



LEGISLATIVE COUNCIL
MINUTES OF THE PROCEEDINGS
60TH PARLIAMENT
Nos. 116, 117 and 118

No. 116 — Tuesday, 27 May 2025

- 1 The President took the Chair at 12.04 pm, read the Prayer and made an Acknowledgement of Country.
- 2 **ASSENT TO ACTS** — The President read a Message from the Lieutenant-Governor informing the Council that he had, on 20 May 2025, given the Royal Assent to the following Acts presented to him by the Clerk of the Parliaments:

Energy and Land Legislation Amendment (Energy Safety) Act 2025

Regulatory Legislation Amendment (Reform) Act 2025

Victorian Energy Efficiency Target Amendment (Energy Upgrades for the Future) Act 2025.

The President read a Message from the Lieutenant-Governor informing the Council that he had, this day, given the Royal Assent to the following Act presented to him by the Clerk of the Legislative Council:

Fire Services Property Amendment (Emergency Services and Volunteers Fund) Act 2025.

- 3 **GAMBLING LEGISLATION AMENDMENT BILL 2025** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 and for other purposes* and requesting the agreement of the Council.

On the motion of Enver Erdogan, the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Enver Erdogan laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Enver Erdogan moved, That the Bill be now read a second time.

Enver Erdogan incorporated the second reading speech in Hansard.

On the motion of Evan Mulholland, by leave, the debate was adjourned until later this day.

4 QUESTION TIME —

QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS — Members asked questions without notice and ministers made statements.

* * * * *

ANSWERS TAKEN INTO CONSIDERATION — On the motion of David Davis, the answers given by Jaclyn Symes to questions relating to Victoria's credit rating (QwN 922) were ordered to be taken into consideration on the next day of meeting.

* * * * *

QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed ministers to provide written responses to questions without notice pursuant to Standing Order 8.07 as follows:

- **Neurodivergent students (QwN 918)** — substantive and supplementary questions asked by Anasina Gray-Barberio — response from Lizzie Blandthorn due Thursday, 29 May 2025.
- **North Richmond precinct revitalisation (QwN 920)** — substantive and supplementary questions asked by Rachel Payne — response from Jaclyn Symes due Wednesday, 28 May 2025.

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

5 PETITION — STOP CREATION OF WOMBAT-LERDERDERG AND MOUNT BUANGOR NATIONAL PARKS

— Wendy Lovell presented a petition bearing 11,974 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to not create Wombat-Lerderderg National Park or Mount Buangor National Park, and keep state forests open for public access and the enjoyment of traditional activities (*Ordered to be tabled*).

The petition having received the required number of signatures, Wendy Lovell listed the petition for future debate during Petitions (qualifying for debate).

6 PAPERS —

COMMITTEE REPORT — SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Sheena Watt tabled Alert Digest No. 7 of 2025 (including Appendices) from the Scrutiny of Acts and Regulations Committee (*Ordered to be published*).

* * * * *

BUDGET PAPERS, 2025-26 — Pursuant to sections 27D, 27E and 40 of the *Financial Management Act 1994*, the Clerk tabled the 2025-26 —

- (a) Budget Paper No. 2 – Strategy and Outlook;
- (b) Budget Paper No. 3 – Service Delivery;
- (c) Budget Paper No. 5 – Statement of Finances (incorporating Quarterly Financial Report No. 3);
- (d) Budget Information Paper – Gender Equality Statement; and
- (e) Department Performance Statement.

Jaclyn Symes, by leave, presented the 2025-26 —

- (a) Budget Paper No. 1 – Treasurer's Speech;
- (b) Budget Paper No. 4 – State Capital Program; and

(c) Budget Overview (*Ordered to be tabled*).

On the motion of Jaclyn Symes, the Budget Papers, 2025-26 were ordered to be taken into consideration on the next day of meeting.

* * * * *

PAPERS PRESENTED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following papers:

Planning and Environment Act 1987 — Notices of approval of the —

Brimbank Planning Scheme — Amendment C241.

Greater Geelong Planning Scheme — Amendment C466.

Greater Shepparton Planning Scheme — Amendment C252.

Kingston Planning Scheme — Amendment C225.

Melbourne Planning Scheme — Amendment C481.

Mornington Peninsula Planning Scheme — Amendment C256.

Statutory Rule under the Magistrates' Court Act 1989 — No. 30.

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule Nos. 23, 27 and 30.

Surveillance Devices Act 1999 — Surveillance Devices Inspection Report by Integrity Oversight Victoria on its inspections of surveillance device records during the period 1 July 2023 to 31 December 2023, under section 30Q of the Act.

Wildlife Act 1975 — Notices under section 86 of the Act —

Wildlife (Prohibition of Game Hunting) Notice No. 5/2025 (*Gazette S186, 15 April 2025*).

Wildlife (Prohibition of Game Hunting) Notice No. 6/2025 (*Gazette S235, 19 May 2025*).

* * * * *

PROCLAMATION — The Clerk tabled a proclamation of the Lieutenant-Governor in Council fixing an operative date for the following Act:

Roads and Road Safety Legislation Amendment Act 2024 — Division 1 of Part 2 and Division 5 of Part 3 — 16 June 2025 (*Gazette S239, 20 May 2025*).

7 BUSINESS OF THE COUNCIL — David Davis moved, by leave, That the following general business take precedence on Wednesday, 28 May 2025 —

(1) notice of motion No. 817, in an amended form, standing in David Davis' name on Victoria's debt;

(2) notice of motion No. 925, in an amended form, standing in Bev McArthur's name on drought support;

(3) notice of motion given this day by Melina Bath on free camping; and

(4) notice of motion given this day by Anasina Gray-Barberio referring matters relating to school funding to the Legal and Social Issues Committee.

Question — put and agreed to.

8 ENVIRONMENT AND PLANNING COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO CLIMATE RESILIENCE — Ryan Batchelor moved, by leave, That the reporting date for the Environment and Planning Committee's Inquiry into climate resilience be extended to 12 August 2025.

Question — put and agreed to.

9 MEMBERS' STATEMENTS — Members made statements.

- 10 BUSINESS POSTPONED** — Ordered — That the consideration of notices of motion, government business, Nos. 278 to 943, and orders of the day, government business, Nos. 1 and 2, be postponed until later this day.

- 11 GAMBLING LEGISLATION AMENDMENT (PRE-COMMITMENT AND CARDED PLAY) BILL 2024** — Debate resumed on the question, That the Bill be now read a second time.

Katherine Copsey (*KC45C*) and Enver Erdogan (*EE09C*) circulated amendments proposed to be moved during Committee of the whole.

Question — put.

The Council divided — The President in the Chair.

AYES, 35

Ryan Batchelor; Melina Bath; John Berger; Lizzie Blandthorn; Jeff Bourman; Gaelle Broad; Katherine Copsey; Georgie Crozier; David Davis; Moira Deeming; Enver Erdogan; Jacinta Ermacora; Michael Galea; Anasina Gray-Barberio; Renee Heath; Ann-Marie Hermans; Shaun Leane; Wendy Lovell; Trung Luu; Sarah Mansfield; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rachel Payne; Aiv Puglielli; Georgie Purcell; Harriet Shing; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Rikkie-Lee Tyrrell; Sheena Watt; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 1

David Limbrick.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported with amendments, the Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill with amendments and requesting their agreement.

