



# LEGISLATIVE COUNCIL

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 14

TUESDAY, 18 OCTOBER 2022

- 1 **COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon.
- 2 **ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— The President said: “We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past and present. We recognise them as the traditional and original owners and the continuing custodians of this land.”
- 3 **PRAYERS.**— The President read Prayers.
- 4 **QUEENSLAND REVENUE LEGISLATION AMENDMENT ACT 2022 AND CHANGES TO THE QUEENSLAND LAND TAX ACT.**— Mr *Gaffney* asked the Honourable the Leader of the Government—

With reference to the *Queensland Revenue Legislation Amendment Act 2022*, and the resulting changes to the *Queensland Land Tax Act 2010*, where from the 1<sup>st</sup> of July 2023 for an individual or company, the total taxable valuation of their Australian owned land will be included in calculating their Queensland land tax liability – be they a Queensland resident, or that of another state or territory —

- (1) What is the Government’s policy in responding to the impact of these and similar legislative changes that arise from other states and territories that have a direct bearing on Tasmanian individuals, business and companies;
- (2) is the Government in a position to advocate for an equitable national policy on land tax before other state and territory governments act in a similarly unilateral way;
- (3) what response has the Government received from Tasmanian and interstate businesses, companies and their representative bodies in response to this legislation in terms of:
  - (a) how this will affect future holdings and investment plans in Tasmania; and
  - (b) how will this affect the operation of Tasmanian businesses in Queensland;
- (4) Australia has over 50 bilateral double taxation treaties with overseas nations and jurisdictions, what treaties and legislation does Tasmania currently have in place with the mainland states and territories to maintain fair and reasonable tariffs, trade, taxation and property ownership between them; and
- (5) (a) whilst this legislation is not a direct tax on the value of Tasmanian property, does the Government agree that it acts as a direct variable in calculating an enhanced tax liability to another jurisdiction? and
  - (i) if so, why; and
  - (ii) if not, why not;(b) does the 2021 Intergovernmental Agreement on Data Sharing compel the Government to collaborate by sharing and corroborating Tasmanian land valuations with the Queensland Revenue Office, and if not legally required will it willingly do so;

- (c) using the basis of most double taxation treaties and as a result of this legislation, will the Government factor in and forgo the additional land tax paid to the Queensland Revenue Office against an owner's Tasmanian land tax liability; and
- (d) does the Government have any plans to introduce similar legislation in Tasmania?

The Leader answered,

The Queensland Government has announced that it will not proceed with the previously proposed changes to the *Queensland Land Tax Act 2010* and that should dispose of the matter.

**5 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—

- (1) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land situate in the New Bridgewater Bridge Project. Municipal area of Brighton.
- (2) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land situate in the New Bridgewater Bridge Project. Municipal area of Brighton.
- (3) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land situate in the New Bridgewater Bridge Project. Municipal area of Glenorchy.

**6 ROYAL ASSENT TO BILLS.**— The President read a Message from Her Excellency the Governor as follows:—

MESSAGE

Barbara Baker, Governor

A Bill for an to amend the Statutory Holidays Act 2000 to provide for a statutory holiday for a National Day of Mourning to pay respect for the passing of Her Majesty, Queen Elizabeth II  
*Statutory Holidays Amendment Act 2022*  
(Bill No. 40 of 2022; *Act No. 24 of 2022*)

A Bill An Act to establish Homes Tasmania, to promote the development of affordable housing, to enable the provision of housing assistance to, and improve the housing conditions of, eligible persons, to support the provision of affordable housing, housing support services and community support services to persons who require such housing or services, to assist in the formation of policy in relation to housing, and for related purposes  
*Homes Tasmania Act 2022*  
(Bill No. 35 of 2022; *Act No. 25 of 2022*)

A Bill an Act to amend various legislative instruments consequent on the enactment of the Homes Tasmania Act 2022  
*Homes Tasmania (Consequential Amendments) Bill 2022*  
(Bill No. 36 of 2022; *Act No. 26 of 2022*)

having been presented to the Governor for the Royal Assent, she has, in the name of His Majesty the King, assented to the said Bills.

