



Queensland

Retirement Villages (Closure, Transition and Redevelopment Plans and Other Matters) Amendment Regulation 2019

Subordinate Legislation 2019 No. 255

made under the

Retirement Villages Act 1999

Contents

		Page
1	Short title	3
2	Regulation amended	3
3	Insertion of new ss 4A and 4B	3
	4A Matters to be stated in closure plan—Act, s 40C ...	3
	4B Matters to be stated in transition plan—Act, s 41E ...	3
4	Insertion of new s 8A	3
	8A Matters to be stated in redevelopment plan—Act, s 113E	4
5	Insertion of new pt 4A	4
	Part 4A Miscellaneous	
	16A Redevelopment of a retirement village—Act, s 113C	4
6	Amendment of sch 1 (Particulars of a retirement village scheme to accompany application for registration)	4
7	Insertion of new schs 1A and 1B	5
	Schedule 1A Matters to be stated in closure plan	5
	Schedule 1B Matters to be stated in transition plan	13
8	Amendment of sch 2 (Information to be contained in village comparison document)	20
9	Amendment of sch 3 (Information to be contained in prospective costs document)	22
10	Insertion of new sch 4A	22

Retirement Villages (Closure, Transition and Redevelopment Plans and Other Matters)
Amendment Regulation 2019

Contents

	Schedule 4A	Matters to be stated in redevelopment plan . . .	22
11		Amendment of sch 5 (Operational documents)	32
12		Amendment of sch 7 (Dictionary)	33

1 Short title

This regulation may be cited as the *Retirement Villages (Closure, Transition and Redevelopment Plans and Other Matters) Amendment Regulation 2019*.

2 Regulation amended

This regulation amends the *Retirement Villages Regulation 2018*.

3 Insertion of new ss 4A and 4B

After section 4—

insert—

4A Matters to be stated in closure plan—Act, s 40C

- (1) This section and schedule 1A prescribe, for section 40C(2) of the Act, matters to be stated in a closure plan for a retirement village scheme.
- (2) A closure plan must not state matters about more than 1 retirement village scheme.

4B Matters to be stated in transition plan—Act, s 41E

- (1) This section and schedule 1B prescribe, for section 41E(2) of the Act, matters to be stated in a transition plan for a retirement village scheme.
- (2) A transition plan must not state matters about more than 1 retirement village scheme.

4 Insertion of new s 8A

After section 8—

insert—

**8A Matters to be stated in redevelopment plan—
Act, s 113E**

- (1) This section and schedule 4A prescribe, for section 113E(2) of the Act, matters to be stated in a redevelopment plan for a retirement village.
- (2) A redevelopment plan must not state matters about more than 1 retirement village.

5 Insertion of new pt 4A

After section 16—

insert—

Part 4A Miscellaneous

**16A Redevelopment of a retirement village—Act, s
113C**

For section 113C(3) of the Act, definition *redevelopment*, paragraph (e), an expansion or reduction of an area of greenspace or parkland in the retirement village, other than a minor expansion or reduction of the area, is prescribed.

Example of a minor expansion of an area—

a small expansion of a grassed area by laying turf

Example of a minor reduction of an area—

clearing a small grassed area to construct a footpath

**6 Amendment of sch 1 (Particulars of a retirement village
scheme to accompany application for registration)**

Schedule 1, item 18, ‘charges’—

omit, insert—

charge

7 Insertion of new schs 1A and 1B

After schedule 1—

insert—

**Schedule 1A Matters to be stated in
closure plan**

section 4A

Statements

- 1 a statement setting out the requirements for closure plans under part 2, division 4 of the Act
- 2 a statement to the effect that it is important for the resident of the retirement village to whom the closure plan is given to obtain independent legal advice about how the scheme operator's implementation of the plan may affect the resident

Identifying information

- 3 the name and address of the retirement village
- 4 the following information about the scheme operator—
 - (a) name, ACN (if any) and contact details;
 - (b) the date the scheme operator started to control the scheme's operation;
 - (c) the name and contact details of a representative of the scheme operator the chief executive or a resident may contact in relation to the closure plan

- 5 the name, ACN (if any) and contact details of the manager of the retirement village