- 12 RETIREMENT VILLAGES AMENDMENT BILL 2024** — Debate resumed on the question, That the Bill be now read a second time.

David Davis (*DD176C*), Georgie Purcell (*GP03C*) and Harriet Shing (*HS01C*) circulated amendments proposed to be moved during Committee of the whole.

Question — put and agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Business interrupted at 6.30 pm.

On the motion of Harriet Shing, the meal break scheduled for this day was suspended.

Bill further considered in Committee of the whole.

Bill reported with amendments, the Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill with amendments and requesting their agreement.

- 13 GAMBLING LEGISLATION AMENDMENT (PRE-COMMITMENT AND CARDED PLAY) BILL 2024** — The President read a Message from the Assembly informing the Council that they have agreed to the amendments made by the Council in this Bill.

- 14 ADJOURNMENT** — Lizzie Blandthorn moved, That the House do now adjourn.
Debate ensued.

The Council adjourned at 8.06 pm until tomorrow.

ROBERT McDONALD
Clerk of the Legislative Council

No. 117 — Wednesday, 28 May 2025

- 1** The President took the Chair at 9.32 am, read the Prayer and made an Acknowledgement of Country.

- 2 PAPERS PRESENTED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following papers:

Auditor-General —

The Orange Door: Follow-up, May 2025 (*Ordered to be published*).

Work-related Violence in Government Schools, May 2025 (*Ordered to be published*).

Crimes (Assumed Identities) Act 2004 — Report, 2023-24, under section 31 of the Act, by the Independent Broad-based Anti-corruption Commission.

Statutory Rules under the following Acts of Parliament —

Aboriginal Lands Act 1970 — No. 29.

Road Safety Act 1986 — No. 28.

Victorian Energy Efficiency Target Act 2007 — No. 27.

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule No. 29.

- 3 COMMITTEE MEMBERSHIP** —

Harriet Shing moved, by leave, That Jacinta Ermacora, Tom McIntosh and Sonja Terpstra be participating members of the Legal and Social Issues Standing Committee.

Question — put and agreed to.

Sarah Mansfield moved, by leave, That —

- (1) Aiv Puglielli be discharged as a member of the Legal and Social Issues Standing Committee;
- (2) Aiv Puglielli be a participating member of the Legal and Social Issues Standing Committee;
- (3) Anasina Gray-Barberio be discharged as a participating member of the Legal and Social Issues Standing Committee; and
- (4) Anasina Gray-Barberio be a member of the Legal and Social Issues Standing Committee.

Question — put and agreed to.

- 4 MEMBERS' STATEMENTS** — Members made statements.

5 PRODUCTION OF DOCUMENTS — GREAT OUTDOORS TASKFORCE — Georgie Purcell

moved, That this House —

(1) notes that —

- (a) the Government has described the Great Outdoors Taskforce process as a landmark opportunity to open up 1.8 million hectares of native forests that were formerly used for logging, potentially making the largest additions to Victoria's Parks estate;
- (b) statements from Chairperson, Lisa Neville, indicated a shift in direction with no recommendations to be made regarding changes to land tenure or the creation of new national parks;
- (c) despite significant community and public consultation in forest protection, no public report or detailed rationale for this change being in scope has been released and that it is in the public interest in these high value forests;

(2) requires the Leader of the Government, in accordance with Standing Order 10.01, to table in the Council within six weeks of the House agreeing to this resolution, all documents relating to the Great Outdoors Taskforce and its consultation, including but not limited to —

- (a) detailed responses, reports and submissions from the Engage Victoria survey on the 'The future of Victoria's state forests' undertaken by the Great Outdoors Taskforce and the Department of Energy, Environment and Climate Action;
- (b) correspondence, advice, instructions, meeting minutes, or recommendations relating to the decision to not make recommendations on changes to land tenure or the creation of new national parks;
- (c) all correspondence between the Minister for Environment and/or the Minister for Outdoor Recreation's Offices and the Great Outdoors Taskforce relating to the finalisation of the report and its scope; and
- (d) any other related materials.

Debate ensued.

The President advised that the total time allocated for debate, pursuant to Sessional Order 6, had elapsed.

Question — put and agreed to.

6 PRODUCTION OF DOCUMENTS — PAYROLL TAX FOR GENERAL PRACTITIONERS AND OTHER HEALTH PROFESSIONALS — Georgie Crozier (for David Davis) moved, That this

House, in accordance with Standing Order 10.01, requires the Leader of the Government to table in the Council within three weeks of the House agreeing to this resolution —

- (1) briefs provided to the Treasurer since 1 December 2022 relating to the State Government's payroll tax arrangements as applied to general practitioners and other health professionals;
- (2) briefs provided to the Minister for Health since 1 December 2022 relating to the State Government's payroll tax arrangements as applied to general practitioners and other health professionals; and
- (3) assessments and/or analysis, including projections of revenue receipts by the Department of Treasury and Finance and/or its agencies on the implications, costs and impacts of the State Government's general practitioner and health tax.

Debate ensued.

The Acting President advised that the total time allocated for debate, pursuant to Sessional Order 6, had elapsed.

Question — put and agreed to.

7 VICTORIA'S DEBT CEILING — David Davis moved, That this House —

(1) notes —

- (a) the Bracks Government introduced a debt ceiling of six per cent of Gross State Product (GSP) in 2004;
- (b) Victoria's general government sector (GGS) debt has increased from \$21.7 billion, six per cent of GSP in the *2014-15 Budget Update*, to \$155.5 billion, 24.5 per cent of GSP in the *2025-26 Budget*;
- (c) the Andrews Labor Government increased the debt ceiling to 12 per cent and then removed the debt ceiling entirely;
- (d) Victoria's debt servicing burden has increased significantly;
- (e) the State's extraordinary indebtedness will reduce the opportunities of younger Victorians;
- (f) the Andrews and Allan Governments have squandered over \$40 billion in unscheduled cost overruns in infrastructure projects, contributing directly to increased borrowings and surging debt;
- (g) the Auditor-General's Report titled *Annual Financial Report of the State of Victoria: 2023-24* noted —
 - (i) debt for COVID-19 related expenditure totalled \$31.5 billion, 18.7 per cent of the Government's current outstanding debt;
 - (ii) \$137 billion of GGS gross debt relates to investment in infrastructure programs;
 - (iii) "the state has not articulated a clear plan for long-term fiscal management...Current strategies are short term, reactive and do not address both the existing financial challenges and emerging financial risks";

(2) calls on the Government to —

- (a) establish a fiscal repair plan with quantitative measures to provide a certain budget repair path; and
- (b) re-establish and publish a debt ceiling.

Debate ensued.

Business interrupted at 12.00 noon, pursuant to Sessional Orders.

8 QUESTION TIME —

QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS — Members asked questions without notice and ministers made statements.

* * * * *

ANSWERS TAKEN INTO CONSIDERATION — On the motion of David Davis, the answers given by Jaclyn Symes to questions relating to energy investment (QwN 932) were ordered to be taken into consideration on the next day of meeting.

