




Speech By
Hon. Leeanne Enoch

MEMBER FOR ALGESTER

Record of Proceedings, 27 October 2022

HOUSING LEGISLATION AMENDMENT BILL

Introduction

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts) (11.28 am): I present a bill for an act to amend the Housing Act 2003, the Housing Regulation 2015 and the Retirement Villages Act 1999 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Community Support and Services Committee to consider the bill.

Tabled paper: Housing Legislation Amendment Bill 2022 [1767](#).

Tabled paper: Housing Legislation Amendment Bill 2022, explanatory notes [1768](#).

Tabled paper: Housing Legislation Amendment Bill 2022, statement of compatibility with human rights [1769](#).

This bill will amend the Housing Act 2003 to support the Homes for Homes donation deed model in Queensland and amend the Retirement Villages Act 1999 to increase transparency, accountability and consistency of financial reporting in retirement villages. The Palaszczuk government is committed to supporting innovative ways to help deliver social and affordable housing. Every bit helps, and the amendments to the Housing Act 2003 will clear the path so that a community-based organisation can do good work for people in need.

Homes for Homes is a not-for-profit social enterprise established by the *Big Issue* magazine. It generates funds from donations to invest in social and affordable housing. Funds are raised when a developer, home owner or other property owner agrees to donate a portion of the sale price of a nominated property or land to Homes for Homes.

In other jurisdictions the Homes for Homes model involves a property owner signing a donation deed and granting Homes for Homes an interest in their property which is secured by a caveat. The caveat reminds the seller of their agreement to donate at the time of the sale and remains on the title when the property is transferred; however, Queensland's land titling laws do not allow the use of caveats in this way. To clear the way for this initiative to expand into Queensland and deliver more housing solutions for Queenslanders, the amendments to the Housing Act 2003 and regulation will enable the recording of an administrative advice noting the existence of a Homes for Homes donation deed on a land title. This will serve as a reminder to make the donation at the time of sale, enabling Homes for Homes to operate in Queensland as it does in other jurisdictions. The administrative advice does not give Homes for Homes any interest in the property. Any owner, buyer or future buyer who acquires a relevant land title and who chooses not to participate can withdraw the land from the initiative and terminate the donation deed at any time at their discretion.

Funds raised by Homes for Homes in Queensland will be allocated to social and affordable housing projects to grow the supply of housing that meets the diverse housing needs of Queenslanders. To help establish the initiative in Queensland, the Palaszczuk government will contribute \$500,000 seed funding to Homes for Homes, adding to the Palaszczuk government's investment of almost \$4 billion in social and affordable housing.

I now turn to the amendments to the Retirement Villages Act 1999 in the bill. Under the Queensland Housing Strategy 2017-2027, the Palaszczuk government is increasing protections for older Queenslanders living in retirement villages. The amendments to the Retirement Villages Act seek to deliver more consistent, transparent and accountable financial reporting by retirement village operators to residents and the department. They also benefit prospective residents when comparing villages and choosing a village. Seniors invest a significant amount of their capital to move into a village and, as residents, pay ongoing fees for maintenance and general services for operation of the village.

Village residents continue to tell us that financial transparency and accountability are very important to them. A new object in the Retirement Villages Act strengthens its purpose and commitment to Queensland having a financially transparent and accountable retirement village industry. A new head of power will enable a regulation to prescribe the form and content of financial documents such as the budgets for the general services provided in the village for village maintenance and for capital replacement as well as quarterly and annual financial statements, audit reports and quantity surveyor reports. Financial documents will be made clearer and more consistent by prescribing in the regulation requirements for particular information, how information is presented, the standards or principles to be applied in their development, village operator declarations or statements and disclosure notes.

The regulation will increase disclosure about shared expenses between a village and other onsite businesses or corporate head office or co-located aged-care service. It also allows for increased disclosure about operator related party transactions, operator liabilities to former residents and fund surpluses and deficits. Other amendments in the bill give residents increased access to draft budgets and quantity surveyor reports, which facilitates their engagement in the village budget process.

The amendments clarify ambiguity in the act and ensure more consistent penalties apply for offences relating to budgets and financial reporting. The regulator's communication with operators and residents will be enhanced by providing for the chief executive to make and publish guidelines to assist people to understand and comply with the Retirement Villages Act. An amendment regulation will contain the details for the new financial reporting requirements, noting its content and progress are subject to passage of the bill. The department will continue to consult with operator, resident and legal groups on drafting of the amendment regulation and financial guidance material. This guidance material is to assist operators, especially smaller operators, to implement the changes.

Continued stakeholder input will help ensure the new financial reporting requirements are administratively efficient and workable for villages of different sizes, tenures and corporate and management structures. The bill will give residents and the department a clearer line of sight over operators' financial reports to ensure that residents' money is properly spent and accounted for, ongoing fees are set correctly, and operators are accumulating the necessary funds for ongoing maintenance and, most importantly, for capital replacement. Together, the proposed act changes and amended regulation are expected to reduce complaints and disputes, as budgets and financial statements will be more transparent and accountable and operators will have clearer standards and guidance.

The bill delivers on our commitment to finalise reforms to village financial statements under the Housing and Homelessness Action Plan 2021-2025. It builds on reforms commenced under the Housing Legislation (Building Better Futures) Amendment Act 2017, stakeholder consultation and advice on standardised village financial reporting by an independent financial advisory and accounting firm in 2019 and further consultation on a 2021 draft amendment regulation, and it addresses issues raised in consultation with peak groups representing residents and operators. I have asked the department to take a supportive approach to implementation by industry where we will work with them closely to assist them to understand and implement new obligations.

To conclude, the Housing Legislation Amendment Bill 2022 will help increase the supply of social and affordable homes through new investment, partnering with the community housing sector, private industry and members of the community. The bill seeks to maintain public confidence in the retirement village industry by improving transparency, consistency and accountability of financial reporting and by striking a balance between consumer protection and industry viability. I commend the bill to the House.

First Reading

Hon. LM ENOCH (Alger—ALP) (Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts) (11.36 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Community Support and Services Committee

Mr DEPUTY SPEAKER (Mr Kelly): In accordance with standing order 131, the bill is now referred to the Community Support and Services Committee.