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RETIREMENT + PROPERTY

Old Village
Redevelopment

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Overview

- The landscape before ‘re-developments’
- Redevelopment Requirements
- What is a ‘Running Redevelopment’
- The Legal Process – Aims and Overview
- Forms, forms, forms
- Other obligations

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Where did this come from?

***Note from the operator:** *The operator reserves the right to not undertake any further development or to develop future stages as it considers appropriate, including constructing more or less than the proposed number of premises (or beds) in any number of stages.*

relocation notice means a notice given by us:

- (a) telling you of our or the head lessor's intention to further develop or redevelop *your premises* or the *village*;
- (b) requiring you to relocate to other *premises* in the *village* to enable us or the head lessor (as the case may be) to carry out the further development or redevelopment;
- (c) specifying the *relocation date*, which must be at least 6 months after the date we give you the notice; and
- (d) including details of the *alternate premises*.

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Page · Community



Save our Space - Newmarket

2 December 2018 · 🌐

Our appeal against the proposed Aveo redevelopment in Free Street, Newmarket commences before Judge Kefford on Tuesday, 4 December and is scheduled to finish on 7 December.

It's very exciting that we are about to have our day in court, and we look forward to our legal team prosecuting our case in order to have BCC's approval of this monstrous redevelopment overturned.

Photos

[See All Photos](#)



Aveo backs village plan



Brisbane Today ☀️ 17°/27° >



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Heartbroken retirement village residents 'wishing to die'

One of Australia's biggest aged care operators has denied accusations of elder abuse against residents of an inner-Brisbane village amid a planned redevelopment of the site.

SPECIAL REPORT by Andrea Macleod

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Updated



In the fut
"bombs"

The redevelopment requirements

An operator must prepare a redevelopment plan when it proposes to redevelop a retirement village while the village is still operating

- *Running Redevelopment*
- *Redevelopment Plan*

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What is a ‘running redevelopment’?

- Constructing or demolishing an accommodation unit
- Constructing, demolishing, expanding or reducing a building or structure in the village
- Expanding or reducing the area of a retirement village
- Changing the use of a building or structure in the village

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What is excluded?

