



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2023-2024

Mr Mark Parton MLA (Chair), Ms Jo Clay MLA (Deputy Chair),
Mr Michael Pettersson MLA

ANSWER TO QUESTION ON NOTICE

Asked by Andrew BRADDOCK MLA

Addressed to: Minister for Consumer Affairs

Reference: Access Canberra Questions

Hearing Date: 21 July 2023

In relation to: Retirement Villages and Aged Care Facilities in Canberra

In evidence on the 17 June, the ACT Retirement Village Residents Association identified difficulty in obtaining information about retirement villages in Canberra. To clarify information being sought from related questions being taken on notice from hearings on the 21 July, can you please provide:

1. The Government's definition of a Retirement Village and of an Aged Care Facility; and
2. A list of Retirement Villages and Aged Care Facilities in the ACT; or
3. If this is not possible, an explanation as to why this information is notable to be provided?

Mr Shane Rattenbury MLA: The answer to the Member's question is as follows: –

1. Section 10 of the Retirement Villages Act 2012 defines a retirement village as a complex containing residential premises that are predominantly or exclusively occupied, or intended to be predominantly or exclusively occupied, by retired people who have entered into village contracts with an operator of the complex. This is subject to several exceptions. The exceptions include any building or part of a building used (or intended to be used) for the provision of residential care or respite care under the *Aged Care Act 1997 (Cth)* (the Aged Care Act).

The Commonwealth is responsible for the regulation of the aged care sector. As such, ACT legislation does not define what an 'aged care facility' is.

The Aged Care Act defines aged care to mean care of one or more of the following:

- residential care,
- home care, and
- flexible care.

As noted above, the ACT definition of retirement villages specifically exempts premises that are intended to be used for the provision of residential care. Residential care is defined at s 41-3 of the Aged Care Act to mean personal care or nursing care, or both personal care and nursing care, that:

- a) is provided to a person in a residential facility in which the person is also provided with accommodation that includes:
 - i. appropriate staffing to meet the nursing and personal care needs of the person; and
 - ii. meals and cleaning services; and
 - iii. furnishings, furniture and equipment for the provision of that care and accommodation; and
- b) meets any other requirements specified in the Subsidy Principles.

However, residential care does not include any of the following:

- a. care provided to a person in the person's private home;
- b. care provided in a hospital or in a psychiatric facility;
- c. care provided in a facility that primarily provides care to people who are not frail and aged;
- d. care that is specified in the Subsidy Principles not to be residential care.

As noted above, the definition of retirement village under ACT legislation also creates an exemption in relation to respite care. The Aged Care Act defines **respite care** to mean residential care or flexible care (as the case requires) provided as an alternative care arrangement with the primary purpose of giving a carer or a care recipient a short-term break from their usual care arrangement.

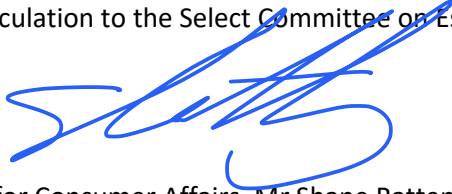
2. The Commonwealth approves and funds aged care providers. Data about services is available on the Australian Institute of Health and Welfare [website](#). Please refer to the response for question 3 in relation to a list of Retirement Villages in the ACT.
3. The [Retirement Villages Act 2012](#) does not establish a centralised or public register of Retirement Villages in the ACT. Section 42 of the [Retirement Villages Act 2012](#) does require that:

- (1) The operator of a retirement village must lodge a notice with the registrar-general for registration under the [Land Titles Act 1925](#) that the land consisting of the retirement village (or land that is part of the retirement village) is used as a retirement village.*
- (2) An offence against subsection (1) is a strict liability offence.*
- (3) A notice under subsection (1) must be lodged with the registrar-general before entering into a residence contract in relation to residential premises on the land.*
- (4) The operator must lodge with the registrar-general a new notice under this section if any of the information in a notice registered under the [Land Titles Act 1925](#) in relation to the retirement village is no longer accurate.*
- (5) Nothing in this section requires the operator to lodge a notice with the registrar-general before entering into a residence contract in relation to residential premises on land that is already the subject of a notice under this section.*

Upon receipt of a notice for application to note a retirement village, the Registrar-General under Section 48 of the [Land Titles Act 1925](#), will register this notice as an instrument on the land titles register which is a publicly available register. As at 25 July 2023, there are 147 notices registered on the land register indicating a retirement village is operating on that land. However, some of those are registered at the individual unit level and others are registered as the village itself. Please see ([Attachment A](#)), being an extract of Retirement Villages registered within the Land Titles Register.

Approved for circulation to the Select Committee on Estimates 2023-2024

Signature:



Date:

31/7/23

By the Minister for Consumer Affairs, Mr Shane Rattenbury MLA

Attachment A

VOLUME_NO	FOLIO_NO	FORMATTED_ADDRESS	NAME
1020	51	Door No: 1 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Ltd
1020	52	Door No: 2 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	53	Door No: 3 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	54	Door No: 4 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	55	Door No: 5 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	57	Door No: 7 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	59	Door No: 9 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	60	Door No: 10 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	61	Door No: 11 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	62	Door No: 12 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	63	Door No: 13 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	64	Door No: 14 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
1020	65	Door No: 15 Street No: 55 Street: BURKITT STREET Suburb: PAGE	Ridgecrest Village Management Services Pty Limited

