



Queensland

Inoccupancy Tax Youth Act 2025

Youth Act No. 7 of 2025

A Youth Bill for a Youth Act about inoccupancy tax and for related purposes, and to amend the Land Valuation Act 2010 and Taxation Administration Act 2001 for particular purposes

[Assented to 23 October 2025]



Queensland

Inoccupancy Tax Youth Act 2025

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The Youth Parliament of Queensland enacts—

1 Short title

This Youth Act may be cited as the *Inoccupancy Tax Youth Act 2025*.

2 Commencement

This Youth Act commences 18 months after assent.

3 Main purpose of Youth Act

- (1) The main purpose of this Youth Act is to increase housing supply across urban areas within South East Queensland.
- (2) The main purpose of this Youth Act is primarily achieved by imposing an inoccupancy tax.

4 Definitions

In this Youth Act—

Administration Act means the *Taxation Administration Act 2001*.

exempt land see section 18.

inoccupancy tax means inoccupancy tax levied under section 17.

Land Tax Act means the *Land Tax Act 2010*.

residential land see section 11.

tax region means the local government areas of Brisbane, Gold Coast, Ipswich, Logan, Moreton Bay, Noosa, Redland and Sunshine Coast.

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taxable land see section 10.

vacant, for residential land, see section 13.

5 Relationship with Other Acts

- (1) This Youth Act does not contain all the provisions about inoccupancy tax.
- (2) The Administration Act contains provisions dealing with, among other things, each of the following—
 - (a) assessments of tax;
 - (b) payments and refunds of tax;
 - (c) imposition of interest and penalty tax;
 - (d) objections and appeals against, and reviews of, assessments of tax;
 - (e) record keeping obligations of taxpayers;
 - (f) service of documents;
 - (g) registration of charitable institutions.

Note—

Under the Administration Act, section 3, that Act and this Act must be read together as if they together formed a single Act.

- (3) Further, the provisions of the Land Tax Act mentioned in subsection (4) deal with, among other things, each of the following—
 - (a) assessments of tax;
 - (b) security and recovery;
 - (c) avoidance schemes.
- (4) The following provisions of the Land Tax Act must be read together with this Youth Act as if they were also provisions of this Youth Act—
 - (a) part 3, divisions 2 to 4;
 - (b) part 4, other than section 19;

(c) part 7, 8 and 9.

(5) For subsection (4), the provisions of the Land Tax Act apply as if—

- (a) a reference to that Act in those provisions is a reference to this Youth Act; and
- (b) a reference to land tax in those provisions is a reference to inoccupancy tax; and
- (c) a reference to taxable land in those provisions is a reference to taxable land within the meaning of this Youth Act.

5A Relationship with *Residential Tenancies and Rooming Accommodation Act 2008*

A term used in this Youth Act that is defined in the *Residential Tenancies and Rooming Accommodation Act 2008* has the same meaning given under that Act.

6 Acts bind all persons

- (1) This Youth Act binds all persons, including the State and, as far as the legislative power of the Parliament permits, the Commonwealth and the other States.
- (2) Nothing in this Youth Act makes the State liable to be prosecuted for an offence.

Part 2 Imposition of inoccupancy tax

7 Imposition of inoccupancy tax

- (1) This Youth Act imposes inoccupancy tax, for each financial year, on all taxable land.
- (2) Inoccupancy tax is imposed on the taxable value of the taxable land.

[s 8]

8 When a liability for occupancy tax arises

A liability for land tax for a financial year arises at midnight on 30 June immediately preceding the financial year.

9 Persons liable for inoccupancy tax

The owner of taxable land when a liability for land tax arises is liable to pay the tax.

Part 3 Some basic concepts

Division 1 What is *taxable land*

10 Meaning of *taxable land*

Taxable land, for a financial year, is land in Queensland that—

- (a) has been alienated from the State for an estate in fee simple; and
- (b) is within the tax region; and
- (c) is residential land; and
- (d) is vacant; and
- (e) is not exempt land.