* * * * *

QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed ministers to provide written responses to questions without notice pursuant to Standing Order 8.07 as follows:

- **Suburban Rail Loop East pricing reset (QwN 926)** — supplementary question asked by Evan Mulholland — response from Harriet Shing due Thursday, 29 May 2025.
- **Greyhound racing (QwN 927)** — substantive and supplementary questions asked by Georgie Purcell — response from Enver Erdogan due Friday, 30 May 2025.
- **Firewood collection in Moira Shire (QwN 929)** — substantive and supplementary questions asked by Rikkie-Lee Tyrrell — response from Gayle Tierney due Friday, 30 May 2025.
- **Waste management (QwN 931)** — substantive and supplementary questions asked by Rachel Payne — response from Gayle Tierney due Friday, 30 May 2025.

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

9 VICTORIA'S DEBT CEILING — Debate continued on the question, That this House —

(1) notes —

- (a) the Bracks Government introduced a debt ceiling of six per cent of Gross State Product (GSP) in 2004;
- (b) Victoria's general government sector (GGS) debt has increased from \$21.7 billion, six per cent of GSP in the *2014-15 Budget Update*, to \$155.5 billion, 24.5 per cent of GSP in the *2025-26 Budget*;
- (c) the Andrews Labor Government increased the debt ceiling to 12 per cent and then removed the debt ceiling entirely;
- (d) Victoria's debt servicing burden has increased significantly;
- (e) the State's extraordinary indebtedness will reduce the opportunities of younger Victorians;
- (f) the Andrews and Allan Governments have squandered over \$40 billion in unscheduled cost overruns in infrastructure projects, contributing directly to increased borrowings and surging debt;
- (g) the Auditor-General's Report titled *Annual Financial Report of the State of Victoria: 2023-24* noted —
 - (i) debt for COVID-19 related expenditure totalled \$31.5 billion, 18.7 per cent of the Government's current outstanding debt;
 - (ii) \$137 billion of GGS gross debt relates to investment in infrastructure programs;
 - (iii) "the state has not articulated a clear plan for long-term fiscal management...Current strategies are short term, reactive and do not address both the existing financial challenges and emerging financial risks";

(2) calls on the Government to —

- (a) establish a fiscal repair plan with quantitative measures to provide a certain budget repair path; and
- (b) re-establish and publish a debt ceiling.

Question — put.

The Council divided — The President in the Chair.

AYES, 14

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 19

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; Michael Galea; Anasina Gray-Barberio; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Harriet Shing; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negatived.

10 DROUGHT SUPPORT — Bev McArthur moved, by leave, in an amended form, That this House —

- (1) acknowledges that Western and South-Western Victoria is experiencing severe drought, with Bureau of Meteorology data showing rainfall over the past 24 months in the lowest five to ten percent of historical records, with many communities enduring their driest 15-month period;
- (2) identifies that other areas of rural Victoria, including the North-East, Central Victoria, and parts of Gippsland, are also experiencing significant drought conditions;
- (3) appreciates Victorian primary producers as the cornerstone of the State's economy and food security, with Victorian agriculture accounting for approximately 23 per cent of the nation's gross agricultural output, supporting over 150,000 jobs and supplying essential food, fibre and dairy products;
- (4) expresses concern that prolonged drought places severe financial and emotional strain on farm families, with leading farm organisations reporting that feed and water supplies have become scarce with financial pressures mounting for many producers;
- (5) notes warnings that without additional support these hardships could have devastating effects on rural communities and Victoria's supply chains;
- (6) commends the South Australian Government's vital support to drought affected farmers;
- (7) calls on the Government to provide immediate, targeted help to drought affected areas, including but not limited to —
 - (a) subsidised water supply for agricultural purposes;
 - (b) financial assistance with fodder and water delivery; and
- (8) emphasises that assistance is urgent and needed to help sustain agricultural productivity and support the resilience and wellbeing of Victoria's farming communities.

Debate ensued.

Question — put and agreed to.

11 RETIREMENT VILLAGES AMENDMENT BILL 2024 — The President read a Message from the Assembly informing the Council that they have agreed to the amendments made by the Council in this Bill.

12 BUSINESS POSTPONED — Ordered — That the consideration of notice of motion, general business, No. 946, be postponed until later this day.

13 LEGAL AND SOCIAL ISSUES COMMITTEE — PUBLIC SCHOOL FUNDING — Anasina Gray-Barberio moved, That this House requires the Legal and Social Issues Committee to inquire into, consider and report, by 30 April 2026, on the impact of the Allan Labor Government's decision to delay raising Victoria's school funding to 75 per cent of the Schooling Resource Standard until 2031, effectively cutting \$2.4 billion from what was previously committed to Victorian government schools, including but not limited to —

- (1) the State and Commonwealth funding per student in Victorian government schools relative to funding in other states and territories;
- (2) the impact of this delay on Commonwealth funding;
- (3) the impact of this delay and funding cut on the education of students enrolled at Victorian schools today and those starting prior to 2031;
- (4) the consequences of this funding cut on Victoria's teaching and school workforce; and
- (5) the effect the funding cut will have on the ability of Victorian government schools to purchase educational resources, teaching materials and capital equipment, as well as fund much needed building and school grounds maintenance.

Debate ensued.

Question — put and agreed to.

14 BUSINESS POSTPONED — Ordered — That the consideration of the remaining notices of motion and orders of the day, general business, be postponed until later this day.

15 STATEMENTS ON TABLED PAPERS AND PETITIONS — Members made statements on reports, papers and petitions.

16 PETITIONS (QUALIFYING FOR DEBATE) — STOP THE CONSTRUCTION OF A WASTE TRANSFER STATION IN HAMPTON PARK — Ann-Marie Hermans moved, That the petition be taken into consideration.

Debate ensued.

Question — put and agreed to.

17 APPROPRIATION (2025-2026) BILL 2025 — The President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2025/2026 and for other purposes* and requesting the agreement of the Council.

On the motion of Gayle Tierney (for Jaclyn Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Gayle Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Gayle Tierney moved, That the Bill be now read a second time.

Gayle Tierney incorporated the second reading speech in Hansard.

On the motion of David Davis, the debate was adjourned for one week.

18 APPROPRIATION (PARLIAMENT 2025-2026) BILL 2025 — The President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums*

out of the Consolidated Fund for the Parliament in respect of the financial year 2025/2026 and for other purposes and requesting the agreement of the Council.

On the motion of Gayle Tierney (for Jaclyn Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Gayle Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Gayle Tierney moved, That the Bill be now read a second time.

Gayle Tierney incorporated the second reading speech in Hansard.

On the motion of David Davis, the debate was adjourned for one week.

- 19 STATE TAXATION ACTS AMENDMENT BILL 2025** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Commercial and Industrial Property Tax Reform Act 2024, the Duties Act 2000, the First Home Owner Grant and Home Buyer Schemes Act 2000, the Land Tax Act 2005, the Payroll Tax Act 2007, the Taxation Administration Act 1997, the Unclaimed Money Act 2008 and the Victorian Conservation Trust Act 1972 and for other purposes and requesting the agreement of the Council.*

On the motion of Gayle Tierney (for Jaclyn Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Gayle Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Gayle Tierney moved, That the Bill be now read a second time.

Gayle Tierney incorporated the second reading speech in Hansard.

On the motion of David Davis, the debate was adjourned for one week.