Accommodation units

- 6 the number of accommodation units in the retirement village
- 7 the types of tenure or interest residents of the retirement village can obtain in accommodation units in the retirement village
- 8 the number of accommodation units in the retirement village in which each type of tenure or interest can be obtained
- 9 the number of residents of the retirement village who occupy accommodation units in the retirement village under each type of tenure or interest
- 10 the requirements relating to reinstatement work for accommodation units in the retirement village vacated on or after the declaration date for the closure plan

Retirement village land

- 11 the real property description of the retirement village land
- 12 for a community titles scheme on the retirement village land—
 - (a) the name of the community titles scheme; and
 - (b) the dealing number for the community management statement registered for the community titles scheme; and
 - (c) how the scheme operator will deal with impacts to the community titles scheme

resulting from the closure of the retirement village scheme

- 13 whether the scheme operator will establish a community titles scheme on the retirement village land before closing the retirement village scheme

Notices, consultation and other communication

- 14 when, and how, the scheme operator will notify residents and financially-interested former residents of the retirement village of the closure of the scheme
- 15 details of any consultation or other communication the scheme operator has carried out with residents of the retirement village about closing the scheme or the proposed closure plan, including—
 - (a) the type of consultation or communication; and
 - (b) the matters to which the consultation or communication related
- 16 details of any consultation or other communication the scheme operator will carry out with residents of the retirement village about closing the scheme or the proposed closure plan, including—
 - (a) the type of consultation or communication; and
 - (b) the matters to which the consultation or communication will relate; and
 - (c) whether the consultation or communication will be carried out between—

- (i) the day the scheme operator fully complies with section 40B(1) of the Act in relation to the proposed closure plan; and
 - (ii) the day of the residents meeting to decide whether to approve the proposed closure plan
- 17 details of any consultation or other communication the scheme operator will carry out with residents of the retirement village about a revision of the closure plan under section 40E of the Act
- 18 details of any consultation or other communication the scheme operator has carried out, or will carry out, with persons, other than residents of the retirement village, who may be affected by the closure

Examples of other affected persons—

 - financially-interested former residents of the retirement village
 - retirement village staff
 - persons providing personal services for residents of the retirement village
 - persons operating retail businesses in the retirement village
- 19 for notices to be given under section 53(3)(d) of the Act because of the closure of the scheme—
 - (a) when the scheme operator will give the notices to residents of the retirement village; and
 - (b) whether the notice period that will be given in the notices will be more than 2 months and, if so, details of the notice period

Impacts and assistance

- 20 details of any impact the closure or a wind down of the scheme is likely to have on the maintenance or repair of the retirement village's capital items
- 21 for general services and personal services supplied or made available at the retirement village—
 - (a) whether the services will continue while the scheme is being closed; and
 - (b) whether the services, or the way the services are supplied or made available, may change while the scheme is being closed and, if so, how the change may affect residents of the retirement village
- 22 whether the retirement village's facilities may change while the scheme is being closed and, if so, how the change may affect residents of the retirement village
- 23 details of any construction or redevelopment relating to the retirement village land that may be carried out before the scheme is closed, including ways the construction or redevelopment may affect—
 - (a) the amenity of the retirement village; and
 - (b) the privacy or safety of residents of the retirement village; and
 - (c) the quiet enjoyment of accommodation units in the retirement village by residents of the retirement village
- 24 details of any assistance the scheme operator will provide to residents or financially-interested former residents of the

retirement village in relation to closing the scheme

Examples of assistance—

compensation, reduced or waived fees, payment of costs, assistance with obtaining or relocating to alternative accommodation

Village funds

- 25 details of the rights and obligations of former residents of the retirement village relating to payment of general services charges and maintenance reserve fund contributions for the retirement village
- 26 if closing the scheme will involve a wind down of the scheme, details of how the capital replacement fund budget, maintenance reserve fund budget and general services charges budget for the retirement village will be adjusted or revised during the wind down
- 27 details of how a surplus or deficit of a village fund for the retirement village will be dealt with when the scheme is closed
- 28 when final financial statements for each village fund for the retirement village will be given to—
 - (a) residents and former residents of the retirement village; and
 - (b) the chief executive

Financial matters

- 29 details of the scheme operator's source of funds for, and ability to meet, its financial obligations in relation to closing the scheme, including—