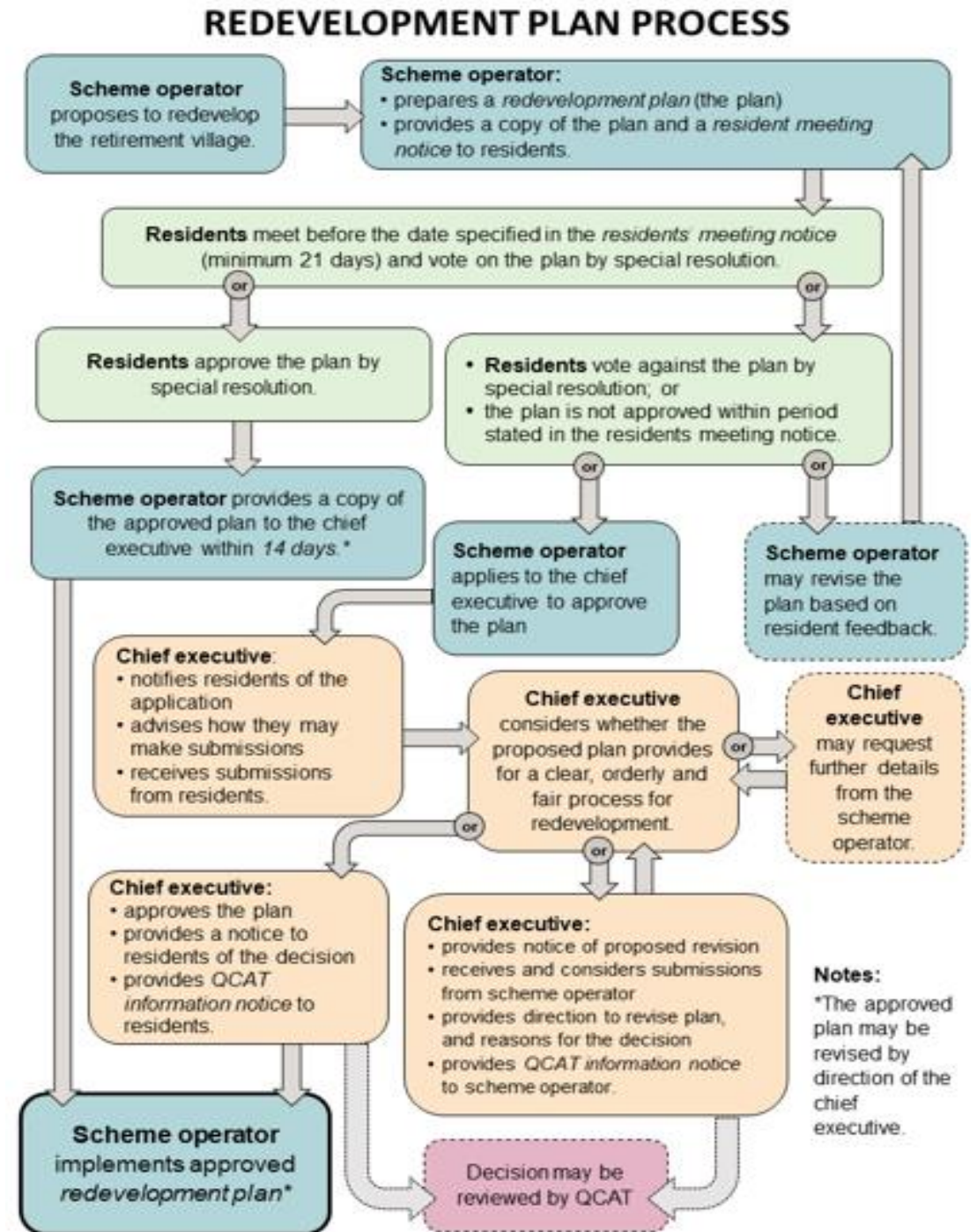
- A works or changes that are 'minor'
 - e.g. construction of a shed, or change of use of a shed
- Redevelopment where the village is closed (even temporarily) – i.e. not 'running'
- A change that has already been disclosed
 - Disclosure can be in VCD, PCD, Residence Contract etc.

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Legal process – aims & overview

Aim: Creation
of a “clear,
orderly and fair
process”



Redevelopment Regime – The Forms

Retirement Villages Form 9A

Redevelopment Plan

Retirement Villages Act 1999 (Section 113E)

This form is effective from 11 November 2019

ABN: 86 504 771 740

About this document

Under the *Retirement Villages Act 1999 (the Act)* a retirement village scheme operator (scheme operator) must prepare a written redevelopment plan when it proposes to redevelop a retirement village in situations where the village will continue to operate throughout the process (a running redevelopment).

Short description of redevelopment:

Plan version number:

The information in this document is correct as at [dd/mm/yyyy]

Part 1 – Retirement village, operator and management details

1.1 Retirement village name and location	Retirement village name Street address Suburb State Postcode Real property description
1.2 Retirement village scheme operator details	Name of entity that operates the retirement village (scheme operator) Australian Company Number (ACN) Address of registered office Suburb State Postcode Date entity became operator
1.3 Village management details	Name of village management entity Australian Company Number (ACN) Phone Email
1.4 Contact person for redevelopment	Name Phone Email

Retirement Villages Act 1999 • Section 113E • Form 9 • V2 • December 2019 Page 1 of 30

Retirement Villages Form 9A

Residents' meeting notice for redevelopment plan

Retirement Villages Act 1999 (Section 113D)

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 redevelop a retirement village must give each resident in the retirement village a redevelopment plan for the proposed redevelopment of the retirement village (Form 9) 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 redevelopment plan at a resident's meeting.