- 20 ADJOURNMENT** — Gayle Tierney moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 7.01 pm until tomorrow.

ROBERT McDONALD
Clerk of the Legislative Council

No. 118 — Thursday, 29 May 2025

- 1** The President took the Chair at 9.32 am, read the Prayer and made an Acknowledgement of Country.

- 2 CONTROL OF WEAPONS AMENDMENT (MACHETE BAN) BILL 2025** — Evan Mulholland introduced *A Bill for an Act to amend the Control of Weapons Act 1990 and the Terrorism (Community Protection) and Control of Weapons Amendment Act 2025 and for other purposes.*

On the motion of Evan Mulholland, the Bill was read a first time and ordered to be read a second time on the next day of meeting.

- 3 PAPERS —**

COMMITTEE REPORT — INTEGRITY AND OVERSIGHT COMMITTEE — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Ryan Batchelor tabled a Report on the Performance of the Victorian integrity agencies 2022/23 (including an Appendix) from

the Integrity and Oversight Committee, and presented Transcripts of Evidence (*Transcripts of Evidence ordered to be tabled and the Report published*).

Ryan Batchelor moved, That the Council take note of the Report.

Question — put and agreed to.

* * * * *

PAPERS PRESENTED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following papers:

Statutory Rules under the following Acts of Parliament —

Forests Act 1958 — No. 34.

Freedom of Information Act 1982 — No. 32.

Legal Profession Uniform Law Application Act 2014 — No. 33.

Meat Industry Act 1993 — No. 31.

Road Safety Act 1986 — No. 36.

Surveying Act 2004 — No. 35.

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule No. 33.

- 4 SITTING OF THE COUNCIL** — Gayle Tierney moved, That the Council, at its rising, adjourn until Tuesday, 17 June 2025.

Question — put and agreed to.

- 5 MEMBERS' STATEMENTS** — Members made statements.

- 6 BUSINESS POSTPONED** — Ordered — That the consideration of notices of motion, government business, Nos. 278 to 943, be postponed until later this day.

- 7 JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2025** — Debate resumed on the question, That the Bill be now read a second time.

On the motion of Lee Tarlamis, the debate was adjourned until later this day.

- 8 BUILDING LEGISLATION AMENDMENT (BUYER PROTECTIONS) BILL 2025** — Debate resumed on the question, That the Bill be now read a second time.

Business interrupted at 12.00 noon.

- 9 QUESTION TIME** —

QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS — Members asked questions without notice and ministers made statements.

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

- 10 BUILDING LEGISLATION AMENDMENT (BUYER PROTECTIONS) BILL 2025** — Debate continued on the question, That the Bill be now read a second time.

On the motion of Lee Tarlamis, the debate was adjourned until later this day.

- 11 JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2025** — Debate resumed on the question, That the Bill be now read a second time.

Enver Erdogan (*EE11C*) circulated amendments proposed to be moved during Committee of the whole.

Question — put and agreed to.

Bill read a second time.

The Acting President advised that the President ruled certain amendments proposed to be moved during Committee of the whole by Enver Erdogan (*EE11C*) are outside the scope of the Bill.

Enver Erdogan moved, That it be an instruction to the Committee that they have the power to consider amendments and New Clauses to amend the *Victoria Police Act 2013* in relation to the appointment of the Chief Commissioner of Police, Deputy Commissioners and persons acting as Chief Commissioner of Police or Deputy Commissioners.

Debate ensued.

Question — put and agreed to.

Bill committed to a Committee of the whole.

House in Committee.

Bill reported with amendments, the Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill with amendments and requesting their agreement.

- 12 COGNATE DEBATE — APPROPRIATION (2025-2026) BILL 2025 — BUDGET PAPERS, 2025-26** — Harriet Shing moved, by leave, That this House authorises the President to permit the second reading debate on the Appropriation (2025-2026) Bill 2025 to be taken concurrently with the debate on the motion to take note of the Budget Papers, 2025-26, contingent on such a motion being moved.

Question — put and agreed to.

- 13 BUILDING LEGISLATION AMENDMENT (BUYER PROTECTIONS) BILL 2025** — Debate resumed on the question, That the Bill be now read a second time.

Question — put.

The Council divided — The President in the Chair.

AYES, 19

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; Michael Galea; Anasina Gray-Barberio; Shaun Leane; Sarah Mansfield; Rachel Payne; Aiv Puglielli; Georgie Purcell; Harriet Shing; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 15

Melina Bath; Jeff Bourman; Gaele Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

[Sitting suspended from 6.31 pm to 7.32 pm]

Bill further considered in Committee of the whole.

Bill reported without amendment, the Report was adopted.

Harriet Shing moved, That the Bill be now read a third time and do pass.

Question — put.

The Council divided — The President in the Chair.

AYES, 19

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan;
Jacinta Ermacora; Michael Galea; Anasina Gray-Barberio; Shaun Leane;
Sarah Mansfield; Rachel Payne; Aiv Puglielli; Georgie Purcell; Harriet Shing;
Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 15

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis;
Moira Deeming; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu;
Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question agreed to.

Bill read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

14 ADJOURNMENT — Enver Erdogan moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 10.20 pm until Tuesday, 17 June 2025.

ROBERT McDONALD
Clerk of the Legislative Council

Published under the authority of the Legislative Council, Parliament of Victoria

COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 116, 117 and 118

GAMBLING LEGISLATION AMENDMENT (PRE-COMMITMENT AND CARDED PLAY) BILL 2024

Committed Tuesday, 27 May 2025

Amendments circulated: Katherine Copsey (KC45C) (p. 1030) and Enver Erdogan (EE09C) (pp. 1030-1)

Clauses 1 to 10 — put and agreed to.

Clause 11 — Katherine Copsey moved amendment No. 1 (KC45C).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 6

Katherine Copsey; Anasina Gray-Barberio; Sarah Mansfield; Rachel Payne; Aiv Puglielli; Georgie Purcell.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 30

Ryan Batchelor; Melina Bath; John Berger; Lizzie Blandthorn; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Enver Erdogan; Jacinta Ermacora; Michael Galea; Renee Heath; Ann-Marie Hermans; Shaun Leane; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Tom McIntosh; Evan Mulholland; Harriet Shing; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt; Richard Welch.

(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

Question negated.

Clause 11 — put and negated.

Clause 12 — Enver Erdogan moved amendment Nos. 2 to 5 (EE09C).

Question — That the amendments be agreed to — put and agreed to.

Clause 12, as amended — put and agreed to.

Clauses 13 to 15 — put and agreed to.

Clause 16 — Enver Erdogan moved amendment No. 6 (EE09C).

Question — That the amendment be agreed to — put and agreed to.

Clause 16, as amended — put and agreed to.

Clauses 17 and 18 — put and agreed to.

Bill reported with amendments.

RETIREMENT VILLAGES AMENDMENT BILL 2024

Committed Tuesday, 27 May 2025

Amendments circulated: David Davis (DD176C) (pp. 1031-7), Georgie Purcell (GP03C) (p. 1037) and Harriet Shing (HS01C) (pp. 1037-41)

Clause 1 — put and agreed to.

Clause 2 — David Davis moved amendment No. 1 (*DD176C*).