- (a) the payment of exit entitlements under section 63 of the Act; and
 - (b) the completion of contracts to purchase freehold interests in accommodation units in the retirement village under section 63A of the Act
- 30 for residents of the retirement village to whom notices are to be given under section 53(3)(d) of the Act in relation to closing the scheme—
- (a) details of how the residents' exit entitlements will be worked out; and
 - (b) when the residents' exit entitlements will be paid under section 63 of the Act; and
 - (c) how other fees arising as a result of the notice will be dealt with
- Examples of other fees—*
- legal fees, administrative fees
- 31 for exit entitlements that, as at the declaration date for the closure plan, have not been paid to former residents of the retirement village—
- (a) the number of exit entitlements; and
 - (b) the scheme operator's best estimates of—
 - (i) the total amount of the exit entitlements; and
 - (ii) when the exit entitlements are payable under section 63 of the Act
- 32 for freehold interests the subject of uncompleted contracts the scheme operator has entered, or contracts the scheme operator must enter, under section 63A of

the Act as at the declaration date for the closure plan—

- (a) the number of freehold interests; and
- (b) the scheme operator's best estimates of—
 - (i) the total of the amounts payable to former residents of the retirement village under the contracts; and
 - (ii) when the amounts will be paid to the former residents

Miscellaneous

- 33 whether the closure of the scheme will be permanent or temporary
- 34 whether closing the scheme will involve a wind down of the scheme
- 35 the day or period within which the scheme will be closed
- 36 the reason for closing the scheme
- 37 a description of the scheme operator's schedule for closing the scheme
- 38 whether the scheme operator will, in relation to the closure of the scheme, agree in a residence contract or otherwise to a condition that is more beneficial to a resident or former resident of the retirement village than the provisions of part 3 of the Act
- 39 a reference to sources of information or advice about retirement villages, including the sources on the department's website
- 40 a declaration, signed and dated by the scheme operator, that the information

contained in the closure plan is correct as at that date

Schedule 1B Matters to be stated in transition plan

section 4B

Statement

- 1 a statement setting out the requirements for transition plans under part 2, division 5 of the Act

Identifying information

- 2 the name and address of the retirement village to which the scheme relates
- 3 the following information about the existing scheme operator—
 - (a) name, ACN (if any) and contact details;
 - (b) the date the existing scheme operator started to control the scheme's operation
- 4 the name, ACN (if any) and contact details of the new scheme operator
- 5 the name, ACN (if any) and contact details of—
 - (a) the manager of the retirement village; and
 - (b) if the manager of the retirement village will change on the transfer day for the scheme—the new manager

[s 7]

- 6 the name and contact details of a representative of the existing scheme operator the chief executive may contact in relation to the transition plan
- 7 the name and contact details of a representative of the new scheme operator the chief executive may contact in relation to the transition plan

Accommodation units

- 8 the number of accommodation units in the retirement village
- 9 the types of tenure or interest residents of the retirement village can obtain in accommodation units in the retirement village
- 10 the number of accommodation units in the retirement village in which each type of tenure or interest can be obtained
- 11 the number of residents of the retirement village who occupy accommodation units in the retirement village under each type of tenure or interest

Retirement village land

- 12 the real property description of the retirement village land
- 13 the name, ACN (if any) and address of—
 - (a) each existing owner of any part of the retirement village land; and
 - (b) if another person will be an owner of a part of the retirement village land on the transfer day for the scheme—the other person

- 14 if the transfer of the control of the scheme's operation to the new scheme operator is likely to affect a building management statement under the *Land Act 1994* or *Land Title Act 1994* used in relation to the retirement village land—
 - (a) a summary of the effect; and
 - (b) if the building management statement is registered—the dealing number for the statement
- 15 for a community titles scheme on the retirement village land—
 - (a) the name of the community titles scheme; and
 - (b) the dealing number for the community management statement registered for the community titles scheme; and
 - (c) which accommodation units in the retirement village are on the scheme land for the community titles scheme; and
 - (d) whether the community titles scheme will change on or before the transfer day for the retirement village scheme and, if so, details of the change

Consultation and other communication

- 16 details of any consultation or other communication the existing scheme operator has carried out, or will carry out, with residents of the retirement village about the transfer of the control of the scheme's operation, including—
 - (a) the type of consultation; and