Division 2 What is *residential land*

11 Meaning of *residential land*

- (1) Land is *residential land* if it is capable of being used solely or primarily for residential purposes.
- (2) Also, land is *residential land* if—

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- (a) a dwelling is being constructed or renovated on the land; and
- (b) the land was capable of being used solely or primarily for residential purposes before the commencement of the construction or renovation; and
- (c) on the completion of the construction or renovation, the land will be capable of being used solely or primarily for residential purposes.

(3) However, land is not ***residential land*** if—

- (a) it is capable of being used solely or primarily for—
 - (i) commercial residential purposes, including, for example, a hotel, hostel or caravan park; or
 - (ii) the provision of accommodation to the elderly or persons with disability, including, for example, a residential care facility, a retirement village or a residential service.
- (b) it is being used, including lawfully used, solely or primarily for purposes other than residential purposes.

(4) For subsection (2), a construction or renovation commences on the earlier of—

- (a) the day the development approval for the building work that constitutes the construction or renovation is given; or
- (b) the day work, including, for example, building work, plumbing or drainage work, for the construction or renovation commences.

12 Matters to be considered in deciding whether land is capable of being used solely or primarily for a purpose

(1) In deciding whether land is capable of being used solely or primarily for a purpose, regard must be had to—

- (a) the purposes for which the land may lawfully be used; and

[s 13]

- (b) the buildings or other improvements on the land; and
- (c) the purposes for which the land was previously used.

(2) In deciding whether land is capable of being used solely or primarily for a purpose, it is irrelevant that the land may be capable of being used solely or primarily for the purpose after constructing or renovating a building on or making other improvements to the land, other than minor renovations or other improvements.

Division 3

When is residential land *vacant*

13 When residential land is *vacant*

- (1) Residential land is *vacant*, for a financial year, if it has not been used and occupied, whether continuously or in aggregate, for a period at least 6 months in the previous financial year by—
 - (a) the owner of the land as their principal place of residence; or
 - (b) an individual permitted by the owner, other than by way of lease, as their principal place of residence; or
 - (c) an individual under a lease, if the lease is—
 - (i) made in good faith; and
 - (ii) not for the purpose of, whether sole, dominant or secondary, avoiding the payment of inoccupancy tax.
- (2) Also, residential land is *vacant*, for a financial year, if—
 - (a) it is residential land mentioned in section 7(2); and
 - (b) at the end of the previous financial year—
 - (i) the construction or renovation is not completed; and
 - (ii) at least 2 years have passed since the construction or renovation commenced.

- (3) However, residential land that is land mentioned in section 7(2) is not *vacant*, for a financial year, if the commissioner is satisfied with that it is reasonable that the construction or renovation was not completed at the end of the previous financial year.

14 Calculating period of occupancy

- (1) Land is occupied on a day if a person sleeps at the premises during that day.
- (2) Land is occupied for at least 6 months of a financial year if, on at least 180 days of the financial year, a person sleeps at the premises during that day.

Part 4 Assessment of inoccupancy tax

15 General principles for assessment

- (1) A taxpayer's liability for inoccupancy tax must be assessed on the taxable value of taxable land owned by the taxpayer when the liability arises on a lot by lot basis.

Example—

An individual owns 2 properties that are both taxable land. One is vacant for this financial year and another is vacant for this financial year and was vacant for the previous financial year. The taxpayer's liability for inoccupancy tax is worked out separately for each property, and then aggregated.

- (2) This section is subject to section 16 and Land Tax Act, sections 20 and 21.

16 Separate assessment for trust land

- (1) The liability for inoccupancy tax of a taxpayer who is a trustee of a trust must be separately assessed on the taxable land that is subject to the trust, as if that land were the only land owned by the taxpayer as a trustee.

[s 16A]

- (2) However, subsection (1) does not apply if—
 - (a) the taxpayer is trustee of more than 1 trust; and
 - (b) the interests of the beneficiaries of 2 or more of the trusts are, when the taxpayer's liability for inoccupancy tax arises, the same.
- (3) If subsection (1) does not apply, the taxpayer's liability for inoccupancy tax as trustee of the trusts mentioned in subsection (2)(b) must be assessed on the taxable value of taxable land subject to those trusts on a lot by lot basis.

