



Russell Kennedy

BENDIGO VILLAGE

33/53 Mandurang Rd, Spring Gully VIC 3550

COMPLAINT/DISPUTE RESOLUTION PROCEDURE

Retirement Villages Act 1986 (Vic)
Retirement Villages Regulations 2026 (Vic)

Russell Kennedy ABN 14 940 129 185

Level 18, 500 Bourke Street, Melbourne VIC 3000 Australia PO Box 5146, Melbourne VIC 3001 Australia
T +61 3 9609 1555 F +61 3 9609 1600 E info@rk.com.au russellkennedy.com.au

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Member of

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PART 1 – VILLAGE DISPUTES

Under the *Retirement Villages Act 1986* (Vic) and the *Retirement Villages Regulations 2026* (Vic) (**Retirement Villages Legislation**), Bendigo Village Pty Ltd (**Management**), being the manager of Bendigo Village (**Village**), is required to establish and maintain a procedure for dealing with disputes between residents (**Resident Dispute**), or between a resident and Management or a resident and the owner of the Village (**Management Dispute**). Under the Retirement Villages Legislation, Resident Dispute and Management Disputes are both a type of “**Village Dispute**”.

Management agrees to handle your dispute in the strictest confidence, respecting your rights and privacy, without discrimination or bias. Management will only act on your dispute with your consent.

Management is required by the Retirement Village Legislation to report some aspects of your dispute in general terms at the Village AGM and to Consumer Affairs Victoria as explained in Part 3 of this Dispute Resolution Procedure.

1 Who may you contact if you have a Resident Dispute or a Management Dispute?

Primary Contact person: Craig Wright (**Village Manager**)
Telephone number: (03) 5444 3334 or 0499 566 361
Postal address: PO Box 203 Bendigo Central 3552
Email address: manager@bendigorv.com.au

If your dispute involves the person named above as the Primary Contact person, or the Primary Contact person is not available to deal with your dispute, you may contact the person below instead:

Alternative Contact person: Jim Parkes
Telephone number: (03) 5444 3334
Postal address: PO Box 203 Bendigo Central 3552
Email address: jim@shawny.com.au

Resident Disputes

2 Who can attempt to resolve complaints about or disputes with other residents?

If you have a complaint about or a dispute with another resident, you may:

- 2.1 Speak with the other resident and attempt to directly resolve the complaint or dispute.
- 2.2 Use our internal complaint/dispute resolution scheme which is outlined in this document.

- 2.3 Seek assistance from Consumer Affairs Victoria (**CAV**). CAV may refer your complaint/dispute for conciliation via the conciliation scheme provided for in the Retirement Villages Legislation. The contact details of CAV are:

City office:	121 Exhibition Street, Melbourne VIC 3000
Postal address:	GPO Box 123, Melbourne VIC 3001
Helpline telephone no.:	1300 558 181
Website:	www.consumer.vic.gov.au

- 2.4 Seek independent legal advice.

Management Disputes

3 Who can attempt to resolve complaints against Management?

If you have a complaint against Management, you may:

- 3.1 Use our internal complaint/dispute resolution scheme, which is outlined in this document.
- 3.2 Seek advice from Consumer Affairs Victoria (**CAV**). The contact details of CAV are as follows:

City office:	121 Exhibition Street, Melbourne VIC 3000
Postal address:	GPO Box 123, Melbourne VIC 3001
Helpline telephone no.:	1300 558 181
Website:	www.consumer.vic.gov.au

CAV may refer your complaint/dispute for conciliation via the conciliation scheme provided for in the Retirement Villages Legislation.

- 3.3 Seek assistance from the Victorian Civil and Administrative Tribunal.
- 3.4 Seek independent legal advice.

4 Can you be represented by another person?

You may be represented throughout the complaint/dispute resolution process by another person.

PART 2 – OUR INTERNAL DISPUTE RESOLUTION SCHEME

5 Restrictions on Management's involvement

If you choose to use our internal dispute resolution scheme whether in relation to another resident or Management, Management cannot take any action to attempt to resolve the dispute if:

- 5.1 all the relevant parties do not consent to Management's involvement; or
- 5.2 Management's involvement would duplicate or be inconsistent with or override any other law or the provisions of the residence or management contract between party to the dispute Management or the owner.