Question — That the amendment be agreed to — put and negatived.

Clause 2 — put and agreed to.

Clauses 3 to 5 — put and agreed to.

Clause 6 — David Davis moved amendment No. 2 (*DD176C*).

Question — That the amendment be agreed to — put and negatived.

David Davis moved amendment Nos. 3 to 5 (*DD176C*).

Question — That the amendments be agreed to — put and negatived.

Harriet Shing moved amendment No. 1 (*HS01C*).

Question — That the amendment be agreed to — put and agreed to.

Georgie Purcell moved amendment No. 1 (*GP03C*).

Question — That the amendment be agreed to — put and agreed to.

Clause 6, as amended — put and agreed to.

Clause 7 — David Davis moved amendment No. 6 (*DD176C*).

Question — That the amendment be agreed to — put and negatived.

David Davis moved amendment No. 7 (*DD176C*).

Question — That the amendment be agreed to — put and negatived.

Harriet Shing moved amendment No. 2 (*HS01C*).

Question — That the amendment be agreed to — put and agreed to.

Clause 7, as amended — put and agreed to.

Clauses 8 to 18 — put and agreed to.

Clause 19 — Harriet Shing moved amendment Nos. 3, 5 and 6 (*HS01C*).

Question — That the amendments be agreed to — put and agreed to.

Harriet Shing moved amendment Nos. 4 and 7 to 11 (*HS01C*).

Question — That the amendments be agreed to — put and agreed to.

Clause 19, as amended — put and agreed to.

Clauses 20 to 33 — put and agreed to.

Clause 34 — David Davis moved amendment Nos. 8 to 10 (*DD176C*).

Question — That the amendments be agreed to — put and negatived.

Clause 34 — put and agreed to.

Clause 35 — put and agreed to.

Clause 36 — Harriet Shing moved amendment No. 12 (*HS01C*).

Question — That the amendment be agreed to — put and agreed to.

Clause 36, as amended — put and agreed to.

Clause 37 — put and agreed to.

Clause 38 — David Davis moved amendment Nos. 21 to 26 (*DD176C*).

David Davis, by leave, withdrew amendment Nos. 21 to 26.

Clause 38 — put and agreed to.

Clauses 39 to 42 — put and agreed to.

Clause 43 — Georgie Purcell moved amendment Nos. 2 and 3 (*GP03C*).

Question — That the amendments be agreed to — put and agreed to.

Clause 43, as amended — put and agreed to.

Clause 44 — David Davis moved amendment Nos. 27 and 28 (*DD176C*).

Question — That the amendments be agreed to — put and negatived.

Clause 44 — put and agreed to.

Clause 45 — put and agreed to.

Clause 46 — Harriet Shing moved amendment Nos. 13 to 18 (*HS01C*).

Question — That the amendments be agreed to — put and agreed to.

Clause 46, as amended — put and agreed to.

Clause 47 — put and agreed to.

Clause 48 — Harriet Shing moved amendment Nos. 19 to 22 (*HS01C*).

Question — That the amendments be agreed to — put and agreed to.

Clause 48, as amended — put and agreed to.

Clauses 49 to 60 — put and agreed to.

Clause 61 — Harriet Shing moved amendment No. 23 (*HS01C*).

Question — That the amendment be agreed to — put and agreed to.

Clause 61, as amended — put and agreed to.

Clauses 62 to 65 — put and agreed to.

Clause 66 — Harriet Shing moved amendment No. 24 (*HS01C*).

Question — That the amendment be agreed to — put and agreed to.

Harriet Shing moved amendment No. 25 (*HS01C*).

Question — That the amendment be agreed to — put and agreed to.

Clause 66, as amended — put and agreed to.

Clauses 67 and 68 — put and agreed to.

Bill reported with amendments.

* * * * *

JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2025

Committed Thursday, 29 May 2025

Amendments circulated: Enver Erdogan (EE11C) (pp. 1041-2)

Clause 1 — Enver Erdogan moved amendment No. 1 (*EE11C*).

Question — That the amendment be agreed to — put and agreed to.

Clause 1, as amended — put and agreed to.

Clauses 2 to 19 — put and agreed to.

New Division Heading and New Clauses 19A, 19B, 19C and 19D — Enver Erdogan moved amendment No. 2 (*EE11C*).

Question — That New Division Heading and New Clauses 19A, 19B, 19C and 19D stand part of the Bill — put and agreed to.

Clause 20 — put and agreed to.

Long Title — Enver Erdogan moved amendment No. 3 (*EE11C*).

Question — That the amendment be agreed to — put and agreed to.

Question — That the long title, as amended, be the long title of the Bill — put and agreed to.

Bill reported with amendments.

* * * * *

BUILDING LEGISLATION AMENDMENT (BUYER PROTECTION) BILL 2025

Committed Thursday, 29 May 2025

Clauses 1 to 106 — put and agreed to.

Bill reported without amendment.

AMENDMENTS CIRCULATED IN RELATION TO —

1. GAMBLING LEGISLATION AMENDMENT (PRE-COMMITMENT AND CARDED PLAY) BILL 2024

Amendments circulated by Katherine Copsey (KC45C)

1. Clause 11, lines 30 and 31, omit "A direction under subsection (1) may include a direction" and insert "On or before 1 December 2027, the Minister must give a direction under subsection (1)".

NEW CLAUSE

2. Insert the following New Clause to follow clause 15—

'15A Regulations

After section 11.2.1(6) of the **Gambling Regulation Act 2003** insert—

"(7) Regulations in relation to the matters and things specified in item 3.26A(e) and (f) and item 3.26B(j) and (k) of Schedule 1 must be made so as to come into effect on or before 1 December 2027.".

Amendments circulated by Enver Erdogan (EE09C)

1. Clause 11, omit this clause.
2. Clause 12, line 9, omit "**section 3.8A.13A**" and insert "**sections 3.8A.13A to 3.8A.13C**".
3. Clause 12, after line 11 insert—

"3.8A.13A Direction for player accounts

- (1) The Minister may, by instrument, direct the monitoring licensee to ensure that a person cannot play a game on a gaming machine in an approved venue unless a player account has been established for the person.
- (2) A direction under subsection (1) must be—
 - (a) given to the monitoring licensee; and
 - (b) published in the Government Gazette.
- (3) It is a condition of the monitoring licence that the licensee must comply with a direction under subsection (1).
- (4) A direction under subsection (1) may apply on different days in relation to different geographical areas, different venues or different gaming machines.

3.8A.13B Tabling and revocation of direction by Parliament

- (1) The Minister must cause a direction under section 3.8A.13A to be laid before each House of the Parliament within 10 sitting days after the direction is published in the Government Gazette.

- (2) A direction under section 3.8A.13A is revoked in whole or part if—
 - (a) notice of a resolution to revoke the direction is given in a House of the Parliament on or before the 10th sitting day after the direction is laid before that House; and
 - (b) the resolution is passed by that House on or before the 12th sitting day after notice is given under paragraph (a).
- (3) If a direction under section 3.8A.13A is revoked under subsection (2)—
 - (a) any provision of a previous direction under section 3.8A.13A that had been revoked by the direction comes back into operation from the beginning of the day on which the direction is revoked; and
 - (b) any provision of a previous direction under section 3.8A.13A that had been amended by the direction takes effect without that amendment from the beginning of the day on which the direction is revoked as if the amendment had not been made.
- (4) The Minister must publish a notice of the revocation of a direction or part of a direction under subsection (2) in the Government Gazette.'
4. Clause 12, line 12, omit "'3.8A.13A' and insert "3.8A.13C".
5. Clause 12, lines 15 and 16, omit "referred to in section 3.8A.2(1A) is in force" and insert "is in force under section 3.8A.13A".
6. Clause 16, page 9, line 10, omit "3.8A.13A(3)" and insert "3.8A.13C(3)".

