

[REDACTED]

From: Richard Davies [REDACTED]
Sent: Tuesday, 5 March 2024 5:08 PM
To: Aged Care Legislative Reform
Cc: Carolyn Fox
Subject: Aged Care Reform
Attachments: RE: Aged Care Reform [SEC=OFFICIAL]; RE: Aged Care Reform [SEC=OFFICIAL]

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Dear Sir,
The Warrandyte Community Retirement Housing Cooperative Ltd. is a voluntary, community based, not-for-profit organisation in the Melbourne suburb of Warrandyte. It was created to provide independent living for older Warrandyte residents.

There are two 'Villages' ("Creekside" and "Riverside") consisting of five two-bedroom units each under Loan-Lease agreements with residents. Creekside was opened in 2011 and Riverside in 2019. There are currently 18 members of the Cooperative, 12 residents and 6 volunteers.

The WCRHC was registered as a non-trading cooperative with shares under the Cooperatives Act 1996 in July 2007. We are governed by the Cooperatives National Law 2013 (CNL) and the Retirement Villages Act 1986. There are currently 15 shareholders of the Cooperative, 10 resident owners (1 per unit) and 5 volunteers.

I will draw your attention to several aspects of our structure and operation relevant to Aged Care Reform:

1. Are we governed by the appropriate legislation given our size, structure and operation?

2. What are the obligations associated with the shares?

The *residents*, as members of the Cooperative, are also the *owners* of the residential villages. Consequently, the emphasis of the 1986 RV Act on residents' rights v owners' liability again creates an artificial conflict and does not reflect the actual structure and key stakeholders of our Cooperative. We believe we should be exempt from these provisions of the Act. However, the process involved appears to be complex and expensive requiring legal input on each relevant clause, and one the Department appears unfamiliar with implementing.

3. We are required to hold separate AGM's for each Village and the Cooperative and maintain resident committees for each Village. For a handful of ageing residents in only five residences this is an unnecessary and unwelcome burden.

I will be very happy to enlarge on these comments if required.

Best wishes

R A H Davies OAM FAICD
Chair, Warrandyte Community Retirement Housing Cooperative Ltd.
[REDACTED]

Warrandyte Community Retirement Housing Co-operative Ltd

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