- (b) the matters to which the consultation related or will relate
- 17 details of any consultation or other communication the existing scheme operator will carry out with residents of the retirement village about a revision of the transition plan under section 41G of the Act
- 18 details of any consultation or other communication the existing scheme operator has carried out, or will carry out, with persons, other than residents of the retirement village, who may be affected by the transfer of the control of the scheme's operation
- Examples of affected persons—*
- financially-interested former residents of the retirement village
 - retirement village staff
 - persons providing personal services for residents of the retirement village
 - operators of retail businesses on the retirement village land
- 19 how the existing scheme operator will advise residents of the retirement village that the operator's obligations under residence contracts will be assumed by the new scheme operator from the transfer day for the scheme
- 20 for residents of the retirement village with whom the existing scheme operator has consulted or otherwise communicated about the transfer of the scheme, details of any consultation or other communication the existing scheme operator will carry out with the residents about a decision of the existing scheme operator and the new scheme operator not to proceed with the transfer

Transition

- 21 the existing scheme operator's best estimate of the day, or the period within which, the transfer of the control of the scheme's operation to the new scheme operator will be finalised
- 22 details of any assistance the existing scheme operator will give the new scheme operator for assuming control of the scheme's operation
- 23 how the existing scheme operator will give residence contracts of residents and financially-interested former residents of the retirement village to the new scheme operator
- 24 how documents relating to the scheme that are not otherwise mentioned in this schedule will be given to the new scheme operator
Examples of a document relating to a scheme—
 - emergency plan for the retirement village scheme
 - minutes of a residents committee meeting for the scheme
 - correspondence relating to the retirement village scheme
- 25 how control of the provision of general services and personal services for the retirement village will be transitioned to the new scheme operator
- 26 how the obligation to maintain and repair the retirement village's capital items will be transitioned to the new scheme operator
- 27 if a business operating in the retirement village will change or end as a result of the transfer of the control of the scheme's operation in a way that is likely to impact on

residents of the retirement village, details of—

- (a) the impact; and
- (b) if the existing scheme operator or new scheme operator will take action to mitigate the impact—details of the action

Village funds

28 the day on which the existing scheme operator will transfer control of each of the following to the new scheme operator—

- (a) a village fund for the retirement village;
- (b) the budget for a village fund for the retirement village;
- (c) an independent quantity surveyor's written report obtained in relation to the retirement village under section 92 or 98 of the Act;
- (d) the quarterly and annual financial statements for a village fund for the retirement village

29 for each capital replacement fund contribution that, as at the declaration date for the transition plan, must have been made for the retirement village—

- (a) whether the contribution has been made; and
- (b) if the contribution has not been made—how the making of the contribution will be managed during the transfer of the control of the scheme's operation to the new scheme operator

Financial matters

- 30 for exit entitlements payable to former residents of the retirement village as at the declaration date for the transition plan—
- (a) the number of exit entitlements; and
 - (b) the scheme operator's best estimates of—
 - (i) the total amount of the exit entitlements; and
 - (ii) when the exit entitlements are payable under section 63 of the Act
- 31 for freehold interests the subject of uncompleted contracts the existing scheme operator has entered, or contracts the existing scheme operator must enter, under section 63A of the Act as at the declaration date for the closure plan—
- (a) the number of freehold interests; and
 - (b) the existing scheme operator's best estimates of—
 - (i) the total of the amounts payable to former residents of the retirement village under the contracts; and
 - (ii) when the amounts payable will be paid to the former residents

Miscellaneous

- 32 the reasons for the transfer of the scheme
- 33 for any thing relating to the transfer of the scheme's operation that is not otherwise mentioned in this schedule and may have a significant adverse effect on a resident of the retirement village—

- (a) a description of the thing; and
 - (b) if the existing scheme operator or new scheme operator will take action to mitigate the adverse effect—details of the action
- 34 a declaration, signed and dated by the existing scheme operator and new scheme operator, that the information contained in the transition plan is correct as at that date

8 Amendment of sch 2 (Information to be contained in village comparison document)

- (1) Schedule 2—

insert—

15A a description of the scheme operator's obligations under section 63A of the Act in relation to freehold properties of former residents of the retirement village

- (2) Schedule 2, item 16, 'charges'—

omit, insert—

charge

- (3) Schedule 2, item 21(a)—

omit, insert—

- (a) any surplus or deficit of—

- (i) if any of the 3 most recent financial years ended before 11 November 2019—general services charges for the retirement village, as at the end of that financial year; and
- (ii) if any of the 3 most recent financial years ended after 11 November 2019—the general services charges fund for the retirement village, as at the end of that financial year; and