2. RETIREMENT VILLAGES AMENDMENT BILL 2024

Amendments circulated by David Davis (DD176C)

1. Clause 2, line 18, omit "1 May" and insert "31 October".
2. Clause 6, lines 26 to 33 and page 6, lines 1 and 2, omit all words and expressions on these lines and insert—

"(a) made to meet the reasonable recurring costs of caring for the person in a place that is not the retirement village or a residential care facility, and includes a payment for the purposes of a residential rental agreement under Part 2 of the **Residential Tenancies Act 1997**; and".
3. Clause 6, page 6, line 22, omit "**maintenance**" and insert "**item maintenance and replacement**".
4. Clause 6, page 6, line 23, omit "38BL" and insert "38BK".
5. Clause 6, page 6, line 24, after "**maintenance**" insert "**and replacement**".
6. Clause 7, page 23, line 28, omit "adjusted" and insert "benchmark".
7. Clause 7, page 24, lines 1 to 5, omit all words and expressions on these lines.

8. Clause 34, page 101, line 20, after this line insert—
 - "(ia) the following details about those alternative accommodation arrangements—
 - (A) evidence that the arrangements have been entered into and of the terms of the arrangements; and
 - (B) evidence that the person making the request is liable to make payments for the right to occupy premises under the arrangements and of the amounts that the person is liable to pay;"
9. Clause 34, page 103, lines 6 to 24, omit all words and expressions on these lines.
10. Clause 34, page 103, lines 29 to 31 and page 104, line 1, omit all words and expressions on these lines and insert—

"made under section 32R must be made on the date that the person making the payment request delivers up vacant possession of the person's premises in the retirement village."
11. Clause 36, page 110, line 13, omit "adjusted" and insert "benchmark".
12. Clause 36, page 110, line 21, omit "adjusted" and insert "benchmark".
13. Clause 36, page 111, line 16, omit "adjusted" and insert "benchmark".
14. Clause 36, page 116, line 25, after "maintenance" insert "and replacement".
15. Clause 37, page 119, line 17, omit "maintenance" and insert "item maintenance and replacement".
16. Clause 37, page 119, line 18, omit "(if any)".
17. Clause 37, page 119, line 28, after "maintenance" insert "and replacement".
18. Clause 37, page 120, line 3, after "maintenance" insert "and replacement".
19. Clause 37, page 120, line 8, after "maintenance" insert "and replacement".
20. Clause 37 page 120, line 13, after "maintenance" insert "and replacement".
21. Clause 38, line 21 omit "reviewed" and insert "audited".
22. Clause 38, lines 22 to 33 and page 121, lines 1 to 20, omit all words and expressions on these lines and insert "qualified auditor and whose appointment has received the consent (or is taken to have received the consent) of the residents under subsection (3)".
23. Clause 38, page 121, line 21, omit "(4)" and insert "(2)".
24. Clause 38, page 121, line 21, omit "or reviews".
25. Clause 38, page 121, line 23, omit "or review".
26. Clause 38, page 121, lines 24 to 35 and page 122, lines 1 and 2, omit all words and expressions on these lines and insert—

- '(3) The operator of a retirement village must seek the consent of the residents of the village to the appointment of an independent person who is a qualified auditor as the auditor of the accounts of the village in the following way—
- (a) the operator must give each resident written notice (a **consent request notice**) stating the following—
 - (i) the name of the person proposed for appointment;
 - (ii) the qualifications of the person;
 - (iii) the address of the person;
 - (iv) the proposed period of appointment.
 - (b) if the audit fees are to be paid by the residents, the fees must be included in the consent request notice and itemised in the annual financial statements.
- (4) The consent must be sought each calendar year unless consent is given for a longer period of appointment, not exceeding 3 years.
- (5) Within 28 days after receiving a consent request notice, the residents of the retirement village must—
- (a) meet, consider and vote on—
 - (i) the proposed appointment of the person as the auditor; and
 - (ii) if the proposed period of appointment is more than one year, the proposed period; and
 - (b) give the retirement village operator notice in writing (a **consent response notice**) that the residents consent, or do not consent to—
 - (i) the appointment of the person as auditor; and
 - (ii) if the residents consent to the appointment but not the proposed period of appointment, the period of appointment to which the residents consent.
- (6) If the residents of a retirement village do not consent to the appointment of the person as the auditor—
- (a) the residents, by notice in writing given to the operator, must propose a qualified auditor as an alternative person on whom the residents have agreed by a vote for appointment; and
 - (b) if the alternative person is appointed, the audit fees of the auditor must be paid by the residents as part of the annual financial statements.
- (7) A notice under subsection (6) may be given—
- (a) in the consent response notice; or
 - (b) in a further notice in writing given to the operator, but only if—

- (i) the intention to provide the further notice is indicated in the consent response notice; and
 - (ii) the further notice is provided within 30 days after the consent response notice is given to the operator.
- (8) The residents of a retirement village are taken to have consented to the appointment of the following person as auditor of the accounts of the village—
 - (a) the person proposed by the operator (but only for a period of 1 year if a longer period was proposed by the operator), if the residents do not advise the operator of the village of their decision as required by subsection (5)(b) or (6);
 - (b) the person proposed by the residents, if the operator of the village agrees to the appointment of an alternative person proposed by the residents under subsection (6).
- (9) In this section—

qualified auditor means a person who is a member of, and who holds a current practising certificate from—

 - (a) CPA Australia; or
 - (b) the Institute of Public Accountants; or
 - (c) Chartered Accountants Australia and New Zealand.".'.
- 27. Clause 44, page 127, lines 17 and 18, omit ", taking into account fair wear and tear to the premises".
- 28. Clause 44, page 128, lines 20 and 21, omit ", taking into account fair wear and tear to the premises".
- 29. Clause 45, lines 9 to 12, omit all words and expressions on these lines and insert—

'(1) In section 38(1) of the Principal Act—

 - (a) **insert** the following definition—

"benchmark maintenance charge means the benchmark maintenance charge determined and indexed in accordance with section 38AA;"
 - (b) **omit** the definition of **adjusted maintenance charge**;
 - (c) in the definition of **special levy**, for "owner or manager" **substitute** "proprietor or operator of a retirement village".'.
- 30. Clause 45, line 18, omit "adjusted" and insert "benchmark".
- 31. Clause 45, line 20, omit "adjusted" and insert "benchmark".
- 32. Clause 45, line 26, omit "adjusted" and insert "benchmark".
- 33. Clause 45, after line 32 insert—

'(ba) in paragraph (a), for "adjusted" **substitute** "benchmark";'.

