



# Hansard

## LEGISLATIVE ASSEMBLY

### 60th Parliament

**Thursday 6 February 2025**

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### **60th Parliament**

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Matt Fregon

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James Newbury (to 7 January 2025)

## Members of the Legislative Assembly

### 60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lister, John <sup>7</sup>	Werribee	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel <sup>1</sup>	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Berham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren <sup>2</sup>	South Barwon	Ind	O'Keffe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim <sup>8</sup>	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan <sup>9</sup>	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden <sup>3</sup>	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will <sup>4</sup>	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam <sup>5,6</sup>	Prahran	Ind	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole <sup>10</sup>	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Westaway, Rachel <sup>11</sup>	Prahran	Lib
Kathage, Lauren	Yan Yean	ALP	Wight, Dylan	Tarneit	ALP
Kealy, Emma	Lowan	Nat	Williams, Gabrielle	Dandenong	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Belinda	Narre Warren North	ALP
Lambert, Nathan	Preston	ALP	Wilson, Jess	Kew	Lib

<sup>1</sup> Resigned 27 September 2023

<sup>2</sup> ALP until 29 April 2024

<sup>3</sup> Sworn in 6 February 2024

<sup>4</sup> ALP until 5 August 2023

<sup>5</sup> Greens until 1 November 2024

<sup>6</sup> Resigned 23 November 2024

<sup>7</sup> Sworn in 4 March 2025

<sup>8</sup> Resigned 6 January 2025

<sup>9</sup> Resigned 7 July 2023

<sup>10</sup> Sworn in 3 October 2023

<sup>11</sup> Sworn in 4 March 2025

#### Party abbreviations

ALP – Australian Labor Party, Greens – Australian Greens,

Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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**Thursday 6 February 2025**

**The SPEAKER (Maree Edwards) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.**

*Announcements***Member for Geelong**

**The SPEAKER** (09:33): This is not something that the Chair usually does, but because I am a very, very bad friend I am going to acknowledge that it is the member for Geelong's birthday today. Do not expect this for everyone.

*Bills***Bail Amendment (Re-enactment of Repealed Offences) Bill 2025***Introduction*

**Michael O'BRIEN** (Malvern) (09:33): I move:

That I introduce a bill for an act to amend the Bail Act 1977 to re-enact the repealed offences of contravening certain conduct conditions and committing an indictable offence whilst on bail and to make consequential amendments to other acts and for other purposes.

Victoria is in a crime crisis, and Victoria needs stronger bail laws now – now, not after a review or a quasi review or a sham review. We need stronger bail laws today, and that is why this bill should be introduced today.

Labor made a huge error when it weakened bail laws. It let down Victorians' safety. It left the community exposed. It is why we are seeing this continued cycle of catch and release and serious, serious offences. We can do something about it, and we can do something about it today. The Labor government seems to believe that a condition of bail is an optional extra, that it is something you do not have to bother actually complying with. It used to be that if you contravened a condition of your bail it was an offence and you faced a tougher test to get bail again. Labor went and abolished it. That should be reintroduced. On this side of the house we believe that bail is a privilege, not a right, and those who abuse that privilege by breaching their conditions should be accountable. That is our view and it is the view of every single Victorian outside this chamber, and we want the law to reflect that basic principle.

The government also believes that if you commit certain serious offences while you are on bail that is okay. You can face the same weak test to get bail again. You can go out and commit as many burglaries as you like and you do not face a tougher test to get bail again. That is wrong. It is exposing Victorians to harm and it needs to change, and that is what the bill that I seek to introduce will do. We believe that any indictable offence committed whilst on bail should be an offence in itself and, more importantly, should lead to a tougher test for bail for the person responsible.

This is going to be a test for the Labor government. Are they serious about improving community safety, are they serious about fixing bail problems in Victoria, or was it, as I suspect, just a smokescreen ahead of Saturday? Was that announcement of a review or a quasi review or a sham review simply a last desperate roll of the dice to try and persuade the good people of Werribee that this government realised how badly they stuffed up bail and exposed Victorians to crime in this community? This vote will be the test. If Labor are serious about bail and Labor are serious about community safety, they will vote to let me introduce this bill, because it is serious.

**Mathew Hilakari** interjected.

**Michael O'BRIEN:** If the member for Point Cook does not even want to listen to the debate and does not even want to see the bill, that says more about the Labor Party than anything I could possibly

say. It is a very basic test. We have a bill here to strengthen bail laws. We have a bill here to make Victorians safer. Will Labor vote for the introduction of this bill or against it? I think the people of Werribee will be very, very keen to know. I think all Victorians will be very, very keen to know. What is the reason why Labor believes that people should be able to breach conditions of bail with impunity and not be accountable for it, not have any consequences for it? Why does Labor believe that you should be able to breach curfews, you should be able to contact witnesses you have been ordered not to and you should be able to ignore your reporting obligations to police and not have any accountability for it? They are the changes that Labor made to the bail laws, and that is why Victorians are less safe today than they were before Labor made these changes.

The government came out and said they were going to have a review or a quasi review or a sham review – immediately undermined by the Minister for Police. I hope we do hear from the Minister for Police on this debate. I am sure he has got a lot in his bottom drawer there. Possibly even some of the measures in this bill, Minister, will be in your bottom drawer. I hope the Minister for Police will vote to see this bill. He might find some good ideas in it. I think he actually wants to make stronger bail laws. He has been talking about this for quite some time. He was having a go at the courts recently, saying the courts should do more to stop people getting bail time and time again. You have got to fix the law if you want the courts to apply it, Minister. This is an important bill. It should be voted on positively right now, because if Victorians are going to continue to labour under weak bail laws it will only be the fault of the Allan Labor government. We have got a better plan to strengthen bail laws in Victoria.

**Paul EDBROOKE** (Frankston) (09:39): I am absolutely happy to speak on this procedural motion today. We have got a bunch of fairly illiterate people across the way that do not seem to be able to read the history books. They voted down tougher bail laws last year.

*Members interjecting.*

**Paul EDBROOKE**: History shows that you voted down tougher bail laws last year. When there is an appropriate time to raise this in the government business program, that chance is not taken, so it is hard to think that this is not a stunt. I think that this government has toughened bail laws and has announced a review.

*Members interjecting.*

**Paul EDBROOKE**: We hear the laughter over there. It is classically politicising an issue, just like the African gangs. For those of us who were around to see that poor, terrible campaign roll out –

*Members interjecting.*

**The SPEAKER**: Member for Bulleen!

**Paul EDBROOKE**: and that fearmongering that discriminated against minorities in our communities and affected them and their families, it was pretty low. We do not want to start a race to the bottom.

*Members interjecting.*

**The SPEAKER**: The member for Bulleen, this is your second warning. There will not be any more.

**Paul EDBROOKE**: This is a stunt, and it should be treated as such. This government has put more police on the beat. We have legislated electronic monitoring and tougher bail laws. The opposition need to have a think about where they were during the debates for those tougher bail laws, electronic monitoring and more police on the beat, instead of just parroting lines from their new leader. This should be seen as what it is: a race to the bottom. People in the opposition absolutely should be talking to the Victorian Law Reform Commission and police officers, not just the people in their party who are politicising these issues. With that I will leave time for other people to speak about this, but it is just a stunt, and it should be treated as a stunt.

*Members interjecting.*

**Paul EDBROOKE:** A bit sensitive, aren't they, Speaker? This is just a stunt, and it should be treated as such. This house is not immune to this kind of activity. We see it all the time. We saw yesterday a very, very important bill being obfuscated by 'We don't like it because of this; we don't like it because of that.' There was no focused argument about why we should not vote for this bill. It was just 'Let's politicise it and let's not vote for it.' The safety of Victorians is the first priority of this government.

*Members interjecting.*

**The SPEAKER:** The member for Cranbourne will leave the chamber for half an hour. The Leader of the Opposition is warned.

**Member for Cranbourne withdrew from chamber.**

**Paul EDBROOKE:** Community safety is the first priority of this government, and our history shows it. Their history does not. They are the party that actually sacked the police band. We employ more police. We put in legislation which makes our community safer, and we are proud of it. This is just a stunt.

**Cindy McLeish:** On a point of order, Speaker, I think the member for Frankston has veered a long way from this procedural motion, and I ask you to bring him back.

**The SPEAKER:** I think we veered a long way from this procedural motion some time ago.

**Paul EDBROOKE:** I believe that those who have been listening to this procedural debate with all good sense and reason would vote against it.

**Danny O'BRIEN** (Gippsland South) (09:43): What a surprise that the government would vote against this. What a surprise that the government would not take a hard line on crime in this state, which is out of control – particularly violent crime, particularly youth crime and particularly youth violent crime. You only have to pick up the paper every morning. Every morning you listen to the radio and there is another incident – whether it was in Wyndham Vale last night, whether it was in Prahran the last couple of days, whether it was in regional areas of the state as well – and so often we subsequently find out that the perpetrator of that crime was on bail at the time. People are sick of it. People are coming up to us on this side time and time again: 'What is wrong with this state that people can continue to offend, get bail and go and do it again?'

**Sam Groth** interjected.

**Danny O'BRIEN:** The member for Nepean is right. Those people must be going to those on that side. They must be getting that feedback as well, I am sure. I must add, too, it is not just people. The other people that are coming to us are the police. The police officers on the beat are sick of the revolving door. The member for Malvern said it well: catch-and-release policy. The member for Frankston, as did the Treasurer yesterday, talked up their record on police numbers and police resources. We all know that that is a bit of a furphy because we know that there are 1100 vacancies at the moment. There are about 700 off on leave of other sorts. There are nearly 2000 vacancies not being filled in the police force at the moment, but in this context that is not the issue. The coppers are doing their job. The police are arresting the crooks. The police are actually doing the job. They are getting the bad guys off the street, and within 24 hours they are back on the street again. We have seen this time and time again with the horrendous murders of Ash Gordon and Isla Bell. There are so many names that Victorians are sadly becoming familiar with because of this situation.

In my case, in my own electorate, we had a story in the *Herald Sun* before Christmas about a 14-year-old youth who had been released 50 times; 50 times that youth had been bailed. When I read the story, I thought, 'Oh hello, they've picked up my South Gippsland story,' because I can tell exactly the same story. Different person, but a 14-year-old youth has been caught and released 50 times, according to

local police. It is just unconscionable that that is continuing. The victims are coming up to me in the streets – in a place like Leongatha – and saying how traumatised they are because someone broke into their house, violated their peace and privacy and stole their car. Most of the time, particularly for the youth, it is not for criminal intent, it is not because they need the money by selling the car or something. They are just going for a joy ride, putting it on TikTok and thumbing their nose at the state, thumbing their nose at the court system, thumbing their nose at the police and thumbing their nose at this government, because they know – and we literally had one last week saying openly, and it was reported in the media, ‘I know I’ll get away with it. They can’t do anything. They can’t touch me.’

It is just extraordinary that it is the first week of Parliament for the year and the government does not have an agenda and it has to start with, ‘Oh yeah, we’ve sort of messed up crime, so we’re going to do something about it.’ Then it appears that they are actually not doing something about it, because the Minister for Police said, ‘Oh no, there’s no real review. I’ve just got a bottom drawer.’ I discovered yesterday, and in fact the member for Lowan helped point it out, that we actually have a top drawer on this side, as the Opposition – I did not know we had that – and in that top drawer was the member for Malvern’s bill. It has been sitting there for a while. So the Minister for Police did not even need to go to the bottom drawer; he could have just come and asked us and we would have said, ‘Here it is.’ As the member for Malvern said, I am pretty sure that after he actually has a look at this, what we are proposing in this bill will be pretty much what they will end up doing. I remember standing next to the member for Malvern and speaking when the bail legislation was debated last year and I think in 2023 as well, and I said that exactly this would happen. The government was warned. The member for Malvern made it clear that the decisions that the government took at the time – that we are now trying to bring back with this piece of legislation – would come to haunt the government. They absolutely are. We are seeing it time and time again throughout the state, as I said.

The minister does not need to go to the bottom drawer. There are options here. The government could accept this bill. Just have a look at it. You do not even have to vote for it on a second or third reading, just actually have a look at it. You are not the fount of all wisdom on that side. This is a good bill. The government should support it and crack down on crime and those abusing bail in this state.

**The SPEAKER:** I remind members to address their comments through the Chair. I would like to be the fount of all wisdom.

**Nina TAYLOR** (Albert Park) (09:48): Just to note from the outset of course that this is a procedural motion, and one has to be careful about drawing conclusions with regard to attitudes to community safety when the premise of the discussion that we have before us is about a procedural motion and the way that Parliament will proceed from this moment forward. So I would be very careful on that side with drawing all sorts of conclusions and presumptions. No-one is presenting to be the fount of all wisdom. I would say that no-one in this chamber can pretend to be the fount of all wisdom – that would be rather presumptuous, to say the least – and least of all me. No-one is overestimating their capacity, although I would like to think we have some capacity in this chamber and that we do achieve some very decent outcomes for the community.

On that note, we do have a government program, and there is a process for the week. But care should be taken, as I was saying at the outset, as to the attitudes that might be being thrown about the chamber as if to suggest that one side is better than the other when reflecting on an issue as important as community safety.

I would like to thank our hardworking police force. These frontline workers, day in, day out, do the hard work. It is a very challenging career, to say the least, and it does take a certain disposition to be able to handle that which they do on our behalf. I express gratitude on behalf of at least this side of the chamber, noting we do have more police on the beat than any other jurisdiction in the country, and that has to say something. Also, we have given them significant resources – \$4.5 billion – to support them and to support the recruitment of more police as well.

I will note also that the Premier has already spoken significantly with regard to matters of bail, so I do not need to repeat those statements. She has been very clear and up-front in that regard. On that note, I will comment for the benefit of this chamber on the seriousness of the matters that we do debate, day in, day out. I would like to suggest community safety, retirement villages and rental reforms – all these matters are very significant and important to community, and we give them the highest priority. I would think that out of respect for an efficient but caring, considerate and compassionate parliamentary process, those on the other side would adhere to the parliamentary customs and we could proceed on the government program rather than them trying to interrupt in the manner to which we have become accustomed, which does not actually lead to any better outcomes for community but rather serves the purpose of a quick grab on social media, I have no doubt, which is what this is serving here. But as I should affirm, we are not in any way resiling from the significance of the issues that have been raised, but I do think for the betterment of all we should adhere to what is a procedural process in this regard.

**David SOUTHWICK** (Caulfield) (09:52): I rise to support the Shadow Attorney-General's call for the introduction of a bill to ensure that we strengthen bail laws here in Victoria. I think Victorians have had enough of a government that is weak on crime. There is absolutely no focus from this government to consider anything about strengthening bail laws, to be tough on crime and to ensure that there are consequences for those that commit serious crimes in Victoria. We have just seen it time and time again. The Premier has had her head in the sand for far too long when it comes to serious crime in Victoria. We have heard nothing from the Premier. The Premier has had so many opportunities to do something about it but has done absolutely nothing.

**Mary-Anne Thomas:** On a point of order, Speaker, of course this is a narrow procedural debate. I understand that members on both sides have been given largesse to canvass issues that might not normally be acceptable in this place. But to actually claim something that is untrue, to stand up here and say things that are not true about the Premier, is not acceptable.

**The SPEAKER:** Leader of the House, what is your point of order?

**Mary-Anne Thomas:** My point of order is on relevance to a procedural motion. It is not an opportunity to bag the Premier.

**The SPEAKER:** The member for Caulfield will come back to the procedural motion. I remind members that this has been a pretty far-ranging debate. I have been very lenient this morning. Try to contain your comments to the procedural motion.

**David SOUTHWICK:** This is a very serious matter – law and order is a very serious matter – and there is nothing more urgent than bringing this bill into this house. The fact is we have such a weak agenda that we are running this week. We have got two bills in the house. We have the Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024, which we are not even voting on this week. We are not even voting on it. Here is a bill that we had an opportunity to vote on and this government has pushed it into the never-never. Therefore there is an absolute opportunity. If the vilification laws are not going to be voted on this week, we should be urgently talking about bail laws today, and Victorians would expect us to be talking about bail laws today, because every day gone and every violent crime committed is another day when this government has failed to keep the community safe. If this government was concerned about victims, they would act on this now. We do not want to see more blood on the Premier's and the government's hands, because that is what is happening. Delays, and murders when people are out on bail – the only people that are responsible for them are this government, this government that has failed to keep Victorians safe.

You only have to read the papers. Every single day there are horrific stories of people that are committing acts of violence while out on bail. In the last 24 hours we have seen in Wyndham Vale seven young people steal cars and hoon up and down the roads, again within an inch of people's lives, driving these vehicles, and again they were arrested in Wyndham Vale. We saw stabbings in Chapel

Street. Ironically, these are two electorates where there are by-elections this week. One would actually have to ask why all of a sudden now the Premier is saying, 'You know what, maybe we might have a review.' We know why – because the Premier is worried about losing Werribee. If you go to Werribee and if you talk to any of the people that are turning up at the pre-poll and you ask them what their number one issue is at the moment, they will say law and order. They will say they want to ensure that they are kept safe, and they know that Wyndham Vale police station is part-time at the moment because of lack of resources.

**Mary-Anne Thomas:** On a point of order, Speaker, on standing order 118, this is not an opportunity for the opposition to make personal reflections or assign motives to members of this place in relation to the bill that is being proposed to be introduced.

**The SPEAKER:** The member for Caulfield will come back to the procedural motion. Be mindful of not reflecting on members.

**David SOUTHWICK:** As I was saying, there is nothing more important at the moment than tackling the crime crisis that we have in Victoria. Bail has got out of control. People are being bailed like we have never seen before under this government because of the lack of laws and the lack of consequences. The government have said that they want to do a review. We do not need any more reviews. This bill will do it, and we ask the government to act and the government to act now.

**Steve McGHIE (Melton) (09:57):** I rise to speak on this procedural motion briefly. I will not take too long to respond to what has already been spoken about. Of course we did introduce tougher bail laws last year. That was opposed by those opposite. Those tougher bail laws are working – not in every circumstance, but they are working. We have also provided more police on the beat, who do an amazing job. I want to commend our Victoria Police members for the great work that they do, in particular in my electorate. I have a very close working relationship with VicPol members and the commander out there Lisa Prentice-Evans. The community groups are dealing with the culture of crime and youth crime. But there is one thing that we have missed in this place, the biggest issue that police have to deal with, and that is family violence. We seem to overlook family violence. Forty per cent of police work is taken up with family violence. I notice that the electorate of Werribee was raised.

I will go back to my electorate and the great work that the VicPol members do and the great relationship that I have with them and the community groups that assist our youth. We talk about the crime that is committed, but the work that is done in the background to prevent crime is amazing. We never talk that up, and we need to talk that up and those community groups and the great work that they do. The Premier has announced a review to be conducted by the Attorney-General and the Minister for Police, and we should allow them to get on with that review and come up with some findings out of that. I think the Premier has also alluded to the fact that no stone will be left unturned in regard to that, so we need to get on with that.

We have a government program this week. We are in the last day of the sitting week. We need to get on with that program, and of course it is clear that we need to go further, and that is what the review will be about.

**A member** interjected.

**Steve McGHIE:** Yes, I did say it was working. I did not say it was working at 100 per cent. That is not to say you cannot improve things. It is like a tennis player that has faults. They need to practise and improve. It is a similar thing. You keep practising, practising, practising.

*Members interjecting.*

**The SPEAKER:** Order! Member for Melton, through the Chair. The member for Point Cook can leave the chamber for half an hour.

**Member for Point Cook withdrew from chamber.**

**Steve McGHIE:** As I said, the member for Malvern referred to the electorate of Werribee. Having been out there last Saturday on pre-poll, Werribee has a state-of-the-art police complex that all of the police members want to work from. There are additional police that have been put out there, dealing with the crime out there. There are additional police, more than were initially out there. Anyway, we will get on and conduct the review. We will get on with the government business program, and we will vote against this motion.

**The SPEAKER:** I remind members that it would be good if they could be respectful to members on their feet. Even if you do not agree with what they are saying, interjections are not acceptable.

Is leave granted for the member for Brunswick to speak? Leave is not granted.

**Assembly divided on motion:**

*Ayes (24):* Brad Battin, Jade Benham, Roma Britnell, Martin Cameron, Annabelle Cleeland, Chris Crewther, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, Richard Riordan, Brad Rowswell, David Southwick, Bill Tilley, Bridget Vallence, Peter Walsh, Kim Wells, Jess Wilson

*Noes (50):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Paul Edbrooke, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

**Motion defeated.**

**Documents**

**Victorian Health Building Authority**

*New Melton Hospital Project Summary*

**Melissa HORNE** (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (10:07): By leave, I table the *New Melton Hospital Project Summary*.

**Children's Court of Victoria**

*Report 2023–24*

**The Clerk:** I have received the Children's Court of Victoria report 2023–24 for presentation by command of the Governor.

**Tabled.**

**Documents**

**Incorporated list as follows:**

**DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

*Financial Management Act 1994* – Report from the Attorney-General that she had received the Report 2023–24 of the Sentencing Advisory Council

*Parliamentary Committees Act 2003* – Government response to the Electoral Matters Committee's Report on the Inquiry into the conduct of the 2022 Victorian state election

Residential Tenancies Bond Authority – Report 2023–24

Rural Northwest Health – Report 2023–24.

## MOTIONS

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Legislative Assembly

Thursday 6 February 2025

### *Motions*

#### **Motions by leave**

**James NEWBURY** (Brighton) (10:08): I move, by leave:

That this house acknowledges the alarming Standard & Poor's credit rating report which warns that 'ratings revisions loom' because of the state Labor government's financial ill-discipline and their failure to 'curb rising operating costs and cost blowouts', which is 'also delaying forecasted financial consolidation'.

**Leave refused.**

**Gabrielle DE VIETRI** (Richmond) (10:08): I move, by leave:

That this house notes that the President of the United States has declared his intention to complete Israel's horrific ethnic cleansing of Palestinians and that the US would take over and own Gaza and calls on this government to publicly condemn the President and assert unreservedly its commitment to global peace and international law and immediately end its support for any US and Israeli weapons and weapons parts companies.

**Leave refused.**

### *Business of the house*

#### **Adjournment**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (10:09): I move:

That the house, at its rising, adjourns until 18 February 2025.

**Motion agreed to.**

### *Members statements*

#### **Robert Charles Sercombe**

**Ben CARROLL** (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (10:09): I rise to celebrate the life of Robert Sercombe, affectionately known as Bob Sercombe. Bob was a stalwart of the north-west of Melbourne. He served in all three levels of government, commencing at the City of Essendon, from where he then moved on to become the Labor member for the electorate of Niddrie, which I hold now, and after that he became a federal member of Parliament in the electorate of Maribyrnong.

Bob had a dedication to the local community like no-one else. Having had a taste of public service, he was passionate about the community, whether it was representing Niddrie or Maribyrnong or the people of Essendon. He was so proud of the work he did. He was very much a public policy person, long before we were talking about the care economy and long before we were talking about level crossing removals. Bob was a strong advocate for aged care in the local community. He was a strong advocate back in the 1980s and the 90s for the removal of the St Albans level crossing. Perhaps he was most proud, though, of his children, grandchildren and his beautiful wife Carmen. He would be so proud too that his grandson Harper Sercombe, a journalist now out in the north-western suburbs, did a beautiful tribute to him in the local newspaper. This is what Bob was always about – family and community. May he rest in peace. Vale, Bob Sercombe.

### **Nepean Highway noise barriers**

**James NEWBURY** (Brighton) (10:11): The Brighton East community continue to have their needs ignored. Despite abutting the Nepean Highway, the aged noise barrier fence is collapsing, and the Labor government will not replace it. Residents in Roseberry Avenue have spent months being given the runaround. One resident recently said the absence of the noise barrier fence has led to

frequent trespassing, which poses a security concern for their household. Additionally, the increased noise and dust have become significant.

**Crime**

**James NEWBURY** (Brighton) (10:11): With Victoria Police confirming that the youth crime crisis first started in Bayside, my community has been hit by escalating home invasions and aggravated burglaries for almost three years. In recent weeks Orchard Street in Brighton was attacked four nights out of seven. Labor's catch-and-release bail laws are causing deep damage to our community.

**Brighton Bathing Box Classic**

**James NEWBURY** (Brighton) (10:12): Hundreds of swimmers hit Brighton Beach on Sunday to take part in the iconic Bathing Box Classic. Congratulations to Brighton Life Saving Club on the event and to club president Sam Dimopoulos on his leadership.

**Merlyn 'Merl' Johnson**

**James NEWBURY** (Brighton) (10:12): Five months after losing my grandfather, my broken-hearted grandmother passed recently to join with him. Merlyn 'Merl' Johnson was my grandfather's second wife. Their marriage, when he was 74 and she 72, caused quite a commotion. Her family found out about the relationship when the two were caught kissing on the porch, and our family found out when we found a key to her unit on his keyring. The two lovebirds married hoping for 10 years together. Fittingly, they were blessed with over 25 wonderful years, now eternally together. Vale.

**Retail worker penalty rates**

**Tim RICHARDSON** (Mordialloc) (10:12): Coles and Woolworths want to scrap the penalty rates of their retail workers at a time when Victorians and Australians are working their hardest to just get by, and we will not let them. Woolworths, Coles, Kmart and Costco are teaming up to scrap the penalty rates for some retail workers and their rest time allowances when they are trying to do their very best to support themselves and their families. They are coming after the wages of workers when profits are sky-high. Just last year Coles wound up with a \$1.1 billion profit after tax, and Woolworths took home \$1.7 billion in the last financial year. As the Premier has rightly called out, these workers got us through the pandemic. They supported us during a cost-of-living crisis, and this is not the time to be waging war on these essential workers.

These are large corporations. Woolworths recently got a red card for underpaying workers at the Fair Work Ombudsman review that saw a \$500 million payout. If these companies are allowed to get away with this, who knows where this ends? And it will continue into the future. We have to stand up and say enough is enough. The productivity gains that have been made have been made on the back of these incredible retail workers and the people that they support. They are in every part of our community trying to make ends meet. Whether it is supporting families, whether it is trying to get through TAFE or uni, they work their absolute guts out. They know that a Labor government will have their back and their Premier Jacinta Allan will do all that she can to support them into the future.

**Early childhood education**

**Peter WALSH** (Murray Plains) (10:14): The incompetent Allan government has sacrificed another vital education and training program because it cannot manage money. In this case it cannot manage the vital early childhood education and training sector. The Allan government's decision to cut Skills First funding for providers operating in priority skill sectors such as early childhood education and care is further proof of the financial black hole that the Allan government has driven the Victorian budget into. This fundamental and critical sector is already under siege from soaring demand and critical worker shortages, no more so than in regional Victoria where the phrase 'childcare desert' has become part of many discussions. Workplace delivery models enable students to fast-track by combining academic achievement with valuable hands-on experience in professional settings, an approach that is essential if this sector is to have the staff it needs in the future.

Early childhood is the very essence of the care economy. Without it, communities will not have the workforce they need and young parents will be denied the opportunity to remain in the workforce. With less people in the workforce and jobs not filled, who is going to pay for the Premier's insatiable hunger for more and more taxes to pay for the government's incompetence? For once can the Allan government admit it has got it wrong, reinstate funding for Skills First and help young families who are suffering a cost-of-living crisis to get the child care they need.

**Mill Park electorate health infrastructure**

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:15): I am pleased to highlight some of the very good things that have happened over the summer period in my electorate. Emergency services are so critical to all of our lives, and we know that just thinking about the bushfires that are underway right now. It is why I was so pleased to have been able to open a modern, multimillion-dollar ambulance station in Epping, alongside the Parliamentary Secretary for Infrastructure Delivery, on 20 December. I really do want to acknowledge and thank the Minister for Health, who is at the table, for making sure that these types of services are being delivered across our communities. This is a brand new two-storey station that features a five-bay ambulance garage, training facilities, six rest-and-recline areas and enhanced security and parking, which means increased capacity to respond to more call-outs in our growing northern suburbs.

We have also had the first stage of construction of the Northern Hospital redevelopment project. The first stage includes the new specialist outpatient clinic. We are going to see more than 200 treatment spaces, an expansion of the inpatient unit and many other great facilities, including the children's emergency department, being built.

**Northern District Softball Association**

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:16): I also want to take a minute to congratulate Lillian Ormandy and pay tribute to the late Ray Carter from the Northern District Softball Association. These two widely respected community members have done so much for the softball community in the northern suburbs. I had the pleasure of being at the opening and formal naming of the new diamonds in honour of these two wonderful people of our community.

**Community safety**

**David SOUTHWICK** (Caulfield) (10:17): At approximately 4:15 on Friday 6 December 2024 the Adass Israel Synagogue in Ripponlea was firebombed by two arsonists. Two arsonists smashed glass windows to enter the building. They came prepared with petrol drums and brooms to spread the petrol around the synagogue to maximise the damage. At the time there were community members inside the synagogue, including one who attended every single morning at about 4 o'clock to get things set for the day. Despite knowing that congregants were inside, the arsonists proceeded with setting the fire alight. Thankfully the congregants made it out alive, although one of them received burns and required medical attention.

This attack has shaken Melbourne's Jewish community, who have struggled with the unprecedented rise in antisemitism since 7 October. The one positive part of this story is the outpouring of support from across the nation and internationally. We have seen so many people come and pay their respects to the community. There has recently been a website saying 'Don't let hate win'. Since then over \$2 million has been raised to support the rebuilding of the synagogue. This is a time when hate must never win, and I want to pay respects to the board, to Michael Spiegelman, the chair, and Benjamin Klein for their tireless work to ensure that the Adass synagogue will be rebuilt. This should never happen, and this must never happen again.

**Bruce Coghill**

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (10:18): Today I am very pleased to recognise and thank a local constituent in my electorate, Bruce Coghill. Bruce embodies community service and dedication. For over a decade this remarkable man, nearing 80, has tirelessly worked to keep our streets and public spaces clean and welcoming. Rain or shine, every morning Bruce makes his rounds along Chelsworth Loop, Malcolm Creek Parade, Beckett Way and other local streets, picking up rubbish and disposing of it properly. His commitment is unwavering. Even recent illness and chemotherapy have not deterred him – he returned to his efforts immediately after being discharged from hospital, demonstrating extraordinary dedication. These actions speak volumes about Bruce's character and his deep connection to our local community.

During his rounds Bruce collects bottles and cans, contributing to environmental sustainability. Bruce actively engages with Hume City Council, regularly reporting issues and advocating for positive change. Bruce's selfless efforts exemplify community service and pride. He embodies the values that make our community so great. His actions inspire us all, highlighting the power of individual contributions to improve our community's wellbeing. I am incredibly proud to represent residents like Bruce Coghill. His tireless, often unseen, work significantly improves the quality of life in our local community. Our community is fortunate to have such a dedicated and inspiring individual. Bruce's contributions are invaluable, and I extend my sincere gratitude for his ongoing commitment to our local community. Thank you, Bruce, for all that you do. Your efforts are greatly appreciated.

**Hoffman Brickworks**

**Tim READ** (Brunswick) (10:20): Residents of the Hoffman Brickworks development in Brunswick are concerned about the state of a historic chimney that survives from the 19th century. It has been fenced off and surrounded by scaffolding for over three years, awaiting repairs. Despite repeated orders from Heritage Victoria and a County Court order, the developer, known as Ninety Four Feet, is constantly stalling repair works. The temporary worksite is an eyesore and continues to raise safety concerns, with unauthorised visitors regularly scaling the scaffolding. Residents' insurance premiums have also increased as a result. Behind all these delays there is a developer that could have fixed this issue years ago.

Residents understand that restoration and repair of heritage buildings takes time, but they would rather see work being done by bricklayers than by lawyers. Heritage Victoria appear to be on the case, and I thank Minister Kilkenny's team for keeping us informed. Given the long and sorry history of failed heritage protection on this site and indeed on others, including the demolition of other buildings after decades of neglect despite earlier commitments to preserve them, I urge Heritage Victoria and the minister to stay on the developer's back and ensure the necessary works are completed as soon as possible.

**Newport level crossing removals**

**Melissa HORNE** (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (10:21): I rise today to give voice to my community, who are vehemently opposed to the closure of Champion Road as part of the level crossing removals at Maddox Road and Champion Road. Whilst the removal of level crossings delivers safety outcomes for everyone in the community, there are a number of concerns that my community have with the closure of Champion Road. Firstly, there are only four roads in and out of Williamstown, and the closure of Champion Road removes one of those important access points. Although there are plans to reconfigure the road network to provide additional access through Akuna Drive, the current plans are not supported by the community.

Secondly, there are a number of safety concerns raised by putting additional traffic on Maddox Road, where there are a wonderful primary school and childcare centres. There needs to be much more work

done on improving safety outcomes, particularly for children, pedestrians and cyclists. There are also concerns that the intersection of Maddox Road and Akuna Drive does not deliver an outcome for cars to turn right across traffic. Along the rail corridor there are beautiful trees that have been lovingly planted and cared for by the local community. They provide habitat for black cockatoos and help mitigate noise from freight trains. To date there has been no advice provided on what can be protected and saved.

Finally, there are also significant concerns from local businesses that will be detrimentally affected by the construction. I have been working with the Minister for Transport Infrastructure, and I understand the minister is considering a range of options in relation to these concerns. I will continue these discussions to advocate for better community outcomes.

**Australia Day**

**Jade BENHAM** (Mildura) (10:23): I spent Australia Day starting out at the very bottom of my electorate in Donald with the curtain-raiser of the day being an officially unofficial game of backyard cricket before the awards and the Lions Club barbecue. There was notably a very special award presented posthumously to the late, great Pat Allen, who passed away, unfortunately, in November. That was presented to his wife and daughter. Given that I learned a lot off Pat during my journey as a sports therapist, it was very special for me to present that award to them. We ended up in Irymple that night, all the way at the top, 450-odd kilometres later, for the Italian Australia Day celebration. It is a celebration because the Italian community, my community in Mildura, are very grateful that Australia gave them a home post World War II.