6 How to make your complaint

- 6.1 Regardless of whether your complaint is about another resident or against Management, you may make your complaint:

- 6.1.1 in person by contacting the Craig Wright or Jim Parkes, between the hours of 10.00am and 3.00pm Monday to Friday at the Village Manager's office, or by telephone using the phone numbers in Part 1 on the first page of this document; or
 - 6.1.2 by placing your comment, suggestion or details of your dispute in the resident suggestion box located in reception at the Village (33/53 Mandurang Rd, Spring Gully VIC 3550); or
 - 6.1.3 sending a document describing your dispute by post to the postal address for Craig Wright or Jim Parkes set out in Part 1 on the first page of this document; or
 - 6.1.4 sending an email describing your dispute to Craig Wright or Jim Parkes using the email address set out in Part 1 on the first page of this document.
- 6.2 You may lodge your complaint in writing, if you so wish, by completing a dispute notification form (a copy of which is attached to this document). The form may be handed to the person to whom you are making the complaint. You do not have to use this form as it is provided for your assistance only.

7 Recording your dispute

If you notify Craig Wright or Jim Parkes of your dispute, upon receipt of your dispute, the person who you gave notice to will take the following steps unless they reasonably believe that the dispute has already been settled to your satisfaction:

- 7.1 as soon as practicable, create and maintain a written record of the dispute;
- 7.2 give you a copy of the record made of your dispute;
- 7.3 establish an electronic file or physical file relating to the dispute;
- 7.4 record in the following (if known) in the file they have established, as soon as practicable:
 - 7.4.1 the date on which the file for your dispute was established;
 - 7.4.2 your name, address and contact details;
 - 7.4.3 contact details for your representative, if you have nominated one;
 - 7.4.4 whether your notice of the Village Dispute was given orally or in writing;
 - 7.4.5 details of the village dispute as described by you;
 - 7.4.6 copies of any correspondence or other documentation you have given to Craig Wright or Jim Parkes;
 - 7.4.7 if you know what resolution you would like to achieve in respect of your dispute, details of that resolution.

8 Disputes with another resident

If your dispute is about another resident at the Village:

- 8.1 Craig Wright or Jim Parkes, whichever received notice of your dispute, will provide you with a copy of the written record of your dispute with the resident. This will be done as soon as practicable after receiving notice of your dispute. Your dispute will also be recorded in the Village disputes register.
- 8.2 With your consent, the other resident involved in your dispute will be informed orally or in writing of your dispute and will be asked to provide Management with a response within 14 days of the request.
- 8.3 If the other resident agrees to provide a response, and once that response has been received by Management, Management will, with that resident's consent, notify you of the resident's response. With your consent, Management may further investigate the dispute by interviewing staff or other residents.
- 8.4 Management may facilitate a meeting between you and the other resident to attempt to resolve the dispute, if you both agree to attend the meeting.
- 8.5 Craig Wright or Jim Parkes, whichever received notice of your dispute, will advise you in writing of the outcome of Management's enquiries, including the outcome of any meeting between you and the other resident.
- 8.6 If Craig Wright or Jim Parkes, whichever received notice of your dispute, considers the dispute has been resolved, Craig Wright or Jim Parkes will notify you of that and the details of the resolution as soon as practicable.
- 8.7 If Craig Wright or Jim Parkes, whichever received notice of your dispute, does not believe that the dispute can be resolved through Management's assistance, Craig Wright or Jim Parkes will advise you of this in writing, why it believed to be the case and inform you that you may seek external assistance as follows:
 - 8.7.1 from Consumer Affairs Victoria;
 - 8.7.2 make an application for conciliation under the Retirement Villages Legislation;
 - 8.7.3 seek independent legal advice.
- 8.8 A copy of the notice setting out if the dispute has been resolved, or if it is considered the dispute cannot be resolved, will be placed on the file established in respect of your dispute.

9 Complaints against Management

If your dispute is against Management:

- 9.1 Craig Wright or Jim Parkes, whichever received the notice of your dispute, will:
 - 9.1.1 provide you with a copy of the written record of your dispute with Management. This will be done as soon as practicable after receiving notice of your dispute. Your dispute will also be recorded in the Village disputes register;

