

Apollo Care Policy

Retirement Living

Dispute Management

Policy Section	Care and Services	Policy Owner:	General Manager Community Living
First Implemented:	14 October 2026	Last Reviewed:	14 October 2026
Version:	1.0	Document Code:	1531

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PART 1: POLICY

Context

1. This document sets out the policy and procedure of Apollo Care (the operator) for dealing with and resolving disputes in the retirement villages it operates (each a village). It applies to villages in Victoria, New South Wales and Queensland.
2. Retirement village legislation in each of those states requires the operator of a village to have a process for resolving disputes between the operator and residents, and to make that process available to residents. The specific statutory requirements that apply in each state are set out in Appendices 2 to 4.
3. The purpose of this policy is to give residents a clear, fair and accessible process for raising and resolving disputes relating to the village, and to ensure Apollo Care meets its statutory obligations in every state in which it operates.

Commitment

4. Apollo Care is committed to resolving disputes early, locally and informally wherever possible, and to dealing with every dispute in a way that preserves the resident's dignity and their ongoing relationship with the village.
5. The following principles apply to every dispute dealt with under this policy:
 - Accessibility – a resident may raise a dispute in the way that is easiest for them and will be assisted to do so if they need help.
 - No detriment – a resident will not be treated less favourably, and their services will not be affected, because they have raised a dispute.
 - Support and representation – a resident may be represented or assisted by a person of their choice at any stage of a dispute.
 - Timeliness – disputes are acknowledged and progressed promptly and within the timeframes required in the relevant state, as set out in Appendices 2 to 4.

- Transparency – the resident is told who is dealing with the dispute, what will happen next, and the outcome and the reasons for it.
 - Fairness and impartiality – a person who is personally involved in the subject matter of a dispute does not decide it; the alternative contact person deals with the matter instead.
 - Confidentiality – disputes are handled confidentially and personal information is managed in accordance with the Privacy Act 1988 (Cth) and Apollo Care’s Privacy Policy.
 - Continuous improvement – disputes are analysed for systemic causes and used to improve village operations.
6. This policy should be read in conjunction with the following policies:
- > *Apollo Care Complaint Management Policy*
 - > *Apollo Care Privacy Policy*

Scope

7. This policy applies to:
- a dispute between a resident, or a former resident, of a village and Apollo Care as the operator that relates to the village, its operation, or the rights and obligations of the resident or the operator under the resident’s village contract, the village rules or the applicable Act; and
 - a dispute between residents of a village, to the extent set out under Disputes between residents and the applicable appendix.
8. This policy applies to all employees, contractors, agents and volunteers who work at or in connection with a village, and to all village management personnel.
9. This policy is specific to retirement village disputes. It operates alongside, and does not replace, Apollo Care’s Complaint Management Policy, which deals more broadly with complaints and feedback across Apollo Care’s services. A resident may raise a matter as a complaint, as a village dispute, or both. Where a matter is a village dispute, this policy applies.
10. Where a village is also subject to strata, community titles or body corporate legislation, a dispute about the scheme itself may need to be dealt with under that legislation rather than under this policy. The applicable appendix identifies where this arises.
11. Nothing in this policy limits a resident’s right to contact the regulator, to apply to the relevant tribunal, or to obtain independent legal advice at any time.

Quality

12. This policy has been developed having regard to the following quality frameworks:
- > *Australian Retirement Village Accreditation Scheme (ARVAS)*
 - > *Retirement Living Code of Conduct*

Compliance

- 13.** Apollo Care recognises and will comply with its obligations under the following regulatory instruments, as applicable to the state in which a village is located:
- > *Retirement Villages Act 1986 (Vic), as amended by the Retirement Villages Amendment Act 2025 (Vic), and the Retirement Villages Regulations 2026 (Vic)*
 - > *Retirement Villages Act 1999 (NSW) and the Retirement Villages Regulation 2025 (NSW)*
 - > *Retirement Villages Act 1999 (Qld) and its subordinate regulations*
 - > *Privacy Act 1988 (Cth) and the Australian Privacy Principles*
 - > *each resident's village contract and the village rules (however titled)*
- 14.** Penalties may apply to an operator that fails to establish, maintain, publish or provide a dispute resolution process as required in its state. The specific obligations that apply in each state are set out in Appendices 2 to 4.