		Door No: 16 Street No: 55 Street: BURKITT STREET	
1020	66 Suburb: PAGE	Ridgecrest Village Management Services Pty Limited	
		Door No: 17 Street No: 55 Street: BURKITT STREET	
1020	67 Suburb: PAGE	Ridgecrest Village Management Services Pty Limited	
		Door No: 18 Street No: 55 Street: BURKITT STREET	
1020	68 Suburb: PAGE	Ridgecrest Village Management Services Pty Limited	
		Door No: 19 Street No: 55 Street: BURKITT STREET	
1020	69 Suburb: PAGE	Ridgecrest Village Management Services Pty Limited	
		Door No: 13A Street No: 55 Street: BURKITT STREET	
1020	70 Suburb: PAGE	Ridgecrest Village Management Services Pty Limited	
		Door No: 21 Street No: 55 Street: BURKITT STREET	
1020	71 Suburb: PAGE	Ridgecrest Village Management Services Pty Limited	
		Door No: 20 Street No: 55 Street: BURKITT STREET	
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		Door No: 21 Street No: 55 Street: BURKITT STREET	
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		Door No: 22 Street No: 55 Street: BURKITT STREET	
1047	3 Suburb: PAGE	Ridgecrest Village Management Services Pty Limited	
		Door No: 23 Street No: 55 Street: BURKITT STREET	
1047	4 Suburb: PAGE	Ridgecrest Village Management Services Pty Limited	
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		Door No: 1 Street No: 26 Street: ARCHIBALD STREET	
1062	14 Suburb: LYNEHAM	Morshead Home for Veterans and Other Aged Persons	
		Door No: 75 Street No: 55 Street: BURKITT STREET	
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1072	33	Suburb: DOWNER	Anglicare NSW South, NSW West and ACT
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1105	13	Suburb: DEAKIN	Hindmarsh Living Pty Ltd
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		Door No: 1 Street No: 167 Street: LA PEROUSE STREET	
1196	77	Suburb: RED HILL	Anglicare NSW South, NSW West and ACT
		Door No: 1 Street No: 27 Street: COCKCROFT AVENUE	
1325	97	Suburb: MONASH	Goodwin Aged Care Services Limited

		Door No: 1 Street No: 23 Street: BURKITT STREET	
1355	41	Suburb: PAGE	RSL Lifecare Limited
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1496	53	Suburb: PAGE	RIDGECREST RETIREMENT VILLAGE
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1496	63	Suburb: PAGE	Ridgecrest Village Management Services Pty Limited

		Door No: 1 Street No: 33 Street: BURKITT STREET	
1633	6	Suburb: PAGE	Villaggio Sant'Antonio
		Door No: 1 Street No: 35 Street: BONNEY STREET	
1777	20	Suburb: AINSLIE	Goodwin Aged Care Services Limited
		Door No: 1 Street No: 89 Street: FREMANTLE DRIVE	
1778	42	Suburb: STIRLING	Adria Village Limited
		Door No: 1 Street No: 2 Street: JAEGER CIRCUIT	
1785	94	Suburb: BRUCE	Calvary Retirement Community Canberra Limited
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1840	61	Suburb: PAGE	Ridgecrest Village Management Services Pty Limited
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		Door No: 1 Street No: 51 Street: HICKS STREET	
1960	28 Suburb: RED HILL		BaptistCare Yarra Rossa
		Door No: 1 Street No: 200 Street: WOODCOCK DRIVE	
2013	1 Suburb: GORDON		Amala Village

		Street No: 1 Street: AZALEA CIRCUIT Suburb: ISABELLA	
2021	67	PLAINS Door No: 100 Street No: 20 Street: GALORE STREET	Isabella Gardens Retirement Village
2046	60	Suburb: CRACE Door No: 1 Street No: 53 Street: ABENA AVENUE	Goodwin Aged Care Services Limited
2046	61	Suburb: CRACE	Goodwin Aged Care Services Limited
		Door No: 1 Street No: 220 Street: BEASLEY STREET	
2091	15	Suburb: FARRER Door No: 1 Street No: 1 Street: MONTY PLACE	Goodwin Aged Care Services Limited
2100	58	Suburb: NGUNNAWAL Door No: 1 Street No: 15 Street: BURNIE STREET	Lend Lease RL (Ngunnawal) Pty Ltd
2150	50	Suburb: LYONS Door No: 1 Street No: 55 Street: FRANKLIN STREET	Bellerive Living Pty Ltd
2151	3	Suburb: FORREST Door No: 1 Street No: 21 Street: SNODGRASS CRESCENT	The Trustees of the Roman Catholic Church for the Archdiocese of Canberra and Goulburn
2194	68	Suburb: KAMBAH	Kambah Retirement Village Pty Limited
		Door No: 1 Street No: 265 Street: GOYDER STREET	
2289	78	Suburb: NARRABUNDAH Door No: 1 Street No: 15 Street: COCKCROFT AVENUE	The Aerie at Narrabundah
2306	4	Suburb: MONASH Door No: 1 Street No: 11 Street: CORDELIA COURT	Goodwin Aged Care Services Limited
2416	52	Suburb: KALEEN	Morshead Home for Veterans and Other Aged Persons
		Door No: 1 Street No: 255 Street: GOYDER STREET	
2417	28	Suburb: NARRABUNDAH	The Trustees of the Roman Catholic Church for the Archdiocese of Canberra and Goulburn
		Door No: 31 Street No: 55 Street: BURKITT STREET	
3000	567	Suburb: PAGE Door No: 1 Street No: 260 Street: SOWARD WAY	Ridgecrest Village Management Services Pty Limited
3004	62	Suburb: GREENWAY	Greenway Views