Date this notice given: DD / MM / YYYY

Part 1 – Details of residents' meeting

1.1 Details of redevelopment plan	Short description and version number (as per redevelopment plan)
1.2 Date and time of the residents' meeting	From: []:[] am to []:[] am 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	Details of a where postal vote container will be located <i>See part 2.4 for more information on postal voting</i>
1.5 Voting information	How are voting rights apportioned in this village* <input type="radio"/> One vote per accommodation unit <input type="radio"/> One vote per resident* <i>See Part 2.2 for more information</i>

Retirement Villages Act 1999 • Section 113D • Form 9A • November 2019 Page 1 of 3

Redevelopment Regime – more forms

Retirement Villages Form 10	
<p>Chief executive information document for closure and redevelopment plans</p> <p>Queensland Government ABN: 86 504 771 740</p>	
<p>About this template</p> <p>This template contains additional information required when:</p> <ul style="list-style-type: none"> lodging a copy of an approved closure or redevelopment plan to the chief executive to be kept on record, or a proposed closure or redevelopment plan is lodged for the approval of the chief executive. <p>Under the Act, if a proposed closure or redevelopment plan is approved by residents by special resolution then a copy of the approved plan must be provided to the chief executive within 14 days. A scheme operator must provide a completed copy of this form with the approved plan to the chief executive.</p> <p>The information you provide assists the chief executive in decision making and provides address information for sending appropriate notifications if the plan is required to be approved by the chief executive. This document does not make up part of an approved plan.</p> <p>A scheme operator may apply to the chief executive to approve a proposed closure or redevelopment plan where:</p> <ul style="list-style-type: none"> residents voted against the proposed plan or the proposed plan was not approved within the period stated in the residents meeting notice (this cannot be less than 21 days). <p>Section 2.4 of this form</p> <ul style="list-style-type: none"> is to be completed where residents voted against approving a plan, or the proposed plan was not approved within the period stated in the residents meeting notice. is not required to be completed if the scheme operator applies to the chief executive to approve a proposed closure or redevelopment plan that has been approved by the residents. 	
<p>Part 1 – Type of proposed plan, retirement village and contact person details</p>	
<p>1.1 Type of proposed plan</p>	<p>What type of proposed plan is this form related to?</p> <p><input type="radio"/> Redevelopment</p> <p><input type="radio"/> Closure</p>
<p>1.2 Retirement village name and location</p>	<p>Retirement village name</p> <p>Street address</p> <p>Suburb State <input type="text"/> <input type="text"/> <input type="text"/> Post Code <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p>
<p>1.3 Contact person</p>	<p>Contact person</p> <p>Phone Email</p>
<p><small>Retirement Villages Act 1999 • Form 10 • September 2022</small></p>	

Retirement Villages Form 9B	
<p>Notice of discontinuation for redevelopment plan</p> <p>Retirement Villages Act 1999 (Section 113)</p> <p>Queensland Government ABN: 86 504 771 740</p>	
<p>This form is effective from 11 November 2019</p>	
<p>About this notice</p> <p>Under the <i>Retirement Villages Act 1999</i>, a scheme operator must give a notice of discontinuation for a redevelopment plan to the chief executive and each resident in the retirement village where:</p> <ul style="list-style-type: none"> the scheme operator has complied with the requirement to prepare a redevelopment plan in relation to a running redevelopment; and the scheme operator decides not to proceed with the running redevelopment. <p>Penalties may apply for scheme operators who do not comply with this requirement.</p> <p>Note: If the scheme operator gives this notice of discontinuation to the chief executive, or one or more residents of the retirement village, any approved redevelopment plan for a running redevelopment, is no longer approved.</p> <p>Date this notice given: DD / MM / YYYY</p>	
<p>Part 1 – Retirement village and scheme operator details</p>	
<p>1.1 Retirement village name and location</p>	<p>Retirement village name</p> <p>Street address</p> <p>Suburb State <input type="text"/> <input type="text"/> <input type="text"/> Post Code <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p>
<p>1.2 Scheme operator details</p>	<p>Name of entity that operates the retirement village (scheme operator)</p> <p>Australian Company Number (ACN)</p> <p>Address of registered office</p> <p>Suburb State <input type="text"/> <input type="text"/> <input type="text"/> Post Code <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Date entity became operator DD / MM / YYYY</p>
<p><small>Retirement Villages Act 1999 • Section 113 • Form 9B • December 2022</small></p>	

Other (overlooked) obligations

- Give the Chief Executive notice of the approval (s113(2)) within 14 days of the vote
- Implementation – There is a requirement to comply with the ‘redevelopment plan’ (s113H)
- Discontinuation – Requires notification to the Chief Executive and each resident (s113I)

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