Accountability

- 15.** The Board, through the Chief Executive Officer (CEO), has overall responsibility for ensuring the objectives of this policy are achieved. The CEO delegates responsibility to:
- The General Manager Community Living, through the Chief Operating Officer, for ensuring this policy remains contemporary, accessible, implemented and complied with in each jurisdiction;
 - The General Manager – Independent Living, through the General Manager Community Living, for the operation of this policy, for maintaining the schedule of nominated contact persons at Appendix 1, and for reporting on disputes; and

PART 2: PROCEDURE

Overview

16. The following is an overview of the steps in resolving a village dispute. The detail of each step, and the statutory timeframes and referral pathways that apply in each state, are set out in the sections that follow and in Appendices 2 to 4.

- Definitions
- Nominated contact persons
- How a resident gives notice of a dispute
- Recording a dispute
- Working to resolve the dispute
- Advising the resident of the outcome
- External dispute resolution
- Disputes between residents
- Records and confidentiality
- Reporting of disputes
- Availability of this policy
- Roles and responsibilities
- Learning and development
- Quality Improvement

Definitions

Term	Definition
Act	The retirement villages legislation applying in the state in which the village is located: the Retirement Villages Act 1986 (Vic), the Retirement Villages Act 1999 (NSW) or the Retirement Villages Act 1999 (Qld), together with its subordinate regulations.
Alternative contact person	The person nominated by the operator for a village to receive and deal with a dispute where the dispute involves the primary contact person, or where the primary contact person is unavailable or not empowered to deal with the dispute.
Dispute	A dispute between a resident and the operator, or between residents, that relates to the village, its operation, or the rights and obligations of the resident or the operator under the village contract, the village rules or the Act. Also referred to as a village dispute.

Term	Definition
Operator	The Apollo Care entity that operates the village, as identified for each village in Appendix 1. Referred to in some legislation as the scheme operator or the operator of a retirement village.
Primary contact person	The person nominated by the operator for a village as the first point of contact for a dispute.
Regulator	The government agency responsible for administering the Act in the relevant state, as identified in Appendices 2 to 4.
Resident	A person who resides in the village under a village contract, and includes a former resident where the Act allows a former resident to bring a dispute.
Tribunal	The tribunal with jurisdiction to hear a village dispute in the relevant state, as identified in Appendices 2 to 4.
Village rules	The rules, by-laws or house rules applying in the village, however titled.

Nominated contact persons

- 17.** For each village Apollo Care will nominate a primary contact person and an alternative contact person. The name, position and contact details of the contact persons for each village are set out in Appendix 1 and are displayed on the village notice board.
- 18.** A resident may raise a dispute with either contact person.
- 19.** The alternative contact person deals with a dispute where the dispute involves the primary contact person, or where the primary contact person is unavailable or is not empowered to deal with the dispute.
- 20.** Where a nominated contact person changes, Appendix 1 must be updated and residents notified as soon as practicable. In Victoria the nomination of a primary and an alternative contact person is a statutory requirement – see Appendix 2.

How a resident gives notice of a dispute

- 21.** A resident may give notice of a dispute by:
 - speaking to a contact person in person or by telephone;
 - writing to a contact person by letter or email;
 - asking any member of village staff to pass the matter to a contact person; or
 - having a representative or advocate raise the matter on the resident's behalf.
- 22.** The form of notice required by statute differs between states. In Victoria a resident is not required to put a dispute in writing and verbal notice is sufficient. In New South Wales and Queensland the statutory process may require written notice at particular stages – see Appendices 3 and 4. In every state the operator will accept a dispute raised verbally, and will assist the resident to put the dispute in writing where the statutory process requires it.

- 23.** A resident is entitled to be represented or assisted by another person of their choice at any stage in dealing with a dispute.

