

Residents' meeting notice for closure plan

Retirement Villages Act 1999 (Section 40B)

ABN: 86 504 771 740

This form is effective from 11 November 2019

About this notice

Under the *Retirement Villages Act 1999*, a scheme operator who proposes to close a retirement village scheme must give each resident in the retirement village a closure plan for the proposed closure of the retirement village (Form 8) and a residents' meeting notice (this form) for the residents' meeting to approve the plan.

This purpose of this notice is to advise residents of the date and process for voting on the closure plan at a residents meeting.

Date this notice given: DD / MM / YYYY

Part 1 – Retirement village and scheme operator details

1.1 Details of closure plan	Short description and version number (as per closure plan)
1.2 Date and time of the residents' meeting	From: : to : Date: DD / MM / YYYY Note: this cannot be less than 21 days after the notice was given.
1.3 Location of the residents' meeting	Address / location details Other Instructions (e.g. how to find the appropriate room)
1.4 Postal vote container location <i>See part 2.4 for more information on postal voting</i>	Details of a where postal vote container will be located
1.5 Voting information <i>See Part 2.2 for more information</i>	How are voting rights apportioned in this village* One vote per accommodation unit One vote per resident*

Part 1 – Retirement village and scheme operator details continued**1.6 Scheme operator details**Name of entity that operates the retirement village (scheme operator)
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Australian Company Number (ACN)

Address of registered office

Suburb

State

Post Code

Date entity became operator DD / MM / YYYY

Part 2 – Information on special resolutions and other approvals**2.1 Process for special resolution**

Residents may approve a closure plan by a special resolution at a residents' meeting. A special resolution is a resolution passed by at least three-quarters of persons entitled to vote personally, by proxy or by postal ballot.

Residents must be given at least 21 days' notice of the meeting.

2.2 Who may vote for a special resolution

Voting is by one resident of each accommodation unit unless residents have, by special resolution, agreed for each resident to be entitled to vote.

Former residents of an accommodation unit are also entitled to vote where they continue to be liable for part of the general services charge for the unit. However, for former residents voting is always 1 vote per accommodation unit.

2.3 How votes may be cast

The resident's vote may be cast by:

- the resident
- a person appointed as their power of attorney
- another person, other than the scheme operator, who the resident has appointed by a signed notice to make a proxy vote for them at the special resolution meeting*
- postal vote in a container provided by the scheme operator in the common area of the village.

*Note: a person may not hold more than 2 proxy votes for the meeting.

2.4 Rules regarding postal votes

It is recommended that any postal vote is conducted in accordance with the resident committee constitution and the Act.

The scheme operator must provide a secure locked container for postal votes in the common area at least 24 hours before the time the meeting is to be held.

The scheme operator must not open, or allow to be opened, the container before it is delivered to the chairperson of the meeting.

The scheme operator must deliver the container to the chairperson of the meeting immediately before the chairperson opens the meeting.

Part 2 – Information on special resolutions and other approvals

2.5 Scheme operator attendance	<p>The scheme operator may attend the residents' meeting to vote on the special resolution to address the residents at the meeting.</p> <p>If the scheme operator attends a residents' meeting called to vote on the special resolution, the scheme operator must leave the meeting after the scheme operator has addressed the meeting (or has been given a reasonable opportunity to address the meeting) and the special resolution has been voted on, unless the residents' committee invites the scheme operator to remain.</p>
2.6 Scheme operator may apply to the chief executive to approve the plan	<p>Legislation requires that if the proposed closure plan is not approved by the residents, by special resolution at a resident meeting within a stated reasonable period that is not less than 21 days after the giving of the residents' meeting notice, the scheme operator may apply to the chief executive for approval of the proposed closure plan.</p> <p>If the chief executive approves the proposed closure plan, a resident may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a review of the decision.</p>