*Government House, Hobart, 17 October 2022*

**7 SPECIAL INTEREST MATTERS.**— The President advised the Chamber of five Members who had indicated their desire to speak and of the order in which they were to speak as follows —

- (1) Ms *Armitage* –Northern Hospice;
- (2) Mr *Gaffney* –Men's Health;
- (3) Ms *Webb* – National Carers Week – Recognising Family and Friends;
- (4) Ms *Lovell*– National Carers Week and the work of Carers Tasmania; and

(5) Ms *Forrest* – The Unconformity UnTv.

At the conclusion of Special Interest Matters the Council proceeded to Orders of the Day.

**8 REPORT OF THE AUDITOR-GENERAL NO 7 OF 2021-2022, COVID-19 RESPONSE TO SOCIAL IMPACTS: MENTAL HEALTH AND DIGITAL INCLUSION.**— A Motion was made (Ms *Armitage*) and the Question was proposed, That the Report of the Auditor-General No. 7 of 2021-22, COVID-19 — Response to social impacts: mental health and digital inclusion, be considered and noted.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

**9 BILL NO. 22 of 2021.**— The Order of the Day was read for the Second reading of the Public Interest Disclosures (Members of Parliament) Bill 2021.

A Motion was made (Mr *Gaffney*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

**10 SITTING SUSPENDED.**— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

**11 QUESTION TIME.**— The President called for Questions without Notice. There were seven Questions asked.

*Ordered*, That Mrs *Hiscutt* have leave to Table answers to Questions from the Member for Murchison (Ms *Forrest*) regarding King Island Shipping Services and freight services to King Island and have the answers incorporated into the Hansard record.

**12 BILL NO. 22 of 2021.**— The Council resumed the Debate on the Question, That the Public Interest Disclosures (Members of Parliament) Bill 2021 be now read the Second time.

*Ordered*, That the Debate be adjourned. (Mr *Gaffney*)

**13 BILL NO. 20.**— The Order of the Day was read for the Second reading of the Vehicle and Traffic Amendment (Driver Distraction and Speed Enforcement) Bill 2022.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

**14 SITTING SUSPENDED.** — It being 4.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 4.30 o'clock p.m.

**15 BILL NO. 20.**— The Council resumed the Debate on the Question, That the Vehicle and Traffic Amendment (Driver Distraction and Speed Enforcement) Bill 2022 be now read the Second time.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 20 agreed to.

Title agreed to.

Bill to be reported without Amendment.

---

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

*Ordered*, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

**16 BILL NO. 63 of 2021.**— The Order of the Day was read for resuming the Debate on the Question, That the Climate Change (State Action) Amendment Bill 2021 be now read the Second time.

The Question was again proposed, and the Council resumed the Debate.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

---

(In the Committee)

Ms *Ratray* in the Chair.

Clauses 1 read.

To report progress and seek leave to sit again.

---

The Council being resumed, Ms *Ratray* reported that the Committee had made progress in the Bill, and that she was directed to move that the Committee may have leave to sit again.

*Resolved*, That the Council will, tomorrow, again resolve itself into the said Committee.

**17 BILL NO. 11.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to regulate electricity infrastructure, electrical installations, electrical equipment, and certain activities near electricity infrastructure and electrical installations; to provide for safety and related technical standards that ensure that the electricity infrastructure, electrical installations and electrical equipment are safe, designed, maintained and managed in a manner that protects persons and property; to amend the *Electricity Supply Industry Act 1995*; to repeal the *Electricity Industry Safety and Administration Act 1997* and for related purposes’,

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 18 October 2022*

MARK SHELTON, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**18 BILL NO. 5.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the Traffic Act 1925’,

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 18 October 2022*

MARK SHELTON, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**19 ADJOURNMENT.**— *Resolved*, That the Council will, at its rising adjourn until 11.00 o’clock a.m. on Wednesday, 19 October 2022. (Mrs *Hiscutt*)

*Resolved*, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 5.59 o'clock p.m.

D.T. PEARCE, *Clerk of the Council*.