(4) Schedule 2, item 22(a)—

omit, insert—

(a) any surplus or deficit of—

- (i) if either of the 2 most recent financial years ended before 11 November 2019—general services charges for the retirement village, as at the end of that financial year; and
- (ii) if either of the 2 most recent financial years ended after 11 November 2019—the general services charges fund for the retirement village, as at the end of that financial year; and

(5) Schedule 2, item 23(a)—

omit, insert—

(a) any surplus or deficit of—

- (i) if the most recent financial year ended before 11 November 2019—general services charges for the retirement village, as at the end of the financial year; or
- (ii) otherwise—the general services charges fund for the retirement village, as at the end of the financial year; and

(6) Schedule 2, item 24(a) and (b)—

omit, insert—

(a) each village fund for the retirement village;

(7) Schedule 2, item 24(c)—

renumber as item 24(b).

(8) Schedule 2, item 39, ‘charges’—

omit, insert—

charge

(9) Schedule 2—

insert—

- 56 whether there is an approved closure plan or approved transition plan for the scheme
- 57 whether there is an approved redevelopment plan for the retirement village

9 Amendment of sch 3 (Information to be contained in prospective costs document)

Schedule 3, item 7—

insert—

- (ba) if the prospective resident is to obtain a freehold interest in the unit—
 - (i) the circumstances in which the scheme operator must enter into and complete a contract to purchase a freehold property under section 63A of the Act; and
 - (ii) when the contract must be completed under section 63B of the Act; and
 - (iii) how the purchase price for the freehold property is decided under section 63D of the Act

10 Insertion of new sch 4A

After schedule 4—

insert—

Schedule 4A Matters to be stated in redevelopment plan

section 8A

Statements

- 1 a statement setting out the requirements for redevelopment plans under part 5, division 10 of the Act
- 2 a statement to the effect that it is important for the resident of the retirement village to whom the redevelopment plan is given to obtain independent legal advice about how the scheme operator's implementation of the plan may affect the resident

Identifying information

- 3 the name and address of the retirement village
- 4 the real property description of the retirement village land
- 5 the following information about the scheme operator—
 - (a) name, ACN (if any) and contact details;
 - (b) the date the scheme operator started to control the scheme's operation;
 - (c) the name and contact details of a representative of the scheme operator the chief executive or a resident may contact in relation to the redevelopment plan
- 6 the name, ACN (if any) and contact details of the manager of the retirement village

Accommodation units

- 7 the types of tenure or interest residents of the retirement village can obtain in accommodation units in the retirement village

[s 10]

- 8 the number of accommodation units in the retirement village in which each type of tenure or interest can be obtained
- 9 the number of accommodation units in the retirement village that are vacant as at the declaration date for the redevelopment plan

Consultation and other communication

- 10 if the scheme operator has given at least 1 resident, but not all residents, of the retirement village written notice of a running redevelopment of the retirement village in a document mentioned in section 84(1) or 237I(7)(a) of the Act—
 - (a) a description of each type of document in which the notice was given; and
 - (b) the date each document was given to a resident
- 11 if details of a running redevelopment of the retirement village have changed since written notice of the redevelopment was given to residents of the retirement village in a document mentioned in section 84(1) or 237I(7)(a) of the Act—a summary of the changes
- 12 details of any consultation the scheme operator has carried out with residents of the retirement village about the running redevelopment or the preparation of the proposed redevelopment plan for the running redevelopment, including—
 - (a) the type of consultation; and
 - (b) the matters to which the consultation related
- 13 details of any consultation or other communication the scheme operator will

carry out with residents of the retirement village about the running redevelopment or the preparation of the proposed redevelopment plan for the running redevelopment, including—

- (a) the type of consultation or communication; and
- (b) the matters to which the consultation or communication will relate; and
- (c) whether the consultation or communication will be carried out between—
 - (i) the day the scheme operator fully complies with section 113D of the Act in relation to the proposed redevelopment plan; and
 - (ii) the day of the residents meeting to decide whether to approve the proposed redevelopment plan

14 details of any consultation or other communication the scheme operator will carry out with residents of the retirement village about a revision of the redevelopment plan under section 113G of the Act

Planning and construction

15 details of the period during which the running redevelopment will be carried out, including the scheme operator's best estimates of—

- (a) the day the running redevelopment will start; and
- (b) the day the running redevelopment will end; and

