

SECOND READING SPEECH – THE HON. MATTHEW GROOM MP

Crown Lands Amendment Bill 2015

Madam Speaker, I move that the Bill be now read the second time.

The purpose of the Bill is to provide Ministers and Government Departments the flexibility to manage all of their land and building assets in the interests of their respective portfolios and for the benefit of the Tasmanian community.

In 2000 the *Crown Lands (Employee Housing Assets) Amendment Act* devolved responsibility for the leasing of the State's employee housing assets to Portfolio Ministers by introducing the concept of 'residential portfolio land'. In 2004, a further amendment to the *Crown Lands Act 1976* devolved the responsibility to Portfolio Ministers to lease or licence 'other portfolio land', that is to say, all other Crown land managed by their respective Departments that do not contain a dwelling. Prior to 2000, all leasing and licencing of Crown land was done by my predecessors administering the *Crown Lands Act 1976*.

As a result of the 2000 amendments, Portfolio Ministers can lease 'residential portfolio land' to a Departmental employee on such rental, terms and conditions as the Minister deems appropriate, or to a person who is not an employee of that Minister's Department for a period no longer than 12 months, and at a market rate. The rationale for the limitations in respect of leasing 'residential portfolio land' to non-Departmental employees was that Portfolio Departments should not hold housing assets they did not need. However, at the time of the amendments it was not envisaged that these assets could be used for purposes other than the housing of employees such as nurses, doctors, teachers or police.

By contrast, there are no such restrictions for properties within a Minister's portfolio that do not contain dwellings; 'other portfolio land' may be leased on such terms as the Portfolio Minister deems appropriate. Such land can also be licenced. A Portfolio Minister's ability to lease or licence 'other portfolio land' is therefore consistent with the powers I have as Minister administering the *Crown Lands Act 1976* in respect of Crown land under my Department's management.

The present Bill removes the distinction between 'residential portfolio land' and 'other portfolio land', thus enabling Portfolio Ministers to lease or licence any Crown land within their respective portfolios without the limitations currently imposed in respect of residential land. The Bill will enable Portfolio Ministers to lease or licence all 'portfolio land' under their Departments' management to any person and on such terms and conditions as Portfolio Ministers consider appropriate.

The need for this Bill was highlighted by advice from the Minister for Health. The Department of Health and Human Services often provides assistance to the non-government sector through the use of grants to assist those organisations develop land for the purposes of group homes and aged care facilities. The ability to provide portfolio land assets to organisations on

reasonable terms where those organisations are providing health or other services to the community is a logical extension of this. The artificial distinction and restrictions that arise when the property in question contains a dwelling is a significant limitation on this important activity.

The Health and Human Services portfolios manage properties comprised of blocks of residential units and the like that are used by community sector organisations to provide services, such as aged care. The current restriction on the leasing of 'residential portfolio land' prevents these organisations from being offered certainty of tenure beyond one year.

It is important to note this Bill does not devolve the power to approve and conduct sales of Crown land and buildings. This responsibility remains with me as Minister administering the *Crown Lands Act 1976*. Also, the Bill does not confer any power to lease or licence 'portfolio land' that goes beyond that which I have in relation to Crown land.

Madam Speaker, the Government fully supports the introduction of this Bill.

I commend the Bill to the House.