16A Assessment where change of ownership

- (1) This section applies if the commissioner is satisfied that—
 - (a) the taxpayer was not the taxpayer for the previous financial year (the *previous taxpayer*); and
 - (b) the taxpayer and any owner of the land during the previous financial year are not related persons; and
 - (c) the taxpayer became the owner of the land following a series of one or more sales of the land, starting with a sale by the previous taxpayer, made—
 - (i) at fair market value; and
 - (ii) in good faith; and
 - (iii) for monetary consideration only.
- (2) The taxpayer's liability for inoccupancy tax must be assessed without considering whether or not the land was vacant for the previous financial year or any financial year before that.

Example—

The previous taxpayer of the land was liable to pay inoccupancy tax on the basis it had been vacant for 2 years. Following the sale of the land to the taxpayer, the taxpayer will either be liable to pay no inoccupancy tax or inoccupancy tax on the basis that land had been vacant for more than 1 year.

- (3) To remove any doubt, it is declared that a change in ownership does not affect the previous taxpayer's liability to pay inoccupancy tax for the previous financial year.

(4) In this section—

related persons see *Duties Act 2001*, section 61.

Part 5

Rate of inoccupancy tax

17 Rate of inoccupancy tax generally

- (1) Inoccupancy tax, for a financial year, is imposed on the taxable value of the taxable land owned by a taxpayer at the following rates—
 - (a) if the land was not vacant for the previous financial year (year -1)—nil;
 - (b) if the land was vacant for year -1 but not vacant for the financial year before year -1 (year -2)—2.0c for each \$1;
 - (c) if the land was vacant for year -1 and year -2 but not vacant for the financial year before year -2 (year -3)—3.0c for each \$1;
 - (d) if the land was vacant for year -1, year -2 and year -3—4.0c for each \$1.
- (2) To remove any doubt, it is declared that, for the purpose of deciding the rate of inoccupancy tax applying, it is irrelevant that the land was, for a financial year, exempt land.

Example—

If land is taxable land this financial year but was not taxable land last year because and only because it was exempt land, the rate in section 17(1)(b) applies.

Part 6

Exempt land

18 What is exempt land

Land is *exempt land*, for a financial year, if it is declared under this part to be exempt land.

[s 19]

19 Exemption for land rendered uninhabitable by natural disasters etc.

- (1) Land is exempt land, for a financial year, if the land—
 - (a) became uninhabitable in the previous financial year as a result of a relevant event and remained uninhabitable for a period of at least 3 months following the relevant event; or
 - (b) became uninhabitable in the financial year before the previous financial year (year -2) as a result of relevant event and—
 - (i) remained uninhabitable following the relevant event until the end of year -2; and
 - (ii) remained uninhabitable for a period of at least 3 months following the end of year -2; or
 - (c) became uninhabitable in the financial year before year -2 (year -3) as a result of a relevant event and—
 - (i) remained uninhabitable following the relevant event until the end of year -2; and
 - (ii) remained uninhabitable for a period of at least 3 months following the end of year -2; and
 - (iii) the total period the land has remained uninhabitable is not more than 2 years.
- (2) Also, land is exempt land if—
 - (a) the land became uninhabitable in a previous financial year as a result of a relevant event; and
 - (b) the commissioner is satisfied that it is reasonable in all the circumstances that the land has remained uninhabitable, including, for example, because of delays in the finalisation of an insurance claim relating to the relevant event.
- (3) In this section—

relevant event means a natural disaster, fire, structural failure or another similar event.

20 Exemption for land under construction or renovation

Land is exempt land, for a financial year, if—

- (a) the land was not capable of being used for a period of 3 months in the previous financial year as a result of construction or renovations occurring on the land; and
- (b) the total period the land has not been capable of being used for is not more than a year; and
- (c) the construction or renovation is not unlawful.