I cannot mention all of the award winners because there are over 25 or 30 towns in my electorate, but I do want to point out the CFA volunteers that were recognised for their service to their community, particularly Corey Harrison, who I got to congratulate, from the Wycheeproof fire brigade. He won the Buleke Shire Council Citizen of the Year. Emma Hicks from the Manangatang fire brigade won the Manangatang Citizen of the Year, and the Red Cliffs fire brigade won the Red Cliffs event of the year for their centenary dinner, which I also had the pleasure of attending during the year. Many of these firsies have been off on deployment as well, so thank you.

**Lunar New Year**

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business and Employment, Minister for Youth) (10:24): Happy Lunar New Year to the electorate of St Albans. January is a very special time for the electorate of St Albans, where we are able to visit and experience the many Lunar New Year festivals. To start, we had, again, a very successful St Albans Lunar New Year, which saw 90,000 people attend Alfrieda Street in St Albans. I want to thank the St Albans business group and all the volunteers in the community for again making it a very special Lunar New Year.

At the next stop it was wonderful to join my very good friend the member for Laverton and the Minister for Multicultural Affairs in attending Quang Minh temple in Braybrook for yet another fantastic welcoming in of the Lunar New Year, the Year of the Snake, with the ringing of the bells at midnight. I do want to thank again the Venerable Thich Phuoc Tan and all the volunteers, led by Dr Pham, who has a medical clinic in my electorate of St Albans. To all the volunteers, again it was a very special evening where we saw thousands of Victorians attend Quang Minh temple to celebrate the Lunar New Year, a fantastic opportunity and cultural celebration.

**Artificial intelligence**

**Darren CHEESEMAN** (South Barwon) (10:26): I am sure many parliamentarians have seen over the last 12 months the rapid evolution of artificial intelligence that has been achieved around the planet. This is going to profoundly change the way citizens engage with their governments. It is going to profoundly change the way in which customers interact with small business. What I am particularly interested in is what this might mean for the jobs of many Victorians and indeed many Australians.

The introduction of artificial intelligence and how rapidly it is coming at us requires governments to think carefully and to plan carefully to make sure that we have protections in place not only to protect individuals' privacy but, most importantly, to make sure that we protect the jobs of Victorians and that we have a strong and comprehensive jobs plan to ensure that when this technology comes at us we do have a strong plan that is designed to protect the jobs of Victorians. I urge the Parliament and the government to think carefully about this and to make sure that a comprehensive plan is put in place to protect Victorians and to ensure that we all do have the opportunity to have work in this state.

**Australia Day awards**

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (10:27): I would like to add my congratulations to Australia Day award recipients, including those who received the Australian Police Medal: the late Senior Sergeant James Egan, Superintendent Kelvin Gale, Detective Senior Sergeant Tracy Meyer, Senior Sergeant Rodney Munro and Detective Inspector Anthony Wheatfill. I would also like to acknowledge the honorary OAM that was awarded to Selba Luka for her service to the African community of Victoria. I worked with her in my past role as chair of the Victorian African Communities Action Plan Implementation Committee. There has just been stellar work from Selba Luka, and I want to acknowledge her honorary award. Also, congratulations to Elizabeth Bonetti OAM from Ivanhoe for her services to music.

**Banyule citizenship ceremony**

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (10:28): Further, can I just acknowledge the citizenship ceremony hosted by Banyule City Council that the member for Bundoora and I attended with a lot of the new councillors at the City of Banyule who were elected later last year. We look forward to working with them all. It was a great celebration of the many new citizens who were at the Heidelberg town hall last week.

**Waller House**

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (10:28): Lastly, can I also just acknowledge the receipt of \$30,000 to restore the roof of Waller House to make it more resilient to future weather events after storm damage. It is a very significant landmark in my community that is over 100 years old. It was battered by severe storms. That Waller House is getting the repairs that it needs to continue being part of our community is very welcome.

**Kingsbury Primary School**

**Colin BROOKS** (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (10:29): I rise to today to give a shout-out to the students and staff at Kingsbury Primary School, one of the great primary schools in my electorate. The year 6 graduation dinners at Kingsbury Primary are always great events, and last year's celebration was no exception. I appreciated the opportunity to personally address the Kingsbury Primary School class of 2024 and to present an award to one student in particular, Ehaan, who went above and beyond to demonstrate commendable leadership in his school community. I would also like to give a special shout-out to Shaun Bishop, the new principal, and all the dedicated members of the school council. The dinner was a great chance to personally congratulate Mr Bishop on his new position and to talk about the recently announced \$498,000 refurbishment of some of the school facilities.

Something else that makes Kingsbury Primary School graduation dinners special is how they connect the community from outside the school gates. Deputy Speaker, as you might be aware, the suburb of Kingsbury is named after the Second World War hero Bruce Kingsbury. Bruce Kingsbury was a Victoria Cross recipient who fell in battle during the Kokoda campaign. Kingsbury Primary School maintains a special relationship with Private Kingsbury's battalion association to this day, and it was

wonderful to see this strong relationship continue, with representatives of the 2/14th Battalion Association joining to congratulate the graduating class. The volunteer members of the association are to be commended for the time and interest they maintain in the school and its students, ensuring the values that Bruce Kingsbury displayed are understood and adhered to by the students.

**The Veggie Empire**

**Vicki WARD** (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (10:30): A big shout-out to the Veggie Empire and their farm gate in St Helena where I recently bought some fresher-than-fresh fresh veggies and flowers. I was also able to congratulate the wonderful team on their nearly \$50,000 grant from VicHealth under the Growing Healthy Communities grant. This helps them continue supporting people with intellectual disabilities in meaningful work, growing and selling locally grown fruit, veg and seedlings. I was also able to wish Scotty, a mad Melbourne supporter, a happy birthday. And I can tell you, Deputy Speaker, that the produce and the seedlings are nothing short of fantastic.

The Veggie Empire has also benefitted from a \$30,000 grant via the North East Community Fund, helping revitalise and rehabilitate vegetation on their site, which also has supported the establishment of their wonderful farm gate. The farm gate is open on Wednesdays from 10:00 till 1:00, and there are plans to eventually open on the weekend. I congratulate this wonderful, friendly and inclusive team, including Josh, Scott, Kat, Patrick and Rachel for their fantastic success.

**Australia Day**

**Vicki WARD** (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (10:31): Last December, Eltham Lions Club president Peter Talbot, who can be a bit of a legend, had an idea that he wanted to help our community come together in an inclusive and celebratory way on Australia Day. In an incredibly short time, with the support of local community and organisations, it happened. On Australia Day we got together in Eltham town square and celebrated our shared values of inclusion, kindness and helpfulness and the simple joy of singing, eating, laughing and having fun together. This wonderful event was made possible thanks to the hard work and collaboration of fantastic community groups like Eltham Lions Club, the Rotary Club of Eltham, Eltham Men's Shed, Eltham Prostate Cancer Information and Support Group, Imagine Re-Evolution and the Eltham Girl Guides. This support and involvement ensured the day was filled with warmth and laughter.

**Pioneer Women's Ceremony**

**Michaela SETTLE** (Eureka) (10:32): On Sunday I was honoured to represent the Minister for Agriculture at the 64th annual Pioneer Women's Ceremony, hosted by the National Council of Women of Victoria in the beautiful Pioneer Women's Memorial Garden. This annual event acknowledges the contributions of pioneer women across generations, and in 2025 they shine a well-deserved spotlight on women in agriculture.

This year marks 30 years since the Australian Bureau of Statistics finally recognised that women could list their occupation as farmer in the census. But we all know that women have been farming for far longer – I think back to my mother making difficult decisions in the 1980s drought but could not list herself as a farmer but only a farmer's wife. By the time I got to the farm, things had changed, and I thank the many trailblazing women who fought to make sure that by the time I was a farmer things were different.

The ceremony featured powerful voices, including Alana Johnson AM, a founding member of Australian Women in Agriculture, who spoke on the Invisible Farmer Project, the largest-ever study of women on the land. We also heard from Liesbeth Long and Narelle Hanrahan, both great champions. The Allan Labor government is committing to breaking down barriers for women in agriculture in our fabulous Victorian Rural Women's Network support.

**Bob Fairclough**

**Mathew HILAKARI** (Point Cook) (10:33): Vale, Bob Fairclough. Bob was a former Wyndham mayor and community leader, and he died last Thursday, 30 January. Bob loved his community, and I recall meeting him soon after being appointed as the Labor candidate for Point Cook. He told me about his first election to council. He knocked every door of the community that he sought to represent. He served 11 years on council. He was elected at that election, and to be frank, Bob never stopped doorknocking. He knocked everybody's door. He wanted more for the community always. That is why he was such a big advocate – that is why he wanted everyone who was multicultural in our community to be included. He loved particularly our multicultural community. I want to acknowledge Cr Larry Zhao, who had such a strong bond with Bob, who was a real mentor to him.

Bob emigrated from New Zealand in 1984 and was an academic at Victoria University. He never stopped loving education and advocating for it. He was involved in so many organisations: Rotary, Point Cook Action Group, the Point Cook Cricket Club and Werribee diabetes support.

Bob, I will miss seeing you in our community – always organising, always thinking about the next thing. My condolences to Denise, your son, the broader family and the community that will miss you. Point Cook is poorer for your passing and richer for you being there. Vale, Bob Fairclough.

**Doug Sarah, Bill McGregor and Ewan Jones**

**Juliana ADDISON** (Wendouree) (10:35): Today I pay tribute to Doug Sarah OAM, Bill McGregor OAM and Ewan Jones OAM, who all recently passed away. These men made significant contributions to Ballarat over many decades in different fields, but all three were driving forces behind the success of Sovereign Hill.

Doug Sarah was a prominent businessman and owner of Mr Casual, community leader and champion for Ballarat. He strongly supported performing arts, tourism and the Eureka legacy. He was a mentor to many, a life member of the Ballarat National Theatre and a life governor of Sovereign Hill.

Bill McGregor was a well-known Ballarat solicitor, partner at Baird & McGregor and director of W&D Finance. He was an enormous contributor to Sovereign Hill for more than 40 years as a board member, former president and Gold Museum volunteer. He was also heavily involved in Ballarat Apex club and was awarded a fellowship at the University of Ballarat, now Federation University.

Ewan Jones was a talented architect who was responsible for the recreation of Sovereign Hill's Main Street in Ballarat from the 1950s, as well as designing the Gold Museum. Ewan also designed the offices for the Shire of Ballarat in Wendouree in 1962 and masterly incorporated shop facades on Bakery Hill for Ballarat's first McDonald's. He also designed Ballarat's royal tennis court at the Old Ballarat Village, now the Mercure, as well as buildings at Federation University in the Ballarat School of Mines. Ewan also established the Dalwhinnie winery in Moonambel.

Vale, Doug, Bill and Ewan.

**Mollie Holman Award**

**Paul HAMER** (Box Hill) (10:37): Congratulations to the outstanding students from the Box Hill electorate who received the 2024 Mollie Holman STEAM awards: Emily Ford and Nic Wells from Box Hill High School, Thomas Sutherland and Amarli Wearne from Blackburn High School, Elliott Coombe and Alisha Sapla from Blackburn Primary School, Cameron White and Chloe Nguyen from Kerrimuir Primary School, Stavroula Siolas and Quinn Matthews from Koonung Secondary College, Hugo Magris and Sabrina Jong from Laburnum Primary School, Charlie Tauro and Jem Hillard from Mont Albert Primary School, Liam Phelan and Lyla Hunter from Old Orchard Primary School, Athena von Scheven from Orchard Grove Primary School, Gabrielle Regala from Our Lady of Sion College, Celine Gong and Dylan Goldwater from Roberts McCubbin Primary School, Jasper Brown and

## COMMITTEES

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Legislative Assembly

Thursday 6 February 2025

Emerson Collard from St Francis Xavier primary school and Charlie Chau from Box Hill Senior Secondary College.

The Mollie Holman Award is an annual award presented to students within the Box Hill electorate for their contribution to the promotion of STEAM education within a school environment. I hope that their passion and enthusiasm for STEAM education continue to burn bright throughout this year and the years ahead.

### Rae Bonney OAM

**Paul HAMER** (Box Hill) (10:38): Congratulations to Ms Rae Joy Bonney OAM, a local in the Box Hill community who was recognised in this year's Australia Day celebrations for her service to community mental health. Congratulations, Ms Bonney.

### *My Melbourne*

**Belinda WILSON** (Narre Warren North) (10:38): I had the pleasure last week of attending the preview of *My Melbourne*, a really great movie of four stories about identity and belonging. *My Melbourne* has already previewed in 22 Indian cities with huge reviews, so look out for it in cinemas. It will be out in the first week of March. I will do a really big shout-out to a Narre Warren local, Setara Amiri, who starred as herself in the movie. She was absolutely amazing. Setara plays cricket, and she did such an exceptional job. It was a real pleasure to meet Setara and have a chat to her about her passion and about her life story. It was really fantastic.

### Gula Bezhan OAM

**Belinda WILSON** (Narre Warren North) (10:39): I want to do a huge congratulations to my friend and Narre Warren North local the incredible community advocate Gula Bezhan on her Order of Australia. Gula started the Afghan Women's Organisation Victoria in 2009. She is an incredible advocate for women from the Afghan community, helping them to settle into their new country. She is passionate, she is a very incredible human and she is a very, very well deserving recipient.

### *Casey citizenship ceremony*

**Belinda WILSON** (Narre Warren North) (10:39): I also had the pleasure of attending the citizenship ceremony on Australia Day. It is one of my favourite things to do. I really enjoy seeing so many people become Australian citizens. We had over 200 people at the City of Casey. It was the first one with a mayor in a very long time. It was enjoyed by everyone, and we all had an amazing morning.

### *Committees*

#### **House Committee**

##### *Membership*

**The DEPUTY SPEAKER** (10:40): The Speaker has received the resignation of Ellen Sandell from the House Committee effective from today.

**Gabrielle WILLIAMS** (Dandenong – Minister for Transport Infrastructure, Minister for Public and Active Transport) (10:40): I move, by leave:

That Gabrielle de Vietri be a member of the House Committee.

**Motion agreed to.**

### *Bills*

#### **Retirement Villages Amendment Bill 2024**

##### *Second reading*

**Debate resumed on motion of Gabrielle Williams:**

That this bill be now read a second time.

**Tim McCURDY** (Ovens Valley) (10:40): I am delighted to rise and make a contribution on the Retirement Villages Amendment Bill 2024. I do want to begin my contribution by thanking the many retirees and operators who have spoken to us and reached out to me and my colleagues to provide feedback on the bill, certainly those over the last few months but those that have been engaged in this process for the many, many years since 2016 when this process started. In fact it is the culmination of nine years of work, and in the words of many in the industry, it is finally reaching the conclusion of a long and drawn-out process. When we met with stakeholders over the past few months to discuss the bill, the feedback was overwhelmingly that the government had taken forever to get this bill to Parliament, but in the end it ended up with a very rushed conclusion. One resident suggested this bill had a longer run-up than Dennis Lillee in his prime. We started in 2016–17 with a committee and then went off to an options paper in 2021, a draft exposure in 2022 and then in the last month of 2024 had a mad rush to get this bill through.

This rush ended up with a bill that really does not answer or resolve a lot of the issues for either the retirement village operators or for the residents, of which there are many. I am grateful for the massive amount of feedback that we have had, which has been drawn into formulating our position, from people like Les Scobie out of Wangaratta. Les, bless his cotton socks, has sent me no more than 43 emails over the last few months, the last one being only 11 minutes ago. Mr Scobie is very passionate about this bill and wants to see the lives of residents improved wherever he possibly can. I commend Les Scobie for the work that he has done, as well as Lawrie Robertson, past president of the Residents of Retirement Villages Victoria – he has been a wealth of knowledge and a strong support to help us appreciate what needed to be changed in the course of this bill. And of course COTA, the Council on the Ageing, and Seniors Rights Victoria have all made excellent contributions to this response along the pathway.

For the most part, people living in retirement villages and people thinking about moving to retirement villages are people who do not want to fight. They do not want to fight and they do not want 100 pages of reading; they just want to have a straightforward contract with straightforward conditions and exit conditions. They want it well documented and easy to understand. Pretty much people who are moving to that stage in their life, as I say, do not want complications; they just want it to be pretty straightforward.

To describe retirement villages in Victoria, I can break them into metro and regional retirement villages. I am being very general here. The metro retirement villages are always well maintained, with a short or a long list of people wanting to access this accommodation. They usually have a list of people ready to come in, so they are very vibrant and profitable and there are great opportunities. In regional retirement villages again they are well maintained. We have got the larger centres like Shepparton, Wangaratta, Wodonga, Warrnambool and those sorts of places that have the retirement villages and of course the smaller towns like, in my patch, Yarrawonga and Cobram. Places like Rushworth and Heathcote are other examples. In our larger centres the larger operators usually have many rooms and have many types of retirement accommodation.

In places like Cobram – I live there, so I know it better than others – Cobram Regional Care, which used to be Ottrey Homes, provide excellent facilities but a limited choice. When we talk about choice of retirement villages, in metro Melbourne you can choose one of many that might be within a stone's throw of where you live or where your children may live, and you have many choices. When you are in a town like Cobram with 6000 people, you have a choice of one. This is not a criticism of the smaller towns, I am just saying that if you want to retire in the town that you live in or the region that you have been involved with for the last 10, 20, 30 years or longer, you really only have a choice of one, unless you want to move out of town, which most people do not want to do. That is why the contracts, the offerings and the exit fees must be fair, because in these instances there really is not a choice unless you leave town. Often people say if you do not like something, just go somewhere else. It is not as simple as that in the retirement villages sector. As I say, if you have been in the Yarrawonga area for

decades, you generally want to retire in the Yarrawonga region so the choices are limited. That is all the more reason to make sure that it is fair.

Retirement villages in our smaller communities do not always have a list of people knocking on the door to fill the vacancies, so when rooms are vacated by choice or because there is a need for a higher level of care or because of a passing, finding enough money to pay out families in a timely fashion is not always easy. There may be an exodus of three or four people in one week and finding payout cash can be challenging. There are challenges on both sides, and I am just trying to paint the picture. There are different types of operators, different levels of operators, and obviously the residents demand that their services are top-notch. I certainly support both of them in this respect.

One of the key components to retirement villages is the exit fees and the packages. I will address this a bit later on, but the message was loud and clear to me that in the circumstances of a loved family member passing away there is a fairly straightforward pathway to squaring up the payments – the fees, the charges. Sometimes there might be a minor dispute about how the figure ended up looking like it does. Sometimes that is because Mum or Dad has been helped into this retirement village by one child and another family member, upon their passing, takes a greater interest and all of a sudden starts questioning ‘How do we end up with this figure? I thought we were going to get this when Mum or Dad passed away.’ Again, they like to do that retrospectively, and we know how that goes.

Where the real problems come with retirement villages is when people want to change, when they are not happy in the retirement village they are in and they might want to change to another retirement village or they might want to go and live with somebody else, a son or a daughter. If you are moving to another retirement village, you obviously need the cash to get in to the retirement village, and there is a delay sometimes when somebody wants to exit one retirement village and move to another. There is this gap between when they get paid out for the first village they are in and when they can pay the deposit. If the retirement villages are a bit tardy, it sometimes makes it very difficult for these people when they want to make that transition. It is not always the fault of the retirement village. Sometimes it is the fault of the resident. There are two sides to every story. That is an area that this bill is trying to remedy. Let us hope that we come to a conclusion.

But as I said earlier, the bill seemed to be rushed at the end. In terms of exits and exit fees, it does not appear that the retirement village sector is completely happy with where we have got to in this bill, nor are the residents. Residents are saying up to 12 months is too long, and I will go to that in a moment. Why would the department be instructed to rush through a half-cooked bill when they could have waited a few more months and got it right? As I say, it was a long run-up to start with, and we know the minister is still getting his feet under the desk in this portfolio. Despite multiple requests from stakeholders to delay the bill and work with amendments, the government is pushing ahead with the bill.

With that said, the Liberals and Nationals will not be opposing their bill in the Assembly, but we will be seeking to work with the government and the crossbench in the Council to move some important amendments and improve the quality of the bill for the industry and the residents at the same time. I feel that we could have done better if the bill was withdrawn and redrafted, so with that I would like to move a reasoned amendment. I move:

That all the words after ‘That’ be omitted and replaced with the words ‘this bill be withdrawn and redrafted to address the concerns of residents and operators in the retirement sector.’

With that said, I will move on to some of the analysis of this bill. Despite the indifference of the minister to the concerns of the industry and retirees and the many concerns we have with the bill, there are still plenty of major changes that are good. Some are good, some are okay and others are terrible. That is why we are saying that if we can have that discussion either between houses or in the Legislative Council, it would be appreciated.

If we run through the bill in chronological order, we see division 1, which amends the principal act and inserts a new section on the principles on which operators should provide service to residents, which when you read through them seem like basic things that already exist in some form, just not legislation. They presume that residents should be treated with dignity and respect, that residents will be respected, and that the conditions should be safe and the village should be maintained in a state of repair. A variety of new definitions are also inserted into the bill, some of which are new additions whereas others are updating existing definitions within the act.

Some of the questions raised by the sector were around the inclusion of capital gains and losses and that definition, when the type of lease is not technically a traditional capital gain or loss, as well as concerns around the definition of maintenance charges, exit entitlements and management disputes, and I further note that despite submissions around the confusing term 'adjusted maintenance charge' there does not appear to be an updated definition in the bill that I can find.

It alarms me that the government refuses to make the language in a highly complex and technical area easier for elderly Victorians to understand. In its current form the bill implies that there is a maintenance charge and an additional adjusted maintenance charge, not that the adjusted maintenance charge is the benchmark for increases to the maintenance charge. Accordingly, we will be looking to fix this in the Council. We have worked with both operators and residents to try and find a definition that suits everybody better.

Clause 8 of the bill expands the eligibility for exemptions to the act from religious and charitable operators to all operators regardless of their business style. Some residents have raised concerns that this could be abused by operators, and I certainly take that on board, in order to circumvent the requirements of the act. Whilst we would think that only operators with a genuine need would be granted an exemption, the option is still there.

Division 4 of the bill makes changes to a variety of definitions and penalties, notably introducing new section 3A to the act, addressing the termination of a residence contract. We know that in the retirement village sector the termination of a contract is not something that occurs often and that when it does occur the impact to the resident can be huge given their age and life situation. It is imperative that when a breach of contract occurs it is handled by the operator in a sensitive and respectful manner. New section 3A ensures that operators consider a variety of factors, including the health and wellbeing of the resident, whether termination is proportionate and reasonable to the breach of contract that has occurred and that the safety of other residents is always duly considered during the making of a decision, which sounds fairly straightforward and commonsense, and we certainly support that.

Division 5 of the bill amends part 4 of the act and introduces a variety of substantive changes to the obligations of operators, especially around finances and compliance. It is in this section that we first see the requirements for operators to use prescribed contracts – a good thing – and information statements, which are designed to improve the ability of residents or potential residents to compare the offerings of two different villages or contracts. We all know the saying 'Comparing apples with apples', and hence the reason to try to make sure that with prescribed contracts residents can have a better chance of comparing retirement village A with retirement village B, because they can actually compare the two. Whilst there is support for this all round the industry, there is still a need to clarify a lot of complex language used in contracts, and there is also a concern that such change will restrict competition and innovation and will also unintentionally increase the length of contracts as there will need to be clauses included for optional extras that will actually make these contracts longer not shorter and maybe more complex. I understand how that happens, but again, we are always trying to make sure that the retirees, the residents, fully understand the contract they are going in with and can understand it regardless of their age.

We will wait and see how this turns out. As the intention is good, the execution largely comes down to the details to be decided in regulation. Once again Labor are asking us to trust that they will sort it out and it will all be sorted in regulation, but we have not seen that regulation or how that will actually

work out. Quite often we just have to be careful by saying, 'Yes, we understand what you're trying to achieve; we don't know the detail in the regulation, and we need to see that as soon as we possibly can,' because we do not want to stand here and say, 'Yes, everything in the bill is terrific,' to find that when the regulation kicks in it actually bites somebody on the backside. So we just need to be a bit careful, and I am sure the government understands that.

Whilst flexibility is necessary for contracts, we are living in hope that the government will properly consult with the stakeholders. According to many stakeholders that I have spoken to, in their opinion, the government has not spoken to them enough. Having said that, I have found that retirees do have a lot of time on their hands and are very, very keen to come forward with their message and talk to us about this bill because as retirees they have a keen interest in making sure that their future is solid, and they certainly do have time to make sure that they can approach us.

Division 5 concerns contract checks for residents. The requirement is for operators to provide a written contract check for every resident on an annual basis. We see this as a bit of overkill. We certainly want to make sure that residents do have access to a check on an annual basis if they decide they want to check or if a family member wants to check on what is the state of play. As I described before, somebody may go into a retirement village and 20 years later they have never looked at a contract, have no idea, and all of a sudden when they depart, whether they go to God or they move somewhere else, all of a sudden there is this discussion about, 'Oh, gee, I thought we were going to get more than that. How come the payback for us is only this?' This will certainly resolve that, having annual written details for people to know, but I just think that could be requested rather than the operator having to mandatorily do this every year. I will talk about that in a moment too.

Most residents are happy with their contracts and they do not necessarily need to see an updated one every year unless they request it. As a result we will be looking to take this requirement out and ensure that operators provide checks to residents upon request. That could be capped at one per year, for example, to make sure that if a resident wants to see that, they can see one per year, but not necessarily put that impost on retirement villages, particularly the smaller ones. Again, as I said, they are not heavy on having people in their offices to do all this paperwork. Of course they need to be accountable – I get that – and they need to produce those documents if required, but producing one every year is maybe a bit of overkill. It will reduce the burden on the operators to have legal representation checking the contracts each year, particularly in a large retirement village. But as I say, for the smaller ones it will be somewhat of a burden, although we never want to get away from that transparency if the operator needs to or a resident requests.

We also note that in this division new section 26X deals with the cooling-off period for a new contract, defining it as a surprisingly short three business days. When we have spoken to stakeholders they have advised that other states are implementing both seven and 14 days as cooling-off periods and that seven days has been an ideal median – not too long, not too short. Some are very concerned that three days is too short, and we will be looking to make a change to that to ensure that residents are not under undue pressure when it comes to such a substantial decision and that operators will not be waiting an excessive period of time, particularly if they need to re-advertise that unit. It is baffling that for such a major decision the government opted to have such a short cooling-off period when we are talking about residents who will often see out their final years in these homes. We want to get that decision right, not rushed.

Division 7 of the bill is an interesting inclusion. I cannot foresee it impacting many residents given the nature of the proposed sections and of a village contract, but nonetheless it will ensure that a resident is free to sell their unit without the interference of the operator unless they specifically request the operator to handle the sale. As most units and contracts include a form of buyback clause, these situations seem to be somewhat uncommon but may be used depending on the set-up of that particular village.

Division 8 has proven to be one of the most interesting and contentious changes being rolled out as part of these reforms. It is apparent there is a lot of unhappiness from residents about the changes not applying to existing contracts, and operators are concerned about the financial cost if ‘vacant possession’ is not clearly defined and outlined. The bill clearly outlines a requirement for operators to pay an exit entitlement in almost all circumstances, which the act is currently unclear on. It outlines that the entitlement must be paid by the earliest of these three options: number one, such date as specified in the contract; number two, as agreed between the resident or their representative and the operator; or three, 12 months after the day the unit has been permanently vacated. The third option has caused the most angst amongst residents. I understand that 12 months is way too long to be waiting to get an exit payment after someone has departed a retirement village. The payment statement must be included as part of a payment by the operator to a resident or the estate of a deceased.

As I noted, this section has drawn a lot of feedback from a wide range of stakeholders. Retirement villages which have contacted us and that we have consulted with are all concerned that there is still no definition of ‘vacant possession’, so I ask: is vacant possession when a resident issues the notice to leave or is it when a resident cleans out their property? Is vacant possession when a resident physically moves out, or is vacant possession when probate is granted? All of these options make for a very grey area about when the exit fees and payment need to be made by the operator to a resident or their family members. It can be a very long period sometimes. If a resident passes and probate has not been granted or an executor has not been officially appointed, they cannot get in and make the changes to that unit that they may need to do, whether it is a refurbishment or just a coat of paint or whatever it might need. It could be three or four months from the time a resident passes or moves somewhere else.

There is a concern about when vacant possession actually starts. Obviously all retirement villages like to get a unit back into the marketplace as soon as practicable, and most are more than happy to pay out a resident or a resident’s family members as quickly as possible provided they are also going down that path of getting the property ready to be reused – re-let or sold to somebody else. Residents are saying that the 12 months maximum period is too long, and I agree it is too long. But when is it too long from? That is when vacant possession is deemed to be in a retirement village. That is the answer that needs to be resolved. That would solve a lot of the angst. Retirees are still asking me, ‘Why have we got to wait up to 12 months?’ We say, ‘It is up to 12 months’, but some may use that and milk it to the nth degree and wait 12 months, which is not right. Again, we have to work out the vacant possession and when that kicks in.

As I said, the answer to that is not provided in the bill. A firm definition of ‘vacant possession’ and a firm timetable could be stipulated. For example, if vacant possession was defined as being 30 days after probate is granted, many retirement villages would be happy to complete all the payments within, say, 90 days in that case. If we know when vacant possession actually occurs, we might be able to relate that to three months, 90 days, for example. But as I said, we have to be careful as there is always an obstructionist in every area. We have got to make sure that one person cannot just turn this into being a very difficult situation. We will work with the government between houses to resolve some of our concerns.

There are things in some of the discussions that I would like to raise. The bill will replace any and all reference to adjusted maintenance charge with a benchmark fee. They are the types of things that need some clarity – the maintenance charge and the adjusted maintenance charge. Many who know their paperwork better than most say to us that this is still very confusing for those who do not know their paperwork that well, which is probably the majority to be honest. For the majority, once they are in they are happy to be there and want to live out their days relaxing and enjoying life and not going through the detail. But those who do know the detail say this is very confusing. The intention of this amendment is to provide greater clarity to residents about the role and the meaning of the adjusted maintenance charges, and that clarity is needed.

On the meeting quorum requirements, I do not think this bill has sufficiently addressed quorums. At this stage 50 per cent of residents need to be present for a quorum. If you have got a retirement village

with 300 people in there, it is very difficult to get 150 people plus one to a meeting. I do know that there can be inducements. Free lunch and morning tea will always bring people out to a meeting. It even brings politicians out in some cases. That will bring them out to a meeting when it suits the retirement village to say, 'We've got something we want to get through.' But if a resident says, 'I'd like to call a meeting because I'm not happy with these particular circumstances,' it is much harder for that resident to get 150 people to that meeting. We think changes could be made just to make that easier and fairer – 'fairer' I suppose is probably the word. At the moment I think the quorum of 50 per cent is probably in the favour of the retirement village operator. As I said, it is difficult to get 50 per cent of the people in those larger ones in particular.

The definition of 'vacant possession' I have spoken about before. That is an area where I think retirement village operators would be very, very keen to reel in that 12-month period as a maximum of payout if they can get a firm definition and understanding of when vacant possession occurs, because that will change the landscape greatly for retirement operators. As I said, if this occurs, I am sure that 12-month figure could get reeled in, and we do not need to have the 12-month figure. People have been coming to me with concerns recently, saying, 'Gee, why should I have to wait 12 months?' The answer is: you do not have to wait 12 months. It can be done before that, so we will be looking to clean that up.

The written contract checks – as I said before, the fact that a written check needs to be given out by each retirement village again is hard work for the retirement village, and that increases the cost. There is obviously somebody who has got to do that. It has got to get checked over. I think it would be more commonsense that each resident could actually on request get one per year, but it would not necessarily be mandatory to have one per year.

Notice-to-vacate requirements we have been through. Legal protections for residents committees – concerns were raised by the residents about the legal protections afforded to residents committees by the bill and the lack thereof, and these concerns extended to the question of best practice and legal liability for the actions or financial actions of such a committee. It is noted that most community groups, which operate in somewhat of a similar nature – incorporated associations – offer legal protection for individual members when acting on behalf of the committees. It was further noted in South Australia that their Retirement Villages Act 2016 provides for protection of committee members when acting in good faith, and such an amendment is recommended to be included in this bill.

Auditing of accounts – again the bill changes the requirement for operators to have their accounts audited. The cooling-off period I have discussed. Certainly we think the three days should be seven days. It is realistic, just like New South Wales. I know Queensland has a cooling-off period of 14 days, but we think three days is a very rough situation for our older demographic who are trying to come to terms with this. As I said, we do not want to see them pushed into circumstances unduly. We think seven days would have been a better number, and so do the residents. I did not get any comment from the providers about where three days sits, but I know the residents would be happier with seven days.

This bill has been a long time coming, and we want to make the best possible changes for our retirees as always. But at the end of the day we absolutely need retirement village operators. We always want to make it fair. We cannot make life too difficult for retirement village operators, because we will not have any otherwise. Let us face it, government does not need to be in this industry of retirement villages. It is best off in the private sector where possible, and we want to encourage that. We do not want to make life too difficult for them.