34. Clause 45, page 136, line 2, omit "'operator".'" and insert "'operator";'."

35. Clause 45, page 136, after line 2 insert—

'(d) in paragraph (c), for "adjusted" **substitute** "benchmark".'

36. Clause 45, page 136, line 6, omit "adjusted" and insert "benchmark".

37. Clause 45, page 136, line 18, omit "adjusted" and insert "benchmark".

38. Clause 45, page 136, after line 24 insert—

'(ab) for "adjusted" **substitute** "benchmark";'."

NEW CLAUSE

39. Insert the following New Clause to follow clause 45—

'45A Section 38AA amended

(1) In the heading to section 38AA of the Principal Act, for "**adjusted**" **substitute** "**benchmark**".

(2) In section 38AA(1) of the Principal Act, for "adjusted" **substitute** "benchmark".

(3) In section 38AA(2) of the Principal Act, for "adjusted" (wherever occurring) **substitute** "benchmark".'

40. Clause 49, page 143, line 1, omit "**Making good of deficit**" and insert "**Any deficit in accounts to be carried over**".

41. Clause 49, page 143, lines 2 to 27, omit all words and expressions on these lines and insert—

"Any deficit in the accounts for a financial year of a retirement village must be carried forward to the accounts for the next financial year."

42. Clause 49, page 145, after line 10 insert—

"(ba) that is located within a resident's premises; or".

43. Clause 49, page 148, line 12, omit "**certain**".

44. Clause 49, page 148, line lines 14 to 24, omit all words and expressions on these lines and insert—

"(1) The operator of a retirement village may fund the cost of capital maintenance and capital replacement in respect of which the operator is responsible from the capital item maintenance and replacement fund for the retirement village and maintenance charges.

(2) Subject to section 38BO, the operator of a retirement village must establish and maintain a capital item maintenance and replacement fund."

45. Clause 49, page 148, line 27, omit "maintenance" and insert "item maintenance and replacement".

46. Clause 49, page 148, after line 33 insert—

"(ca) upgrading the operator's assets;"
47. Clause 49, page 149, line 3, omit "**maintenance**" insert "**item maintenance and replacement**".
48. Clause 49, page 149, lines 4 to 13, omit all words and expressions on these lines and insert—

"(1) The operator of a retirement village who sets aside any maintenance charges paid by residents of the retirement village for the purpose of funding capital maintenance and replacement of items of capital for which the operator is responsible must pay the charges into the capital item maintenance and replacement fund in accordance with subsection (2)."
49. Clause 49, page 149, line 15, omit "maintenance" and insert "item maintenance and replacement".
50. Clause 49, page 149, line 18, after "maintenance" insert "and replacement".
51. Clause 49, page 149, line 24, after "maintenance" insert "and replacement".
52. Clause 49, page 149, line 28, omit "maintenance" and insert "item maintenance and replacement".
53. Clause 49, page 149, line 31, omit "maintenance" and insert "item maintenance and replacement".
54. Clause 49, page 149, line 33, after "maintenance" insert "and replacement".
55. Clause 49, page 149, line 34, after "maintenance" insert "and replacement".
56. Clause 49, page 150, line 2, omit "maintenance" and insert "item maintenance and replacement".
57. Clause 49, pages 150, lines 6 to 32 and page 151, lines 1 to 6, omit all words and expressions on these lines.
58. Clause 49, page 151, line 7, after "**maintenance**" insert "**and replacement**".
59. Clause 49, page 151, line 10, after "maintenance" (where twice occurring) insert "and replacement".
60. Clause 49, page 151, line 13, after "maintenance" insert "and replacement".
61. Clause 49, page 151, line 25, omit "estimate" and insert "estimated".
62. Clause 49, page 152, line 1, omit "**maintenance**" and insert "**item maintenance and replacement**".
63. Clause 49, page 152, line 2, after "**maintenance**" insert "**and replacement**".
64. Clause 49, page 152, line 4, omit "maintenance" and insert "item maintenance and replacement".
65. Clause 49, page 152, line 5, after "maintenance" insert "and replacement".

66. Clause 49, page 155, line 24, omit "adjusted" and insert "benchmark".
67. Clause 64, line 23, omit "adjusted" and insert "benchmark".
68. Clause 65, page 203, line 8, omit "adjusted" and insert "benchmark".
69. Clause 68, line 3, omit "1 May" and insert "31 October".

Amendments circulated by Georgie Purcell (GP03C)

1. Clause 6, page 9, after line 21 insert—

"pet means any animal other than an assistance dog within the meaning of the **Equal Opportunity Act 2010**;"
2. Clause 43, line 32, omit "**2010**." and insert "**2010**; or".
3. Clause 43, after line 32 insert—

"(e) unreasonably limit the keeping of a pet on a resident's premises."

Amendments circulated by Harriet Shing (HS01C)

1. Clause 6, page 6, after line 25 insert—

"certificate of insurance, in relation to a retirement village, means a certificate issued by an insurer who has insured property in the village against damage which sets out the terms of the insurance policy given and the start and end date of the policy;"
2. Clause 7, page 25, line 2, after this line insert—

"3EA Interpretation of vacant possession and permanently vacating

 - (1) In this Act, in relation to a premises occupied by a resident in a retirement village, a reference to giving up or delivering vacant possession of the premises, however expressed, is a reference to the point in time when all the following have occurred—
 - (a) the resident has ceased to occupy the premises;
 - (b) all personal property of the resident has been removed from the premises;
 - (c) any keys to the premises have been returned to the operator or proprietor of the village;
 - (d) if the resident occupies the premises under a retirement village contract that requires notice to be given before the resident delivers up vacant possession of the premises, the notice has been given and the notice period has elapsed.
 - (2) Subsection (1) is not intended to limit the common law meaning of delivering up or giving vacant possession of a premises.

- (3) In this Act, in relation to a premises occupied by a resident in a retirement village, a reference to permanently vacating the premises, however expressed, is a reference to the point in time at which the resident delivers up vacant possession of the premises."
3. Clause 19, page 49, after line 7 insert—
- "(fa) the prescribed information about or relating to all insurance arrangements that are in place in relation to the retirement village (other than policies of insurance held by residents of the village) including—
- (i) details of any insurance policies in force over all or part of the village and copies of any relevant certificates of insurance; and
 - (ii) details of any funds set aside by the operator or proprietor to insure against any potential damage to the village by whatever means;"
4. Clause 19, page 63, lines 6 to 12, omit all words and expressions on these lines and insert—
- "expiration of the period during which the contract can be rescinded under section 26X."
5. Clause 19, page 67, after line 3 insert—
- "(ea) the prescribed information about or relating to all insurance arrangements that are in place in relation to the retirement village (other than policies of insurance held by residents of the village) including—
- (i) details of any insurance policies in force over all or part of the village and copies of any relevant certificates of insurance; and
 - (ii) details of any funds set aside by the operator or proprietor to insure against any potential damage to the village by whatever means;"
6. Clause 19, page 68, after line 3 insert—
- "(ba) the prescribed information about or relating to all insurance arrangements that are in place in relation to the retirement village (other than policies of insurance held by residents of the village) including—
- (i) details of any insurance policies in force over all or part of the village and copies of any relevant certificates of insurance; and
 - (ii) details of any funds set aside by the operator or proprietor to insure against any potential damage to the village by whatever means;"
7. Clause 19, page 78, lines 16 to 28, omit all words and expressions on these lines and insert—
- "(1) Despite anything to the contrary in the **Sale of Land Act 1962**, a person who signs a residence contract to become a resident in a retirement village may, at any time before the end of the period of 7 business days after signing the contract, rescind the contract in accordance with this Act.

