

Lyndoch: a new company, complaints and potential conflicts



Lyndoch CEO Doreen Power and Lyndoch board members Cr Sue Cassidy and WCC City Growth manager Andrew Paton are the three directors of Lyndoch Healthcare Pty Ltd.

Carol Altmann – The Terrier

Picking up [from last night](#), this is a story of a company, complaints, and potential conflicts of interest, all swirling around Lyndoch Living's plan to build a multi-million-dollar medical clinic.

Let me start with the company, which leads neatly into the complaints.

As I wrote last night, Lyndoch Living Ltd last year set up a company called Lyndoch Healthcare Pty Ltd to oversee the building, running and managing of a medical clinic that is part of a \$100 million masterplan being rolled out on Hopkins

Road.

What you may not know is that the three directors of this company are Lyndoch CEO Doreen Power and two Lyndoch board members, Warrnambool City Councillor Sue Cassidy, and WCC manager City Growth, Andrew Paton.

It also has a company secretary, Lyanne Vinecombe, who was the executive assistant to Ms Power and former Lyndoch CEO Rhys Boyle before retiring earlier this year.

(As an aside, both Ms Power and Ms Vinecombe have Melbourne home addresses listed on documents from the Australian Securities and Investment Commission.)

The shares in this company are worth a grand total of \$12.

To be absolutely clear, I am not suggesting for one micro second that the company directors or secretary are doing anything improper – the company set up is common and perfectly normal.

What this arrangement does raise, however, are concerns around potential or perceived conflicts of interest between Lyndoch Living and Lyndoch Healthcare Pty Ltd, with the three company directors all wearing two hats.

On one hand, the directors are responsible for making sure the medical clinic is not only built, but is sustainable, and on the other, they have to make sure Lyndoch Living delivers on looking after our aged and infirm.

In terms of seeking funding and allocating finances, which will be a priority?

This question is one of several concerns that has been raised with federal authorities over Lyndoch's grand plan to expand into a medical clinic.



An artist's impression of the new multi-million dollar medical clinic to be built at Lyndoch Living. Image: Lyndoch Living.

I am aware of at least three complaints being forwarded to the [Australian Charities and Not For Profits Commission \(ACNC\)](#), including two complaints lodged before my investigations in Lyndoch began.

Another has been lodged since.

On top of the questions around potential conflicts of interest, concerns have also been raised about whether a multi-million dollar medical centre fits with Lyndoch's core business that saw it granted charity status many years ago.

As well as being a registered charity, Lyndoch has long been classified as a Public Benevolent Institution (PBI) and both [attract significant tax concessions](#) and other benefits.

To be a PBI, the main purpose of the charity must be to

“relieve poverty and distress”.

Does building and running a medical centre fit with this?

And does it fit with Lyndoch originally being classed as a charity?

The ACNC will have to decide.

As we now know, Lyndoch last year changed its structure and its constitution to include a new core purpose, which is to “build, manage, maintain and/or otherwise be involved in multi-disciplinary health care facility” in Warrnambool.

In plain speak, this means building the medical clinic.

It is a massive undertaking and a major change for Lyndoch which, for more than 60 years, has been focussed entirely on aged care.

As to why the board decided to go this way, we may never fully know. (My questions to chair Kerry Nelson and Ms Power for this story went unanswered).

But is the ACNC fully aware of this dramatic shift?



Three complaints have been lodged with the ACNC in relation to Lyndoch's plans to build and operate a medical clinic. Image: ACNC.

Lyndoch has [lodge*d its new constitution with the ACNC*](#), but with about 56,000 charities to monitor, the ACNC relies heavily on the public to raise concerns.

This has now happened.

I spoke to the ACNC and they are, unfortunately, bound by laws which prevent them from talking about a particular case, or even confirming whether a complaint has been received.

What they did say, however, is that they take concerns over charitable and PBI status very seriously and, if they decide a complaint is worthy of pursuit, it will be investigated fully.

All of this, because of the ACNC confidentiality laws, happens behind closed doors.

We shall just have to sit tight to see what, if anything, emerges.

In the meantime, I have two more stories on this whole Lyndoch saga to come, hopefully both within a week, before we pause—paws for Christmas.

In the meantime, I am starting a Foxy Fighting Fund for reasons which I can't yet explain. If you would like to be part of it, you can do so below.

[The Foxy Fighting Fund](#)