For a bill that has been so long in the making, it has not resolved many concerns. As I said, both residents and retirement village operators still feel a little bit short-changed, and the operators still feel concerned that this has not solved many of their problems. I think a little bit more time – although it was nine years, I think, nearing the end of the bill – and some more consultation might have helped. We hope that the new minister is prepared to listen and work with us between the houses for a more satisfactory result, because we want to make this a better place with easier contracts and better

contracts and an opportunity for those in the retirement villages sector to live happily ever after and enjoy what they have got, not squabble over a contract that they are not sure about, as some family members may do into the future.

**Daniela DE MARTINO** (Monbulk) (11:10): It is a pleasure to rise and speak on the Retirement Villages Amendment Bill 2024, and it is also pleasing to hear that the opposition will not be opposing this bill. Victoria's population is expected to reach over 10 million in the next quarter of a century. As our state's population grows, so too will our older population, with estimates that one in four Victorians will be aged 60 years and over by 2046. I will not be 60 then, but I will be knocking on the door. As we get older, for many the desire to downsize and live in a community with others in a similar situation becomes really, really appealing, but the industry has absolutely had some serious issues. I have to state that despite egregious behaviour conducted by some operators, not all have been in the same boat. I would like to call out a beautiful retirement village in my area called Sylvan Glades, which is non-profit and a registered charity. It does not have bells and whistles, and it is not staffed, but it is a gorgeous acreage with just under 30 units on flat land – never underestimate how rare and wonderful flat land is in the hills.

I think it is only fair to state that not all retirement villages have been problematic but many absolutely have. I actually recall the first time I learned about the problems and the pitfalls of retirement villages back in 2017 when the ABC was investigating. It was Aveo, a couple of the operators' villages they had down here in Victoria. It was actually really shocking to watch the report and to read about it afterwards, and it left a bit of an indelible mark for me, because my children's primary school was co-located on a site where an Aveo retirement village was. You would drive up the hill and see all the houses set out, all the units set out, and it looked idyllic. I always thought, 'Gee, this would be a great place, maybe, for Mum and Dad to go to.' At the top of the hill was my children's primary school, so every day at drop off and pick up I saw Aveo. There was the big billboard, the shining happy couple looking wonderful, radiant, healthy and glowing, and I thought, 'Fabulous.' Then I watched that investigation and I read about it, and it was shocking to see how some of the most vulnerable members of our community were treated by this company.

I am really, really pleased that since then we have actually tackled some of those issues. I am very pleased that we have introduced this bill here today to amend the act, because there is much more that needs to be done. I know that there has been quite a process involved in this. There has been extensive, extensive consultation over several years. We had an inquiry into this issue, and following that inquiry there were recommendations made. The government decided to approve many of those recommendations and go forward with them, and here we are today, several years down the track.

I am really proud to speak on this bill, because the changes that will be made through this legislation will have a real impact on people's lives; it will make a difference. That is what Labor governments do – we take care of those most vulnerable and we offer them protections from being exploited. It is literally our reason for being. Our government has committed to making living in a retirement village a fairer and more comfortable choice for older Victorians. You should not have to worry if you are going to be fleeced by exit fees or opaque service costs that grow in the background over time. This bill is about transparency, and that is something to be celebrated. It introduces a regulatory framework that provides stronger consumer protections to support residents to age in place while still enabling growth and innovation in the sector.

As I was saying before, just looking at the images of the advertising – and if you jump on a website, you see what is portrayed – these are great places to age. Many retirement villages market themselves as places where health and longevity are improved, but our parliamentary inquiry several years ago revealed many concerns about how some of the operators actually conducted their business, making significant profits at the expense of residents who were unaware of the mounting fees and costs of living there. The feedback was clear when we held a review of that act, and we were told by many that there was a need to reform and clarify the rights and obligations of both residents and operators, that dispute resolution required improvement and that the complexity and variety of retirement village

contracts made it incredibly difficult for people to compare villages and understand obligations and costs. That review that we held clearly struck a chord, because hundreds of submissions were received and about 90 per cent of those submissions came from residents, their families and residents committees.

I would like to thank all who participated in that and took the time to contribute, because their voices have been heard. That is the whole purpose of a review and consultation. It is vital. I would also like to pay particular thanks to Gerard Mansour, the former commissioner for senior Victorians, for his strong advocacy for the rights of senior Victorians and his interest in the issues this bill works to address.

I am really proud of new protections contained in this bill. They are some of the strongest in the nation. This is the largest reform of the Retirement Villages Act 1986 since it was introduced nearly 40 years ago. It will be reviewed again within five years to assess the impact of the reforms and whether further changes need to be made to continue meeting the needs of residents and the sector. It is absolutely critical that we ensure the retirement housing sector provides safe and secure housing for residents and supports them to age well with dignity and comfort and to not be fleeced whilst doing so.

What does this bill actually do? It introduces five guiding principles, and I think they are wonderful principles, to sit within the act. They are overarching, so all considerations need to look at these principles. The first one is that a resident's preference to remain in a retirement village should be respected. Then, all residents should be treated with dignity and respect. Thirdly, decisions about a resident's personal life, financial affairs and property should be made consistently with the will of the resident or, if the resident has appointed one, an attorney or a person appointed to make decisions on their behalf. The retirement village should be kept safe and maintained in a reasonable state of repair and finally residents should have quiet enjoyment of their premises in the retirement village. I think that is something that everyone would be able to support.

The bill also establishes a code of practice which will require operators to participate in the scheme in good faith and comply with any agreements reached during conciliation. Noncompliance will have an effect. It may result in regulatory action by the director of Consumer Affairs Victoria. The code will be developed by the director of Consumer Affairs Victoria and approved by the Minister for Consumer Affairs to enshrine mandatory professional conduct obligations and provide guidance for operators of retirement villages.

This bill also ensures that more timely exit entitlement payments and better disclosure of exit fees will occur. It proposes to consolidate and clarify requirements relating to the payment of exit entitlements. This is important, because this is where so many people have been captured and have been, for want of a better term, exploited and their finances shrunken so significantly because of exit fees and because of the opacity of some of these contracts. This bill introduces changes which will require operators to pay an exit entitlement to a vacating resident within a specified period. It will allow a vacating resident to go to VCAT to get an order for the payment of an exit entitlement by an operator if it has not been paid in the specified period. It will require an operator to give a vacating resident a statement setting out the amount of their exit entitlement and how it was calculated. There are no ethereal calculations occurring in the background; it needs stipulate how this has been derived. And it will require an operator to make an aged care payment or alternative accommodation payment within prescribed periods after a resident makes a request.

These changes that are being proposed in this bill, as I said before, will have an impact on people's lives, because when someone enters a retirement village they are entering because they have hopes and dreams for a wonderful way to age in place. They want to do so with dignity and they want to do so where it feels safe and where they have a community. All of us want to find our community. We want to find our village of people, and that is what people who enter retirement villages are seeking. They should be able to do so without fear that they are going to be charged, that they are going to lose significant money or that they are somehow going to be manipulated into parting ways with their

finances, because when some people in the past have left, the diminishing return of their initial investment is eye-watering. I am sure many of us have heard the stories and we know the stories. So this bill introduces a fairer way forward for those entering retirement villages. There may be some of us in this chamber who find ourselves one day wanting to enter a nice one, and I sincerely hope for all Victorians that when we do, it will be on fair and just terms.

**Richard RIORDAN** (Polwarth) (11:20): I too rise to contribute today on the Retirement Villages Amendment Bill 2024. This is of course a really important topic for Parliament to be keeping abreast of. Probably most people in this chamber, I would say, have dealt immediately with either their own parents, their grandparents or close family members in this space. It can be a difficult time for many people making the choice. I know of some elderly people that rush to get into a retirement village. It is their idea of, 'I don't have to mow the lawns. I don't have to think too much about the maintenance and care of my property, and I can get on and enjoy my friends and enjoy the environment of a retirement village.' Of course for others it is a very traumatic time. They go with great resistance. They do not want to go. Poor health, the death of a partner or other circumstances have forced them to think about this choice in life.

It is a very tumultuous time for many elderly people and their families when we get to talk about retirement villages, so this comes with some disappointment. I know in my own electorate I have many, many retirement homes. There are the beautiful ones along the coast in Torquay, and then in my own home town of Colac there are a couple. They are throughout. They have been a very mixed experience for many people. Smaller regional country town retirement villages of course are often poorly funded. They are in small numbers and are often at risk of not maintaining accreditation and contemporariness in the product that they put forward. It is always a difficult time for the management, and they are often not-for-profit agencies that run these – Lions clubs and others that provide these types of accommodations. For those in high-demand areas such as Torquay, running larger retirement villages is somewhat easier. It is a very important part of the housing solution.

Why there is disappointment is because this government has had it on the books since about 2019 to bring this to the Parliament. It is disappointing that it takes nearly six years to deal with such an important issue, particularly when I refer to it as Shadow Minister for Housing. At the same time that this has dragged out, I will put it for the record of the house that for elderly people waiting for public housing – these are people who if they had their own resources could go to a retirement home but need to rely on state-provided housing – it is disappointing to see that in just the 12 months to September last year, which are the most recent figures the government has, more than 200 elderly people have been added to the waiting list, which has now some 1788 people in couples waiting urgently for housing. For elderly singles the figure is even worse – it is nearly 1000 extra older single people waiting for state-provided housing.

A really important area in the state is to get housing for elderly people right, and unfortunately, because of the nature of it, there are many and varied capacities. It appears that when a dispute or a concern arises it can sometimes be through a decision made by an elderly person who perhaps has not been abreast of all the issues and the legalities, so it is important that this legislation attempts to streamline the legal side and the contractual obligations of both the occupier and the provider. So we welcome that.

However, some of the issues in it you would think the government would have really nailed considering they have taken six years to bring this to the Parliament. As I referenced earlier, I have dealt with quite a few retirement home advocates in my own electorate – sadly, two of them have passed since bringing this to my attention some three or four years ago – who continually lobbied to see when the government was coming. They had been actively engaged in trying to help feed back. I imagine across the state there have probably been many people who have attempted to contribute to a better retirement home legislative framework that, unfortunately, will not get to see this bill come to fruition because of the slowness with which it has come here. You would think with that slowness that

you would have both resident groups and residential housing providers more on the same ticket, but there seems to be quite a list of dissatisfactions still with this bill.

I will just reference a couple of those issues. One is the importance of a residents group. I happened to be facilitating a retirement village residents group recently when there was great dissatisfaction with the maintenance obligations of the retirement home and how well they were doing with that. One of the concerns that came from that was that the residents felt that they were not being supported at all by the retirement home provider, so much so that they held clandestine meetings at the nearby RSL club. Many people in a retirement home are not always fit and able and of capacity to go some distance away from the retirement village to attend, so maintaining a very high quorum could be seen as being quite advantageous to a retirement home provider who is perhaps not so keen to have a voice from the residents. It is a shame that the government did not have a figure that was more accommodating to the frailties of the residents group. I know from hosting about four meetings over winter into spring that there are many times when elderly people are conscious of cold and flu and in recent times COVID and so are very cautious about gathering with their friends and others in those types of forums, not to mention all the other ailments that can afflict an older person at times. A very high quorum of 50 per cent is something that the government should have put more thought and understanding into as to how practical a provision like that would be in order to effect change.

From my own experience the residents group were quite activated about simple things like how their wheelie bins were being taken out to be collected each week. Many of them are unable to navigate the new world that we live in where households have up to four wheelie bins. It all gets a bit much for old people on Zimmer frames. We had the very unfortunate situation at the same time where an elderly lady woke up in her unit one night to find a guy who had staggered home from the pub had made himself at home in a bed like Goldilocks in her flat, only to have the local law enforcement agency say that they could not do anything about that type of home invasion, because the elderly lady failed to snib her door correctly and therefore it was not a criminal offence for a man from Melbourne to park his car drunk out the front and end up asleep in a bed in her spare room in her retirement home. I think elderly people go to retirement homes mainly for the sense of safety, so that was of great concern as to how issues like that would be managed and who was responsible. In fact I found myself it was quite an ordeal advocating them to get someone to take responsibility on that, so to have an addition of getting 50 per cent of the residents to turn up to a meeting to help support that would be difficult.

The other issue that is of great concern to smaller rural retirement villages is the payout figures and the payout times. This component of the legislation could be more accommodating for the different ranges of ownership. Large corporate entities are in a much better position to pay quickly, but if you get a dose of death in a small residential community, perhaps only 20 or 30 units, three or four people within a very short time frame can put unnecessary stress on a Lions club or other not-for-profit agency that is running it. The difficulties around that could be easily identified at the outset and managed for the benefit of not only the residents but future residents, because the ongoing viability of retirement villages is critical in the housing mix.

With the minute I have left I will say this bill has been welcomed by the industry and residents. They have been waiting a long time for it. There are definite improvements that the government could make. Hence we are supporting a reasoned amendment that seeks to withdraw this bill and to redraft some very basic concerns, and I have touched on some of those this morning. With that in mind, this comes at a time when the government is failing elderly people in public housing. As I said, waiting lists have grown. We do not want to fail people in the private aged care retirement market as well. It is important that we get the mix right and that we govern in this area for everybody for the sustainability of the system.

**Paul MERCURIO** (Hastings) (11:30): I rise to give my contribution on the Retirement Villages Amendment Bill 2024. It has come at a good time, this bill, obviously, but for me personally, I spent my new year taking my mum around aged care facilities. I understand aged care facilities and lifestyle villages are different contractually to retirement villages, but they certainly have a lot of similarities in

the fact of how people feel leaving their family home to go to these places, the contracts and the difficulty of understanding some of the terms. I will talk a little bit more about my mum's journey and my journey with her a little bit later on.

This bill follows the retirement villages review, which highlighted that the complexity and variety of retirement village contracts make it difficult for people to compare villages and to understand their obligations and costs in both getting into a village and, possibly more importantly, getting out of a retirement village. In my view that is the most important aspect: to empower people, consumers and customers, to be able to shop around and find the most appropriate future residence for their physical, emotional and financial wellbeing. To that end this bill seeks to amend the Retirement Villages Act 1986, specifically to enhance consumer protections for residents of retirement villages. This will be done by strengthening the process and criteria for exemptions from compliance with the act, giving new enforcement powers to Consumer Affairs Victoria, making new and increased penalties for offences and noncompliance with the act and other things as well.

Additionally, this bill will allow residents of retirement villages to make better and informed decisions when it comes to precontractual disclosure and annual contract checks, which will clearly set out the requirements and a reasonable estimate of payments that the residents may have to pay upon exiting a retirement village. I have had people come into my office quite a few times, stunned with the fact of how much they need to pay to exit a village. Obviously the contracts really were unclear, and they felt quite trapped and that they were slowly going broke and in fact could not even afford actually to exit the village. This bill is certainly going to go a long way to help those people.

Furthermore, this bill will support residents in their efforts to resolve disputes fairly and effectively. This will be done by enhancing internal dispute resolution processes, establishing a new scheme for free conciliation and providing additional powers to the Minister for Consumer Affairs to approve a mandatory retirement villages code of practice that will impose professional conduct obligations on all retirement village operators in this state. I know it has been said that there are a lot of retirement villages that are doing the right thing, but I think it is great to bring all of the retirement villages into line.

I might just say that the work done on this bill has been ongoing since a recommendation was made in a 2017 parliamentary inquiry into the retirement housing sector. Since that recommendation there have been a considerable amount of consultation, submissions and responses and more public consultation, and now we have this bill before us. It is the biggest reform that the Retirement Villages Act has seen since its inception in 1986, and for good reason. Back then in 1986 the population of Victoria was just over 2½ million. Today it sits at just over 7 million, and by 2051 it is estimated to rise to over 10 million, so it is pretty important that we get this bill right and working. That means we will have more older Victorians and more of them needing secure and affordable housing and a place to live that shows them dignity and care, which is why we want to make it easier for those Victorians to downsize and easier for them to understand their obligations when moving into a retirement village. If they have issues within the village, they will know they have a process in place to resolve disputes and give them the confidence they need to be sure that the government is looking out for them.

And they need that confidence. Making this leap is not easy. It is not an easy thing to do emotionally, physically or financially. I have seen this recently with my mum. As I said, I know we are looking at aged care, but I think for a couple or a single person moving into a retirement village, that process of disconnecting from where they have lived for quite a number of years is incredibly difficult and painful and frightening. Moving into a new village, a new environment with new people, is confronting, especially I think as you get a little bit older. I know my mum likes her space and can be a bit finicky about different people at times, so it is a massive task to actually go into a whole new environment.

I think also with contracts today, I do not know anyone in this chamber that reads every bit of a contract right down to the very end where they tick and say, 'Yes, I read everything and I understand it.' Hands up – anyone? No.

**Matt Fregon** interjected.

**Paul MERCURIO:** Oh, okay, one. I always thought you were weird. But people do not –

**The ACTING SPEAKER (Juliana Addison):** You were not reflecting on the Chair, I assume?

**Paul MERCURIO:** No, Acting Speaker. I do apologise. But people generally do not, and for our elderly people, contracts are now on computers and all those sorts of things, so there are a lot of logistics, there is a lot of stress and there is a lot of fear. I think this bill is going to go a long way to helping those people and supporting people who are leaving home, a very safe environment, and moving into a retirement village.

This bill will also establish a code of practice for retirement village operators developed by the director of Consumer Affairs Victoria and approved by the Minister for Consumer Affairs, creating mandatory professional conduct obligations whilst providing guidance for village operators. The code will also undergo consultation with industry stakeholders, which includes representatives of retirement villages, village residents, operators and proprietors and ensures the code is balanced, fair and done correctly the first time.

When I was reading through this bill and the changes in the bill, I was a little bit shocked to see that emergency evacuation plans were not required for villages. Honestly, to think that there is no requirement for a retirement village to have a plan in place for when things go wrong is pretty crazy. I am sure there are plenty of villages that do have proper evacuation and emergency plans, but they all should have them. Undoubtedly you need more time to evacuate these places. People use wheelchairs, residents possibly are not very mobile and vehicle access for emergency services is needed and is often pretty tight. It is just stuff that you would think would have been taken care of, which is why we are making sure that residents and families have the trust and confidence that if things do go wrong, which I am hoping they never do, there is a plan in place to get people out safely. It is a commonsense plan, and I am very glad to see it in there. It is very long overdue.

I am also happy to see changes being made to the decision-making within retirement villages, especially regarding residents committees. I am not here to disparage any one residents committee, but I do hear stories about committees that do not properly respond to resident concerns or issues, and there is not any real recourse for the resident with an issue to take it any further. This bill will make sure that disputes are settled with an independent mediator if needed. These committees should instil confidence in residents that if they have concerns, they can bring them up and that they will be sufficiently dealt with and that they have been listened to. Providing model rules and a process to make changes to village by-laws and not allowing operators to attend committee meetings unless they have been invited will give confidence back to the residents of retirement villages that they have some say in what goes on where they live and that they will not be intimidated by operators.

I am also happy to see that the bill clarifies requirements for the operator to pay exit entitlements to residents within 12 months after the resident has delivered vacant possession, and I know a couple of the speakers before me, the member for Ovens Valley and the member for Polwarth, talked about the idea of when a property is vacant. Yes, it would be great to possibly clarify that a little bit better, but the fact is that payments will be made within 12 months.

I am very happy to see that there are plans and processes put in place for departing owner residents who transition into aged care to receive aged care payments and for non-owner or owner residents to receive alternative accommodation payments from their village operator to cover costs between the resident vacating and the sale of their home or residence. Basically, what this means is they will not be left in the lurch with no money waiting for the proceeds of their sale to come to them when they are actually moving in, possibly to aged care places or whatnot.

These are very important changes. There is lots in this bill. I think it is great that it has finally come about. I think people should feel safer and more cared for going into retirement villages, and I recommend the bill to the house.

**Matthew GUY (Bulleen) (11:40):** This is a fairly complex bill, and I know a lot of the speakers have gone through many detailed parts of it. My interest in this piece of legislation is as the member for the oldest electorate by average age in metropolitan Melbourne. I have a lot of retirement village living in my electorate and a lot of interest in the upgrade of particularly dispute resolution when it comes to both residents with each other and residents with providers. The previous speaker did make some good points, particularly around people getting out of retirement living, not just getting into it, which is a real issue and has been raised a number of times with me as well, and people who have come into retirement living wanting either to change or to move or to go back to family and feeling like they have been trapped and are unable to get out of where they are.

The member for Ovens Valley, who is our shadow minister, has recommended a reasoned amendment and some changes, and I support those because we do want to make sure we get this right. It has taken some time I know – in fact six years – to bring this bill to Parliament, which is a long time; I understand that. But I do not want to focus on that. I want to focus on the outcome, which should be, as I said with my interest, around dispute resolution.

I have some very large retirement living villages in my seat. People have this view when you say ‘retirement village’ and ‘retirement living’ that is kind of, I think, a very dated view of what they may be. But nowadays particularly Applewood in Doncaster is very, very big and has got such different and disparate levels of accommodation types in the village itself, with hundreds of residents, from high density in a tower that is there to freestanding homes to townhouses, and it is quite a community in itself. They go on holidays together, people come out together, they drink together – yes, they do – they catch up together. It really is a great little community, and it is not alone. I should not say ‘little community’; Applewood is quite large.

There are Applewood, Levande, Roseville, Bolton Clarke, Domainé in Doncaster, Mercy Place, Kings, Templestowe Grove, Willowbrae and MannaCare. MannaCare is a very well-known institution locally. It is probably at a different end of the scale, like Doncaster Manor. I say a different end of the scale because of the level of people’s care that can be provided in certain villages. But they all have similar challenges, and as I said, my issue is around dispute resolution.

A number of times I have been particularly through Applewood and other aged care and retirement living villages, and the committees have said to me they need to have an ombudsman or a body that has teeth, that has power, that has the ability to intervene and solve a number of the issues that they are facing, particularly with providers. I note in the bill that we are looking at – and I do not want to be overly critical for the sake of it, because we have got a long way to go and we do want to do something rather than nothing – the internal disputes and resolutions mechanism. I went through it – it is part 6E – and it concludes that the agreements are not binding. Once you have agreed with both parties, in five business days it is not binding. I do think there needs to be a mechanism in the longer term where there is a body that has the power to make agreements binding, particularly between operators and residents and families of residents, so there can be a definitive outcome. If they are not binding, then you are not going to have those outcomes that are either adhered to or given any weight in the discussion. It has been a key point that has been raised a number of times with me by residents, particularly from the larger communities, where they are obviously going to have a number of issues, whether it is residents to residents and the provider does not want to intervene or cannot intervene or just has not got the ability to intervene, or, as I think the previous speaker said, people wanting to get out and wanting to have a discussion with the provider, which has gone awry between two parties.

My view is that there does need to be some form of formal process that is specific to the retirement living industry that will govern and be able to provide a formal and deliberate outcome that both parties have to abide by. If there are no teeth to it, it will just be considered a talkfest, and I do not think it

should be. We all know this. Every single one of us in this chamber knows that our community is ageing, and a lot of people want to move into retirement living. Some of them are really good and offer a great lifestyle and some people are moving in earlier than I would have thought. We all age, we all go the one way and at the end of the latter period of our life we do not want to be sitting in a bed watching TV all day. If we have got the energy to get out, we want to be able to get out. I see the member for Sunbury furiously nodding. I do not know why; you are a lot younger than me. I am a lot closer to one than you are, mate – do not worry about it – and I am not that close.

**Wayne Farnham:** I qualify for one.

**Matthew GUY:** Says the member for Narracan. My electorate is one of the oldest in the state, certainly the oldest in metro Melbourne. But all our seats are getting these villages, which are springing up, and they are great places for our older Victorians to be. We are all coming from the same angle, which is how we make their lives in those villages better and give them more options. Again, my key issue is – and I will repeat it over and over again because I have heard it so many times, particularly when I go to not just Willowbrae but Applewood as well – that there does need to be something that gives them the ability to govern where they are through some form of mandatory outcome.

I notice there is still a bit of dissatisfaction with the bill, as I think the member for Polwarth mentioned, from some of the operators. I understand why. We are seeking, through the member for Ovens Valley's reasoned amendment, to be constructive in what we get as the outcome for this, because at the end of the day after a long period we are trying to get to a stage where the retirement living sector, through this bill, gives people some kind of better outcome. It is done with the right intent.

In certain parts of the bill, particularly division 6, there is a need for greater consultation. I say that knowing it has been a long road, but there does need to be greater engagement with those who run the homes, not the owners but those who run the retirement living industry more so than just the owners. I think those who are running it, who are on the ground and who are doing the work and managing those facilities have a unique insight. I have had discussions with residents, owners and the people running these facilities. The people running facilities, as you can imagine, are the people in the middle, so they are the ones who see the perspective from both sides and have, in my view, the best input into what could make what we are debating today in the bill a far better outcome than what necessarily any of us in here could do or indeed any of our departments.

The regulation of the retirement villages I notice is in the purpose. I think it is important to make those changes in the purpose to what the purpose of the bill would be and of course through clause 1(c), which is around providing consumer protection and additional mechanisms. I think I have spoken a bit about that.

I do not really have other points to make. I wanted to put that on record, particularly for those who I have spent many years talking with and had many cups of tea with and attended many committee hearings talking about ombudsmen and the processes to make life easier for those who want to get in and those who have disputes and then potentially want to get out. I think that is very important, and I have put those concerns and those points of view on record, particularly noting that at the last two elections my side of the chamber has advocated policy to have the mechanism of an ombudsman put in place. I thank the house for its indulgence.

**Josh BULL (Sunbury) (11:50):** I am pleased to have the opportunity on what is still Thursday morning to make a contribution on the Retirement Villages Amendment Bill 2024 and follow on from the member for Bulleen. It is fair to say we do not agree on a whole range of different matters in this place, but I will acknowledge what was a very measured contribution on this bill – as were the contributions from the member for Monbulk and member for Hastings – around the need for and importance of protections, provisions and the safeguarding of what is now indeed a growing style of living. In the previous member's contribution he spoke about what really has evolved into retirement village living and what, if you reflect over the past number of decades, has indeed changed in the way

the communities come together. That is for a whole range of different reasons, and they have been touched on by other members in their contributions.

There are those that come together in local communities to live in retirement villages, and it is our responsibility both as a government and as a Parliament to ensure that the provisions, the code of practice that is within this bill before the house and the way in which management treats both our older Victorians and those who choose to live in retirement villages are done in an appropriate way. What I think is important to note, and all speakers have made this point, is that there are so many across the state who work very hard to create community to make sure that retirement villages can be great places. All of the benefits that have been mentioned by previous speakers need to be acknowledged. But what we also need to do in that acknowledgement – and I think this has been done by others – is identify and recognise the fact that we need to ensure that both legislation and regulation are maintained so that we can get for residents the very best of retirement village living that we can. That is why this bill with the five guiding principles, the code of practice, the better regs that I spoke about, the better governance, safety and of course a fairer model is very important.

I heard the member for Monbulk speak about Gerard Mansour and his contribution to this state in this space. I had the opportunity to work with Gerard for quite some time when I was Parliamentary Secretary for Carers and Volunteers. The work that he has done in this space was acknowledged by the fantastic member for Monbulk, but what is indeed important is of course to listen to those like Gerard and many others with experience who have their ear to the ground and who work very hard to listen and to learn and to capture those ideas in what is I believe an important piece of legislation that comes before the house.

I also want to mention my late nan, Dorothy Hansen, who lived in a retirement village in Werribee in her later stages of life. The transition from a detached home where she had previously lived for decades in Ascot Vale to retirement village living – I am sure in many ways this may happen to a number of us – was a big transition. But what is important is the support within the village itself and making sure that for our loved ones and for any Victorian – anyone in our community – all of those provisions and the safeguards are in place from a social point of view but also a financial point of view. Like any move, particularly I am sure as you move through later stages in your life, that can be onerous. It can be for many a big transition. I know that for my nan it was.

Having the support of family and friends is important, but having a system that puts the resident first is the most important thing, and that is why this bill is very important. Previous speakers have gone through various changes around the guiding principles, the five overarching principles that are intended to be used as a guide to the interpretation of the Retirement Villages Act 1986 and the proposed principles.

I mentioned earlier the code of practice for retirement village operators. The bill includes a regulation-making power enabling the establishment of a code of practice which will require operators to participate in the scheme in good faith and comply with agreements reached during conciliation. Noncompliance with the code may result in regulatory action by the director. The provision that was spoken about at length by the member for Monbulk, the member for Bulleen and others around exit entitlement payments and better disclosure of exit fees goes to making sure that there is a robust system in place that is up-front and that is transparent. That is really important because it goes to being exactly that, transparent and up-front, and people understanding what they are getting into before they sign and then having opportunities to transition or tailor that style of living in another way.

What we want to make sure we are doing is embedding fairness within that process. Nobody in this house or the other place needs reminding of why that is so important, because for any family, friends or loved ones we want the very best, and the measures of those things are incredibly important. That is why the bill proposes to consolidate and clarify requirements relating to the payment of exit entitlements. Specifically, these changes will require operators to pay an exit entitlement to a vacating resident within a specified period, which would be the earliest of the time determined under the

retirement village's contract, the time agreed between the parties or 12 months after the resident gives vacant possession of their unit.

Further provisions go to clearer and more consistent contracts. The review that was undertaken heard that the variety and technical nature of retirement contracts make it difficult for residents to compare villages and to understand their obligations and costs. I take the point made earlier around those who read contracts in their entirety, and it would be fair to say that for many contracts the vast majority of people do not read them in their entirety. There is often a lot of complex and legal language in those contracts, which may catch people out inadvertently. What is most important to acknowledge, as I mentioned before, is fairness and the opportunity for those to move to various arrangements. The framework which this legislation sets up is something that I think goes to fairness and opportunities for those living within retirement villages. But the work is important, and the work needs to continue.

This builds on a series of reforms. This is important because it goes to fairness and it goes to all of those matters that I mentioned earlier across those guiding principles, the code of practice and so much more. But what we know and understand is that providing for the very best framework around retirement village living is something that we will continue to work towards. It is not just work within this space, but it is right across government. I am more than happy to move for an extension of time, but I do not think it will be granted. I commend the bill to the house.

**Chris COUZENS** (Geelong) (12:00): I am pleased to rise to contribute to the Retirement Villages Amendment Bill 2024. I am really pleased to see this bill before the house. I have had many conversations with people in my electorate who have been really concerned about those in retirement villages who have been poorly treated, particularly after the ABC coverage on a number of older people who had appalling experiences in retirement villages and their concern for those people and for themselves going forward. We know we have an ageing population. We have quite a number of retirement villages in the Geelong region, all of which as far as I am aware do the right thing and are very good. People living in those retirement homes are very happy with the way they are treated. But I think it is important that we ensure that there is legislation in place and protections to ensure that people living in retirement homes are not experiencing some of these things that other people have where they have been unfairly treated and that we provide them with the support and respect that they deserve.

Many people go into retirement homes because they are downsizing. They want a better lifestyle. They do not want to have to be mowing the lawns or dealing with major maintenance, and they go into these retirement villages to spend the rest of their life there. Unfortunately, for some people, when they sign these contracts it is not clear what they are actually signing. To have these protections in place is really important, and as I said, I have spoken to many in my electorate – not necessary people who have been impacted but people who are very concerned, whether it is about their own parents or about themselves and what might happen to them if they sign up to retirement home.

This is important legislation. I am really pleased that we have moved to introduce this bill. This bill has been introduced after extensive consultation. Many people were consulted about what is in this bill. As I said, it is important for all Victorians to feel safe and protected in the environments that they are living in. This bill introduces five overarching principles that are intended to be used to guide the interpretation of the Retirement Villages Act 1986. Proposed principles include that a resident's preference to remain in a retirement village should be respected and that all residents should be treated with dignity and respect. That is what we all expect. We do not expect to feel really vulnerable and uncertain of our futures because of what we have been signed up to.

The bill includes regulation-making powers enabling the establishment of a code of practice which will require operators to participate in the scheme in good faith and comply with any agreements reached during conciliation. The development of the code will be subject to consultation with industry stakeholders, including representatives of retirement villages, proprietors, operators and residents. I think it is really important that the development of that code is done with extensive consultation to ensure all issues are identified, discussed and addressed through that code.

The bill proposes to consolidate and clarify requirements relating to the payment of exit entitlements. Specifically these changes will require operators to pay an exit entitlement to a vacating resident within a specified period, which would be the earliest of: the time determined under the retirement village contract, the time agreed between the parties or 12 months after the resident gives vacant possession of their unit, allowing a vacating resident to go to the Victorian Civil and Administrative Tribunal to get an order for the payment of an exit entitlement by an operator if it has not been paid in the specified period. It will require an operator to give a vacating resident a statement setting out the amount of their exit entitlement and how it was calculated and require an operator to make an aged care payment or alternative accommodation payment within the prescribed period after a resident makes a request. The bill includes requirements for how deferred management fees must be calculated with reference to residents' entry payments and detail on how that fee will increase annually. It is common for the deferred management fee to accrue annually, and the bill requires this to be clearly stipulated. It is also common for operators to provide a gap on deferred management fees; for example, if a resident has resided in a property for five to 10 years, their fees may be capped at 20 to 40 per cent of their entry payment. The bill does not intend to limit or interfere with this contractual practice.

The review we undertook heard that the variety and technical nature of retirement village contracts make it difficult for residents to compare villages and to understand their obligations and overall costs. I think this is a really important point. In many of the cases that I have heard about there is confusion about what people signed up to, and I think it is important that it is put to them in a very clear, understandable way so that they actually know what they are signing. I know not all older people are more vulnerable, but there are those that are quite vulnerable. They may not have the capacity to understand what it is they are going into and do not necessarily have someone standing with them to ensure that they understand what they are signing up to, so this is really important. When drafting the regulations the government will work with stakeholders and residents to meaningfully design standard-form contracts that are expressed in plain English and are easy to understand. The bill includes a requirement that residents' contracts and management contracts must be in a standard form. The prescribed form for these contracts is proposed to be set out in regulations to the Retirement Villages Act. The development of regulations will be subject to further public consultation. That is another important point in this bill, that further consultation will continue as we move forward.