- (2) If a person rescinds a contract under subsection (1), the person is entitled to the return of all money paid under the contract by the person, except for the prescribed administration fee, if any, which may be retained—
 - (a) if a contracting party has entered into the contract, by the contracting party; or
 - (b) if an owner resident has entered into the contract, by the owner resident."
8. Clause 19, page 78, line 31, omit "resident that the resident may" and insert "person who signs the contract that the person may".
9. Clause 19, page 78, line 32, omit "3 clear business days after the resident" and insert "7 business days after the person".
10. Clause 19, page 78, line 34, omit "resident" and insert "person".
11. Clause 19, page 79, lines 3 and 4, omit "a resident who is a party to the contract" and insert "the person who has signed the contract to become a resident".
12. Clause 36, page 113, lines 28 to 31, omit all words and expressions on these lines and insert—

"(2) The quorum for a meeting of residents is—

 - (a) for a retirement village with 40 or more residents who are entitled to vote in the meeting, 25% of those residents; or
 - (b) for a retirement village with 20 or more residents but fewer than 40 residents who are entitled to vote in the meeting, 10 of those residents; or
 - (c) for a retirement village with fewer than 20 residents who are entitled to vote in the meeting, 50% of those residents."
13. Clause 46, line 8, omit "**Former**" and insert "**Certain**".
14. Clause 46, after line 14 insert—

"(2) If a resident of a retirement village dies before delivering up vacant possession of the resident's premises in the village, the resident is not liable for a maintenance charge that arises on or after the time of death of the resident."
15. Clause 46, line 15, omit "(2)" and insert "(3)".
16. Clause 46, line 16, after "village" insert "(as the case requires)".
17. Clause 46, after line 24 insert—

"(4) If a resident of a retirement village dies before delivering up vacant possession of the resident's premises in the village, the proprietor or operator of the retirement village (as the case requires) must not purport to charge a maintenance charge that arises on or after the time of death of the resident."

Penalty: 60 penalty units for a natural person;
120 penalty units for a body corporate."

18. Clause 46, line 25, omit "(3)" and insert "(5)".

19. Clause 48, page 142, line 3, after "village" insert "(as the case requires)".

20. Clause 48, page 142, after line 12 insert—

"(2) If a resident of a retirement village dies before delivering up vacant possession of the resident's premises in the village, the proprietor or operator of the village (as the case requires) must not levy a charge for optional services against the resident for any period on or after the time of death of the resident.

Penalty: 60 penalty units for a natural person;
120 penalty units for a body corporate."

21. Clause 48, page 142, line 13, omit "(2)" and insert "(3)".

22. Clause 48, page 142, line 15, after "(1)" insert "or (2)".

23. Clause 61, line 14, omit "3 business days" and insert "7 business days".

24. Clause 66, page 208, after line 15 insert—

"(3) On and from the commencement of section 6 of the **Retirement Villages Amendment Act 2024**, any reference in another Act or in regulations made under another Act to a *residence right*, within the meaning of this Act as in force before that commencement, being a reference in the other Act or regulations that was in force immediately before that commencement, includes a reference to a *right to occupy premises*, within the meaning of this Act as in force on and from that commencement."

25. Clause 66, page 211, lines 3 to 30, omit all words and expressions on these lines and insert—

"Despite the commencement of section 19 of the **Retirement Villages Amendment Act 2024**—

(a) Divisions 2, 3, 5 and 6 of new Part 4 do not apply—

(i) to any resident of a retirement village who occupies the village under an applicable resident right; and

(ii) in respect of any applicable residence contract; and

(b) sections 18, 18A, 18B and 20 to 26 of the old Act continue to apply to any such resident and to any such contract as if, in relation to the resident and contract, any reference (however expressed) to—

(i) an owner of a retirement village within the meaning of section 3 of the old Act were a reference to the proprietor of the retirement village occupied by the resident, and a reference to that owner's agent were a reference to that proprietor's agent; and

- (ii) a manager of a retirement village within the meaning of section 3 of the old Act were a reference to the operator of the retirement village occupied by the resident, and a reference to that manager's agent were a reference to that operator's agent."

3. JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2025

Amendments circulated by Enver Erdogan (EE11C)

1. Clause 1, page 2, after line 10 insert—

"(ea) to amend the **Victoria Police Act 2013** in relation to the appointment of the Chief Commissioner of Police, Deputy Commissioners and persons acting as Chief Commissioner of Police or a Deputy Commissioner; and"

NEW CLAUSES

2. Insert the following New Division after Division 3 of Part 5—

'Division 4—Amendment of Victoria Police Act 2013

19A Appointment of Chief Commissioner

After section 17(1) of the **Victoria Police Act 2013** insert—

"(1A) The Chief Commissioner must be—

- (a) an Australian citizen; or
- (b) a permanent resident within the meaning of the Australian Citizenship Act 2007 of the Commonwealth; or
- (c) a person who has a permanent visa or is entitled to be granted a permanent visa under the Migration Act 1958 of the Commonwealth; or
- (d) a New Zealand citizen who has a special category visa or is entitled to be granted a special category visa under the Migration Act 1958 of the Commonwealth."

19B Appointment of Acting Chief Commissioner

After section 18(1) of the **Victoria Police Act 2013** insert—

"(1A) An Acting Chief Commissioner must be—

- (a) an Australian citizen; or
- (b) a permanent resident within the meaning of the Australian Citizenship Act 2007 of the Commonwealth; or
- (c) a person who has a permanent visa or is entitled to be granted a permanent visa under the Migration Act 1958 of the Commonwealth; or
- (d) a New Zealand citizen who has a special category visa or is entitled to be granted a special category visa under the Migration Act 1958 of the Commonwealth."

19C Appointment of Deputy Commissioners

After section 21(1) of the **Victoria Police Act 2013** insert—

"(1A) A Deputy Commissioner must be—

- (a) an Australian citizen; or
- (b) a permanent resident within the meaning of the Australian Citizenship Act 2007 of the Commonwealth; or
- (c) a person who has a permanent visa or is entitled to be granted a permanent visa under the Migration Act 1958 of the Commonwealth; or
- (d) a New Zealand citizen who has a special category visa or is entitled to be granted a special category visa under the Migration Act 1958 of the Commonwealth."

19D Appointment of Acting Deputy Commissioner

After section 22(1) of the **Victoria Police Act 2013** insert—

"(1A) An Acting Deputy Commissioner must be—

- (a) an Australian citizen; or
- (b) a permanent resident within the meaning of the Australian Citizenship Act 2007 of the Commonwealth; or
- (c) a person who has a permanent visa or is entitled to be granted a permanent visa under the Migration Act 1958 of the Commonwealth; or
- (d) a New Zealand citizen who has a special category visa or is entitled to be granted a special category visa under the Migration Act 1958 of the Commonwealth."

AMENDMENT OF LONG TITLE

3. Long title, after "**Act 2021**" insert ", the **Victoria Police Act 2013**".