitutional”.

Moreton Bay council and Unitywater took Mr Williams to court after he racked up thousands of dollars in unpaid bills at his luxury canal-front Bribie Island home.

Representing himself, Mr Williams made a series of bizarre claims about why he shouldn't have to pay — leading the council to declare his arguments were “legal nonsense”.

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The two cases were ongoing when Labor endorsed Mr Williams, raising serious questions about the party's preselection and vetting process.

In court documents obtained by The Courier-Mail, Mr Williams wrote that his home was on “MY LAND” and neither the council nor the water company had a right to bill him.

“The defendant asserts that in accordance with the Commonwealth of Australia Constitution Act that (Unitywater) ... has no enforceable WET INK contract of agreement with the defendant,” he wrote in his legal defence.

The court documents also show Mr Williams:

— Demanded \$330-an-hour for time he spent assessing his water bills

- Complained at having to store Unitywater equipment on his land, presumably water pipes
- Accused the water company of threatening to cut off his water in violation of the Constitution
- Agreed to pay for his bin collection and fire levy but not his general rates and a canal levy.

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Mr Williams has been involved in long-running dispute with the council over damage to his sea wall.

Labor state secretary Evan Moorhead said Mr Williams stopped paying rates in protest over the sea wall, but "paid all outstanding amounts earlier this year".



Whistleblower Bruce McLean's allegations against Labor MP Rick Williams as told exclusively to The Courier-Mail

He said Mr Williams had a separate dispute with the water company over the way his bill was calculated.

"After the bill was amended, Rick paid the outstanding amount. The amendment included a reduction in water and sewerage charges. This was resolved more than 12 months ago, long before Rick was an MP."

Mr Moorhead would not comment on whether Mr Williams had acted appropriately or whether he had informed Labor of the cases before being endorsed.

Labor this month dismissed serious allegations against Mr Williams from his time as a financial planner as being more than a decade old and unsubstantiated and denied.

However the water and rates court cases are much more recent, playing out at the time he was running for election in the state seat of Pumicestone.

Unitywater took Mr Williams to Caboolture Magistrates Court in January last year for \$2789.06 in unpaid bills, estimated to have been amassed over more than a year.

When debt collectors failed to recover the money the water company hired lawyers to take Mr Williams to court.



Rick Williams' Bribie home Pic Annette Dew

Mr Williams filed notice of his intention to defend the claims, alleging he was "placed under duress" to pay the water bills.

He claimed Unitywater failed to provide an "appropriate actuarial account" of its bills — and should actually pay him for his time assessing their incorrect accounts.

"Defendant is a Justice of the Peace Qualified (Queensland) and in the position as a Certified Financial Planner has an hourly charge of \$330 per hour," he wrote.

He added: "The Plaintiff threatened to violate the Commonwealth of Australia Constitution Act Chapter IV Section 100 in denying all water rights to the resident of the State."

He took issue with having to "store and give consideration to the maintenance and safety of the Plaintiff's equipment stored on the Defendants property" — presumably the water pipes and meter.

And Mr Williams accused the water company's lawyer of acting "unconscionably as an officer of the court" for filing the statement of claim without contacting him first. Unitywater told the court the defence had no prospect of success.

After dragging on for months, the water bill fight was suddenly resolved at the end of May last year — about two weeks after Labor endorsed Mr Williams.

Separately, the council took Mr Williams to Pine Rivers Magistrates Court in September 2013 over \$3930 in unpaid rates and charges dating back more than two years.

He had argued he was happy to pay for "garbage collection" and some other charges but not "taxes including general rate — a land tax" and the canal levy.

Responding, the council said his defence had no real prospect of success and added: "The council submits that (the claims) are legal nonsense."

The court prepared a draft order demanding Mr Williams pay his outstanding rates and court costs.

However before the order came into effect, council discontinued its court action last October — five months after he was endorsed by Labor.

A council spokesman yesterday said the matter was resolved and there were "currently no outstanding rates".

Mr Williams told parliament in his maiden speech who could not afford lawyers to battle "banks, insurance companies and other bureaucratic agencies". He added that for his financial planning diploma he had studied units at the Macquarie School of Law.



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