The contracts will need to outline how exit entitlements are calculated and explain the new requirements regarding settling-in periods. The bill establishes offences and penalties for operators who use contracts that are not in the prescribed form, for failing to give a copy of a resident's contract to a resident and for contracts that contain prohibited terms. Some of the stories that have been out there certainly identify that these are issues that need to be dealt with, and I think this bill actually starts to address those issues that have been raised in the media in recent times.

The bill will clarify the process to end a retirement village contract and support residents to remain in the retirement village. The new arrangements to terminate contracts will allow an operator to end a non-owner resident's contract on two grounds: a substantial breach of the contract by the resident or health and safety reasons. The changes proposed in the bill are intended to prevent an operator from giving a resident notice to end their contract unless it is reasonable and proportionate in the circumstances to do so. As such, a new reasonable and proportionate test will be applied to all contract terminations.

Issues around maintenance have also been raised. The bill will clarify village operators' responsibilities to maintain and replace capital items and allow residents to carry out urgent works where an operator has not acted. If the operator wants to impose a maintenance charge that is higher than the adjusted maintenance charge they must obtain the residents' approval. Again, it is about dealing with some of these issues that have been raised in the past that have been impacting on older people living in retirement villages and ensuring that they have the protections there, particularly around some of these things around maintenance which we have heard about. I commend the bill to the house.

**Tim BULL** (Gippsland East) (12:10): I am very pleased to be here to make a contribution on the Retirement Villages Amendment Bill 2024. This bill has been a long time getting here, and it is a bill that could still do with a little bit of work. As has been pointed out, it follows, initially, a 2017 inquiry, then a 2019 discussion paper six years ago, then four years ago we had an options paper, then we had an exposure draft three years ago and then we had an updated exposure draft two years ago. This amount of time has caused residents considerable frustration, and that is also, in some cases, a frustration that is applied to the operators of retirement villages as well. There are still some improvements to be made, and that is why we are supporting the reasoned amendment moved by the member for Ovens Valley.

This bill attempts to strike a balance between protecting residents and ensuring operators are not overly burdened by cumbersome administration, but it does fall short in a few areas that I would like to touch on. The first is around exit entitlements. This is always going to be an area where you are walking a bit of a tightrope. Operators are seeking a longer time frame because having to have settlement up-front creates financial strain on them and unit sales often exceed nine months – 12 months has been mandated here – but residents are arguing for a quicker turnaround to prevent financial hardship on them. Obviously this was an area of the review that created quite a bit of conjecture, but the sticking point here is the time from what is termed vacant possession. I understand that operators have asked the government for a very clear-cut, concise definition of what vacant possession is. Is that when the resident passes? Is it when the accommodation place is cleared out? Is it when probate is settled? All this impacts on timelines and needs to be sorted. The feedback that we had from the sector is that they need a clear definition around this. I would hope that one has been provided by now given we have the bill in the chamber, but that was the initial feedback that was received by the shadow minister.

Of more concern, and another area that needs attention, is the cooling-off period. The current three-day cooling-off period for contracts is quite simply insufficient. I am not sure who came up with this timeline, but it is just not right. Compare it to Queensland, which has 14 days – that would be a little bit more acceptable. We are talking about senior citizens here – I think the average age is 76 for our senior citizens in retirement villages – who are possibly making the most important decision in their latter life, and we give them a three-day cooling-off period. It is simply not enough. At the very minimum, as our shadow minister has proposed, that should be extended to at least a seven-day cooling-off period, which would put us in line with New South Wales. It would give our senior citizens a chance to talk to close friends and family about the decision they are about to make.

Operators warned that over-regulation can drive up costs, reducing investment in village services and amenities. Any reforms that are being made must consider the sustainability of retirement villages, because the impact of costs that are incurred and then passed on to residents obviously drives up the cost to our senior citizens of a place in these facilities. These are just a few areas that our lead speaker pointed out, but there are several more here. He had a bit longer to talk on them than I do, so I will move on, but he did a good job elaborating on some of those issues.

There are changes that can be made that will, with amendment, better reflect the views of both residents and operators. It is hoped that if the reasoned amendment is defeated – and we have not had a good track record with those in the current term – we can get some improvements in these areas between houses, because the job of the Parliament is to listen and debate, and if it is working effectively it can make positive changes in the areas that affect our constituents. Hopefully, between houses the right thing can be done and we can get some of these changes that have been suggested implemented, but if we can get the reasoned amendment over the line, even better.

As I mentioned earlier, this is a reform that has been coming for quite some time. I think it has been six or seven years since the process started, maybe even longer. While no doubt there are competing interests between retirement village operators and tenants, these are the obvious issues that need to be addressed. The reason it needs to be got right is that the scale of the change that is proposed in this bill has very wide ramifications for our senior Victorians but also the providers, who in some cases are religious organisations who operate retirement villages. So the rationale and the reasoning to get this

right and accurate on both counts is critically important. I mentioned that the average age of those in our retirement villages is 76. We need to provide the structure that allows them to make rational and sensible decisions in the latter stages of their lives.

I would like to – and I know that the shadow minister is considering this should we get into government, such is the scale of this reform – sit back and have a look at these changes after two to three years, depending on the final version that goes through the upper house, to indeed make sure that we have dotted the i's and crossed the t's and got things right.

There are some areas of this bill of course we agree on, and I have had few come across my desk as the Shadow Minister for Disability, Ageing, Carers and Volunteers. I am pleased to see that it makes it an offence to provide false information to a resident when it is known to be false or misleading. It also makes it a further offence for an operator to refuse to provide a contract upon request in the prescribed form or for a contract to contain prohibited terms.

Division 3 of the bill provides for a requirement that contracts address the method of calculating exit entitlements. Exit entitlements has been an area of great concern to families of retirement village occupants, because when an occupant unfortunately passes away, the exit entitlements are often left to the families to negotiate as part of probate and settlement, and these can be quite complex and difficult to manage. The provision in this bill is one that I am sure has bipartisan support. It is getting some clarity in there to make that process much easier.

Division 4 provides for contract checks, allowing for residents to get a written review or ask oral questions about their contract. Such a check must be provided to the resident within 30 days of the request. Listed is the information that must be included in the check as well as reasonable estimates of fees and charges and estimates of sale prices. This has been a problem in the past: residents being able to get timely answers to those details out of retirement village providers. This will now give them a clear timeframe and hold them to account to provide that information at the appropriate time. A lot were good – just like every industry in every sector – some were not and needed a bit of a smarten up, and that clause will do it.

There is also clarity with modifications and renovations being undertaken, including who is responsible and for what cost. That is another area where clarity is needed, and this bill provides it. Not only is there clarity around the maintenance costs, but many of the changes will alleviate the disputes that occur over maintenance costs, exit packages and the like. It puts in some very, very clearly defined parameters.

In relation to those areas that I have just mentioned, our senior citizens will welcome those elements of the bill that provide clarity in those areas. They are areas that have caused them stress and concern, and those elements of the bill we do support. So there are positive moves in this bill, but there are areas that do need to be tidied up and areas that do need to be made a bit better. I would certainly like the cooling-off period to be given priority between houses. I do not know under anyone's understanding three days can be considered appropriate for such a big decision. I am hoping if the reasoned amendment does not get up that at least that area can be addressed between houses.

**Steve McGHIE** (Melton) (12:20): I rise to contribute to debate on the Retirement Villages Amendment Bill 2024. This is an amendment to an act from 1986, which was a fantastic year because the mighty Michael Tuck led the fantastic Hawks to a premiership over Carlton that year. I am certainly not one to read into things too much about why I was elevated in our speaking list, but it is probably because I had a taste of retirement a few years ago. There was an earlier speaker that said retirees have plenty of time on their hands. Let me tell you, they do not. I was never so busy as being in retirement. I only lasted three months, and I will remind Daniel Andrews, even though he has retired from politics, about the phone call that he made in October 2018, three weeks out from the state election. He dragged me out of retirement, and ever since, the caravan has been in mothballs. Although we have stepped on; we have moved on to a motorhome now. Hopefully we will get to use it a bit more. Retirement

villages are a thing that I need to think about at my stage of life. I have raised it with my wife, and she said I would have to be kidding to think about moving to a retirement village. It would be very difficult for us at this stage because we have got too many animals. I do not think they could house our horses and dogs and cats and birds and all the other things that we have got at our place.

It is an honour to speak on this piece of reformative work by the Minister for Consumer Affairs. I want to thank the former minister, the member for Dandenong, and her office for the previous work that they did on this bill before our new Minister for Consumer Affairs was appointed, my good friend the member for Bentleigh. I look forward to working with him in his new role. The bill represents a crucial step forward in how we regulate retirement villages. It is one that goes to ensuring fairness, security and dignity for residents now and into the future, and that is what we are working towards. We hope that people in the later stages of their lives are not burdened by the pressures of unfairness and insecurity and also financial insecurity, when they have worked hard all their lives and got to their retirement. Unfortunately in some cases we have seen unscrupulous retirement village operators, for want of a better term, try to rip some retirees off. That is what we are trying to avoid through this amendment to the legislation. It certainly strengthens consumer protections, and it improves support for the diverse needs of our ageing Australians. It establishes some clear mechanisms for resolving any disputes that arise. Again, these are things that we want to avoid for retirees – that is, to end up in lengthy legal battles over their rights and entitlements and their financial situation and financial security, let alone having a roof over their head and how important that is for them.

I know earlier the member for Geelong raised in her contribution that many of these residents are in retirement villages for a range of reasons, but a lot of them are in retirement villages because they want to downsize from the properties where they have been, whether they have been on the land, on farms or whether they have been on a residential property that has become too big and they do not need a property that size or a house that size. Some of these retirement villages – or most of them, hopefully – have fantastic modern facilities and a greater range of facilities for retirees to access than they could in their previous residence. The bill also looks ahead, creating a regulatory framework that can adapt to the growth and innovation of this sector. We all know that our community is living longer. Many more of us will be housed in retirement villages as the population grows. As we are getting older there will be a greater percentage of our community and our population ending up in retirement villages – by choice, hopefully, and that is what we are working towards.

It safeguards the rights and interests of both current and future residents, including those transitioning out of retirement villages, and we have heard previous speakers contribute along that way. It is interesting that I have been seeing retirement lifestyle advertisements on the television recently – which is a worry, that I notice those sorts of advertisements. I referred to raising these issues with my wife, and she was a bit shocked that I thought that we should consider thinking about those things in the future. Hopefully I am at a stage where, if we do make a decision like that, I am capable of making that decision and not a bit pickled in the head or something like that. Anyway, we will worry about that as time rolls on.

The review of the Retirement Villages Act 1986 made clear that residents and operators need greater clarity around their rights and responsibilities, improved dispute resolution and simpler and more transparent contracts. That is what we are hopeful for – that it is not too complicated, confusing and difficult for people to manage. It is a direct response to those concerns, following a comprehensive review. I know some contributors today have referred to how long this has taken. While it might have taken quite some time – I think the reference was back to 2017 – my preference is we want to get this right and we want to make it better for retirees in these villages and to have simpler, more secure, better outcomes for them if they do engage in these contractual arrangements and move into these facilities. Throughout the consultation process the government received hundreds of submissions. I think 90 per cent of submissions were from residents, some of their family members and representatives of residents committees at some of the villages. They all demonstrated a strong desire to have some change and improvement, and I congratulate everyone that submitted their submissions

in regard to trying to improve the terms and conditions around people entering into the contractual arrangements and entering into a retirement village situation. Congratulations to all those that contributed to the outcome here. Hopefully this delivers on what they were seeking.

As a result these reforms mark the most significant overhaul of the Retirement Villages Act since its introduction back in 1986, setting some of the strongest protections in the country. Consumer Affairs Victoria will now have greater enforcement powers, ensuring operators provide clearer information and there are stronger consumer protections. It reinforces our commitment to making retirement villages a fairer, more transparent and more secure choice for older Victorians.

As I said before, with the population being projected to reach 10.3 million by 2051 and one in four Victorians expected to be over 60 – 60 years of age is not old. That is coming from a 66-year old. Sixty years of age is just a great start in life, I can tell you, but many more people from 60 years of age are engaging with retirement villages because, as I said, a lot of them are starting to downsize and looking at the facilities that are available to them and the services that are available to them through some of these villages. One in four Victorians are expected to be over 60 by 2046. The sector is evolving rapidly. We have to be aware of that, and we have to make sure that it is safe, secure, transparent and somewhere people want to go rather than it being somewhere they are forced to go and are engaged in contracts that they do not wish to be engaged in.

The bill introduces five overarching principles which will guide the interpretation of the Retirement Villages Act, with proposed principles to include that a resident's preference to remain in a retirement village should be respected and all residents should be treated with dignity and respect. I think they are two key areas in regard to our elderly community. They need to have dignity. They deserve dignity and they deserve respect given their contribution to our community over many, many years. It is not rocket science. This is an important bill, and I commend the bill to the house.

**Cindy McLEISH** (Eildon) (12:30): The Retirement Villages Amendment Bill 2024 that we have before us is one of the more voluminous bills that we have seen in the Parliament probably in the last 12 months or so. I was interested to hear the member for Melton say, 'It's not rocket science.' Well, given that there are a number of things that have not quite hit the mark, I am glad it is not rocket science, because even something much lower than that has not quite hit the mark. I think the government have still got a little bit of thinking to do in this space and about this bill.

We have got a problem, and we would all be aware as members of Parliament of the problems that we see day to day when people come into our offices with queries. Retirement living is appealing to many. As you get older you move into an area with other like-minded people. That community living is safer. You have got people around you all the time who are at home more if they are all retired. A lot of people downsize. You might decide that you are going to enter into an independent unit or perhaps even a serviced apartment, because we have both being catered for. But for way too long there have been problems with this sector, and as MPs we hear about it: the administrative arrangements; the rights, especially when leaving; disputes – if they have got issues, what do they do? Often they will come to their MP to ask, 'What are our options? How do we do this? Do I really have to do that or don't I have to do that?' With the payments I can think of multiple people that have come to see me. I have a number of retirement villages across my electorate – a lot more in Healesville and the Yarra Valley, and there is one quite large one in Mansfield as well. We hear always about the complex and varied resident contracts. Contracts are difficult for people to look at and understand. When you are looking at where you are going to enter, to try and contrast and compare three different retirement villages can be really quite challenging for people at the best of times, and to try and understand in that contrasting and comparing the obligations about what they have to do as a resident there and the costs. I know that certainly as the coalition we have gone to elections with policies around dispute resolution and protections of finance previously.

The background here is extensive. This is the longest run-up for a bill for quite some time – 2017 – and look where we are now. We are nearly to 2027. We are not that far off a decade. In those eight

years or so the Legal and Social Issues Committee looked into the operation and regulation of retirement housing, and there was a recommendation put forward at the time to better regulate the sector and improve innovation, growth and consumer protection. So here we are. It was 2017, and we are now in 2025. The government have been very slow on their delivery of this bill and what we have got now. There was an issues paper in 2019, where there was some feedback followed by community forums; in 2021, an options paper; in 2022, an exposure draft – but that was around about caretaker time, so there was only a small period of feedback; in April 2023, almost two years ago, there was an updated exposure draft; and in November 2024 the bill finally hit the tables of the Assembly. Because that is such an extended period of time there was a high degree of frustration among residents and operators, who were keen to see these changes. Given that the average stay in independent living units is just over eight years, a lot of those people that were driving some of these changes in the early stages would have perhaps moved on to somewhere else in the meantime.

We have ended up with a bill that is a mixed bag. It has got some things that are quite okay and some areas where it does not hit the mark. Our reasoned amendment is about the areas that do not hit the mark. We are not going to hold the bill up, but we do think that there are some important areas that need to be focused on a little bit more. It is a fairly wholesale reform, and it is important. I think the shadow minister, the member for Ovens Valley, did a really great job in his half-hour of highlighting the issues in depth of what is good and where the challenges are. It appears as though it was rushed at the end despite such a long run-up, because there is some drafting that is questionable and some ambiguity as well. He spoke to many, many groups and individuals in the consultation about this.

It is really important that we understand that these amendments have to be well balanced. We hear always from the retirees about the challenges, but at the same time we have to have the environment such that the operators want to stay. We do not want all the operators exiting because it is too hard, because we do need retirement villages, so there is a bit of quid pro quo here that we have to make work. There are 63 operators across Australia and over 862 villages, so you can see from that there are a lot of large operators in this field. The Property Council of Australia in 2023 said that there were 80,000 units within those villages. The average age of entry is about 76, and residents stay for over eight years in an independent living unit and less than five in serviced apartments.

The bill does make motherhood statements and talks about making retirement villages fairer for older Victorians. That is something that we would all agree with, but there are a number of things that I do want to raise that we have concerns with, and we will be continuing to talk to the government and looking at the procedures through the upper house. As I said, we need to balance the resident and operator interests. The bill has been in development for quite some time now, and it has been very frustrating.

The exit entitlements still remain a bit too contentious. When we think about people who have entered into a retirement village, they have put their nest eggs for their retirement there. For some people that will mean downsizing and they may have those finances, but they are still very protective of their finances because it is a very large investment. Sometimes you might want to move retirement villages. You might want to move closer to family, you might not like the retirement village or you might find one up the road and think, ‘Oh, actually that’s got a swimming pool and tennis court or half-court tennis or something and I might like to move to there.’ It makes it very difficult at the moment for people to move. We need to really make sure that that is streamlined and can work as well as possible for everybody, because whilst you want your nest egg back and to be able to move quickly to put a deposit on another one, the operators say they need some time, depending on the arrangements of the contract, to fix up the kitchen or to update the bathroom. If you have been there for eight years, it might need tidying up, as we might call it, and they have got to have some time to do that, so there becomes a little bit of a battle about the release of the money. We need to get that right because it is important. At the same time as we are looking after everybody, the retirees, we need to keep the operators there, because this is an important industry. The mandated 12-month period for operators to pay exit entitlements could create some financial strain as sales often exceed nine months, but the residents

argue that a six-month period to prevent financial hardship is better for them. This is something we would like to see reviewed.

As I said, this is a big investment. But it is not just an investment, it is a big lifestyle change to move into a retirement village, and you have got a three-day cooling-off period. I think that is insufficient. They have got 14 days in Queensland. If we had seven days, it would align Victoria with New South Wales, and we have got a lot of villages up on the Murray River on the border where that might be really important.

We need to ensure the viability of essential services. Operators warn over-regulation could drive up costs. We do not want to drive up the costs and reduce the investment in the services and amenities. We want to keep that manageable, especially with the cost of living. Any reforms must consider the sustainability, while focusing on that resident protection I have mentioned.

The quorum for decision-making is interesting because the quorum requirement is not workable at the moment and it risks stalling necessary decisions. Getting 50 per cent of people, or 10 residents depending on the size, to a meeting is really difficult. Anyone here who has an apartment with a body corporate would know how many people do not turn up to meetings which are important. We thought perhaps a fairer threshold might be 20 per cent of residents or 10 residents, whichever is the greater.

There are needs for amendments. The bill is imperfect, but it is certainly workable with amendments that will better reflect the views of residents and operators. We will continue to work with this through the upper house through amendments that we will be proposing to look at addressing further our concerns. We have our reasoned amendment, which I am supporting, but certainly we will be letting the bill go through beyond that point.

**Matt FREGON** (Ashwood) (12:40): I also rise to make a small contribution on the Retirement Villages Amendment Bill 2024. From the offset, welcome back, everybody. This bill is making changes to the Retirement Villages Act 1986. I am a little bit younger than our friend from Melton, but I am old enough to remember 1986. It was around that time that my grandmother moved into a retirement village in Knox. They were a relatively new thing then, if I recall, and there was a lot of development in that area. I am sure the act at the time was a response to changes in the economy and retirement living.

I note some of the comments from colleagues. Probably not to quote exactly, one of the colleagues on the other side said that there was a long run-up to this bill, which there was. I think the quote was 'longer than Dennis Lillee'. I note that Dennis Lillee was not known for his spin, but there is a bit in this house sometimes. Once Mr Lillee reached the crease, the ball came down pretty quickly if I remember, so I do not think it is something that government have to apologise for – that, following serious and lengthy consultation, an options paper and a draft bill, we are bringing to the house this bill that makes significant changes to a sector that affects a significant and important part of our society.

I am a little bit similar to our friend from Melton. I had the luxury of turning 55 last year, which does not quite put me in retirement village territory just yet, but I am reliably informed I can now get seniors insurance. That is something I might want to have a look into.

*Members interjecting.*

**Matt FREGON:** That is right. Apia, watch out, here I come. I will be watching morning TV on Channel 10 next and checking the ads. But this is an important bill making important changes, and the guiding principles of this bill are intended to guide the interpretation of the Retirement Villages Act. The proposed principles include a resident's preference to remain in a retirement village and that all residents should be treated with dignity and respect. Those things no-one would disagree with, and I am happy to hear that the opposition are not opposing the bill, even though they have a reasoned amendment. We will see what happens with that.

I have had a number of discussions with constituents last term and this term on retirement village living. If I recall, back in 2021 the member for Albert Park, who was in the upper house last term, the former member for Hawthorn and I went to a retirement village, Manningtree village, I believe, to discuss with members of that village what would have been the options paper, I think, at that stage and what this bill would mean for them and to get their feedback one on one. When we were with the former member for Hawthorn Mr Kennedy, there was a man who was speaking about retirement villages from lived experience. I think it is worth us noting his contribution to this house in the last term and his contribution to the bill that we are hopefully turning into an act today.

I want to also mention something that the lead opposition speaker the member for Ovens Valley mentioned about the part of the bill that tells providers that they must inform residents of their entitlements or payments on a yearly basis. The member for Ovens Valley seemed to think that this could be onerous to some providers, mostly small providers. I understand where he is coming from, but I would have thought that in regard to a business – a retirement village is a business, like any other – and their obligations to residents, surely in just standard accounting practices they would have a fairly good idea, you would hope, of what money is attributable to their clients and what money they are expecting to get back. Their assets and liabilities would surely be in their balance sheet, which would obviously get updated on a yearly basis. I would presume – well, you would hope – that villages, even the smaller ones, have a good idea of what their financial position is. Therefore it should be relatively easy to share that information on a personal basis to those residents.

A shout-out to – I think the Lions Club was mentioned earlier – the good people of the Mount Waverley and Ashwood Lions Club, of which I am a member, who have a retirement village in Ashwood in my area where we meet and have our Lions Club meetings. Now that is a small village. There are 20-odd units there. Whilst I understand the logic from the member for Ovens Valley, I do not think that having to do a little bit of extra work, which you probably already have the numbers for, is a reason not to share information with residents. I think if we go back to the principles of the bill, the purpose of this bill is obviously to assist the business side to understand the regulations and their obligations, but it is mostly for the people who live in the villages.

Residents knowing what they are up for or what they are expected to have is very important, because especially as you get older, you never know when you may need a higher level of care. This is part of the problem that we have seen in the sector, when it takes a lengthy period of time to get your money that is owed to you rightly should you need to leave. Now, whether you own the property outright and you have to sell it or whether you have got a long-term lease, you need to get your entitlements paid and your exit fees sorted out. In the position where someone goes from a level of care where they are independent to a level of care where they are no longer able to live independently, those decisions are usually made without a whole lot of planning. It might be a fall or it might be a stroke; there might be myriad other reasons, but it is not uncommon for people to have to make those decisions in a hurry.

It is about having an understanding, for the resident who lives there or the families around that resident, of where they are financially. You probably will not look at it too much in your inbox when it comes in, right? You might think, ‘Yes, that’s interesting.’ But should the occasion arise where all of a sudden you need to go into higher level of care, I am sure that is one of the first things that the family would go to look for – ‘Well, how are we going to organise this?’ We have all seen this in our families, I have no doubt. I think it is a really important addition to our laws that gives information to people who need it. They might not need it on the day they get it, but they may need it immediately a month later, two months later or four months later. Whilst I understand what the member for Ovens Valley was saying – I owned a small business myself – that, yes, regulations mean you have to do some extra work sometimes, I do not see it as being onerous, and I think the advantages for the residents of the retirement village may be very important on the day they need them.

I would also like to quickly refer to the dispute resolution inclusion. There has been some call from some, and it is a fair suggestion and wish, for an ombudsman in this area. That is not part of this bill, but what is part of this bill is the dispute resolution process through the Department of Government

Services and the Minister for Consumer Affairs to also approve a mandatory retirement villages code of practice. I have had some experience recently with consumer affairs dispute resolution with a couple of constituents. I do not have time to go into it in detail, but I will give my praise to the former Minister for Consumer Affairs and the new Minister for Consumer Affairs because the department has been overwhelmingly helpful for my constituents. I thank them very much. I commend the bill to the house.

**Roma BRITNELL** (South-West Coast) (12:50): I rise to speak on the Retirement Villages Amendment Bill 2024. This bill is one of the largest reforms we have seen to the Retirement Villages Act 1986 since 2004, so over 20 years. It improves the regulation of retirement villages – or that is the aim of the bill – to provide for the needs of the ageing and diverse residents of retirement villages and to provide regulation that anticipates the future and innovative needs of retirement villages and the sector, because this is a very important part of providing homes in Victoria to different parts of the community. The ageing community needs more from the government to work out how we can transition effectively at home hopefully rather than ending up making decisions rapidly and not being prepared, so it is a really important piece of legislation.

This legislation has been in the making since 2019. Before the member for Ovens Valley was the Shadow Minister for Consumer Affairs, I was the consumer affairs shadow minister. I spent a fair bit of time working on this as well, and I am quite disappointed that we are here two years into the 60th Parliament and only debating it now. Retirees spent a lot of time contributing their work and their energy to the options paper way before the end of the last Parliament. Many of these retirees come from industries where they had expertise which they offered to the government to feed into the process. I do not think there would be another bill that would have had such cooperation and assistance from a group of people who had an interest in making sure this was done well. I have to say I am quite disappointed that this is happening two years into this Parliament when it should have been done at the very least at the end of the last Parliament, and done properly.

But not only that, I am really disappointed that it is still an imperfect bill that both sides – the providers and the residents – are not happy with. But there are some good things that have ended up in this bill that probably came from that options paper and that the retirees are quite happy with – it was at the end of 2021, I think. We will not be opposing the bill, but I do support my Shadow Minister for Consumer Affairs in his reasoned amendment and hope that the government will in good faith look at some of these changes that we are proposing that will improve the bill and that come from the retirees themselves as recommendations and will work quite well when balanced for both the providers and the residents.

My Shadow Minister for Consumer Affairs has outlined some of these challenges that face people going into retirement villages: things like making sure that contracts are not onerous but are simple and easy to understand in a legal sense, that fees and charges are sorted and more uniform and more transparent and reasonable, that services that are promised are provided and available, that the dispute resolution process works so that when people are not happy they are listened to and able to resolve the challenges that they are faced with, or if people want to leave, that they are able to do so with the resources that enable them to move somewhere else if they have got an unhappy situation that cannot be resolved. I did see in Warrnambool we had a situation where an aged care facility failed. It was a shocking situation. Part of that aged care facility had an investment as a retirement village. There were people that were not happy, and I facilitated meetings with them to try and help with that situation, but there was one couple who did want to move and the ability for them to access their funds to be able to do it was a real issue for them. These are the sorts of things that really do need to be sorted out.

If the Parliament will indulge me just for a moment, during that Lyndoch period I spent a lot of time with Valmai and Andrew Coffee, who are residents there – dear friends who are very good members of the Liberal Party. Valmai passed away last week, so if I could pass on my condolences to Andrew, Valmai's husband, and the family and wish them all the very best at this time, which is very, very difficult, remembering the lovely Valmai and the wonderful memories she has left with them.

During this time when the government finds themselves in a housing crisis, there is really no better time to get this right. There is actually a market failure when we have got people not able to get into homes. We are seeing elderly people trying to get into the public housing market – 1000 people on the waiting list. We do have solutions, and getting this right is one of them.

Another thing that happened as a result of the aged-care facility in Warrnambool, Lyndoch, failing was that the May Noonan aged-care facility in Terang actually was sold, and that meant there was a big loss of aged-care beds in Terang, so Terang have a desperate need for some new facilities.

While we are discussing the Retirement Villages Amendment Bill 2024, I would like to take the opportunity to raise Terang's plight and the needs of the government to work with the Terang community to solve this issue. As a first step, the community actually want the government to provide more aged-care residential beds at the Terang hospital, for obvious reasons. But there is also an overwhelming need for greater aged-care support and a strong desire to bring a retirement village to Terang. The community, led by the Terang Aged Care Future committee, have identified a two-stage approach, and the first is to build a new retirement village, and then a residential aged care facility. The plan to build the retirement village includes 60 to 70 two-bedroom units, each including disability-friendly design and assisted technology and supports.

For the village, though, to come to fruition the Terang community need land allocated, they need funds raised and they need to attract a suitable developer and operator. But I really commend the community for getting together and doing this. They did it when they set up May Noonan. So they know they can solve their own problems, they just need assistance. Ideally a retirement village would be located within the town boundaries so that residents can access local services and businesses. It is really important to stay in your local community of interest and continue to live the life you have loved. But I urge the Labor government to work with the Terang Aged Care Future committee to create positive solutions to fix the need for more aged-care services in Terang. We should congratulate committee, members, like Chris O'Connor, Eve Black, Ken McSween and others, as well as Cr Geraldine Conheady, a former deputy mayor of Corangamite, who understands Terang well and is a terrific advocate. These are people who are proactively working on solutions to fill a community need and to attract investment to Terang.

If we can provide accommodation solutions for our elderly citizens, they might opt to downsize and move into these facilities, because this in turn allows family homes to come onto the market, which helps alleviate the housing crisis. You cannot get a rental property in Terang; it is impossible. The elderly cannot downsize from their homes unless there is somewhere attractive to move to.

I actually raised this in the Parliament last year and was shocked with the response I got from the government. They suggested that the elderly of Terang should move to Cobden, 40 minutes away, or Warrnambool, 40 minutes away again, to access the retirement facilities. I reckon it is pretty ordinary that the government made the suggestion. There is negligible public transport, the roads are dangerous and their lives are being built in Terang, and they want to stay in Terang and live their lives in Terang. It is so isolating to suggest that elderly people move to another town for the last chapter of their lives when they have built friendships and relationships over their lifetime. They go to the Lions Club and the CWA, and I have enjoyed many evenings at the Rotary Club in Terang. It just shows that the Labor government is out of touch with how Victorians live, and this bill provides the opportunity to get it right.

As I say, I urge the government to work with small towns like Terang, who want to solve their own aged care facility problems. I recommend the bill not be opposed but we do put the reasoned amendment, because after six years of a government working on a problem that could be solved, with all the assistance they had from all the retirees, I am quite disappointed that it has taken this long to get to this point. Hence why it does need to go through some of the things that have been put in and the retirees' recommendations do need to happen. But to improve it is just about the government respectfully considering some of the amendments we are suggesting. Let us make the changes that

need to happen so people can live out their retirement without the challenges or fights, or fears of things going terribly wrong.

**Sitting suspended 1:00 pm until 2:02 pm.**

**Business interrupted under standing orders.**

*Questions without notice and ministers statements*

**BailSafe Australia**

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:02): My question is to the Premier. I refer to the recent collapse of BailSafe Australia. How many violent criminals are currently in the community without the required supervision, putting the community at risk?

**Jacinta ALLAN** (Bendigo East – Premier) (14:02): Acknowledging the Leader of the Opposition's question, can I first provide some information to the house regarding BailSafe and be very clear that Victoria Police monitors offenders through regular bail compliance checks and that the use of electronic monitoring as a bail condition is a decision that is made by the independent courts through their bail-setting processes. In regard to BailSafe, my advice is that Victoria Police and the Office of Public Prosecutions are thoroughly examining this situation, so we are awaiting their advice.

In regard to the question in terms of the number of offenders on bail that this impacts, the advice I have from Victoria Police is that the number is eight and that Victoria Police are going through individual assessments and also going through a process to go back before the courts to have bail revoked for these matters.

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:04): How has the government allowed Victorians to be put at risk by allowing bail-monitoring services to be run by a man charged with possession of steroids and methamphetamines and violating a personal safety intervention order?

**Jacinta ALLAN** (Bendigo East – Premier) (14:04): In answer to that question, this is a decision that is taken by the courts. I remind the Leader of the Opposition that the courts operate independently and that these are independent decisions made by the court.

*Members interjecting.*

**The SPEAKER:** Members will be removed from the chamber without warning.

**Danny Pearson** interjected.

**The SPEAKER:** The Minister for Economic Growth and Jobs will leave the chamber for half an hour.

**Minister for Economic Growth and Jobs withdrew from chamber.**

**Jacinta ALLAN:** Bail conditions, including the use or otherwise or not of electronic monitoring, are decisions made independently by the courts as they consider those individual bail matters.

**Ministers statements: bushfires**

**Vicki WARD** (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:05): This summer many have lived with the ongoing threat of bushfires, especially in western Victoria. I offer my deep gratitude to the thousands of people involved in the response efforts and recovery work. So many gave up celebrations, left homes, families and comfy beds and travelled across the state to help. In the first 21 days this included almost 8000 Victorian CFA members. The response involves intensive planning. The expertise, experience and wisdom within incident control centres (ICCs) is exceptional. Then there are the skills of the rappel and aerial crews with nearly 90 different aircraft; Forest Fire Management Victoria staff; the support of FRV, the BOM, Emergency Management Victoria, Victoria Police, the base camp tent villages and the SES;

the extraordinary work of the state command centre – and this is just a snapshot. I thank everyone who followed the advice of emergency services and left early. I thank local business owners for continuing to support their employees' volunteer efforts.