21 Exemption for properties for travelling workers

- (1) Land is exempt land, for a financial year, if—
 - (a) in the previous financial year the owner of the land did not occupy the land for the period mentioned in section 13 because of the requirements of their employment; and
 - (b) but for their employment, the land would have been owner's primary place of residence.
- (2) However, land is not exempt land, for a financial year, if—
 - (a) the land has remained unoccupied for a continuous period of at least 2 years; or
 - (b) the land was only occupied for a continuous period under 2 months in the previous financial year.

22 Exemption for sentimental reasons

Land is exempt land, for a financial year, if—

- (a) it forms part of a deceased estate; and
- (b) the individual the deceased estate relates to died in the previous financial year or the financial year before the previous financial year; and
- (c) the commissioner is satisfied that it is reasonable in all the circumstances that the land be exempt land

[s 22B]

including, for example, because of the sentimental value of the land.

22B Exemption for land subject to legal restriction

- (1) Land is exempt land, for a financial year, if—
 - (a) the land was unoccupied for a continuous period of at least six months; and
 - (b) the land remained unoccupied for the period because of a temporary legal restriction applying to the land or its owner which prevented the land from being unoccupied; and
 - (c) the commissioner is satisfied that it is reasonable in all the circumstances that the land be exempt land.
- (2) In this section—
legal restriction means—
 - (a) an order of a court; and
 - (b) a legal requirement applying under family law, the law of succession or the law of trusts.

22C Exemption for charitable institutions and supported accommodation

Land is exempt land, for a financial year, if the land is exempt land within the meaning of the Land Tax Act under section 47 or 51A of that Act.

Part 7

Annual provision of information

23 Annual provision of information

- (1) This section applies to the owner of residential land—
 - (a) for the financial year; or

[s 24]

(b) that was residential land for the previous financial year.

(2) The owner must give information to the commissioner in the approved form by 21 August in the financial year.

Note—

Under the Administration Act, the requirement under this section is an information requirement for which a failure to comply is an offence under section 121 of that Act.

24 Act amended

This division amends the *Land Valuation Act 2010*.

25 Amendment of s 6 (Statutory purposes of valuations)

(1) Section 6(1)—
insert—

(aa) any liability under the *Inoccupancy Tax Youth Act 2025* (the ***Inoccupancy Tax Youth Act***) for inoccupancy tax relating to the land; and

(2) Section 6—
insert—

(2A) A valuation for the purpose mentioned in subsection (1)(aa) is an inoccupancy tax valuation.

26 Amendment of s 7 (What is the value of land)

Section 7(b)—

[s 27]

omit, insert—

- (b) for rural land—
 - (i) for any liability under the Inoccupancy Tax Youth Act for inoccupancy tax relating to the land—its site value; or
 - (ii) otherwise—its unimproved value.

27 Amendment of s 56 (Application of div 3)

Section 56(2), after ‘land tax valuations’—

insert—

, inoccupancy tax valuations

28 Amendment of s 67 (Land Act rental valuation or Land tax valuation)

- (1) Section 76, heading, after ‘Land Act rental valuation—

insert—

, inoccupancy tax valuation

- (2) Section 76(1), after ‘Land Act rental valuation’—

insert—

, inoccupancy tax valuation

29 Amendment of ss 74 and 78

Sections 74(4) and 78(4), after ‘land tax valuation’—

insert—

, inoccupancy tax valuation

30 Amendment of s 83 (Valuation of land becoming subject to rates, Land Act rental or land tax)

- (1) Section 76, heading, after ‘Land Act rental—

insert—

, inoccupancy tax

(2) Section 83(1)—

insert—

(ba) land, not currently the subject of an inoccupancy tax valuation, that has become subject to inoccupancy tax;

31 Amendment of schedule (Dictionary)

Schedule, definition *dictionary*, fifth occurrence—

insert—

(ba) for an inoccupancy tax valuation—the person who, under the Inoccupancy Tax Youth Act, must pay occupancy tax for the land.

Division 2

**Amendment of Taxation
Administration Act 2001**

32 Act amended

This division amends the *Taxation Administration Act 2001*.

33 Amendment of s 6 (Revenue laws)

Section 6—

insert—

(10) The *Inoccupancy Tax Youth Act 2025* is a revenue law.