- (c) if the running redevelopment is to be carried out in stages—
 - (i) the day each stage will start; and
 - (ii) the day each stage will end
- 16 if the running redevelopment involves an expansion or reduction in size or area of the retirement village—details of, and the reasons for, the expansion or reduction
- 17 a description of each type of redevelopment to be carried out as part of the running redevelopment
- 18 the real property description of each lot on which redevelopment of the retirement village is to be carried out as part of the running redevelopment
- 19 details of any development application made, or required to be made, in relation to the running redevelopment
- 20 details of any development approval obtained, or required to be obtained, in relation to the running redevelopment
- 21 a description of any activity to be carried out by the scheme operator that is ancillary to the running redevelopment, including, for example, the following—
 - (a) the construction or demolition of a road, pathway or footpath;
 - (b) the construction of infrastructure for, or the interruption of, a service for supplying electricity, gas, sewerage, telecommunications or water;
 - (c) the creation or removal of car parks;
 - (d) the planting or clearing of trees;
 - (e) the installation or removal of street lighting;

-
- (f) another activity that is likely to affect—
 - (i) the amenity of the retirement village; or
 - (ii) the quiet enjoyment of accommodation units in the retirement village by residents of the retirement village
 - 22 if 1 or more multistorey buildings will be constructed as part of the running redevelopment—
 - (a) details sufficient to identify the buildings; and
 - (b) the number of storeys in each of the buildings

Changes and impacts

- 23 the number of accommodation units—
 - (a) in the retirement village as at the declaration date for the redevelopment plan; and
 - (b) that will be in the retirement village once the running redevelopment of the retirement village is completed
- 24 for accommodation units mentioned in item 23—
 - (a) the types of tenure or interest residents of the retirement village can obtain in the units; and
 - (b) the number of units in which each type of tenure or interest can be obtained
- 25 details of any likely impact, other than a minor impact, of the running redevelopment on the amenity of the retirement village, the

- privacy or safety of residents of the retirement village or residents' quiet enjoyment of accommodation units in the retirement village—
- (a) while the running redevelopment is being carried out; and
 - (b) once the running redevelopment is completed
- 26 details of any likely impact of the running redevelopment on a support design feature of the retirement village—
- (a) while the running redevelopment is being carried out; and
 - (b) once the running redevelopment is completed
- 27 if the scheme operator will implement a strategy for mitigating an impact the details of which must be stated in the redevelopment plan under item 25 or 26— details of how the impact will be mitigated
- 28 if a new facility will be available to residents of the retirement village because of the running redevelopment—a description of the new facility
- 29 if a facility available to residents of the retirement village will be improved as part of the running redevelopment—a description of the improvement
- 30 if a facility available to residents of the retirement village will be removed as part of the running redevelopment—details of the removal, including whether the removal will be permanent or temporary
- 31 if the way a facility of the retirement village is used, or the way the use of the facility is

- shared, will change as a result of the running redevelopment—details of the change
- 32 details of any likely impact of the running redevelopment on the use by the retirement village’s residents of facilities of, businesses operating in or services supplied or otherwise made available in, the retirement village—
- (a) while the running redevelopment is being carried out; and
 - (b) once the running redevelopment is completed
- 33 if the scheme operator will implement a strategy for addressing or mitigating an impact the details of which must be stated in the redevelopment plan under item 32—details of how the impact will be addressed or mitigated
- 34 the scheme operator’s best estimate of any likely impact of the running redevelopment on what the scheme operator reasonably believes to be the value of accommodation units in the retirement village—
- (a) while the running redevelopment is being carried out; and
 - (b) once the running redevelopment is completed
- 35 a description of how the estimate required to be stated in the redevelopment plan under item 34 is worked out
- 36 if the scheme operator will implement a strategy for mitigating, or compensating a resident of the retirement village for, an impact the details of which must be stated in the redevelopment plan under item 34—details of how the impact will be mitigated or compensated for

- 37 how access to the retirement village will be given during the running redevelopment for—
 - (a) persons carrying out work as part of the running redevelopment; and
 - (b) vehicles and equipment required for the running redevelopment; and
 - (c) emergency vehicles
- 38 details of any proposed changes to the maintenance or repair of the retirement village's capital items during the running redevelopment
- 39 if the scheme operator intends to relocate a resident of the retirement village during the running redevelopment—
 - (a) whether the scheme operator intends the relocation to be temporary or permanent; and
 - (b) details sufficient to identify—
 - (i) the accommodation unit from which the resident will be relocated; and
 - (ii) the place to where the resident is intended to be relocated; and
 - (c) details of any relocation options available to the resident; and
 - (d) if the scheme operator intends to implement a process for allocating the resident to another accommodation unit—details of the process; and
 - (e) whether the scheme operator will consult or negotiate with the resident about the relocation and, if so, how the consultation or negotiation will be carried out; and