Since becoming Minister for Emergency Services six weeks ago I have regularly visited, including once with the Premier and the Prime Minister. I have seen the tired, ash-covered faces of Dimboola CFA and seen and smelt the nearby fireground. I have witnessed the immense knowledge of the Horsham ICC and experienced dense smoke covering the town. Halls Gap CFA showed me their dedication and determination. I have listened to local councils and businesses about their concerns, and those I met in Pomonal were incredible. I saw Dimboola's new appliance and appreciate the new appliances delivered in recent times for Penshurst, Ellerslie, Halls Gap, Sandsmere, Willaura and Elmhurst. I am grateful for the many well-attended community meetings. I thank the Albanese government for working with us to provide financial support for locals, which includes so far \$610,000 for councils providing emergency relief, \$650,000 for individuals and families and over \$146,000 in income support under the disaster recovery allowance. This is a constantly changing environment, and we are determined to continue supporting those communities and those who defend and help them.

*Members interjecting.*

**The SPEAKER:** I remind members about interjecting across the chamber. You will be removed without warning.

### Crime prevention

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:08): My question is to the Minister for Police. Minister, what policies do you have in the bottom drawer that would bring down crime in Victoria?

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:08): I thank the member for his question. Can I just say that a \$4.5 billion investment in Victoria Police is a pretty good start in terms of tackling crime in Victoria.

*Members interjecting.*

**The SPEAKER:** The member for Lara can leave the chamber for half an hour.

**Member for Lara withdrew from chamber.**

**Brad Battin:** Speaker, in relation to relevance on my point of order, this is a very direct question that is not on the things that government has spoken about in the past. What policies are in the bottom drawer for the future to bring crime down in Victoria?

**Mary-Anne Thomas:** Speaker, on the point of order, there clearly is no point of order. The Minister for Police has been on his feet for a mere 15 seconds. He was asked directly about policies for police, and an additional \$4.5 billion is one way in which you demonstrate your commitment to police.

**The SPEAKER:** The Leader of the House will state her points of order succinctly. It is not for me to determine what the minister has in his bottom drawer, but I do ask him to come back to the question.

**Anthony CARBINES:** Further, 3600 additional funded police positions are another way to tackle crime here in Victoria. A \$1 billion investment in new police stations is another way.

**Brad Battin:** On a point of order, Speaker, on relevance, in relation to talking about the things that the government say they have delivered, maybe he has got a policy to replace the 1100 vacancies we have on the current rosters here in Victoria.

**The SPEAKER:** There is no point of order. I ask the Leader of the Opposition to be very careful about points of order and to not waste the house's time.

**Anthony CARBINES:** I did note that the report on government services this week continued to point out that Victoria remains the top of the pops with the largest police service in the country, which of course means we need to invest a billion dollars in new police stations to put all the additional police in, given that we have the largest police service in the country.

I am really looking forward to joining the Treasurer in the other place in the next couple of months at the new \$28 million police station in Benalla.

**BrIDGET VALLENCE:** On a point of order, the government cannot keep pace with the attrition in the police force. The minister is debating the question, Speaker, and I ask you to bring him back to answering the question.

**The SPEAKER:** There is no point of order.

**Anthony CARBINES:** There is a fair bit of attrition with the Leader of the Opposition over there – it changes all the time – if we are talking about attrition rates. But I will come back to the question again. I point out that, with the critical work that the Minister for Emergency Services touched on around emergency services management, that new police station in Benalla will provide vital services in the north-east of Victoria, particularly around emergency management. I also might just point out the member for Albert Park and the investment in the new South Melbourne police station – \$52 million with builders appointed. I was with the member for Point Cook just the other week to mark the \$25 million investment to start to build the new police station in the west of Point Cook.

*Members interjecting.*

**The SPEAKER:** The member for Wendouree can leave the chamber for half an hour.

**Member for Wendouree withdrew from chamber.**

**Brad Battin:** On a point of order, Speaker, in relation to relevance yet again, we specifically asked: what policies – not what actions the government have taken that have led to a crime crisis in our state – are they putting in place that are in his bottom drawer?

**The SPEAKER:** I remind members that a point of order is not an opportunity to repeat the question.

**Mary-Anne Thomas:** On the point of order, Speaker, there clearly is no point of order. The decision whether to invest or not in Victoria Police is clearly a policy decision, one that this government takes very, very seriously.

**The SPEAKER:** Minister, be mindful of the question. I ask you to be relevant.

**Anthony CARBINES:** The continued investment in police services is the way in which we tackle crime in this state – a 24/7 emergency response available to all Victorians thanks to the work of Victoria Police, the largest police service in the country, as demonstrated again in the report on government services. That means you need to provide significant funding of \$4.5 billion to invest in the largest police service. Then you have got to put them up in places, in communities, as we just talked about, like Benalla, like South Melbourne and like the Narre – Narre Warren South and Narre Warren North – with new police station refurbishments and expansions.

Of course I know the opposition leader is particularly keen on the constant redevelopment work and the new police station in Clyde North, which is coming out of the ground. The member for Bass did very significant work with the member for Cranbourne, and we have been out there to see that fantastic work on the new 24-hour police station for the amazing community there in Clyde North.

Some 70,000 arrests have been made by Victoria Police members to September over the previous year. I want to thank Victoria Police members on behalf of all members, because Victoria Police serve all Victorians. I take the opportunity to thank them for the work that they do through the leadership of the chief commissioner and his team to make sure that the 24/7 response is available to all Victorians

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to keep the community safe. We will continue to invest in Victoria Police, because the alternatives are the cuts and closures that we saw from those opposite when they were last in government.

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:15): Crime has risen 15 per cent under Premier Allan. How many more traumatised victims will suffer before you bother to open the bottom drawer and to end Labor's crime crisis?

**The SPEAKER:** The question is bordering on the hypothetical, but I will allow it this time.

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:15): I just want to point out the very significant initiative by my predecessor in the other place Mr Erdogan in relation to the financial assistance scheme – a \$78 million-plus financial assistance scheme for victims – a very significant program under the leadership of the Allan Labor government to deliver those services, very vital and important services, to victims of crime in our state. That work is already underway. Those services are available to provide those financial resources to so many in our community.

But can I also say what remains important in the community is our continued investment in Victoria Police and the work they do. I get a bit of a sense there that people are pointing the finger and having a bit of a crack at Victoria Police, and I would hate to think that was the case, because I know that our police members put their lives on the line every day to keep Victorians safe.

**BrIDGET VALLENCE:** On a point of order, Speaker, on relevance, with Labor's crime crisis perhaps there is nothing in the bottom drawer. Could you please ask the minister to come back to answering the question?

**The SPEAKER:** There is no point of order. The minister was being relevant. The minister has concluded his answer.

**Michaela Settle** interjected.

**The SPEAKER:** The member for Eureka can leave the chamber for half an hour.

**Member for Eureka withdrew from chamber.**

### Ministers statements: school saving bonus

**Ben CARROLL** (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (14:17): A few weeks ago I met another Ben. I doorknocked Ben and his mother Emily when I was out with our candidate for Werribee John Lister – or, to the household in Werribee, Mr Lister, as he is known. Emily told me how the school saving bonus has helped change her trajectory, how she has been able to support a local small business, Rushfords, down in downtown Werribee with the school uniform, how it has helped with the textbooks and how it has really helped them and how it has also shown that the Labor Party have empathy and that we have their backs during a cost-of-living crisis. We are not like what Mr McCracken said on the podcast: what do you cut, how much do you cut, what can you live without. With teachers like John Lister and like other teachers in this Parliament – the member for Bellarine, the member for Monbulk, the member for Wendouree, the Leader of the House, the member for Greenvale – we value teachers on this side of the chamber. We value building the Education State.

Also, I am very proud to be the member for Niddrie and to have as one of my constituents the Liberal candidate for Werribee. He is not only a constituent, he is a neighbour, and I also hope he believes in tackling transport emissions, because I am happy to carpool with him on Saturday morning. On that 40-minute drive I can tell the Liberal candidate that we have built not one, not two, not three, not four, not five, not six; we have built seven brand new schools in Werribee. And, guess what, I can also take him past every school, because –

**Danny O'Brien:** On a point of order, Speaker, I believe that the Deputy Premier is debating his statement, because the government did not care for 18 years where the member for Werribee lived before.

**The SPEAKER:** There is no point of order.

**Ben CARROLL:** I love my neighbours and I love my constituents, even Liberal candidates. We can go on that car ride. As every good real estate agent knows, when you are buying property you look for good public schools. You have got great property value when you have got good public schools. And, guess what, \$2.3 million has been claimed by constituents in Werribee for the school saving bonus. They cut, we deliver.

#### Wyndham Vale train services

**Brad BATTIN** (Berwick – Leader of the Opposition) (14:19): My question is to the Premier. Residents have been waiting for seven long years for Labor to deliver their promise to electrify the railway line to Wyndham Vale. How will residents of Wyndham Vale benefit from building the Suburban Rail Loop instead of electrifying their railway line?

**Jacinta ALLAN** (Bendigo East – Premier) (14:20): I am very pleased to have the opportunity to talk about this government's investment in public transport in heavy rail in this state, because when it comes to investing in rail –

*Members interjecting.*

**Jacinta ALLAN:** Cue the outrage.

*Members interjecting.*

**The SPEAKER:** Member for Bulleen!

**Jacinta ALLAN:** The good guy? Is that you talking about yourself? Goodness me, someone has got to talk you up, mate. Of course we are investing in rail right around the state. When you look at the Metro Tunnel, which is going to open up this year – not a dollar from federal Liberal governments in this project –

*Members interjecting.*

**The SPEAKER:** Order! I am having trouble hearing the Premier, member for Bulleen. You have been warned twice now.

**BrIDGET VALLENCE:** On a point of order, Speaker, the Premier is debating the question. It was specific to Wyndham Vale residents. Could you please ask the Premier to come back to answering that very narrow question.

**MARY-ANNE THOMAS:** Speaker, there is no point of order. The Premier was being entirely relevant to the question that was asked of her, which was about our government's investment in rail, and I ask that you rule the point of order out of order and let the Premier get on with answering the question.

**The SPEAKER:** The Premier has had 1 minute; she has got another 2. The Premier will be mindful of the question.

**Jacinta ALLAN:** Of course the interjections from those opposite underline how they just do not understand how investing in and building the Metro Tunnel unlocks the capacity to deliver more train services. We have been delivering the Metro Tunnel, opposed time and time and time again by those opposite. But, guess what, it is opening this year. Then what we have also been doing when it comes to train services for Wyndham –

**BrIDGET VALLENCE:** On a point of order, Speaker, the Premier is defying your ruling to come back to answering that very specific question, which is about Wyndham Vale residents and the Wyndham Vale rail line.

**MARY-ANNE THOMAS:** On the point of order, Speaker, it is abundantly clear that the Manager of Opposition Business did not listen to your ruling, which was indeed that the Premier had had 1 minute on her feet and was being relevant to the question.

**THE SPEAKER:** The Premier will come back to the question.

**JACINTA ALLAN:** Of course when it comes to delivering more services, more trains and upgrading track for the Wyndham Vale communities and those who are along that corridor, including – I think the member for Tarneit might have left the chamber yesterday, but I was going to talk about the new station we are building along the corridor – we are doing two things. We are investing in the corridor itself, which is why we are adding 50 per cent capacity to the Wyndham Vale line – because we have put bigger trains and upgraded the stations along the corridor. The second thing we are doing is of course untangling and working around Sunshine station, because to get more train services through, to do the works, we have to address the Sunshine station junction. These are works and a sequence of investments that are underway.

But of course when some have the opportunity to invest in rail, they privatise and close it. They buy trains from overseas and do not invest in the local network. We are undertaking a sequence of investments that are delivering improvements to Wyndham Vale –

**BrIDGET VALLENCE:** On a point of order, Speaker, question time is an opportunity for the Premier to answer the question and not attack the opposition. I would ask you to request –

**THE SPEAKER:** The Premier did not refer to the opposition. The Premier has concluded her answer.

**BRAD BATTIN** (Berwick – Leader of the Opposition) (14:24): Premier, when will the residents of Wyndham Vale have their railway line electrified?

**DAVID HODGETT** interjected.

**THE SPEAKER:** The member for Croydon can leave the chamber for half an hour.

**Member for Croydon withdrew from chamber.**

**JACINTA ALLAN** (Bendigo East – Premier) (14:25): Clearly the Leader of the Opposition is all about the question and not about the answer, because I just went through that. In order to upgrade the network, you have to undertake a sequence of investments, and that is exactly what we are doing.

*Members interjecting.*

**THE SPEAKER:** Order! The member for Bulleen can leave the chamber for half an hour.

**Member for Bulleen withdrew from chamber.**

**BrIDGET VALLENCE:** On a point of order, Speaker, on relevance, it was a very, very narrow question: when will the Wyndham Vale line be electrified?

**THE SPEAKER:** The Premier was addressing the question.

**JACINTA ALLAN:** As part of that sequence of investments we are adding extra services, including those extra services that started in December of last year, because I know from talking to passengers that people want to see those extra services, which is what we are delivering.

*Members interjecting.*

**Jacinta ALLAN:** We delivered them in December last year, for the benefit again of those opposite. We will see the opening of the Metro Tunnel, which is going to provide additional capacity across the network. Of course those opposite opposed the Metro Tunnel every step of the way and indeed threw it on the scrap heap when they had the opportunity in government to invest in rail.

**Ministers statements: health workforce**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (14:26): I rise to update the house on how the Allan Labor government continues to champion our frontline healthcare workers. On this side of the house we respect our healthcare workers and we support them to deliver expert care to all Victorians. That is why we have grown Victoria's public healthcare workforce by almost 50 per cent over the last decade. That means that today there are more than 40,000 additional doctors, nurses and allied healthcare workers all working in Victoria's world-class public healthcare system.

The Allan Labor government back these workers in, ensuring that they have fair working conditions and that they receive the pay that they deserve. That is why I was so pleased that we were able to reach a historic deal with our nurses and midwives, delivering a massive 28 per cent pay rise that recognises the historic undervaluing of this largely feminised workforce. In more good news, I am pleased that our paramedics have overwhelmingly supported the latest agreement with Ambulance Victoria.

On this side of the house we respect the expertise, the qualifications, the experience and the operational know-how of our frontline workers. On this side of the house we will never be interfering in operational or clinical decisions. These are decisions that are left to those with the expertise, the experience and the qualifications. We would never, ever put politics before patients. Unfortunately and alarmingly it would seem that the same cannot be said for those on the other side of the house following yesterday's –

*Members interjecting.*

**The SPEAKER:** The member for Lowan will come to order. I could not hear the Minister for Health. I ask members to come to order.

**BrIDGET VALLENCE:** I could, and the Minister for Health was attacking the opposition. On a point of order, Speaker, a ministers statement is not an opportunity to attack the opposition.

**Mary-Anne THOMAS:** Speaker, on the point of order, there is no point of order. I have been talking exclusively about the work of the Allan Labor government, and only now, with 10 seconds left, am I seeking to compare and contrast what our government does with what those on the other side would do.

**The SPEAKER:** I do not uphold the point of order.

**Mary-Anne THOMAS:** The same cannot be said of those on the other side of the house following yesterday's absolutely disgraceful attack on the operational expertise of our healthcare workers.

*Members interjecting.*

**The SPEAKER:** The member for Lowan is warned. The Leader of the House is warned.

**Maryvale paper mill**

**Danny O'BRIEN** (Gippsland South) (14:29): My question is to the Premier. During a cost-of-living crisis 300 workers are currently locked out, without pay, at Opal's Maryvale mill in the Latrobe Valley over EBA negotiations, because the company is concerned about its ongoing viability. Some of those workers are here in the gallery today. Opal released a statement last week that reads:

Maryvale Mill's operations have been severely impacted by the loss of wood supply from VicForests and the subsequent end to white paper manufacturing ...

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What is the government now doing to get the 300 locked-out workers back to work and putting food on the table and ensuring their jobs are not lost permanently because of Labor's disastrous forestry policy?

**Jacinta ALLAN** (Bendigo East – Premier) (14:30): I thank the member for Gippsland South for his question. I know it is not ordinarily appropriate in the house to acknowledge people in the gallery, but I do acknowledge that in his question he referred to Opal workers who are here in the gallery. At the outset can I acknowledge that for those who are here today and for the some 300 other workers who work at this really important site in Gippsland – an important workplace for the Gippsland community – it has been a very difficult few weeks since I think 16 January when those workers were fairly unilaterally locked out without any particular notification from the company. That action of the company does concern me, and it does concern me for the reasons the Leader of the National Party has –

*Members interjecting.*

**Jacinta ALLAN:** I apologise to those workers in the gallery who are having their concerns interrupted by the interjections of those opposite. What I was going to say is that the member for Gippsland South also acknowledged that this is having a big impact not just on those workers but on those families, and I do also want to acknowledge that impact on those workers and those families. I repeat: I am concerned at the way the company has gone about the way it has treated its workers in this situation. In terms of the status of the industrial dispute with the company, I am advised that there are EBA negotiations that are underway. As they are negotiations between a company and its workforce representatives –

**Danny O'Brien:** On a point of order on the question of relevance, Speaker, the question clearly is not about what the company and the workers are doing, it is what the government is doing, and I ask that the Premier come back to answering the question.

**The SPEAKER:** The Premier was being relevant to the question that was asked.

**Jacinta ALLAN:** As I was saying, there are two matters here. There is the matter of the EBA negotiations, and I would suggest to the company that they do consider the impact that their action has had on workers and their families and the broader community. I would absolutely urge the company. When it comes to some of the contractual relationships –

**BrIDGET VALLENCE:** On a point of order, Speaker, on relevance, it was specific to what the government is doing to ensure these workers and jobs are not lost permanently, so we are asking the Premier to come back to that very specific question about what the government policy is in relation to these particular jobs.

**The SPEAKER:** The Premier was being relevant to the question. I cannot direct the Premier how to answer the question. She was being relevant to the question.

**Jacinta ALLAN:** As I said, there is the industrial relations issue and the way the company has gone about its actions, and I seriously urge the company to think about the consequences of its actions on its workers. On the issue of wood supply, the advice I have is there is a contractual matter between Hancock Victorian Plantations and the company that also needs to be resolved about the supply of wood to this mill.

**Danny O'BRIEN** (Gippsland South) (14:34): In announcing Labor's policy to shut down the native timber industry, the former Premier stated with respect to Opal:

... these jobs are secure. Up to 1000 jobs at that Maryvale mill, up to 2050.

Since then white paper production has ceased, with the loss of 200 jobs, 300 workers are currently locked out and upstream contractors are also not being paid. Why did Labor mislead the mill workers of the Latrobe Valley?

## QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS

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**Jacinta ALLAN** (Bendigo East – Premier) (14:34): Again – and the member for Gippsland South goes to this in his question – we have been working through the department with the company on its ongoing operations. There is of course some recognition of the realities around the supply of timber in this state that have to be acknowledged, including the Supreme Court challenges that were taken as a result of actions by a previous environment minister in a previous government. I am focused –

*Members interjecting.*

**The SPEAKER:** Order! The member for Rowville is warned.

**James Newbury:** On a point of order, Speaker, the Premier is required to be factual. The Premier is attacking the opposition and denying the ban her government has imposed on this industry.

**The SPEAKER:** The member for Brighton knows that it is not for me to determine the facts of an answer – or a question, in fact. The Premier was being relevant to the question that was asked. I cannot direct the Premier how to answer a question. She was being relevant.

**Jacinta ALLAN:** The faux outrage by those opposite in their concern for workers belies the fact of the realities of decisions that have been taken previously. I am focused on those workers and providing them with the support that we can, acknowledging it is an incredibly difficult time for them and their families.

**BrIDGET VALLENCE:** On a point of order, Speaker, it is the Labor government's policy that cut down these timber workers. The question is narrow on relevance. Why did the Labor government mislead –

**The SPEAKER:** There is no point of order.

**Mary-Anne Thomas:** On the point of order, Speaker, the new Manager of Opposition Business knows that she cannot get up here and use points of order to rephrase questions.

**The SPEAKER:** Leader of the House, what is your point of order?

**Mary-Anne Thomas:** I ask that you rule her out of order. There was no point of order.

**The SPEAKER:** I have already ruled the point of order out of order, Leader of the House.

### Ministers statements: Victoria Police

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:37): I am very pleased to say that we want to thank Victoria Police for the fact that 24/7 emergency response is available to all Victorians at all times. We are able to do that because we fund the largest police service in the country, a \$4.5 billion investment since we were elected to office. It is also part of 3600 additional funded police positions since we came to office. The report on government services, when we go to that report, continues to remind everybody in this place that at the top of the pops is Victoria Police when it comes to the largest police service in the country. It does mean that we need to fund our capital works – over a billion dollars of capital works investment here in Victoria – because we need to make sure we have got the stations in the communities so that our extra police are able to work and provide the community with the safety that they deserve and they need.

That is why last week I was out at Point Cook – and I want to thank the member for Point Cook and those in the western suburbs for their advocacy – to see the sod turned on the new \$25 million police station that will open over the next year to provide vital services to those in Point Cook and the broader western suburbs community. It builds on the other investments that we have seen in South Melbourne, thanks to the member for Albert Park – a new \$52 million police station there in South Melbourne – and the member for Narre Warren South and the member for Narre Warren North for the new, expanded and refurbished Narre Warren police station and the temporary services that we are providing to that community. The member for Bass and the member for Cranbourne have worked very hard to make sure that the Clyde North police station is coming out of the ground. You cannot

miss it down there in Clyde North. It is fantastic; it will provide a massive 24-hour police service for the people of Clyde North. Can I say again that I am looking forward to joining even some from the other side at the Benalla police station opening in the next couple of months, a \$28 million service that will provide great community safety initiatives in the north-east of Victoria. Again, if you invest in Victoria Police, you keep the community safe, unlike those opposite.

**The SPEAKER:** Can I remind members that it is not appropriate to refer to people in the gallery.

#### Road maintenance

**Danny O'BRIEN** (Gippsland South) (14:39): My question is to the Minister for Roads and Road Safety. Last week the Chinese consulate general issued a warning to Chinese tourists that traffic risks cannot be ignored in Australia as:

... the roads in Victoria are winding and some ... are not in good condition.

Why has the Labor government let our roads deteriorate so badly that foreign tourists are now being warned not to drive on them?

**Melissa HORNE** (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (14:40): I thank the member for his question and an opportunity to once again outline the important work that we are doing on our roads across the 23,000 kilometres of roads that the state manages. Unlike those on the other side when they were last in power that spent less than half a billion dollars on road maintenance, this year we are spending nearly a billion dollars on road maintenance. But let me outline this: there have been more than 17,000 individual jobs that have occurred across our road network.

**BrIDGET VALLENCE:** On a point of order, Speaker, the minister is debating the question.

**MARY-ANNE THOMAS:** On the point of order, Speaker, there is no point of order. The Minister for Roads and Road Safety was being entirely relevant to the question. I ask that you rule the point of order out of order and let the minister get on with responding to the question that she was asked by the Leader of the Nationals.

**The SPEAKER:** I remind the minister of the question. She was being relevant, but there is a question to be answered.

**Melissa HORNE:** As I said, we have done more than 17,000 different jobs, from filling in potholes through to resurfacing and rehabilitating our roads. I will give you an example of some of the major works that are occurring right now, because we have got crews out across the state doing work. There are major works underway on the Rosedale-Longford Road and the Terang-Mortlake Road, and I am sure that the member for Gippsland South is appreciative of that. As I said, the last time those opposite were in power, road maintenance was cut. We are delivering road maintenance.

**BrIDGET VALLENCE:** On the previous point of order, it is about debating the question. The minister continues to debate the question and perhaps defy your ruling, Speaker. It is about warnings to foreign tourists to not drive on our deteriorating roads, I would ask you to ask the minister to come back to that question.

**The SPEAKER:** The minister has concluded her answer.

**Danny O'BRIEN** (Gippsland South) (14:43): Tobin Brothers Funerals has been running radio ads recently stating that Victoria's pothole problem is a safety issue that puts lives at risk. With foreign governments and undertakers warning about the dire condition of Victoria's roads, will the government now admit it has failed Victorian motorists?

**Melissa HORNE** (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (14:44): At the outset can I just say I will not politicise deaths that are occurring on our roads. We have had the most horrific start to the year, and with the

impact that that has on particularly rural communities, on first responders and on families, it is a disgrace that the member is politicising this. Can I just say that today VicPol have put out a media release highlighting the horrific number of lives that have been lost on our roads, and I quote from it:

Police intelligence shows road conditions are not contributing to the significant rise in road trauma this year.

In fact what is occurring is that it is speed – (*Time expired*)

#### Ministers statements: employment

**Jacinta ALLAN** (Bendigo East – Premier) (14:45): Victorian workers need governments that have got their back, governments who protect their pay and improve their conditions and governments who create laws to help workers stay safe and earn a secure wage. Most critically, workers know that they need a pipeline of work – projects that support jobs and that build the roads, the schools and the hospitals that Victorians need to live good lives. On this side of the house, in this government, Victorian workers have exactly that.

It may be projects like the Ison Road and Werribee Main Road projects, projects that will support 1600 jobs for communities in Melbourne's west, with jobs for plumbers, builders, concreters and engineers but also those apprentices who continue to get a start on their career on these projects. It is not just apprentices; we are building hospitals for those nurses who work so incredibly hard. But let us remember the retail workers as well, and I used to be one in a former life, a retail worker behind the register in our supermarkets. We will stick up for them on this side of the house. We certainly will stick up for them when those big, greedy multinational companies want to take away their penalty rates. We absolutely will.

Not everyone in this house wants to back workers; not everyone does. There are those who want to get rid of every worker on our Big Build program. They will put the dirt back in the tunnel.

*Members interjecting.*

**Jacinta ALLAN:** I did not say who – guilty as charged.

**BrIDGET VALLENCE:** On a point of order, Speaker, the Premier's comments are absolutely baseless, and casting personal reflections is disorderly.

**The SPEAKER:** There is no point of order.

**Jacinta ALLAN:** I was going to say this anyway but it is relevant to the point of order: there are some who wanted to scrap the Metro Tunnel, the West Gate Tunnel and level crossings. If you want evidence of an anti-worker approach, I give you those examples right there. On this side of the house, Labor backs workers with jobs – secure, good jobs – to support them and their families.

#### *Constituency questions*

##### Evelyn electorate

**BrIDGET VALLENCE** (Evelyn) (14:48): (970) Birmingham Primary School in Mount Evelyn needs a new fit-for-purpose school stadium. On behalf of the students, families and teachers, my question is to the Minister for Education: how much funding will be allocated in the 2025–26 budget to build a new multipurpose stadium with a gymnasium, a kitchen and change rooms at Birmingham Primary School? Currently the school has no indoor space that can accommodate all students and teachers in one location for assemblies, school presentations or indoor sport when the weather outside is searing hot or raining. I have visited Birmingham Primary School many times and know how this new stadium would provide a significant benefit to the school. It would also provide a refuge for the Mount Evelyn community in times of bushfire and storms. At the 2022 election we pledged to deliver this project, but so far the Labor government has refused to do so. A shout-out to principal Trish Enzinger, her staff and parent volunteers for their amazing advocacy on this issue. We require funding for Birmingham Primary School, Mount Evelyn, for a new stadium at their school.

**Lara electorate**

**Ella GEORGE** (Lara) (14:49): (971) My question is for the Minister for Community Sport, and I ask: how is the redevelopment of Stead Park progressing? Stead Park serves as the home of the Geelong Hockey Association and many local hockey clubs throughout the Greater Geelong region, and the hockey community is incredibly excited about this redevelopment, which will see a major upgrade to its facility, with a better pitch, a new pavilion and more seating for more fans. The new pavilion will feature changing rooms, spaces for match officials, a canteen, storage for equipment and teams and a first aid area on the ground floor. On the second level there will be a meeting room kitchen complete with seating on the terrace that overlooks both pitches. Stead Park serves as a vital sports venue for Corio, and these upgrades will enhance its standing as a top-tier hockey venue, providing more players, fans and families with closer access to the sport they love. Again, my question to the Minister for Community Sport is: how is the redevelopment of Stead Park progressing?

**Morwell electorate**

**Martin CAMERON** (Morwell) (14:50): (972) My question is for the Minister for Health, and the question I ask is: has the minister considered funding the Latrobe Urgent Care Clinic on a multiyear basis? In my electorate the Latrobe Urgent Care Clinic, operated by Latrobe Community Health Service, plays a critical role in providing timely access to urgent care for people who need it. Importantly, the urgent care clinic also alleviates pressure on the Latrobe Regional Hospital. There is also no 24-hour chemist available in the Latrobe Valley, making access to the urgent care clinic essential for my community. At the moment the Latrobe Urgent Care Clinic is only funded year on year. This makes it incredibly difficult for the clinic to attract and retain GPs and nurses when they cannot provide job security beyond 12 months. Minister, the Latrobe Urgent Care Clinic offers crucial services to the people of the Latrobe Valley. Have you considered funding the urgent care clinic on a multiyear basis?

**Pascoe Vale electorate**

**Anthony CIANFLONE** (Pascoe Vale) (14:51): (973) My constituency question is for the Minister for Carers and Volunteers: how will the Victorian Labor government's \$42,000 community food relief grant for the magnificent Nourishing Neighbours in Merri-bek help support access to much-needed food relief for people in the north? Nourishing Neighbours was founded in 2020 by the incredibly hardworking Vaissy Dasler to provide a wide variety of fresh, appropriate and culturally safe food for those experiencing food insecurity in Merri-bek. Supported by the Pascoe Vale Rotary Club and operating from the old Coburg Special Developmental School site on Gaffney and Bishop streets, Nourishing Neighbours are a proudly 100 per cent volunteer-run not-for-profit who have distributed a total of 700,000 kilos of food since opening – that is 700 tonnes of food – and the equivalent of 1.4 million meals to people in need. Accessible weekly, Nourishing Neighbours' pantry is always stocked with fresh fruit, vegetables, bakery items, frozen meals, period products, toiletries, baby formula and much more, all kindly donated. I commend volunteers Mary, Rachel, Grace, Melvin, Maryke, Elisa, Laura and David. I went around there with the member for Broadmeadows to announce that \$42,000 grant for much-needed new supplies and storage spaces.

**Brighton electorate**

**James NEWBURY** (Brighton) (14:52): (974) My question is to the Premier, and I ask: when will the state Labor government consider the ongoing concerns of tenants and surrounding residents about the Homes Victoria New Street housing site? North Brighton is being overwhelmed by escalating crime, antisocial behaviour and unresolved maintenance issues at the New Street site. I recently met with residents of the complex who have had enough. Only days ago another resident was assaulted by a gang of known criminals. Additionally, ongoing problems with sewerage, odours, mould and structural defects including water leaks are being ignored by maintenance staff. Tenants are fed up. Over the last two days a teenager was bashed unconscious, a 60-year-old man who was previously bashed was threatened by his original attackers, who have gone unpunished, a single mother has been

repeatedly intimidated and threatened and drug dealing and incidents of theft have occurred. Many of these crimes are being committed by the same offenders who live in the complex. Why is the state government refusing to help tenants and surrounding residents of the New Street site?

#### Preston electorate

**Nathan LAMBERT** (Preston) (14:53): (975) My question is for the Minister for Transport Infrastructure, and my question is: what is the process for naming the two playgrounds built as part of this Labor government's Preston Bell Street level crossing removal project? As local residents know, there is a great new playground down near Showers Street in the fantastic member for Northcote's electorate. It has a slide, some small hills and some great First Nations artwork by Alex Kerr and Lewis Wandin-Bursill, and then there is a second playground at our end of Bruce Street with a wider range of equipment for older children. But the challenge faced by parents when they are organising play dates and parties is that those playgrounds do not have names. If you look them up on Google Maps, it just says 'playground', which is a little difficult to search for. That is also a problem for early childhood centres, who are required to put down a specific name when organising excursions under their regulation. So any information that the minister could provide to us on how to get the two playgrounds named would be greatly appreciated.

#### Mornington electorate

**Chris CREWTHER** (Mornington) (14:54): (976) My question is for the Minister for Education: can the minister provide information on the state government's plans to give access to and increase capacity for the school bus program at Dromana college? For several weeks the member for Nepean and I have been contacted by so many families and their children in my electorate and in his electorate who have lamented that their children either have not been allocated a school bus stop or have been allocated a school bus stop too far from home, with one example being a child having to walk 1 hour to get to a bus stop, which is unacceptable. This impacts single parents, parents who work at home full time and children's education. What is more, it means overcrowded buses, with kids sitting three to a two-seater without seatbelts, which is an accident waiting to happen. I am calling upon the minister along with the principal to take action on this as soon as possible.

#### Cranbourne electorate

**Pauline RICHARDS** (Cranbourne) (14:55): (977) My constituency question is to the Minister for Prevention of Family Violence, and my question is: how will Cranbourne and the outer south-east benefit from the new Orange Door? The scourge of family violence is the greatest law and order challenge that we face. Indeed I spoke about family violence in my inaugural speech six years ago, and I have said many times in this place that my mother was a family violence worker, and this interest and passion is founded on great need. I know that there is more to be done. I am so incredibly proud of the priority that this government has placed on family violence and I very much look forward to the minister's response.

