

Retirement Villages

Sean McCarthy

Introduction

This chapter looks at one of many accommodation options available to older Australians – retirement village living. It is important to note from the outset that arrangements for living under retirement village schemes are separate and quite distinct from other arrangements, particularly those that fall under the *Aged Care Act 1997* (Cth). That Act applies to older Australians requiring residential care, and may vary according to the level of care required. Retirement villages, however, are usually defined by legislation on a per State or Territory basis, and are predominantly or exclusively occupied by retired persons.

Scope of this chapter

This chapter aims to give a broad general overview of retirement village living without a specific jurisdictional focus, but does rely on recent findings in Victoria, being the home jurisdiction of the author. It is, however, worth noting that New South Wales (in July 2017), Queensland (in November 2012), Victoria (in March 2017) and Western Australia (in 2014) have all undertaken government-led reviews of their relevant legislation in order to address transparency, fairness and the complexity of retirement village contracts, laws and regulations.

Background to retirement village contracts

Older Australians can be presented with a variety of accommodation options, not all of which may be deemed a 'retirement village'. Consumer Affairs Victoria has warned that: 'Not everything that looks like a retirement village is one.'¹

What is a retirement village?

Retirement villages are distinct from other forms of accommodation, but regardless of location would appear to have the following in common:

- Most residents are 55 years or older or are retired from full-time employment (or are spouses or partners of such people).

¹ Legislative Council Legal and Social Issues Committee, Parliament of Victoria, *Inquiry into the Retirement Housing Sector* (March 2017) 4.

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