



**Russell Kennedy
Lawyers**

Retirement Living Legal Services

Demand for accommodation and services for older Australians is rapidly increasing. By 2023 it is anticipated that there will be an additional 1.3 million Australians over 65 years of age, a total of 4.6 million. The retirement living sector has significant opportunities and faces key challenges in responding to this significant demographic change.

Russell Kennedy is the market leader in the provision of legal services to clients in the retirement living sector. We have acted for retirement living operators and developers for more than 25 years. On behalf of the Property Council of Australia (formerly Retirement Village Association) Russell Kennedy negotiated the 1986 Retirement Villages Act – the first piece of legislation enacted specifically to regulate retirement villages in Australia.

We take the time to understand our clients' businesses, and work collaboratively to produce valuable outcomes. We have a commitment to provide legal services that underpin sustainable and liveable retirement communities. Russell Kennedy is represented on the Property Council Australia – Retirement Living committee, is a major sponsor of the Retirement Living Summit, and presents regular seminars and training for clients in the retirement living sector.

Our expertise

We cover all aspects of legal services for clients in the retirement living sector:

- selling and purchasing retirement living facilities by way of asset as well as share sales
- advising on land acquisition, subdivision and planning approvals
- advising on appropriate retirement village structures
- preparing and negotiating development agreements, management agreements and marketing agreements
- preparing resident agreements including agreements to lease, loan agreements, management agreements, licence agreements, all pre-sale resident documentation, and agreements pertaining to the refurbishment of resident units
- delivering sales process training for retirement living staff
- assisting with resolving management disputes with residents
- advising on compliance with various state based retirement village legislations
- preparing construction and development documentation for developing villages
- preparing and advising on service contracts in relation to village operations

Some of our extensive experience includes:

- acting for Lendlease in the acquisition and sale of retirement villages in Victoria and Queensland including Fiddlers Green, Abervale and Camberwell Green in Victoria and Keperra Sanctuary in Queensland
- acting for Blue Hills Residences on the acquisition of land, advising on the village development and legal structures, and the sale of an aged care facility site
- acting in the sale of Morven Manor and Geelong Grove retirement villages to Australian Unity
- the acquisition of various retirement living facilities by Allity
- acting for Anglicare Canberra and Goulburn in the sale of retirement and aged care facilities in regional New South Wales and Canberra
- Catholic Homes' acquisition of Greenleaf Retirement Resort
- representing Lendlease in connection with its villages, which have included providing structuring advice, preparing the residence contracts, advising on pre-sale compliance requirements and the redevelopment of Williamstown Range and Brighton on the Bay
- advising as to the structuring, development, sales and resident contract documentation for numerous villages throughout Victoria
- assisting numerous not-for-profit operators with the redevelopment, closure and relocation of residents from retirement living accommodation

Our clients span the industry spectrum including commercial, private and not-for-profit businesses, and industry associations:

- Allity
- Applewood Residential Developments
- Australian Unity
- Bapcare
- Baptist Village Baxter
- BASS Care
- Bendigo and Adelaide Bank
- Benetas
- Blue Hills Residences
- Country Club Villages
- Lendlease
- Property Council of Australia
- Royal Freemasons' Homes of Victoria
- SSL Management
- The Village Glen
- Transport Friendly Society
- Uniting Church
- Vasey RSL Care
- Villa Maria Catholic Homes

Expert legal solutions in sectors that matter.

At Russell Kennedy Lawyers we are committed to providing exceptional legal strategies and solutions to our clients, guided by market leading expertise across our sectors of focus.



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