#### Narracan electorate

**Wayne FARNHAM** (Narracan) (14:56): (978) My constituency question is to the Minister for Roads and Road Safety, and I ask: when will the minister take action to address the crippling traffic facing Drouin residents? Drouin is among the fastest growing towns in our state. We have a population boom that has resulted in traffic within the township of Drouin literally coming to a standstill. Drouin's south road is just one example of this. During school time, traffic attempting to move from south to north back through the main business district is impossible. Residents know it is an issue, our shire knows it is an issue and VicRoads knows it is an issue. It appears only the state government is ignoring the issue. We need a bypass and a road network upgrade undertaken as a matter of urgency, and I look forward to a response from the minister for my community.

**Kororoit electorate**

**Luba GRIGOROVITCH** (Kororoit) (14:57): (979) My question is for the Minister for Education. Can the minister tell me how much money families have saved in Kororoit on the cost of their kids' school uniforms, textbooks, excursions and school activities thanks to this Labor government's school saving bonus? The school saving bonus introduced by the Allan Labor government continues to provide financial relief not only to families in my electorate of Kororoit but across Victoria, helping Victorian families manage back-to-school expenses for the 2025 school year, including those from government and eligible non-government schools. They can use the \$400 bonus to purchase school uniforms, textbooks and fun activities like camps and excursions. The school saving bonus is part of a wider effort by this Labor government to ease cost-of-living pressures, alongside programs like the free dental check-ups, the free glasses for students and of course the much-loved school breakfast club, which I know many of us have gone and visited in a number of schools across our electorates.

**BrIDGET VALLENCE**: On a point of order, Speaker, I have a number of unanswered questions dating back to July 2024. There are two to the Minister for Water, constituency question 942 and question on notice 1930; three questions to the Minister for Skills and TAFE, questions on notice 1908, 1357 and 1358; and 37 questions to the Minister for Economic Growth and Minister for Finance. They are adjournment 833 and questions on notice 1621–23, 1763, 1896–1900, 1931–48 and 1950–57. I would appreciate a response for our constituents.

**The SPEAKER**: Member for Evelyn, if you could give your list to the clerks. It is very hard for them to follow when they are being read out. I just want to remind members that I am conscious of unanswered questions and that there will be reminders regularly sent to ministers that they have not answered these questions. I am also mindful that there have been some portfolio changes and I am allowing some time to adjust to that; however, if ministers continue to defy the standing orders to respond, that will be addressed here in the chair.

**Chris Crewther**: On a point of order, Speaker, my list is not quite as long as the member for Evelyn's, but it is important nevertheless. Constituency question 918, which was due on 14 December, to the Minister for Prevention of Family Violence, remains unanswered. I would ask that that be followed up.

*Rulings from the Chair***Constituency questions**

**The SPEAKER** (15:00): I have reviewed the constituency questions from yesterday. The member for Richmond asked a broad policy question and the link between her question and her electorate and constituents was quite tenuous. I will accept the member's question on this occasion but remind members to in future phrase their constituency questions carefully to ensure that the link between their question and their electorate is explicit. Similarly, it was not clear in the way the member for Gippsland East phrased his question yesterday whether he was seeking information from the minister or his constituents were seeking information. Again, I will accept the member's question but ask members to be more careful when phrasing their constituency questions.

*Bills***Retirement Villages Amendment Bill 2024***Second reading***Debate resumed.**

**Alison MARCHANT** (Bellarine) (15:01): It is a pleasure to rise to speak on the Retirement Villages Amendment Bill 2024 and to contribute to this debate today. I have heard a few contributions, and it is great to hear how this is going to benefit the wider Victorian population in other electorates across the state.

We know that the state of Victoria is undergoing a significant demographic shift, and we know that our residents and our population are getting older. Data estimates that one in four Victorians will be at the age of 60 years or over by 2046. As the population does age we must ensure that there is a diverse range of housing options for people to have a choice when they need to decide what their housing may look like when it is different to a home of their own. It is really important to have that choice. It supports their wellbeing and independence, and obviously we want to continue to have that dignity for our older Victorians. That housing must be accessible and affordable, and it has to provide security. It is a place to call home, to feel safe and for individuals to flourish.

Many look for a social connection and community engagement when they are looking for a retirement option. Retirement villages, lifestyle communities and residential parks all play a role in that landscape, and they all offer something very different. However, as the demand for those options is growing it is essential that we in this place have policies that reflect that, that we evolve with our policies to protect our residents and that we improve transparency and accessibility for our older Victorians.

I know that in developing this bill we have had lots of community consultation. When government, industry and stakeholders come together, genuine choices and work are achieved. With all those stakeholders we were able to get a positive outcome for this particular issue. Having a future-focused approach to retirement housing is going to benefit all those individuals who look towards that in their future.

I have visited several Bellarine retirement options, I suppose you can call them, with different living arrangements. The vast majority of those residents have spoken so positively about their living arrangements. They enjoy the community living in their retirement places. A lot of them love the security of knowing their neighbours and being close to their neighbours and that someone will look after their place if they go away for a little while, if they travel. They love having that connection to a small living community and being connected to their wider community as well. They enjoy the low-maintenance options. Instead of having lots of gardens to look after, they can do that on a smaller scale, and they can enjoy activities such as bowls, gardening, workshops and the gym. Many provide these options in retirement housing. They are beautifully done, most of them, and residents really enjoy that part of it.

But the Bellarine is also changing. As much as I talk about how it is changing and evolving and more families are moving into the area, I would generally describe the Bellarine still as being an older demographic. In the 2021 census the median age was 48, and that was older than the state median age, which was 38. At that time the largest cohort of the population was the 65- to 69-year-olds, and they were making up 8.3 per cent of the Bellarine population.

I would like to just note here also that in the Bellarine electorate I have the Borough of Queenscliffe. That does herald as one of the oldest local government areas in the country. Recently it was also ranked as being a top place to reside if you wish to make 100. So if it is a goal for someone in Victoria to make it to 100, we welcome you to the Borough of Queenscliffe. It is a wonderful place to retire.

I would also like to just put on the record and congratulate Linette Harriott from Portarlington, who has just been appointed to the state government's Senior Victorians Advisory Committee. Linette and I caught up recently, and housing was one of those topics and issues that she would like to raise on that committee and tackle. I want to wish her all the best with that, thank her for all the work that she has done and congratulate her for being on that advisory committee. I look forward to hearing how she goes in the next few years on that committee. That really is at the crux of this bill – that retirement villages are that core component and an important sector of our housing make-up.

For the Legislative Council's Legal and Social Issues Committee inquiry into the operation and regulation of the retirement housing sector, the final report did provide a pretty comprehensive analysis of the sector. It highlighted and had some recommendations for reform, and that is what this bill is

going to. In the final report the chair made a statement in her foreword, and I would like to quote that statement because I think it summarises the position that we are in at the moment:

Victoria's population is ageing and causing significant growth in demand for retirement housing. At the same time, residents have heightened expectations about the services that will be delivered.

This creates a range of challenges for government and industry, and also prompted significant public interest in this Inquiry. It's important for the Victorian Government to ensure that legislation keeps pace with change, and in a way that protects consumers and provides the sector with the certainty it needs to grow.

...

Victorians deserve to feel confident that should they choose to move into a retirement village or park, they will find a suitable home where they will feel safe and enjoy their retirement years ...

That is certainly what the government is doing and what this bill in the house today is doing and tackling. The consultation clearly outlined that reforms were needed, and it aimed to clarify the rights of residents and operators. It was critical to get that balance right, and that is what we are doing today. This bill is a starting point for a new regulatory framework designed to meet the needs of residents and industry.

I want to talk a little bit about what this bill will do. We have heard from those involved in the industry, including residents, that contracts – when residents go into exploring whether they are going to enter a village – can be a really complex situation for them, while accessing information can be really difficult. So to better support residents this bill is going to introduce a new requirement that contracts must be in a standard form, which we will prescribe in regulation. With those contracts being really complex and the overall process challenging, even to try to compare your options when you are looking at going into a retirement village and to understand the overall cost, long-term costs and ongoing fees and charges, we need to make this simpler and easier for residents. We will develop a plain English prescribed form which will be easier to understand for all those involved so they can make informed choices. This bill is really important for those older Victorians looking to have choice and looking to be able to compare and feel confident with the decisions that they make.

In closing, with this new bill and these new regulations this government wants to ensure that our older Victorians have access to a fair, transparent and secure housing option. This will benefit hundreds of Bellarine constituents who will live and go on to live in retirement villages. We have beautiful retirement options on the Bellarine, and many, I know, have travelled from all over the country and state to retire on the Bellarine. They enjoy the lifestyle and the community, and we want them to be able to live in a place that better protects their rights as a resident of a retirement village. We want them to make informed decisions before signing contracts, and hopefully it will be a place that they call home for many years, to age with dignity, support their social and community activities and live comfortably.

I want to also thank some of the residents who have reached out to me to speak and discuss this bill that I am speaking about today, and especially Deidre. I thank her for her lived experience and her feedback in having a discussion with me. It was very much appreciated – to better understand this bill and the impact that it will have.

As the Victorian population ages, we want to ensure retirement villages provide a safe and fair housing option, and that is what this bill will do today. These are our mums, our dads and our grandparents, and they need us to do that to protect them. They deserve to have retirement without fear, unfair contracts or lack of support, and this ongoing reform between government, industry and advocacy groups will continue so we can ensure that retirement villages serve their pure purpose.

**Tim READ (Brunswick) (15:11):** I too have some words to offer on the Retirement Villages Amendment Bill 2024. For too long retirees in Victoria have been misled, overcharged and locked into unfair contracts by dodgy retirement housing providers. We have seen shocking fee hikes, contracts so complex that even lawyers struggle to decipher them, and families charged thousands of dollars for months sometimes amounting to more than a year after a relative has died or moved out of

a retirement village. Some retirees have lost their life savings. Others have found themselves trapped in homes that were nothing like they were promised, with no real way out.

Back in 2015 my colleague the member for Melbourne was one of the first to sound the alarm on this issue, and she advocated for years on behalf of residents, calling for legislative reform, including helping to host an event in Parliament back in 2017 attended by nearly 200 residents and supported by the Council on the Ageing, Housing for the Aged Action Group, Residents of Retirement Villages Victoria and the Consumer Action Law Centre. The stories they told made it clear back then that this was a widespread systemic problem that required urgent action, and the member for Melbourne worked with Greens upper house MP Colleen Hartland to achieve a parliamentary inquiry into the sector. That inquiry exposed just how deep the issues ran, revealing unfair contracts, hidden fees and a complete lack of consumer protections. Since then we have continued hearing these heartbreaking stories from constituents and advocates, including the Consumer Action Law Centre, Housing for the Aged Action Group and Residents of Retirement Villages Victoria. We have heard about retirees hit with financial stress that they never saw coming, families who were left feeling powerless and residents who were stuck in a system that felt as though it was designed to take advantage of them.

For years affected residents called for an independent ombudsman to help deal with dodgy practices and complaints, but the government did not appear to be listening. While it is a relief that change is finally happening, let us be clear: it should never have taken this long and should not have left so much more to do. Residents, advocacy groups and the Greens have been raising the alarm for years. It is good that we have this legislation today, but retirees deserved action long before now. Many have not lived to see these changes and many endured years of financial pain and stress in their final years that they simply should not have.

I want to give special thanks to the above named advocacy groups and to every resident who has bravely spoken out. Your tireless advocacy, research and campaigning have been crucial in getting us to this point. You have fought for the thousands of retirees who have been wronged, and without you we would not be talking about this today.

The bill brings welcome improvements, such as standardised contracts and statements of information, so that residents are better informed. Villages will be required to develop mandatory emergency plans and to report to residents annually on the status of their contracts. A mandatory code of practice will be developed for village operators which will set professional standards. A dedicated dispute resolution service will be run through the Department of Government Services. This is a step in the right direction and an improvement from the current system, but there is still concern that unfair practices and systemic issues will not be captured by this system, whereas an ombudsman would do that. This is what the residents and advocates and the Greens have been calling for for years. I hope that the dispute resolution process is successful, but we will be watching to see how it pans out, and an ombudsman may still be required, because systemic problems in particular need to be thoroughly addressed and it is quite likely that we will see some continuing malpractice.

Residents and advocates do still have concerns that certain ongoing issues with retirement villages have not been addressed or improved by this bill. They think that a maximum 12 months for payouts to departed residents is too long and unfair. They want clarification on what deferred management fees actually cover, and they want to improve voting rights at residents meetings. They want more of a say in the decisions that affect their village and their home. This bill most certainly improves many aspects of retirement villages, but do not let this be the last step – there is more to do.

To every resident and advocate who has fought for reform: thank you. I want to particularly acknowledge the retirement village residents in my electorate who have stressed that they really like where they live, they really support the retirement villages concept and they welcome much of the bill. They want more, but they welcome what has been started in this process to make retirement villages a successful option for many more Victorians. At least this month we are taking an important step towards fixing a broken system and making sure that no retiree is left powerless in their own home.

**Anthony CIANFLONE** (Pascoe Vale) (15:16): I would like to just begin by acknowledging the contribution generally of our aged and elderly community and all of our elders in helping us build a modern, vibrant, prosperous Victoria – and of course my community of Pascoe Vale, Coburg and Brunswick West, which we have been fortunate to inherit – and also the contribution of generations of those Victorian elders, who we must never forget, who we must continue to respect. That includes the elders from First Nations communities, who for 60,000 years provided custodianship for the lands we have now founded our communities on, our first settlers, our pioneers and our early generations of migrants and multicultural migrants who came to this country to seek a better life, all of whom have played a role in contributing to building the modern-day vibrant, resilient Victoria. That is why we must do all that we can as policymakers, whether in government or as parliamentarians, to ensure that we treat and support our older, elderly, retiree and pensioner communities as best we can, so that all Victorians can be supported to age well and live healthy, active and purposeful lives as they grow older. We must ensure older Victorians are able to safely age at their home or in appropriate aged care and older persons settings, with the opportunity to maintain that independence, that dignity and that connection to family, friends and the community.

With our population continuing to age, we need to make sure that these policy settings are continually reviewed and strengthened, particularly when it comes to retirement villages, so that we are keeping pace with that growth and demand. It is projected that the number of Australians aged 85 and over will increase from 515,000, or 2 per cent of the population today, to more than 1.5 million by 2058, or almost 4 per cent of the population. At a state level we have got the *Ageing Well in Victoria* strategy to guide our work as a government. In 2021 we had 1.5 million Victorians aged 60 and over, or 22 per cent of the population, and by 2046 it is anticipated that this aged cohort will increase by 60 per cent – I acknowledge the member for Melton’s contribution in leading that cohort – with more than 2.3 million people, over 25 per cent of the population, aged over 60 in coming years.

At a local level in Merri-bek, my community, we are supporting our elderly community through our council’s *Living and Ageing Well in Moreland* framework. We currently have quite a high proportion of residents in all age groups over 75, which is higher than the Melbourne and Australian averages. Empty-nesters and retirees aged 60 to 69 account for just under 13,000 residents, or 7.6 per cent of our community, and over 12,400 residents are considered seniors, aged between 70 and 84 years of age –

**Steve McGhie** interjected.

**Anthony CIANFLONE**: he is on the mark there, Melton – making up 7.3 per cent of our community. Over 4600 residents are aged over 85 years, so 2.7 per cent of our community, compared to 2 per cent across greater Melbourne. As the older population grows of course this places more pressure on aged services and aged care homes.

I refer members to my previous contribution on the Aged Care Restrictive Practices Substitute Decision-maker Bill 2024, which we previously passed, for the details of those reforms in the aged care sector in particular. But when it comes to retirement homes and long-term retirement accommodation, this bill is all about that sector. Across Australia 750 approved aged care providers manage 2600 Commonwealth-subsidised residential services and 2300 retirement villages. That equates to what I am advised are retirement homes. About 458 operators accommodate about 200,000 independent living units. According to Retirement Living Council and also the ABS in 2021, almost 250,000 Australians live in retirement villages, a 24 per cent increase compared to five years ago, and demand is continuing to increase across Victoria. We have got 513 retirement villages, according to Consumer Affairs Victoria, and 36,000 Victorians living in retirement villages, so that is growing. Industry forecasts are predicting 18,000 retirement dwellings will need to be built between now and 2030. Industry reports that these dwellings and the sector more broadly can help reduce Australia’s housing shortage and housing crisis by 18 per cent by 2030, if we continue to support the sector to grow, through a further 49,000 retirement living dwellings being built over those coming years and reducing that supply gap by 67 per cent.

As I said, as demand grows so too do the demographics, the make-up and the needs of those individuals who are entering these retirement villages. Victorians are entering villages later in life, with an average entry age of 76 years old, and the average length of tenure in a retirement village is now about 8.4 years. Many residents are also receiving more home care services to support their continued stay in the villages. As reported by the Property Council of Australia and PwC retirement living census, 61 per cent of operators in Australia reported providing regulated home care services to residents, an increase of 46 per cent in 2022. This bill is designed to address some of those growing needs.

It is informed by detailed reviews and public consultations and has been shaped by feedback that we have received from residents, operators, industry stakeholders and consumer advocates. In 2016 and 2017 the Legislative Council Legal and Social Issues Committee, as we have heard, undertook an inquiry into the operation and regulation of the retirement housing sector. The inquiry highlighted those concerns about contract complexity, unfair fees and dispute resolution mechanisms and recommended the Retirement Villages Act 1986 be reviewed. In response to the inquiry the government did commit to undertaking a comprehensive review of the act. While several significant changes to the act have occurred since 1986, the act had not been subject to a comprehensive review since 2004. The government launched the review in October 2019, releasing an issues paper for public consultation, which I have here but will have limited time to go through. It received more than 150 submissions from retirement village owners, residents, their families, researchers and other interested parties. This bill is informed by that substantive work.

The bill amends the Retirement Villages Act 1986 to improve the regulation of retirement villages generally; further provides for the needs of the ageing and diverse residents in retirement villages; provides consumer protections and additional mechanisms to support the interests of residents in retirement villages; provides for that regulation and anticipates that future growth, which I was touching on earlier, and innovation in the retirement sector; provides further protection of the rights, interests and needs of current and future residents of villages and, importantly, residents that are leaving retirement villages and their families; provides processes for resolving those disputes between residents, operators and proprietors of retirement villages; and makes a number of other minor amendments.

The bill introduces five overarching principles that are intended to be used to guide interpretation of the Retirement Villages Act and basically elevate the status of a resident's preference to remain in a retirement village should they want to. It goes without saying, but we need to legislate this: all residents should be treated with dignity and respect. We have seen in those cases from the federal government's royal commission in this space where a lack of regulation and a lack of oversight can tragically and sadly lead to abuse and trauma, which we want to prevent and mitigate as much as possible. This act in the retirement villages space will help to begin to better mitigate that.

The bill includes a regulation-making power enabling the establishment of a code of practice which will require operators to participate in the scheme in good faith and comply with any agreements reached during conciliation. Noncompliance with the code may result in regulatory action by the director of Consumer Affairs Victoria. That code will be developed by the director of consumer affairs and approved by the Minister for Consumer Affairs to enshrine mandatory professional conduct obligations to provide guidance for operators in retirement villages.

The bill proposes to consolidate and clarify a number of other mechanisms in the act, including requiring operators to pay an exit entitlement to a vacating resident within the specified period, which would be the earliest time determined under the retirement village contract, the time agreed between the parties or 12 months after the resident gives vacant possession of the unit, allowing a vacating resident to go to VCAT to get an order for the payment of an exit entitlement by an operator if it has not been paid in that specified period.

I stand to be corrected here, but I am pretty sure I heard the member for Ovens Valley in his opening remarks basically make some criticisms of some portions of the bill, including the increased obligation

on some of the operators, who will have to more regularly advise residents in their particular properties and dwellings of the amounts owed on an annual occurring basis. Apparently this creates potentially too much red tape for the operator and it is just a bridge too far. But the reality is, as far as I know, a lot of these retirement villages would have a few accountants on the books that can calculate on a regular basis for business interests and needs what the asset base is, what the depreciation is and what the liabilities are. So if the work is already being done on behalf of the business or the operator of an aged care village, why not just leverage that work and provide that information annually or more regularly to the residents so that the residents and their families thereafter know what they are in for basically at the end of their tenancy at a particular village?

I have run out of time. I commend the bill to the chamber. I commend the Minister for Consumer Affairs for this bill.

**Martin CAMERON** (Morwell) (15:26): I rise to talk on the Retirement Villages Amendment Bill 2024. It is great to see a few people that are not quite ready to move into retirement villages in the chamber, but there are a few in here that may be downloading and looking through a few things on their phone –

**A member** interjected.

**Martin CAMERON**: No, I am not referencing the member for Melton. As our population grows and gets older, so does our availability to move into residential villages if we choose to do that. In a perfect world we would all love to see out our days in our private homes that we have been in for many a year, but that sometimes is not possible, so we need to have these options for people to move into these retirement villages. If you move around and see some of the retirement villages that are available, they are like a mini community. This assists people that are looking to go in there to be able to still have that aspect of being able to live in a community of people of a similar age and, most the time, of similar values. So it is great to be able to have the security to be able to move in and be able to do that. But we also need the regulation, which this bill does provide, to make sure that it is an easy journey to move in and be able to do that and then, on the other side, for family members at the other end to be able to move on if their family members that have been there have passed on or have had to move into other facilities.

As the member for Ovens Valley articulated at the start, moving through, there is some great stuff in here, but there might be some checks and balances that need to be done to see if we can make the amendments in this bill even more sound moving forward. This has been going on since 2017, when this was first looked at, and as I said before, our population is ageing. We are all getting older, and I think we want this, because the option if we are not getting older is not very good. We want to make sure that we are getting older and that we do have these wonderful places to move into. No matter if it is in inner-city Melbourne or out in the suburbs or out in regional Victoria, where sometimes the choices are not as many as we have as we move closer to the city, we should still be able to have choices to move into facilities that cater for our needs and that allow us to be near townships and cities where we can go shopping and where we have those health services provided.

Sometimes people moving into these facilities have come off the land – you know, mum-and-dad generational farmers that have been on the land forever and a day and they are moving into these retirement villages, so we need to make sure that when we are moving through, reading contracts and signing things that it is as easy as possible for them to make decisions. It is one of the hardest decisions to make – whether you are talking with your parents and they have to move or you are looking at it for yourself – to make the jump to shift out of that family home and move into these places where, as I said, there is that community spirit. As you move around, some of them have hairdressers and there are cinemas and there are lawn bowls facilities and there are swimming pools. That environment of being in a retirement village does give that sense of community. If you move in and you are lonely, you can join these walking clubs or whatever it is and it reinvigorates you to reconnect with society. They are good fun, notwithstanding that there probably will be some people in there that may rub you

up the wrong way. We need to make sure that we have in this bill ways that we can work through those issues. Sometimes it is residents versus residents or sometimes it is a resident and a provider or a provider with certain residents. We need to make sure that we get this right and that when the time comes it is a great way for people to move in and continue their lives.

As we heard before, the average age of people going into these facilities is around 76 years of age, so they are people that at the moment are probably not that au fait sometimes with computer literacy to be able to go through and work out what is involved and what the contracts are and what they mean. Around my area in the Latrobe Valley we have got a few providers, and the availability for these retirement villages, to be able to get into them, the waiting list is sometimes very, very long. We need to make sure that there are certain structures around for new providers to move into the area and build these great facilities that they are building. We need to make sure that if you are of that age when you are moving in, you are not downgrading your lifestyle and moving into places that may not be what we think they should be. We need to have all those checks and balances.

With the reasoned amendment that the member for Ovens Valley has put up, it would be great if the government does have a look at that and makes sure we can improve this bill and make it better for everybody, whether you are a provider or you are a person moving in. A couple of things were brought up. One was improving the quorum requirements for decision-making. You go into these retirement villages and there might be 300 to 400 people that are in these retirement villages. At the moment the requirement is 50 per cent for a quorum. It does make it hard with older people to get them into a room as such at the same time. We may need to have a look if there is a way that we can lower the percentage of the people needed for that quorum. The ones that want to go will go, but sometimes our elderly generation cannot get there. I do not think it is fair on them that we cannot have a meeting because they cannot get there. That is one thing that I think needs to be looked at.

The cooling-off period is another one. You can see both sides of the story with the current three-day cooling-off period for contracts. I think I heard in the chamber before when I was watching 'If everybody reads chapter and verse of the contract'. I do not think that there are many of us would do that. I know that I myself read the first couple of lines, and if there are longer words there, I lose a little bit of interest and go down the bottom and hit 'I agree'. This is a life-changing move that people are doing, so we need to make sure that they have time to be able to sit down and talk with their family members and friends and also get the proper advice to make sure that that can happen.

One thing I think that is not in here – and I know there are a few Hawthorn supporters in the room; maybe it should be a Hawthorn Football Club retirement village so we can all get on famously and make sure that there is no grey area. I know that the member for Frankston over there and the member for Melton – we might be putting our hands up –

**Steve McGhie** interjected.

**Martin CAMERON:** Where are we going to have it? That is exactly right. Where are we going to have it? It might be at the G that we set one up, down there. But I digress. This bill actually makes a lot of good sense, and there are a couple of things that we still may need to work through so people moving forward at that time when they are choosing to go in have that opportunity. With the amendment put forward by the member for Ovens Valley, I would like the government to take that on board.

**Luba GRIGOROVITCH** (Kororoit) (15:36): Thank you very much for the contribution, member for Morwell. You are not quite there yet, but you are on your way. It is good that we have got this bill before us and we can all try and make amendments and suggestions as we please.

On a serious note, this is a very serious bill, and I would like to genuinely pay my respects to our elders – our parents, our grandparents. We have all learned so much from them, and it is our responsibility, especially having the good fortune of being here in Parliament, to make sure that we

make any changes that we possibly can that will make the lives of those who are older and younger than us better and improve all Victorians' lives daily. So I think this bill is really important.

As I rise to speak to this legislation, I actually think about my beloved mum and my Uncle Ken. A safe and a secure home to live in is the most important human right, and I think everybody in this chamber would 100 per cent agree with that. It was a few years ago that I realised my mum, who had cared for my uncle for far too long – her entire life, basically – was getting older herself. I think everyone can attest to the fact that it is an interesting thing when you suddenly realise that your parents are actually ageing. It is a hard thing to grapple with, and then you realise that you are ageing as well. So Mum was getting older – and is, unfortunately, every day – but suddenly the struggle of looking after my beloved Uncle Ken was getting harder on her. Mum always lived in our big family home in Altona Meadows, which we absolutely loved and have very many, many good memories of. But it was time to have the chat with Mum and say it was time to move into a retirement village.

As the member for Morwell said earlier and others who have made contributions, finding a retirement village that actually has capacity to take you in and where you get on with the people and it is in your community is not just as easy as that. There are often waiting lists and there is a lot of red tape, and that is something that this bill is looking at changing. Thankfully, about two years ago now, Mum and Uncle Ken got a place at the Point Cook retirement village and they are now there. It is a beautiful village, and I really pay homage to the staff and to all of the residents there, because it is a great place to go. They have both lived great and fulfilling lives and I know that they have got plenty of petrol left in their tank, so I look forward to continuing to visit there and watching them grow in their brand new community. But at their age, especially Uncle Ken with his needs, it meant that the family home was no longer viable. My brother and I are able to visit them freely, though. It is not a prison, like my mum was worried it would be; it is actually a beautiful retirement village, and there are a lot of great retirement villages out there.

This is why decent, regulated and affordable retirement villages are so very important. For the elderly members of our community and for their families, for everybody who needs them, regardless of their income, their super savings or their life circumstances, they should be easily available. It is why it is such an important part of the modern Labor mission and this Labor government's commitment to a review of the Retirement Villages Act 1986 following the recommendation of the 2017 parliamentary inquiry into the retirement housing sector.

The government received hundreds of submissions through the consultation period on those reforms. Approximately 90 per cent of those submissions came from retirement village residents, their families and also the residents committees, and I think that that is so important to note when we think about this bill. In response to the issues raised, these new protections are contained in the amending bill, which represent the largest reform in retirement villages since the act was introduced in 1986. This bill introduces a contemporary regulatory framework for Victorian retirement villages that provides stronger consumer protections to support residents while still enabling growth and innovation in the sector. Consumer Affairs Victoria will have stronger powers and more enforcement options to regulate retirement villages, including requiring operators to provide clear information, and I think everyone around this chamber would agree that that is incredibly important. All of this reflects our government's commitment to making living in a retirement village fairer and more comfortable for older Victorians.

This amending legislation introduces overriding principles in the act that a resident's preference to remain in a retirement village should be respected and that all residents should be treated with both dignity and respect, and that is so incredibly important, especially to our young and our elders in society. The bill includes a regulation-making power enabling the establishment of a code of practice which will require operators to participate in the scheme in good faith and comply with any agreements reached during conciliation. Noncompliance with the code may result in regulatory action by the director of Consumer Affairs Victoria.

The review that the government undertook heard very clearly that the variety and technical nature of retirement village contracts make it difficult for residents to compare one village to another and to understand their obligations and overall costs. A silly example of this was when Mum got her contract. She thought she was all with it and good to go. We were about to move in, but we wanted to do one final measure of the furniture, and we realised that there was no carpet in the retirement village that we had chosen for her. All of a sudden we had to go back to the contract. Thankfully, she had my brother and me there to pick up the pieces, but if it had been moving-in day that would have been a bit of a heartbreaker, I suspect. So the obligation needs to be there for them to be really clear in these contracts.

When drafting the regulations the government worked with stakeholders and residents to meaningfully design standard-form contracts that are expressed in plain English and easy to understand. The bill includes a requirement that residents contracts and management contracts must be standard form. The prescribed form for these contracts is proposed to be set out in the regulations in the Retirement Villages Act. The development of regulations will be subject to further public consultation, and contracts will need to outline how exit entitlements are calculated and explain the new requirements regarding settling-in periods. Specifically, this bill's changes will include requiring operators to pay an exit entitlement to a vacating resident within a specific period, allowing a vacating resident to go to VCAT to get an order for the payment of an exit entitlement by an operator if it has not been paid in the specified period, requiring an operator to give a vacating resident a statement setting out the amount of their exit entitlement and of course how it is calculated, and requiring an operator to make an aged care payment or alternative accommodation payment within prescribed periods after a resident makes a request.

The bill establishes offences and penalties for operators who use contracts that are not in the prescribed form, for failing to give a copy of a resident's contract to a resident and for contracts that contain prohibited terms. The bill will also clarify the processes to end a retirement village contract and support residents to remain in a retirement village. The new arrangements to terminate contracts will allow an operator to end a resident's contract by a non-owner resident on two grounds: (1) a substantial breach of the contract by the resident or (2) health and safety reasons. As such, a new reasonable and proportionate test will be applied to all contract terminations. The bill will also clarify village operators' responsibilities to maintain and replace capital items and allow residents to carry out urgent works where an operator has not acted. If the operator wants to impose a maintenance charge that is higher than the adjusted maintenance charge, they must obtain the resident's approval first.

The bill introduces a range of reforms to ensure residents can participate in and contribute to their retirement village and their wishes are represented in the decision-making. This includes providing new rules for residents meetings and annual meetings and model rules for residents committees. The bill will encourage residents' participation in retirement village decision-making by confirming the processes for convening, conducting and passing resolutions at meetings of residents. The bill will also provide provisions for auditing of financial statements. The bill will also introduce reforms to the way residents committees operate, including providing for model rules and a process for making changes to village by-laws and prohibiting operators from attending committee meetings unless they are invited. The bill streamlines the current precontractual disclosure requirements, which consist of a disclosure statement and a separate fact sheet. The changes enable one document in an information sheet to be provided to prospective village residents to ensure that they are better informed when making a decision about entering a retirement village.

I have got to say that in Kororoit we have got a number of retirement villages but, like in many of our electorates, there are huge waiting lists, so it is important to think ahead. Of course for anyone leaving a family home it can often be quite devastating. Not everyone looks forward to leaving the family home. But we as the Allan Labor government have a hope that this bill will make it easier for any elderly resident looking to go into a retirement village and looking at spending their time in a retirement village.

I circle back to my mum and Uncle Ken. Unfortunately, more help, as I alluded to earlier, is naturally needed as they age, and unfortunately that is going to be the same for each and every one of us. I want to say a big thank you to all of the staff at the Point Cook retirement village, who do a great job with Mum and Uncle Ken. There is a doctor on hand at any one time and they have got wonderful neighbours, and I would like to think that this happens in all retirement villages across our great state of Victoria.

**Wayne FARNHAM** (Narracan) (15:46): I am pleased to rise today to speak on the Retirement Villages Amendment Bill 2024. It has been an interesting debate to listen to today. I will say on this that I am not going to beat the government up too much on the amount of time it has taken, being that this started in 2017. I think when we talk about our ageing population and caring for our ageing population that careful consideration should be taken. Maybe that is why it took so long. I am not quite sure. I was not here in the 58th Parliament, so I am not going to try and mention historical stuff that happened then. But I think there has to be careful consideration when we are dealing with our ageing population, whether that be with retirement villages or nursing homes.

But I will speak to this today. I am sure the government went wide on consultation. I have no doubt they consulted with providers and residents and everyone else. Maybe they could have gone a little bit wider – like wanting to talk to the member for Rowville or the member for Melton or the member for Murray Plains. They might have had some input into it. I am worried about what is going to hit me in the back of the head right now. But that is okay; I am sure they went far and wide.

I will lean into what the member for Bulleen was talking about earlier when we were talking about retirement villages. They are good facilities. They do offer our ageing population a sense of community or being in a community, because sometimes as we get older we tend to isolate. I know when my parents were both alive they did not get out much. They were not in a retirement village; they ended up going into a nursing home. But when they were at that age and they were at home, they were isolated because they could not get out. At least in a retirement village you might have a neighbour come around and knock on your door and have a cup of tea and a chat with you in the afternoon.