- (f) details of any compensation, support service or financial or other assistance the scheme operator will give to the resident in relation to the relocation
- 40 details of any compensation, other than details that must be stated in the redevelopment plan under item 36 or 39(f), the scheme operator may give to a resident because of the running redevelopment

Contributions, costs and budgets

- 41 the scheme operator's best estimates of how the amount of any general services charge or maintenance reserve fund contribution for the retirement village will change—
 - (a) during the running redevelopment of the retirement village; and
 - (b) once the running redevelopment is completed
- 42 whether, and the scheme operator's best estimate of the extent to which, an expected cost stated in a quantity surveyor's written report obtained in relation to the retirement village under section 92 or 98 of the Act will become inaccurate—
 - (a) during the running redevelopment of the retirement village; and
 - (b) once the running redevelopment is completed
- 43 whether, and if so, the scheme operator's best estimates of how, the capital replacement fund budget and maintenance reserve fund budget for the retirement village will change—
 - (a) during the running redevelopment of the retirement village; and

- (b) once the running redevelopment is completed

Miscellaneous

- 44 the number of residents of the retirement village
- 45 a detailed description of the running redevelopment
- 46 the reasons for the running redevelopment
- 47 a reference to sources of information or advice about retirement villages, including the sources on the department's website
- 48 a declaration, signed and dated by the scheme operator, that the information contained in the redevelopment plan is correct as at that date

11 Amendment of sch 5 (Operational documents)

- (1) Schedule 5, item 7(a), 'the capital replacement fund or maintenance reserve fund'—

omit, insert—

a village fund

- (2) Schedule 5, item 7(b)—

omit, insert—

- (b) the balance and income of, and expenditure for, the general services charges fund;

- (3) Schedule 5—

insert—

8A an approved closure plan or approved transition plan for the scheme

8B an approved redevelopment plan for the retirement village

12 Amendment of sch 7 (Dictionary)

(1) Schedule 7, definitions *general services charges budget* and *redevelopment*—

omit.

(2) Schedule 7—

insert—

declaration date—

- (a) for a closure plan—means the date of the declaration required for the plan under schedule 1A, item 40; or
- (b) for a transition plan—means the date of the declaration required for the plan under schedule 1B, item 34; or
- (c) for a redevelopment plan—means the date of the declaration required for the plan under schedule 4A, item 48.

existing scheme operator see section 41C(1) of the Act.

financially-interested former resident, of a retirement village, means a former resident of the retirement village—

- (a) who is required under section 104 of the Act to pay the whole or a proportion of a general services charge or maintenance reserve fund contribution for the retirement village; or
- (b) whose freehold property in the retirement village has not been sold; or
- (c) whose exit entitlement relating to an accommodation unit in the retirement village has not been paid to the person

entitled to receive it under section 63 of the Act.

general services charge budget see section 102A(1) of the Act.

lot see the *Land Title Act 1994*, schedule 2.

new scheme operator see section 41C(1) of the Act.

redevelopment, of a retirement village, see section 113C(3) of the Act and section 16A of this regulation.

registered, for a building management statement or community management statement, means registered in the freehold land register under the *Land Title Act 1994*.

reinstatement work see section 56(1) of the Act.

support design feature, of a retirement village, means a design feature of all or part of the retirement village relating to—

- (a) access to the retirement village by persons with a disability; or
- (b) use of the retirement village by all persons, to the greatest extent possible, without adaptation or specialised design.

transfer day, for a retirement village scheme, means the day on which full control of the scheme is assumed by the new scheme operator of the scheme.

village fund, for a retirement village, means any of the following funds for the retirement village—

- (a) the capital replacement fund;
- (b) the general services charges fund;
- (c) the maintenance reserve fund.

ENDNOTES

- 1 Made by the Governor in Council on 12 December 2019.
- 2 Notified on the Queensland legislation website on 13 December 2019.
- 3 The administering agency is the Department of Housing and Public Works.

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