- 9.1.2 investigate your dispute by interviewing any relevant staff or other people who may be involved and reviewing any documents you have provided;
- 9.1.3 as soon as practicable after receiving notice of your dispute, advise you in person and/or in writing of the outcome of their investigation, and any action which Management proposes to take so as to address the subject of your complaint and, if appropriate, the date by which Management will advise you further.
- 9.2 If Craig Wright or Jim Parkes, whichever received notice of your dispute, considers the dispute has been resolved, Craig Wright or Jim Parkes will notify you of that and the details of the resolution as soon as practicable.
- 9.3 If Craig Wright or Jim Parkes, whichever received notice of your dispute, does not believe that the dispute can be resolved through Management's assistance, Craig Wright or Jim Parkes will advise you of this in writing, why it believed to be the case and inform you that you may seek external assistance as follows:
 - 9.3.1 from Consumer Affairs Victoria;
 - 9.3.2 make an application for conciliation under the Retirement Villages Legislation;
 - 9.3.3 seek independent legal advice.
- 9.4 A copy of the notice setting out if the dispute has been resolved, or if it is considered the dispute cannot be resolved, will be placed on the file established in respect of your dispute.

PART 3 – MANAGEMENT'S OBLIGATIONS

The *Retirement Villages Act 1986* (Vic) and the *Retirement Villages Regulations 2026* (Vic), require Management to record and report on complaints and disputes.

10 Records

- 10.1 If your complaint or dispute is resolved within 72 hours (excluding weekends and public holidays), Management is not obliged to keep detailed ongoing records. However, Management must still have set up a file in respect of your dispute and keep a record of when the file was set up, your name, address and contact details, details of your representative (if any), whether your dispute was given orally or in writing, details of the dispute as described by you, copies of correspondence or documents you provided and details of the resolution sought by you (if known).
- 10.2 If your complaint or dispute is not resolved to the satisfaction of the resident or residents who are parties to the dispute within 72 hours of notice being given of the dispute (not including weekends and public holidays), then in addition to the matters in paragraph 7 of this document, Management must:
 - 10.2.1 continue to maintain the file (physical or electronic) it created in respect of the dispute;
 - 10.2.2 record in the file (if known), as soon as practicable:
 - (a) the reasons why the dispute is considered to not be resolved;

- (b) the actions that will be taken (if any);
- 10.2.3 record in the file copies of Management's written advice to you:
 - (a) once the complaint or dispute has been resolved (and how it has been resolved), or
 - (b) Management's advice that the dispute cannot be resolved (which must include Management's reasons for this decision and contact details of what external assistance you may seek if you wish to pursue to the dispute further.
- 10.3 Management may also place in the file:
 - 10.3.1 notes of actions Management takes or intends to take in relation to the complaint or dispute;
 - 10.3.2 copies of correspondence or other documents Management receives or sends in relation to the complaint or dispute; and
- 10.4 Management is required to retain the file for 7 years if it relates to a dispute which was not resolved within 72 hours.
- 10.5 Management will maintain a Village disputes register which records details of all Village Disputes of which Management has received notice, including records of any outcome reached and the action, if any, taken in relation to each dispute.

11 Report to the annual meeting of residents

- 11.1 Management is required to report to the annual meeting of the residents of the Village on the following matters:
 - 11.1.1 the number and nature of Village Disputes that Management has been notified of in the past year;
 - 11.1.2 the outcome of each Village Dispute of which it was notified, including any action taken to resolve the dispute; and
 - 11.1.3 any changes made or proposed to be made to address any issues identified as requiring a broader response.
- 11.2 Management is required to maintain the confidentiality of the parties concerned. For that reason, the report will be general in nature, it will not identify the parties concerned and it will not provide any specifics about the complaint, dispute or the outcome achieved.

12 Report to Consumer Affairs Victoria

- 12.1 Management must provide to the Director of CAV a copy of the report presented to the annual meeting of the Village. Management must do this within 14 days of the date on which the annual meeting of the Village is held.

BENDIGO RETIREMENT VILLAGE WRITTEN COMPLAINT FORM

(Part 2 Paragraph 6.2)

You may, if you wish, raise a dispute or make a complaint in writing. You do not have to use this form as it is provided for your assistance only.

1 Your details

Name: _____

Address: _____

Telephone no.: _____

2 Complaints about Management at the Village

If your complaint is about Management at the Village, set out the nature of your complaint here:

3 Complaints about or dispute with another resident

If your complaint or is about another resident, or if your dispute is with another resident, complete this section:

Details of other resident: Name: _____

Address: _____

Telephone no.: _____

Nature of the dispute:

4 What is the outcome you seek?

Date of this notification:

Your signature:

Date received by Management:

FLOW CHART OF COMPLAINT/DISPUTE HANDLING BY MANAGEMENT