But I do feel as though residents at times do feel trapped, especially when we are talking about trying to exit a village. I think in all of this and from what I have heard today this is probably one of the main problems we have and possibly the reason why our shadow minister the member for Ovens Valley has put forward a reasoned amendment. I do not think he has done that out of spite. Both sides of the house want this bill to work, and therefore I think he has done that in good faith. Hopefully the government takes on board what he has done and the reasons behind it.

As far as I can see there are two problems with this. One is the cooling-off period and one is trying to leave a retirement village or when it is deemed vacant possession. I will lean into the cooling-off period first. I do agree with what our shadow minister the member for Ovens Valley said: I think three days is not long enough. Although it is the standard in Victoria – on any purchase cooling off is for three days – maybe we should look at a bit of an exemption when it comes to retirement villages.

As has been stated by various speakers today, the average age of people going into a retirement village is 76 years. Sometimes as we get older our decisions may not be the best, or we may not do the research that we want to do. Therefore allowing it to go to – I think Queensland is 14 days, and I think New South Wales is seven days. If we went in line with New South Wales, even if just for retirement villages, at seven days, then I think that would be a good thing. I do not think it would be a negative thing, because sometimes, as I said, people might rush a decision, or they might see a better option. Who knows? But give them seven days; give them time to think about it. And this is even more important, as the member for Kororoit just alluded to in her contribution: give them time to have someone else look over the contract. That is very important. The member for Kororoit just mentioned that her mum was about to go in and there was no carpet, and she and her brother went back to the

contract and realised that was the case. So that is why I think a seven-day cooling-off period would be a step in the right direction as far as retirement villages go.

Then we have trying to exit a retirement village. That is where I think things are becoming a bit problematic. If somebody wants to move out – and I will put my builder's hat on now – I understand it needs to be renovated and revamped, depending on the age of the unit, obviously, in the retirement village. Possibly it needs new carpets or needs a repaint. In some situations it might need a new kitchen. Who knows? The appliances might be old; they have to be replaced. All those things take time. But I do understand that 12 months is a long time. It is a very long time, and I will give an example. Everyone in this chamber knows my father passed last year. He was in a nursing home, I will clarify this, not a retirement village, but even in a nursing home the half a million dollars invested in there does not get released until probate is finalised. I think that gets signed off next week.

The issue I am seeing with this bill at the moment is: when is vacant possession deemed? That is becoming one of the issues with the bill. Is it deemed vacant possession at the end of probate? Is it deemed vacant possession when someone moves out? I think we need clarity around that. I am not saying this to hang it on the government. I think this is actually a real issue that needs to be looked at. Maybe it can be looked at in the other place, or maybe it could be that we pull the bill and have a good look at it and get it right. When someone wants to move on for any reason, even if they want to move out and go somewhere else, 12 months to me seems an excessively long time. But I do get the provider's point of view, depending on the works that need to be done. I would imagine a repaint and new carpets do not take a very long time. They definitely do not take 12 months. If there are more works, maybe there can be provisions there, if it has to be major works. Maybe you can have a major works clause and a minor works clause. I am not quite sure how that would be structured, but to me that would make common sense, because 12 months seems way too long. Then you have got the residents saying they want six months, and that may not be long enough, again depending on the issue within the unit at the time.

I think they are the things we need to look at to make this bill a better bill and to make sure everyone is happy. Unfortunately it is one of those situations where – I have always had this saying, coming out of private business – you should never reach an agreement unless you are both getting screwed, which is essentially what this is. Everybody has to give a bit to agree to what is going to happen at the end of the day. Sorry if that is unparliamentary, but it used to be one of my sayings, and it is very, very true in any negotiation.

The government should really look at this in good faith, as the shadow minister put forward, because it was not done out of spite. We really do need to look after our older generation. Two words have been mentioned in here quite a few times today: dignity and respect. It does have a lot to do with that. As people get older, they do want to be treated with dignity and respect. Our population is ageing – we are all getting older, unfortunately – and we do owe it to our older citizens to make sure things are in place in the right systems to make their life easier as they are getting older. We do not want to make it more difficult.

This is what the government should refocus on in this bill. There are certain parts of the bill that are good steps in the right direction, but there are certain parts of this bill that are possibly a little bit ambiguous. Maybe we should consider a review in a couple of years to see how it is working, to go back to the residents and the providers to say, 'We've tried this. Where can we make this better? Is this exit clause of 12 months too long? Can we bring that back? Is even six months too short on that side?' I think a review process would be a good thing to put in. We are all in here for the right reasons. We want good legislation to go through this Parliament and through both houses. I think the government should consider a review process for the cooling-off period, which is very important – let people know what they are really in for before they put that signature on the dotted line – and obviously the exit clause. They are my concerns about the bill.

**Bronwyn HALFPENNY** (Thomastown) (15:56): Looking at this legislation, it is part of a range of legislation and actions from the Allan Labor government, and it is all premised on the basis that every person has the right to safe, high-quality, stable housing. It is a right, and as a government we should do whatever we can to ensure that as many Victorians as possible have the opportunity to have not just a house but a home. Yesterday, for example, we were debating changes to legislation around renters rights, and today we are talking about changes to the legislation governing retirement villages and looking at trying to strengthen and provide better guidance on what is required and what people should expect when they are going into retirement villages.

In a way this legislation is at the other end of previous legislation and policies that we have been introducing. Basically we are looking at housing as a first home buyer all the way along to older Victorians who may choose to go into retirement villages. There is a lot of choice, whether it is supporting first home and young buyers with, for example, subsidies on stamp duty or equity programs that both the state previously and federal government now are doing, or whether it is supporting rights for renters to ensure that they have good-quality, stable housing and, as I said, looking at the rights of those that choose to go into retirement villages.

As has been talked about by previous speakers, this legislation is informed by a review that was conducted some time ago. There were hundreds of submissions from both operators and families as well as those that were living in retirement villages. As a result of that review this legislation is before the Parliament today. There is a number of aspects. I will not have the time to go through all of them, so I am going to pick out just a few points, knowing that previous speakers have gone into a lot of detail about this bill.

The amendment bill does draw on five guiding principles of what people should expect, how operators should operate and what the arrangements should be between a person that is wanting to go into a retirement village and the operator. The concept and aspirations of those guiding principles are being put into this legislation, which will then lead to further regulatory programs and regulation as well as the development of things such as a code of conduct, which will fall under the responsibility of Consumer Affairs Victoria.

I am not going to patronise older people by saying that they cannot think as fast as others; I just do not think that is correct at all. But a cooling-off period, for example, is the standard that happens in all other areas of law when it comes to real estate and so on. It is better to be consistent and to ensure that this legislation is consistent with other legislation.

As I said, a couple of the principles that I would like to talk about in terms of what this legislation is looking at and, as a result of that, building on with the code of conduct and regulation are the principles that retirement villages should be kept safe and maintained in a reasonable state of repair and residents should have quiet enjoyment of their premises in the retirement village. Many years ago I was a member on a parliamentary committee that looked into the rights and aspirations of seniors in Victoria, and these general principles were things that were repeatedly raised with us. When you go into a retirement village, when you are looking, after work, to do other things, to have a whole new stage of life, of course you do not want to be living in a place where it is stressful, where you do not feel that you are being respected and in fact are not respected but where you do have rights and your views and ideas are also properly considered and properly listened to.

Regarding the code of practice for retirement village operators, that will be developed not as part of this legislation, but it will ensure that, for example, operators that participate in the scheme will comply with any agreements that they reach during the consultation period. Also, there will be penalties when it comes to not complying with the code and where consumer affairs could take regulatory action. It will be developed in consultation with retirement village operators as well as residents, so everybody who is affected will be able to participate and have a voice in order to ensure that the code of conduct is the best it can be, as well as the government making sure that it is a program where people's rights are respected and able to be enforced.

I know there has been a lot of talk around exit fees and contracts, particularly where contracts have been very difficult to read and very convoluted. Of course this legislation will ensure that there is a very standard application form in clear, plain English so that everybody knows very clearly what their entitlements are, what their obligations are and what the fees are before they sign. In terms of exit fees, I got a lot of feedback about that from residents, and I will give a shout-out to both the lifestyle – well, not villages, because the land is not owned by the resident, just the house. But the exit fees really were a frustration. Of course nobody wants to pay extra money, but a lot of the issue is around how they were applied, and it was considered that they were unfairly applied. So this legislation is going to ensure that exit entitlement payments are more timely and also that there is a bit more disclosure of those exit fees. Therefore people will know up-front what they will be required to do and there will not be this open-ended period of time in which exit fees would have to be paid. As I said, this also ensures that contracts are clearer – not just the application forms but the contracts – so that everybody understands and there is nothing hidden in the wording of those contracts and everyone is very clear before they go into to the village. Of course this is your home – it is not easy just to move out again or go somewhere else if you are not happy – so it is very important that you know exactly where you stand and what is happening when you go into the village and hopefully you can then spend your time involving yourself with all the activities and using all the facilities that are provided. When it comes to the standardised form that is going to be prescribed, providers that do not use that form will be penalised for not using the form.

Part of the key theme of the bill is to provide clarity for both operators and residents. Again, there will be enhanced and streamlined precontractual disclosures and also fair contract termination requirements and processes so that again everyone knows where they stand and when a nonresident can be evicted or not, rather than it all being within the rights and controls of the operator.

Also this legislation is going to allow much better and clearer dispute resolution. Again, the feedback that I have from people living in retirement villages and other types of these communities is that when there is a concern or an issue raised, all the power is with the operator. It does not matter what you say, they do not listen and just nothing happens. But under this system there will be a really clear and strong dispute resolution program, and the legislation will try to strike that balance so that there is a bit more of an equal footing between the rights of the residents and the rights of the operator. Of course it will also enable operators to go through VCAT in cases that are in dispute where they are clearly in the right, as well as assisting residents.

**Peter WALSH** (Murray Plains) (16:06): In starting off my contribution, I might pick up on what the member for Morwell was saying in his contribution when he talked about having a Hawthorn supporters retirement village. I think that is probably a great idea for the member for Morwell and his mates, but can I make a suggestion that I would actually put Paul Chapman in as the manager of that establishment so he could remind them every day of the Kennett curse and how many years Geelong beat Hawthorn, year after year after year. If the member for Morwell is watching on the screen, yes, you can have your retirement village but you are going to have Paul Chapman as the manager just to make sure you remember how much Geelong has beaten Hawthorn over that time.

Unlike the member for Narracan, I will make some comments on how long this bill has taken to get to the house. We all know the very old saying that something has been so slow it has had the gestation period of an elephant. The gestation period of an elephant is 22 months. This bill started back in 2017. There would have been three elephants born in the time this bill has taken to get to the house, so it has taken a long, long time to get here. If you think about the comments made by others, the average time in a retirement village is 8.4 years. For all those people that made a contribution early in the consultation on this bill – and as I understand it a lot of people did, because as someone else made comment, so many of the people in retirement villages took a very active interest. There are retired lawyers, there are retired accountants, there are retired everything in there – they would have made their contribution expecting something to happen. They would have done the work in good faith to make sure that they actually put a meaningful contribution into the consultation on this bill. They

would have moved out by now. They would probably be in residential care, because it has taken that long for this bill to come forward. I think the responsibility on the government is when they actually start a process to improve something – I think everyone would heed an agreement in the chamber that there do need to be improvements, and that has been articulated quite well – at least get it done so that those people that engage in the process, those people that want to see change, actually live long enough to see the change that is going to happen, because this has taken a long, long time to come forward. I thank all those that made contributions early on, in good faith, that may not be around now to see the outcome of this particular bill.

As has been said, the Shadow Minister for Consumer Affairs, the member for Ovens Valley, has put forward a reasoned amendment because there are some improvements that are still needed. After all this time, after three baby elephants have been born, we have got a bill that still actually needs some improvements. How could the government not get it right after that length of time?

Not only does the issue of plain English contracts apply to residential living, it applies to everything in the law. Why do lawyers have to make things so complicated when they actually write contracts? There are some lawyers in this house, but even so: why does it have to be so complicated? Why can't more things be done in plain English? This is a classic example. Some other examples have been quoted in the contributions so far about people ready to move in and there being something in the fine print they have to worry about. Plain English should be the norm for these contracts, not the exception, and for other contracts.

I think one of the challenges I have seen in my electorate with residential care and aged residential independent living is the cost of running them. Most of these villages were started up by local not-for-profit groups with great intention and good faith as to how they were going to service their particular community, but as it has got more complicated and compliance has got more expensive, they have had to be grouped together into larger groups. In my electorate Respect, which is a not-for-profit that started in north-west Tasmania, now runs a number of those establishments because the local committees of management just could not handle the compliance and could not handle the cost of keeping up with that compliance, and Respect is having the same issue. Finding staff for these establishments is also very, very difficult, and what we are seeing is that to have managers that are there and senior staff that are there for a long period of time is a real challenge for those organisations. It would have been useful if this bill had come forward sooner, so that those that did make those contributions earlier could have seen the changes that were put forward.

I am disappointed that the member for Ovens Valley had to move the reasoned amendment that he has. After that period of time, from 2017 onwards, you would have thought the government could have had legislation where there was support from both sides of the chamber. The fact that there was an exposure draft three years ago and a second exposure draft two years ago says that something has gone wrong in the process, and finally this bill is before the house and we are not actually both saying, 'This is a good thing to do.' The fact that there are still faults in it, which the member for Ovens Valley, the shadow minister, has pointed out, I think says the government have not got the process right.

We all want to make sure that we look after those in the community that are older. A community is judged by how it looks after its young and how it looks after its older people. I think we are all here with the same intent to make sure there is a good outcome out of this legislation. It is disappointing that it is not exactly right this time.

**Nina TAYLOR** (Albert Park) (16:12): I am very pleased to speak to the Retirement Villages Amendment Bill 2024. I will echo some of the sentiments – not all – and the fact is that there has been extensive consultation. These reforms that are before us are certainly extremely well evaluated and thought out. So it is disappointing to see the opposition are not wanting to proceed with the bill and are wanting to shut it down, because these are really important reforms. They are very much needed. We know the reality of vulnerabilities where people have not been, can we say, offered the clarity that they deserve ahead of making such an important decision in their lives as choosing to move into a

retirement village. So it is timely that we are introducing a contemporary regulatory framework that provides stronger consumer protections to support residents to age in place while still enabling growth and innovation in the sector.

I am not reflecting on the vicissitude of retirement villages that exist; of course there will be a spectrum of experiences for Victorians in those. But I am pleased there have been some really innovative developments in my area, I can say. Even in Albert Park, where I literally have doorknocked, people have reflected on really having all the services they need and being able to be close to their families, and I think that is really important. I remember my late grandfather on my late father's side and his retirement village, although it actually worked well for him because it allowed him to progress at different stages of his health, I should say, as the case may be, initially being quite independent and then moving to a more supported situation. Nevertheless it was a large hike from where we lived, and of course when you are wanting to regularly visit your loved ones it makes sense if they can be closer to where you live. So I really think this is an important progression that we have from a community level in thinking about the long term and keeping people closer to where we are so we can visit them regularly and give them the love and care that they deserve.

Coming back to the bill itself, some of these things I am really excited about. I say 'excited' because ultimately what inspires me is fairness and justice, and that is really what underpins this bill. Getting beyond the fact of whether lawyers overcomplicate matters – they may do, but there is often a sound reason for that, because they are allowing for – I am not saying overcomplicating – the vicissitudes of contingencies that occur and evolve in life. It is allowing for all the things that human beings do and the complexity that we create ourselves, so I think just a little caveat on that point.

But starting with more timely exit entitlement payments and better disclosure of exit fees is, I think, a statement in and of itself. It is fairly obvious that these elements are really, really important. The bill proposes to consolidate and clarify requirements relating to the payment of exit entitlements. This has got to be a good thing. Specifically, these changes will require operators to pay an exit entitlement to a vacating resident within a specified period, which would be the earliest of the time determined under the retirement village contract, the time agreed between the parties or 12 months after the resident gives vacant possession of the unit. There is more to those elements of the bill, but we can see how these are very reasonable terms. Certainly when we are looking at fairness and people being able to reduce the fear and anxiety of taking that big step of moving into a retirement village, these are really logical developments that I am pleased to see.

Something else that I think needs to be emphasised is that contracts will need to outline how exit entitlements are calculated – absolutely, because this is certainly an area that can be extremely vexed to say the least – and explain the new requirements regarding settling-in periods. We know that human beings do not necessarily move into retirement village and it is happy days, that is where they want to stay. I say this because my grandparents – my grandmother is still surviving; my grandfather has passed away – moved initially into a retirement village and then realised they were not quite ready for it, moved out again and subsequently moved into another retirement village. These are the things that people do according to where they are at emotionally or otherwise – physically – so making sure these transitional processes are as clear and fair as possible is absolutely essential. This does not necessarily cast aspersions on the particular retirement village; it may be that it just is not suiting you at that point in time or that you are preferring a different situation to what they are able to offer. I am casting no aspersions whatsoever in that regard but purely saying that people can change their mind. When they change their mind, there need to be fair and clear terms to ensure that those processes are fair on all fronts.

That brings me to this point where we are looking at fairer contract termination requirements and processes – absolutely fundamental. The bill will clarify the processes to end a retirement village contract and support residents to remain in a retirement village, so you can see both sides of the equation. The new arrangements to terminate contracts will allow an operator to end a residence contract with a non-owner resident on two grounds: a substantial breach of the contract by the

resident – again, we are looking at fairness here, so it is not about necessarily being negative towards operators; we are saying this is a two-way street and we need to be really clear and up-front on those terms – or health and safety reasons, as an example. I am pleased to see that there is greater clarity on that front.

Better defined maintenance responsibilities and obligations – the bill will clarify village operators' responsibilities to maintain and replace capital items and allow residents to carry out urgent works where an operator has not acted. Again, I can see that it is evident why that is so important, because there is nothing more distressing that when you can see something needs to be repaired and feel powerless to be able to enforce what should be a fair and reasonable request, so I am really pleased to see that development as well. If I flip it the other way, there should be no unreasonable refusal of repairs, alterations, reinstatement and renovations.

You can see underpinning this, and this should really be a fundamental element of the law per se, the premise of reasonableness. That really is a sound principle, and it certainly backs in the reforms that are being put before the chamber.

The bill will provide stronger protections for residents leaving retirement villages by clarifying circumstances in which a village operator can require a resident to pay for repairs, alterations, reinstatement and renovations, again reducing the anxiety in their decision-making, because if it was a particularly onerous situation, who knows what they could be up for. They could be up for thousands, and if they did not know in advance the potential for that particular incident or that particular outcome, you can just imagine how people could really get caught. As you are maturing in years the last thing you would want to do is exacerbate the stresses and the pressures in your life – managing your finances, your health and so many other things that we have to deal with, emotional or otherwise, in our lives. That is just greater clarity, an ability to predict outcomes as best you can, so it is great that the law is actually backing that in.

It is also empowering residents, because why shouldn't they be empowered? It is where they live. The bill will encourage resident participation in retirement village decision-making by confirming the processes for convening, conducting and passing resolutions at a meeting of residents. The bill will provide provisions for auditing a financial statement. Again we can see that these are logical provisions and much needed.

Something that I am particularly passionate about is that the bill streamlines the current precontractual disclosure requirements. That has to be absolutely fundamental. It consists of a disclosure statement and a separate fact sheet. The changes enable one document, an information statement, to be provided to prospective residents to ensure they are better informed when making a decision to enter a retirement village. This has to be absolutely fundamental. You are not expected to be Einstein before you enter into these contracts. It should be something that is accessible to every Victorian, and again reasonableness underpins the reforms that are being put before the chamber today. I should say further that the bill provides that the information statement must be in the form prescribed in the regulations and must be provided upon request to a prospective resident of a retirement village so that everyone knows where they stand. It gives people greater confidence, and ultimately it will be better for operators in the long run, I must say.

**Jade BENHAM** (Mildura) (16:22): Following on from the member for Murray Plains – who coincidentally could be the one in this place that would head to a retirement village first; or maybe not, I mean, the member for Melton is over to my left – talking about the special retirement village for Hawthorn, I do not think that a happy place to live would be a retirement village for Hawthorn supporters and members being managed by Paul Chapman. I do disagree with the member for Murray Plains on that one. Also, learning about the gestational period of an elephant was not on my bingo card for today, but I appreciate that little bit of insight. He is full of lots of facts and figures.

One point that the member for Murray Plains did point out though, of course, was the length of time it has taken for this bill to come through and still the necessity for the member for Ovens Valley to submit a reasoned amendment because stakeholders that have been consulted with still need some further clarity.

There are some good points throughout this bill. One of those is the contracts and the need for the use of simple, plain English in those contracts. Again, it would be nice if all contracts were written in such a fashion that the common man could actually understand them without needing the help of solicitors and such. Then again, where would they be without us to pay those bills?

Division 8 to amend part 5 for transitions to aged care or alternative accommodation is something I do want to focus on, largely because not only are my own parents at the moment considering – well, I at least hope they are considering – moving off the farm and into smaller housing, which may be difficult in small rural communities, finding that smaller housing and being able to sell an irrigated horticultural property, but I have had several pieces of communication over the last few years about the lack of hospice care.

There are quite a few retirement villages in Mildura. The two that come to mind first are Princes Court – Princes Court village and Princes Court Homes, who offer an amazing service – and the Vines.

**Jess Wilson** interjected.

**Jade BENHAM:** The member for Kew's nan was at Princes Court. It is a wonderful facility, and they are currently in the midst of expanding that facility. We have an amazing palliative nursing care team in Mildura that, outside of Mildura Base Public Hospital, Sunraysia community health and these types of palliative in-hospital care, are really the only option for palliative care in home in Mildura without a bespoke, built-for-purpose hospice. Something I have actually had three letters on during January is the concern from children that have been caring for parents who in the last weeks of their life are in desperate need of palliative care. Often the wish is to go home for those last days and weeks, which is fair enough. The trouble is that earlier in 2024 palliative nursing care was 24/7 – as it should be, because not everything happens between the hours of 8 and 6 – but it has come to the attention of some concerned constituents that have written to me that this has recently been cut back to the hours of 8 to 6 and is possibly due to be cut again, or at least these are the concerns of those nurses and those in the sector. It is causing great alarm. Like I said, I have received various pieces of communication over the last month and a bit, and it is very upsetting not only to those nurses but also to the families of those who may need to go into palliative care. There are waitlists. It is quite hard to get that in-facility care. It is full. So a hospice is needed.

There was a great fundraiser in fact in the member for Murray Plains' electorate a few years ago, probably many years ago now, where some local community groups got together and raised a huge amount of money to build a hospice in Swan Hill, because there was the same issue there. We are an ageing population, and this is certainly cause for concern, so when this bill came up I thought it was a great opportunity to raise this in this place.

This bill makes wholesale changes to a whole raft, which we could not go through in 10 minutes, but it also does point out the need for that transition to aged accommodation, and then so on and so forth. There is such an amount of steps that need to be considered. Retirement villages are great, and I would hope that my parents do consider retirement villages. It could be that resort-style retirement village, which I am sure they would enjoy, although some of the noise complaints clauses and things might cause them some issues, because my mother is quite the social butterfly. I am sure the member for Murray Plains would not be considering retirement villages at this point – at least his wife would not be, because she is also quite the social butterfly. But that is one step, and for some it is quite an early step.

But as we do get older and independent living is not an option anymore, out in the regions like Mildura palliative care and that end-of-life stage become a concern. People are living longer – we know that –

so this is an issue we should have perhaps considered a long, long time ago, and we should certainly not be making cuts now if those concerns that are being spoken about within our palliative care nursing team at the moment are substantiated. One of the things that people have raised about the comparison between palliative care in home rather than in a hospital bed is the saving of about \$2000 a day. That is how much the public health system could save if we funded people to go home. Obviously, the ambulance and hospital systems are already stretched, so keeping people out is optimal. I had a report yesterday about the emergency department at Mildura Base Public Hospital from someone that was there – and this was also illustrated in a letter to me about palliative care in Mildura – about the amount of wait time that you go through in the emergency department at Mildura Base Public Hospital. Also, it improves the range of options for a person's last weeks and months, and advanced care options during that transition are obviously what we want to give our ageing population.

Lastly, when we talk about retirement villages, it is not an option for everyone, unfortunately. I wish it was. Unfortunately it is not. Women over 70 in fact are an enormous part of the homelessness statistics, and in particular at the moment my mother-in-law is one of those. She is effectively homeless, living with her daughter while undergoing cancer treatment. Again there is that transition between having to give up her home in our regional area to relocate, effectively, and having to relocate to the city, where she does not want to be because she grew up in the country, and not having that independence and how that must feel. She was a nurse; she worked as a nurse her entire life. How she must feel now, not being able to afford a retirement village – a beautiful one like the Vines or like Princes Court – and having to give up her rental residence to travel to Melbourne for cancer treatment. It just should not happen. She worked her entire life in healthcare services. We are going through the process at the moment to try and accommodate her.

Changes to the Retirement Villages Act 1986: it has taken a long, long time, and one would have thought it might have been unnecessary for the member for Ovens Valley to move a reasoned amendment because of the time that has elapsed. It could have been done right the first time, as I often say. It is unfortunate, but I do support the member for Ovens Valley in his reasoned amendment.

**Tim RICHARDSON** (Mordialloc) (16:32): It is great to rise to speak on the Retirement Villages Amendment Bill 2024. Once again there have been three out of three reasoned amendments on legislation this week, as if it could be any more predictable that those opposite in shadow cabinet would show themselves not fit to govern. Bringing reasoned amendments week after week after week does not do this Parliament any service or to the depth of and knowledge in this bill. You have had people on this bill who have directly contradicted each other, who have said there was not enough consultation, and at the same time the member for Ovens Valley got up and said it has been too long and there has been too much engagement, too much time lapse, too much consultation. That is what happens when you do not put in the work in opposition and you do not prepare for a sitting week. They had warning that this bill was coming forward – it has been years in the making – and we have seen the lackadaisical, lethargic effort of three reasoned amendments. At least there is a bit more substance to this one, rather than, 'Oh, just go and consult more, because we say so.' Once again those opposite have put forward reasoned amendments to disrupt these bills and the house.

A lot of us that have been around for some time know that the retirement villages sector has continued to expand at a significant rate. We have seen, in the Kingston area that I represent, more retirement villages popping up, or lifestyle villages – some of those are Lifestyle and Richfield villages. There are two key fundamental reasons for this. There is a pricepoint for residents who might be downsizing, and there is a mix to encourage these models of residential outcomes, because we also want to encourage people to downsize to free up homes for families. This is a great point in the market where you can have people downsize the family home that they have loved and cherished and then go into a communal set-up like at Lifestyle or Richfield. People that have lived in their patch for decades then are not priced out of their area based on rent or based on the asset class that they have when they downsize, or the stamp duty that they pay, and then not being able to buy back into their patch. I think it is a really important hallmark in our housing mix that we have the retirement village set-up as well.

But what we have found in some of that engagement has been a mental load that no-one should have to carry, let alone people that have paid tax and contributed to our communities for decades, with some of the duress around contractual terms or some of the significant letters and campaigns that have been undertaken just to get a fair assessment of what are market rates for rental increases at CPI and then needing to engage with boards and management that are less than engaging and less than accommodating. When you are reading the play you see that they see some residents as being a nuisance, but they are executing the rights on behalf of their residents, on behalf of their neighbours, to get a fair go in their set-up. I have seen in my engagement with these villages where people, through exit fees, have been under significant duress. People who have had health conditions come up over time, which happens from time to time with people living in retirement villages, do not need the uncertainty of needing to move and then realising that there is a substantial impact on their financial assets from exiting or changing these arrangements and having to deal with really technical terms around whether a home is movable. These are some of the challenges that we have seen around that definitional engagement that significantly impacts on residents.

This bill has had a huge run-up and a huge amount of work. I have teamed up before with the member for Laverton, who has done some great work with the sector as well. I thank the former minister, Minister Williams, who did a power of work, and the incoming minister, Minister Staikos, who has just hit the ground running with legislation, just powering through. This is an example of Labor governments working hard on the technical details, doing extensive consultation that brings people along on the journey and making a call on where the line needs to be and then implementing. That is not like those opposite, who would rather this bill sit on the shelf and not implement the support and protections that are needed now. They would push it off into consultation for another six, 12 or 18 months for a utopian set-up and the absolutes that they are talking about rather than enact the legislation now and do something that is substantial and makes a generational change for a growing sector in our community.

As many people have reflected, we do have an ageing population that needs a diverse housing mix. The pressures that we see cascading through from Gen Z and the millennials and the need to free up and diversify housing stocks mean that this asset class will absolutely expand into the future. Particularly in growth corridors and precinct structure plans, we will see allocations of land for retirement set-ups and diversity in mix of housing. We need to make sure, if we are to go towards a greater reliance on this asset and housing class into the future, that we have the necessary protections so that people do not feel like their only option is to challenge for their rights and someone in their 70s or 80s has to front up to VCAT to challenge a board or an organisation, which might have multiple asset classes like this across the state or even interstate, to simply apply their rights and the obligations upon those managers.

One thing I am really keen to see which I think will be a great standard-bearer is the code of conduct for operators. Some might look at that as window-dressing, but it allows a legal definition, a standard that is set that is an expectation to community and best practice. If that does not lift the standards, then some of the dispute resolution engagement will then be a standard-bearer for that into the future. There have been some discussions around simplifying contractual obligations. There are residents who have got more complex contractual arrangements than they have ever seen before when signing up to a house or rental contract that they have had. That administrative burden is unfair for any Victorian in this set-up to be carrying. Then to find out that they may be on the hook for tens of thousands of dollars in exit fees can be really distressing as well, not to mention the fact that some of the arrangements that have the asset class that they sell or mortgage to then support family into these accommodations can be really overwhelming for people in such a formative life moment. I think that is a really important part of this.

From the code of practice we will have a standardisation of contracts. You will then see it being easier for people to understand this and this becoming a standard into the future. I like the provisions around more timely exit and entitlement payments and better disclosure of exit fees. That has been a consistent

theme that has come up in some of our engagement with the sector. Some of those propose to consolidate the time determination in retirement village contracts, the time agreed between parties and 12 months after the resident gives vacant possession of their unit. Some of those really make sense around that simplification and those challenges going forward.

I think this is a big prism for when people's life circumstances change, and that could be sick relatives. The member for Mildura raised this, and we see this time and time again: someone getting, say, cancer treatment or health treatment up in town, needing to get the V/Line or the coach to Melbourne. People's circumstances can change, and they should not be punished or impacted disproportionately because their circumstances have changed when so many are already in a vulnerable state or are up against it in terms of their health and wellbeing. I think that kind of prism and that kind of approach in the legislation is really important as well.

The member for Ashwood talked about, importantly, the discussion around an ombudsman, and this has been multi years. I remember when Daniel Mulino was in the other place, this was something that I talked to him about some time ago, such is the length of time and discussion this has had. That not being a part of this bill should not be seen as walking away from some of those important obligations and that standard bearing, and the dispute resolution process I think can actually be better with all the attributes, the timeliness of that and determinations for people. I think the more informal nature of that suits the retirement village sector and the people they support more broadly, and I think that is something that a lot of members of Parliament will see. If we are not getting complaints from residents in the future, then we know that the dispute resolution process is working well. But it will be something that a number of members of Parliament will watch closely to see if that has a facilitative and inclusive approach and the informality that we see from people into the future as well.

This bill has been a long time coming with a number of technical details to bring it forward to this place, and we have seen once again three out of three reasoned amendments this week – I mean, as sure as the sun comes up, we will see reasoned amendments next sitting week on bills. We have seen it today because it is easier, rather than moving amendments or coming up with some independent or intellectual thought, just to say, 'No, we oppose it and we're not interested,' and kick it down the road. It is a lazy approach to opposition. Then you get the contradictions of the member for Eildon saying too much consultation or not enough, and then you have got the member for Murray Plains – just get on with the work and let this bill sail through.

**Chris CREWTHER** (Mornington) (16:42): I rise today to speak to the Retirement Villages Amendment Bill 2024. As the member from Mildura and other speakers have raised, there are quite a number of issues that have been raised by retirement village residents and their families and many others in our community for many years. I think we can agree across the chamber that this is definitely an issue that we need to tackle and deal with, but there have also been many issues that have been raised by operators, consumers, residents and families about this bill itself. Despite the fact that this bill has been at least six years coming, it still seems to have been rushed in terms of many concerns not being addressed. For that reason I support the reasoned amendment being moved by our side that this bill be withdrawn and redrafted to address the concerns of residents and operators in the retirement village sector, because many of these concerns are not being addressed.

Just going to my own family experience, my own grandmother was in a retirement village a number of years ago. It was a very good retirement village to start with, operated by a private operator that had basically 24/7 care with nurses and so forth for residents who needed it. Unfortunately, after a while being in there, after a number of years, that service was changed to being nine-to-five nurse care, so when my grandmother got very sick one year and she was in hospital, the hospital would not release her to the retirement village unless there was that service available. This was before the days of increased numbers of home care packages, and if you were a family like ours who could not afford a home service that is 24/7, it made a very difficult situation for my family, where basically my grandmother was forced to go into a nursing home against what we wanted and against what she wanted as well, because she was very happy in that retirement village. That is where her friends were,

where she had built community and where she had social contacts as well. Being in a nursing home for a little while I think did exacerbate her health situation and led to her passing in 2015, probably a few years prior to the date she should have if she had been able to stay in the retirement village.

That actually goes to many things that have been raised in terms of not just concerns as to cost but also concerns as to services and changes that a number of retirement village operators are making. I note that there are many good retirement village operators, but there are also ones who sometimes put profit ahead of people. Just last week I met with representatives from a local retirement village. I will not go into the name of that retirement village, but I have contacted the minister regarding concerns that these residents raised in regard to conduct within this retirement village. But they did raise some general concerns relating to their situation as it relates to the bill as well. They raised issues on the need for retrospectivity for existing residents in relation to refurbishment as against renovations and their concerns regarding having basically no say with respect to often very costly and sometimes unneeded renovations as against refurbishment. They also raised the need for retrospectivity and issues on the provision for dispute resolution, the timing of the exit fee and the gap in getting paid.

Residents had also met with the Residents of Retirement Villages Victoria, who have put together a paper as well outlining a number of concerns that they have, which include but are not limited to the bill's failure to extend key financial protections like the deferred management fee reforms and refurbishment obligations to existing residents, leaving so many people at a financial disadvantage; the extension of the refund period for exit entitlements from six months to 12, which could create undue hardship for departing residents, especially those moving into aged care, like with my grandmother; the lack of compulsory industry training for village management staff combined with the absence of obligations to follow an industry code of conduct; the ability of some retirement village operators to apply for exemptions from parts of the legislative framework, reducing consumer protections for certain classes of villages; and the potential for delays in dispute resolution and how operators can just defer exit payments through VCAT applications. These are some examples that were brought to my attention not just through the RRVV but by these resident representatives of this local retirement village.

But this is not the only retirement village where concerns have been raised in my electorate and beyond with me. A number of other residents and their families have raised concerns with respect to other retirement village operators as well in my electorate and beyond. One I met with the other day who travelled from Burwood East to come and meet with me in relation to my role as the Shadow Assistant Minister for Housing and Rental Affordability, particularly as it also relates to housing generally. As we know, retirement villages are a form of housing. He came to meet with me and is trying to raise his concerns with various ministers from consumer affairs to housing and beyond on both the government and the opposition side. He is a 94-year-old who travelled out of his way to come and see me regarding his experiences and concerns with retirement villages. He is a 94-year-old who is a retired engineer and so is very experienced, and I have written to the minister about a number of his ideas as well as the shadow minister. His argument is that operators have sometimes used ingoing contributions inappropriately as effectively interest-free capital loans, allowing them to effectively own every single unit while charging massive rental prices. These types of arrangements include what he deems deceptive split and deferred pricing models, which obscure actual costs and make rents appear much lower than they actually are. In fact these initial rent costs for residents are four times the free market rate, he points out, and the contracts themselves are often highly complex and difficult for prospective residents to understand.

I note that it is always advisable for a lawyer to look over a contract, but if you are an older resident, particularly an older resident who is struggling socio-economically, you may not have the resources to either get a lawyer or get a good lawyer as well. Sometimes you are reliant on your own resources or the resources of your family to read and to understand contracts, and sometimes what is in contracts can be very hidden as well and can be very deceptive for residents. Sometimes things, as I mentioned, change over time as well. Sometimes the offerings that a retirement village gives to begin with change

over time, like what happened with my grandmother – who went from having 24/7 nursing care to nine-to-five care – which can impact residents and their ability to stay in retirement villages or move back into retirement villages when they have health concerns.

Going back to the 94-year-old whom I met with the other day, he is incredibly disappointed that the Victorian government has not addressed a number of his concerns that he has raised. He has raised concerns with the government, but he says that he has received an insufficient response from the government so far. I was able to meet with him, so I am not sure why the government minister or others from the government minister's department or office cannot meet with him. He argued that there has been no proper cost comparison between retirement village rental models and also noted the financial impact of ingoing contributions and split-lease contracts and the obscurity of that, meaning innocent retirees are not knowing what they are getting into or not knowing sufficiently.

While these may or may not be reforms that I or the government agree with, he raised concerns about potentially relooking at the ingoing contribution requirement. He talked about a comparison with the old strata title ownership for those who could afford it, meaning retirees actually own the property instead of being exploited with sometimes exorbitant rents. He also raised ideas about the conversion of existing contracts into fully disclosed standard residential tenancy agreements, prohibitions about split-price contracts and consideration of a municipal retirement village model where over-50s could pay an extra municipal rate to fund publicly managed retirement communities. Obviously these are concerns that he raised. We may agree or disagree with these concerns, but there are a lot of concerns that have been raised by residents, consumers, families and operators that do not seem to be addressed in this bill. While this bill does go some of the way to resolving the issues, there is a lot more consultation that needs to be done, so I definitely support the reasoned amendment.

**Paul HAMER** (Box Hill) (16:52): It is a pleasure to rise to speak on the Retirement Villages Amendment Bill 2024 and bring us home to stumps in this first week of the sitting in the 2025 year. I just want to start by acknowledging and congratulating the minister at the table, the Minister for Consumer Affairs, for shepherding this bill through. He has had a busy week. Not only is it his first week as a minister in the Parliament sitting, but he has had two bills to get through this week. Hopefully in a few moments time we will be voting on these bills, and he will have more work to do to get this through the Council. It is a really important bill, and I think the reason it is an important bill has been demonstrated by a number of contributors to date, which is that it is about our population. We have got a growing population and our population is ageing as well, and as our population age they are going to require a variety of housing choices. For many people that will include choosing to go into a retirement village.

I like to think that I am still a fairly youthful 47-year-old, but I do seem to be receiving an increasing number of advertisements on social media like: 'Seniors living. Over 35? Is that for you?' I do not know what message they are trying to send. My wife is a little bit younger than me. There is some advertising. Maybe they have to fix up the algorithm. Maybe they are just prepping me for the day that will come. I have visited a number of our local retirement villages, and I must say they are wonderful communities.

**Wayne Farnham** interjected.

**Paul HAMER**: I will name them, member for Narracan. Next week I am actually going out to the John Flynn Retirement Village – that is in East Burwood – to have a meet and greet with the residents there. I have been there before. I went to their grand opening about a year and a half ago. It is a wonderful facility. It is in the Burwood Brickworks complex, so it is really walking distance to shops, theatres – everything that you would possibly want. It does have a real full-service facility. It just looks to me, walking in, a wonderful place to retire to, and a wonderful community is part of that.

There are many others. In I think October, November last year I visited Barrina Gardens, which is in Blackburn South, a much smaller residential retirement village but again a great community, located

around a hall. They have a community garden. It is a place where people can congregate. They can still have their independence, but they can also have that community feel. I think that is really important. That is certainly something that I will be looking for, maybe when I am 55 or maybe even earlier if the advertisements are correct.

As more people do transition into retirement villages it is important that they are protected. I am not sure if the constituent that the member for Mornington was talking about from Burwood East lives in my electorate; the individual I do not think has contacted me personally. But he did raise the point about contracts and the difficulty of understanding some of the contracts. That is exactly the purpose of what we are trying to do in this legislation: the idea of being able to simplify it for residents coming into that community and having clearer and more consistent contracts. That was one of the findings of the review, with the technical nature of the contracts that many residents have to enter into. Often they may have to enter them not necessarily at the time of their choosing. Hopefully it will be mostly at the time their choosing, but if their lifestyle circumstances change fairly suddenly and they have to make that lifestyle choice, they do not want to feel pressured to be signing documents that are really difficult to understand. We cannot assume that the majority of people going into these villages are going to be lawyers and have detailed legal technical knowledge. So it is really important that we do have clearer and more consistent contracts.

I also note that the bill will introduce a regulation-making power to establish a code of practice which will require operators to participate in the scheme in good faith and comply with agreements reached during conciliation. This code of practice is going to be really important, just to set the scene for the retirement villages and understand the practices that they can and cannot do. It is a really clear message to residents about what they can expect and what they are entitled to expect when they sign up to a contract and when they enter their retirement village.

I just want to briefly touch on the comments and the reflection from the member for Mordialloc about how far we have gone in this consultation period. At the outset I made a comment about the Minister for Consumer Affairs, and I look back on when this consultation started, back in 2017, when we announced a review. There have been multiple ministers for consumer affairs, who have all pushed along this process. We have consulted extensively with the industry, with residents and with all elements of the residential village market, and it is now time to bring this forward in a bill that has a vast majority of support. I hope that we do see that in the Parliament in a few minutes, that it does have majority support of the Parliament, because it is a really important bill that has gone through more consultation I would say than almost any other bill of recent times, because we know how important it is. We know how important these lifestyle decisions are. It is a lot of money for residents to be committing and –

**Wayne Farnham** interjected.

**Paul HAMER:** The member for Narracan likes making comments from the side. It is seven years, so it is about time that we get on and we vote for this bill.

**The SPEAKER:** Order! The time set down for consideration of the remaining items on the government business program has arrived, and I am required to interrupt business. The house is considering the Retirement Villages Amendment Bill 2024. The minister has moved that this bill be now read a second time. The member for Ovens Valley has moved a reasoned amendment to this motion. He has proposed to omit all the words after 'That' and replace them with the words that have been circulated. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment by the member for Ovens Valley should vote no.

**Assembly divided on question:**

*Ayes (52):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Gabrielle de Vietri, Paul Edbrooke, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Jess Wilson

**Question agreed to.**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024**

*Second reading*

**Debate resumed on motion of Gabrielle Williams:**

That this bill be now read a second time.

**And Tim McCurdy's amendment:**

That all the words after 'That' be omitted and replaced with the words 'this bill be withdrawn and redrafted to take into account further consultation with rental providers and industry about the unfair impact of the removal of no-fault notices to vacate.'

**The SPEAKER:** The minister has moved that this bill be now read a second time. The member for Ovens Valley has moved a reasoned amendment to this motion. He has proposed to omit all the words after 'That' and replace them with the words which appear on the notice paper. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment by the member for Ovens Valley should vote no.

**Assembly divided on question:**

*Ayes (52):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Gabrielle de Vietri, Paul Edbrooke, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

## ADJOURNMENT

Thursday 6 February 2025

Legislative Assembly

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Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleland, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Jess Wilson

**Question agreed to.**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Business interrupted under sessional orders.**

*Adjournment*

**The SPEAKER:** The question is:

That the house now adjourns.

**McCrae landslide**

**Sam GROTH (Nepean) (17:10):** (991) My adjournment tonight is for the Premier, and the action I seek is for the Premier to take immediate action to ensure the site of the McCrae landslide is safe and return residents back to their homes. This is a pressing issue for those residents, and it has recently impacted the community of McCrae. The landslide occurred back on 14 January, and not only has this event disrupted the lives of many residents, it has also raised serious concerns regarding safety and environmental stability in our area. I have met with the local affected residents. I have been briefed by the Mornington Peninsula Shire Council, had site visits with the SES and also spoken to South East Water, and there have also been a number of recent community forums. However, sadly the government to this point has been less than forthcoming.

Council wrote to the minister on 14 January and are yet to receive a response, and additionally the Leader of the Opposition and I wrote to the Premier on 21 January and also have received no reply. The landslide, which occurred along the coastal cliffs of McCrae, has caused substantial soil movement resulting in the closure of several roads and the evacuation of almost two dozen homes. It is a frightening incident. It has left families displaced, properties damaged or destroyed and people's lives in limbo. The coordination between site management and the relevant authorities following the landslide has proven inadequate and is leading to confusion and delays in the response efforts. Communication gaps have hindered the timely dissemination of critical information for residents and emergency services, creating uncertainty for those affected and complicating resource mobilisation. It is essential that we establish clearer protocols and stronger partnerships among all stakeholders to ensure a more effective response in future emergencies.

I personally, though, want to commend the work of the local SES, who have done an incredible job securing the site and doing their best to keep the community safe but also communicate with them as diligently as they possibly can. But I also want to see greater resources for our local volunteers.

As we navigate the aftermath of the landslide it is essential we focus on first of all the immediate recovery of the site but also long-term strategies to prevent further incidents in the future. In light of

the recent developments I do welcome the inquiry announced by the Premier, which aims to examine the circumstances surrounding the landslide; however, I must emphasise that while the inquiry is essential, urgent action is needed now. We cannot afford to delay in providing the necessary resources to support those affected by this disaster. Many families are facing significant challenges as they deal with the landslide, and now security cameras have been removed from the site there is a real concern of burglary and looting while the homes sit there empty.

The landside has profoundly affected the community, but it also presents an opportunity for us to enhance our resilience. We must continue to advocate for sustainable practices, infrastructure and improvements that will help protect our coastline and residents. I will continue to support the affected residents of McCrae, but we need to see more from the government in helping them get back into their homes.

### **Coburg West Primary School**

**Anthony CIANFLONE** (Pascoe Vale) (17:13): (992) My adjournment matter is for the Minister for Education, and the action I seek is for the minister to provide an update on the investments the Victorian Labor government is making to deliver the Education State across my electorate, including for the families of Coburg West Primary School. As the state member for Pascoe Vale but also as a local parent and proud former student of Coburg West Primary, having attended there from 1990 to 1996, I am absolutely committed to doing everything I can to help improve local education for Coburg West Primary, which is one of the oldest schools in our community.

Initial plans for establishing the school began in 1912 when the education department purchased 3 hectares of land fronting then Reynards Road from landowner Mr Cook at a cost of £10 – a good deal for the Victorian School Building Authority. It was not until 3 September 1917 that Coburg West opened as a prep to grade 8 school under the stewardship of head teacher Thomas Jenkin, welcoming 332 students. And for 108 years the school has continued to grow and expand, continuing to beautifully educate and support generations of local students from many, many diverse backgrounds, in that iconic purple and yellow uniform, for their careers and lives ahead.

Under the longstanding motto ‘Honour the School’, Coburg West is today home to a vibrant cohort of just under 400 students led by the hardworking principal and my once-upon-a-time school Italian teacher Mark Colagrande. That is why I am very proud to have visited the school on several occasions since being elected, including on 18 December to celebrate the school’s grade 6 graduation, organised by Jo Rigby and Olivia Franco, where I commended the 2024 school captains Ava Nicholls and Nicholas Richardson, presented the school academic, community and sporting awards, including to Gemma Leicester and Joel Stephan, and congratulated all the families on a wonderful six years of primary education. On 7 November I had the absolute pleasure of congratulating longtime teacher Agatha Blatti on her 40 years of service and retirement by presenting a letter of thanks from the Premier. Ms Blatti was my grade 4 teacher and a pioneer in STEM education.

As we kick off the 2025 school year it was also great to catch up recently with the principal and commend the 2025 school community, including school council president Donald Parton, assistant principal Dan Copping, leading teachers Patrizia Amerena and Fiona Currie, mental health and wellbeing leader Amanda Kingsley, disability inclusion coordinator Matt Niciak, the new school captains Maggie Hegarty and William Batsakis and of course all the school parents and community volunteers.

But of course there is more to do with Coburg West, especially when it comes to building improvements, refurbishments, toilet upgrades, better outdoor spaces and opportunities, which I continue to support their advocacy efforts on. Alongside this work we are helping the families of Coburg West with the 2025 school year via the \$400 school bonus, which is covering the cost of kids’ uniforms, textbooks, excursions, camps and activities and so far has saved the families there \$30,000. This is on top of the free school breakfast program, free dental check-ups and Smile Squad van, free glasses and vision screening in schools and mental health and wellbeing resources in schools.

But it is also outside the school gates that we are investing to improve local education outcomes through the free rollout of three- and four-year-old kinder, saving local families \$2500. We have invested \$1.35 million to virtually double the capacity of the local kinder, Doris Blackburn, to accommodate 40 extra places – *(Time expired)*

**Vacant residential land tax**

**Tim McCURDY** (Ovens Valley) (17:16): (993) My adjournment is to the Treasurer in the other place on behalf of Steve Belli, president of Mount Hotham Chamber of Commerce, and other Dinner Plain residents. The action I seek is that the Treasurer recognise Dinner Plain as part of the alpine resorts in relation to the vacant residential land tax. The amendment to the Land Tax Act 2005 was passed in December 2024 and recognised that resorts which are under the jurisdiction of Alpine Resorts Victoria would be considered alpine resorts and therefore exempt from the vacant residential land tax. The basis for this exemption was that the application of VRLT would be inappropriate due to cyclical seasonal demand for accommodation and the application of the VRLT would be inconsistent with the purpose of the VRLT, which is to encourage owners of vacant residential homes to make them available for long-term or key worker accommodation.

Dinner Plain, although outside the jurisdiction of Alpine Resorts Victoria, fulfils all the definitions of being an alpine resort, and for the purposes of the Land Tax Act should be considered as such. Dinner Plain is unique in that it is the only alpine resort in Victoria which has not been exempted from the VRLT under the recent amendment to the act. This is an anomaly which I request to be considered and corrected in order to avoid any inappropriate unfairness against Dinner Plain householders and businesses. Dinner Plain is situated in the alpine region of north-east Victoria. It has an altitude of 1570 metres. It is 10 kilometres from Mount Hotham. It has an altitude similar to Hotham, Falls Creek, Mount Buller and Mount Stirling and is higher than Mount Baw Baw and Lake Mountain, all of which come under ARV jurisdiction. It has a similar cyclical snow season to the other alpine resorts, lasting from June through to early October, and runs the same snow season dates as the ARV resorts. I request the Treasurer to consider this application on its merits and exempt Dinner Plain from the vacant residential land tax.

**Preston Market**

**Nathan LAMBERT** (Preston) (17:18): (994) My adjournment matter is for the Minister for Planning, and the action I seek is for the minister to visit the Preston activity centre to chat about her department's ongoing work in our area. I would like to take this opportunity to update the house regarding Preston Market specifically. As members may know, most of Preston Market – over 90 per cent – has been owned by the Salta and Medich corporations for 20 years now, and they have had permission for many years to build a 14-storey apartment building in the Murray Road corner of the car park. But back in 2014 they proposed to do something much more radical, which was to move most of the market to the eastern side so that it would run from down the back of the High Street shops, from Cash Converters down past Gold Leaf to Cramer Street. They would put all of the car parks underground, and they would then build apartments not only on Murray Road but right down the train line side.

I think it is important to say that I do not think Salta and Medich were intending to destroy the market in any way through that process. I do not think that is in their commercial interests. But it was clear from those plans that the new apartment buildings were the priority. They were getting the higher value locations on the site, and there was also a lot of new retail on the ground floor of those buildings – new cafes and restaurants and a new Coles and so forth.

In the state of Victoria you cannot just go and build things; you need to get a building permit. In most cases, certainly this case, you need a planning permit, and the process for obtaining that permit is the process by which the interests of other people are taken into account. I think it is fair to say that a lot of people opposed those Preston Market plans in a lot of different ways over a long period of time. People like Maria Poletti and Chris Erlandsen spent the best part of a decade writing submissions on

the topic. Eventually, in 2023, this state government finally put a heritage overlay on the site and essentially made the decision that apartments could be built, noting of course the objectives of our housing plan and the benefits of building apartments near a train station, but in doing so they would have to ensure the market continued to operate substantially in its current form and location. There is a little bit riding on the use of ‘substantially’ in that decision, but effectively that put the final nail in the coffin of the 2014 plan.

There were worries after that that the operators would close the market for various reasons. Many traders were on month-to-month leases, which was not good for them or their workers. Fortunately, new five-year leases have been issued and the usual negotiations are going on, and it does seem that the future of the market at least for the next few years has been secured, broadly in the same form that it has been for the last 20 years. That will give everyone a chance to catch their breath, but those years will pass quickly. That is why we hope to chat to the minister and have a further discussion about what she thinks the future might look like, how things might proceed and what options are available to us if things do not proceed exactly as planned.

We thank the minister for her consideration, and we thank her and her department and her team for the very considerable body of work that they are doing to implement this government’s housing statement.

#### V/Line services

**Matthew GUY** (Bulleen) (17:21): (995) My matter is for the Minister for Public and Active Transport, and I ask the minister to review Victoria’s heat rail speed restrictions in summer for V/Line trains. By way of background, for Victorian trains and New South Wales country trains, when temperatures reach 37 or 38 degrees, maximum speeds are reduced across the network to 80 kilometres an hour in New South Wales and around 90 kilometres an hour in Victoria. This is a practice that has been in place since an incident on the broad-gauge section of the Albion rail link in, I think, about 2007, where tracks had buckled due to extreme heat. There is a famous YouTube video of a train coming around a corner and slamming on its brakes and not stopping in time. It did not derail, but it went over quite a severe kink in the rails. Since then Victoria and New South Wales in particular have adopted heat speed restrictions.

Those tracks were a shandy of concrete sleepers and timber sleepers. Timber sleepers were what predominated on every rail network, particularly in Australia, for the best part of 100 years, until we then moved to what Europe had done since the 1950s, and that was we used concrete sleepers across the network on all major lines. Yet heat speed restrictions still apply in Victoria, which is interesting because the Nullarbor Plain, which you would think is hotter than Victoria, has never had heat speed restrictions, nor has the Northern Territory, nor has Western Australia and nor has regional Queensland. Regional Queensland has trains which operate as fast as Victoria’s, at 160 kilometres an hour. On the Nullarbor Plain the Trans-Australian Railway line has diesel-haul passenger trains that operate at 115 k’s an hour, the same as Victoria. They have never had speed restrictions, and common sense will tell you that the Nullarbor is hotter and stays hotter than most of regional Victoria and, yes, even northern Victoria for prolonged periods of time.

It beggars belief that despite having better quality track, better rolling stock and lesser heat periods than, say, Central Australia, Victoria maintains heat restrictions which slow our V/Line trains from 160 on most lines and 130 in the north-east down to around 90 k’s an hour, which has massive impacts on regional commuters and massive impacts for timetables. Mind you, we do not slow the urban trains down, which still do 115 k’s an hour, but we do slow the V/Line trains down. It beggars belief. It is interesting to note that this still applies, and while it has been in place for some years, and I repeat is also still in place in New South Wales, I believe it now needs to be reviewed, given that the implementation of the heat speed restrictions was put in place because there was a predominance of timber sleepers or a shandy of timber sleepers at that stage. That is not the case on the network now, particularly on the faster lines where 160-k-an-hour speed limits apply on the intercity network.

**Broadmeadows electorate ministerial visit**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (17:24): (996) My adjournment matter is for the Minister for Small Business and Employment, and the action I seek is for the minister to join me in a visit to the Broadmeadows local jobs hub and the wonderful social enterprise the Common Bean Cafe. The Broadmeadows Suburban Revitalisation Board has been at the forefront of establishing and supporting social enterprises in Broadmeadows, and I thank our wonderful members: Gina Dougall, CEO of Banksia Gardens; Don Tidbury, CEO of DPV Health; Robert Hannaford, CEO of Brite Industries; Sheena Frost, CEO of Hume City Council; Sally Curtain, CEO of Kangan Institute; Emeritus Professor Greg Baxter, chair of the Hume Jobs and Skills Taskforce; Rebecca Power, CEO of Spectrum; Jenni Smith, CEO of Northern Community Legal Centre; Jeroam Whittington, centre manager of Broadmeadows shopping centre; and Kim Stadtmiller, executive officer of the Hume Whittlesea Local Learning and Employment Network.

Fabulous initiatives, partnerships and projects have resulted due to the strong collaborations between board members and their organisations, and it is a privilege to co-chair the board along with the mayor of Hume Jarrod Bell. The Common Bean Cafe has now expanded to four locations across Broadmeadows, offering employment and training opportunities and of course providing delicious coffee. The local jobs hub is another incredible example of local partnerships providing opportunities and life-changing outcomes for people who face barriers to employment. At a recent round table hosted by WCIG Broadmeadows I felt so proud to represent an area with such committed local organisations doing so much work to bring opportunities and social justice for the people of Broadmeadows and beyond.

I again thank Greg Baxter for his leadership, Hume City Council for their wonderful support of local jobs and economic development and all of the organisations involved with the jobs network, including those from the revitalisation board and AMES, Northern Health, Brotherhood of St Laurence, Jesuit Social Services, the Australian Manufacturing Workers' Union, CSL, Melbourne Airport, La Trobe University, Victoria University, North Link, Mac Solutions, the National Caravan Industry Training centre, Lendlease, Nestlé, the Victorian Skills Authority and the wonderful Whittlesea Community Connections.

I also thank Minister Ward, the previous Minister for Employment, for her strong advocacy to the federal government for the inclusion of mentors in federal programs, which have been proven to be so successful in the Jobs Victoria program. It was great to have her and federal colleagues Maria Vamvakinou, Peter Khalil, Andrew Giles and our hardworking federal Labor candidate for Calwell Basem Abdo at Minister Murray Watt's announcement of a local jobs hub pilot in Broadmeadows through the new \$10 million National Priority Fund, supporting more local people into secure and fulfilling work. I thank the federal government for their investment in Broadmeadows.

Another great federal investment in Broadmeadows is the extraordinary announcement of a \$3.3 million grant to the urban development strategy. This funding will help drive further economic growth, improve infrastructure and make Broadmeadows an even better place to live, work and invest. The revitalisation board and Hume council officers are to be commended for their dedication and hard work in securing this funding. I congratulate Minister Suleyman on her new portfolio and thank her for her longstanding commitment to and tireless advocacy for small business.

**Housing**

**Chris CREWTHER** (Mornington) (17:27): (997) My adjournment matter is for the Minister for Housing and Building, and I ask the minister to provide an update on the initiatives being taken to tackle the housing crisis, including homelessness in Victoria and the Mornington Peninsula. I was honoured recently to be given the opportunity to serve as the Shadow Assistant Minister for Housing and Rental Affordability, and I look forward to sinking my teeth into this role, particularly because I have been very concerned about the homelessness crisis as well as the housing crisis more generally for so many years, both when I was a federal member of Parliament and now as a state member of

Parliament. I know the member for Nepean can attest to the grave need we have not just on the peninsula but across Victoria in this regard.

I want to go into some of the issues with respect to housing. Social housing accounts for only 3 per cent of households in this state, well below the national average of 4 per cent. Victoria has the smallest proportion of social housing in the nation, and indeed there are over 63,000 people on the waiting list, many on the priority waiting list as well, up from around 9000 when we left government in 2014. One-third of Australians seeking homelessness support live in Victoria, and the Council to Homeless Persons highlights that it has 30 per cent more people experiencing housing stress in Victoria compared to New South Wales and Queensland. Per 10,000 people, Victoria currently has the most people experiencing homelessness in the country.

I can attest to this. When I had a former colleague from Kosovo, who came from Nigeria, visit Australia for the first time back in late 2018, I took him to the city on a Sunday, which was his first chance to see the city. The level of homelessness even back then was significant. He was actually quite shocked because he did not see the same thing in Nigeria, nor did he see this in Kosovo. In Kosovo there was an over 40 per cent unemployment rate at the time and no safety net, but you hardly ever saw a homeless person on the street. It does send shockwaves that we have this situation in Victoria and in Australia, particularly when we are a wealthy nation. It does reflect on our government and our society when we have these issues that are not being resolved.

I note that in 2023 the then Premier announced the \$6 billion Big Housing Build, which would boost supply by 10 per cent. Yet today there are barely 1600 more social housing dwellings than there were in 2017, so we have a lot more to do in this regard. On the Mornington Peninsula net public housing – and particularly if you count the amount of properties that are vacant or in disrepair – has actually gone backwards since 2014. I note as well that crisis accommodation across Victoria and my electorate is almost non-existent, and this needs to be resolved as well.

### Frank the goose

**Luba GRIGOROVITCH** (Kororoit) (17:30): (998) My adjournment matter is directed to the Minister for Environment. Can the minister please investigate the disappearance of Kororoit's beloved community goose Frank? This is not a request that you may hear every day, but it is an issue that has deeply affected the local community of Kororoit. Frank, the local goose, has been a fixture in the waters of Lakeside Reserve in Caroline Springs since 2022. Over time he became a beloved and familiar face to those who visited the lake. Residents would often stop during their daily walks to admire Frank and enjoy his presence.

Frank was not just any goose; he had a unique place in the community. Studies show that animals like Frank contribute to the biodiversity of our public spaces, and Frank's presence had a positive impact on the mental wellbeing of residents. He was not just part of the local ecosystem; he was part of the Caroline Springs broader family. Children adored him, residents cherished him and the company of Frank and his feathered friends was loved by all. However, Frank's sudden disappearance in early January took the community by surprise, quickly becoming a sensation across social media. He even has his own social media pages – @SpringlakeFrank, for those of you viewing at home that want to follow Frank the goose.

Frank's absence has left a noticeable gap as people miss the familiar sight of the goose that brightened their day. Many have started petitions and expressed their curiosity over what might have happened to Frank the goose. While Frank may have just been a goose to many, in Caroline Springs he represented the connection and the spirit of our community. We hope that the minister can help bring clarity to this quacking mystery and perhaps even bring Frank home.

### Vocational education and training

**John PESUTTO** (Hawthorn) (17:32): (999) I rise to raise a matter for the Minister for Skills and TAFE regarding the government's savage funding cuts to Skills First training programs. The action I seek is for the minister to accompany me to visit workplace-based training providers in my electorate, particularly in the early childhood education and care sector, to discuss the impact of these devastating cuts and how remedial steps can urgently be taken to ensure the sustainability of providers adversely affected. Training providers have had Skills First contracts cut, with some reporting a reduction from 700 funded places in 2024 to just 20 in 2025 in critical areas such as health, aged care and disability services. A number of providers have had their course allocations completely wiped out, with zero funded places in 2025.

My office has been inundated with emails from concerned students and providers in my electorate who are bearing the brunt of these reckless and brutal cuts. I would like to share just two extracts from correspondence which illustrate the real-world impacts of this government's decisions. A student enrolled in a workplace-based early childhood education course wrote:

Our sector is facing critical workforce shortages and unprecedented demand. Without viable training providers delivering workplace-based training, we will be unable to address this urgent need.

Funding cuts threaten this vital training model, impacting students and services, limiting employment opportunities, and forcing room closures that will leave families without essential childcare.

A provider, TheirCare, expressed similar fears:

I am at risk of having to limit child numbers, close rooms, and potentially shut down our service – leaving families and communities without care for their children. Early childhood education is at the centre of the care economy, which keeps parents of young children at work.

It is delivered almost entirely by women. I urge the government to reverse these funding cuts to protect the quality of care for our most vulnerable.

The statistics confirm those concerns. Under Labor the number of registered training organisations in Victoria has been slashed by over 50 per cent since 2014. Thousands of young Victorians aspiring to start their career in health, disability care, engineering, food processing, welding, business and financial services, manufacturing and so much more have had their dreams dashed by the Allan Labor government.

Despite the government's boasting, Victoria's vocational education and training system is the lowest funded of any state in Australia. This is not just a policy failure; it is an economic and social disaster, potentially. The minister must act now to reverse these reckless and savage cuts, restore funding to registered training organisations and ensure that students and businesses in key industries can access the training they desperately need. I urge the minister to listen to the sector, listen to the students, do what matters and reverse these cuts before the damage becomes irreversible.

### Wellington Street Common Ground

**Nina TAYLOR** (Albert Park) (17:35): (1000) My adjournment is for the Minister for Housing and Building Harriet Shing, and the action I seek is for the minister to visit my electorate of Albert Park to see the progress made on the Wellington Street Common Ground project, which is now well underway. Construction has started on a Common Ground facility in St Kilda that will provide permanent housing and onsite support services for local people experiencing homelessness, ultimately helping them get the support they need to get on with their lives. Thanks to a partnership between Homes Victoria, Port Phillip City Council and St Kilda Community Housing, an existing rooming house has been demolished and will be replaced with a three-level building with 26 self-contained units with space for support services and a concierge. The Victorian government is contributing more than \$6 million towards the construction of the new housing in St Kilda and will also cover operating costs for four years. The new project will operate using the evidence-based Housing First approach, which has been specifically designed to address the multiple and complex needs of people who have

been sleeping rough. Once people are housed in one of the new units, support workers help address complex needs through services such as drug and alcohol counselling or mental health treatment. The project is due for completion by mid-2025.

**Responses**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (17:36): The member for Nepean raised a matter for the attention of the Premier, and the action he seeks is for the Premier to take further action – she is already taking some – in relation to the McCrae landslide. The member for Pascoe Vale raised a matter for the Minister for Education, and the action he seeks is that the minister provide him an update on investments right across his electorate of Pascoe Vale, but in particular Coburg West Primary School, where the member himself was proudly a student – and not that long ago. The member for Ovens Valley raised a matter for the attention of the Treasurer, and the action that the member seeks is that the Treasurer consider including Dinner Plain as an alpine resort.

The member for Preston raised a matter for the attention of the Minister for Planning, and the action he seeks is for the minister to join with him in visiting the Preston activity centre to discuss ongoing vision and work in that area. The member for Bulleen, who has left the chamber, raised a matter for the attention of the Minister for Public and Active Transport. The member for Broadmeadows raised a matter for the attention of the Minister for Small Business and Employment, and the action that she seeks is that the minister join her at the jobs hub in Broadmeadows, part of a massively successful suburban revitalisation project led by this government in the member’s electorate, and I am sure she would very much look forward to joining you there. The member for Mornington raised a matter for the attention of the Minister for Housing and Building. He is seeking an update on initiatives to address homelessness in his electorate.

The member for Kororoit had a very interesting matter for the attention of the Minister for Environment, and that is that the minister investigate what has happened to Frank, the beloved goose who has been a fixture in Caroline Springs for a long time. The member for Hawthorn raised a matter for the attention of the Minister for Skills and TAFE, and he is seeking action in relation to government investment in vocational training in his electorate. The member for Albert Park raised a matter for the attention of the Minister for Housing and Building, and the member for Albert Park is seeking an update on progress of a Common Ground project in St Kilda that is meeting the needs of people experiencing homelessness in that suburb and area.

**The SPEAKER:** Thank you, Minister. Thank you, members. Thanks as always to the clerks and attendants. The house now stands adjourned.

**House adjourned 5:40 pm.**