Recording a dispute

- 24.** As soon as practicable after receiving notice of a dispute, the contact person will make a written record of the dispute and give a copy of that record to the resident who gave notice. This does not apply if the contact person reasonably believes the dispute has already been settled to the resident's satisfaction.
- 25.** The record of a dispute will include:
- the date and time notice of the dispute was given, and how it was given;
 - the name of the resident and of any representative or support person;
 - the matters in dispute, as described by the resident;
 - the contact person dealing with the dispute; and
 - the actions agreed or proposed, and by when.
- 26.** Where a dispute is not resolved to the resident's satisfaction within the period specified for the state in which the village is located, the operator will create and maintain its own written record of the dispute, including the reasons the dispute is considered unresolved and the actions that will or may be taken to resolve it. In Victoria that period is 72 hours from the time notice is given – see Appendix 2.
- 27.** Every dispute of which notice is given is entered in the village dispute register.

Working to resolve the dispute

- 28.** The operator will work with the resident to try to resolve the dispute as quickly as possible. Depending on the nature of the dispute this may involve making further enquiries, offering a meeting between the resident and the contact person, obtaining information from other parties, or proposing a practical remedy.
- 29.** Where a meeting is held, the resident may bring a support person or representative, a record of the meeting will be made, and a copy of that record will be given to the resident.
- 30.** Statutory requirements for preliminary negotiation – including the form of any notice, the minimum notice period for a meeting and the time allowed for a response – differ between states. In Queensland in particular, a prescribed preliminary negotiation step applies before a dispute may be referred externally. Refer to the appendix for the state in which the village is located before commencing or responding to a formal negotiation step.

Advising the resident of the outcome

- 31.** When the operator, the primary contact person or the alternative contact person considers that the dispute has been resolved, or that it cannot be resolved, the resident will be notified as soon as practicable.
- 32.** Where the dispute is resolved, the notice to the resident will set out the details of the resolution.

- 33.** Where the dispute cannot be resolved, the notice to the resident will set out the reasons and will inform the resident of the external options available in their state, which will ordinarily include:
- contacting the regulator for that state for information or assistance;
 - applying for conciliation or mediation through the service available in that state;
 - applying to the relevant tribunal; and
 - seeking independent legal advice.
- 34.** The names, contact details and application steps for each of those options are set out in Appendices 2 to 4.

External dispute resolution

- 35.** Each state provides an external pathway for a village dispute that the operator and the resident cannot resolve between themselves. In broad terms each pathway has three elements: assistance and information from the state regulator; a conciliation or mediation service; and a tribunal that can hear and determine the dispute and make binding orders.
- 36.** The service that applies, its name, the steps a resident or the operator must take, and any applicable fees differ in each state and are set out in Appendices 2 to 4.
- 37.** In every state the operator will:
- participate in conciliation or mediation in good faith and be represented by a person with authority to settle;
 - not discourage a resident from using an external avenue, and not treat a resident less favourably for having done so;
 - comply with any agreement reached at conciliation or mediation, and with any order made by a tribunal; and
 - keep a record of the external process and its outcome in the village dispute register.

Disputes between residents

- 38.** Where a dispute is between residents, the operator will record the matter, remind the residents of their obligation under the applicable Act and the village rules not to interfere with the reasonable peace, comfort or privacy of others, and offer to assist the residents to resolve the matter informally.
- 39.** Whether the statutory dispute resolution process extends to a dispute between residents depends on the state. In Victoria a dispute between residents that relates to the village is dealt with under the statutory village dispute procedure. In Queensland the statutory dispute resolution provisions apply only to a dispute between a resident and the operator, and a dispute between residents is dealt with under the village rules or general law. In New South Wales a dispute between residents is dealt with under the village rules, with the external avenues described in Appendix 3 available in relation to the operator's handling of the matter.
- 40.** The operator will not take enforcement action against a resident in connection with a dispute between residents without first giving that resident an opportunity to respond.

Records and confidentiality

41. Apollo Care will keep a register of all village disputes of which notice has been given. For each dispute the register records the date notice was given, the parties, the nature of the dispute, the actions taken, the outcome, and the date the dispute was closed.
42. Records of disputes are retained for at least 7 years, or for any longer period required by the Act or regulations applying in the state in which the village is located.
43. Dispute records are handled confidentially and in accordance with the Privacy Act 1988 (Cth), the Australian Privacy Principles and Apollo Care's Privacy Policy. A resident may request access to the record of their own dispute at any time.

Reporting of disputes

44. At each annual meeting of residents, Apollo Care will present a report on village disputes for the previous year. The report will set out:
 - the number and nature of disputes;
 - the outcome of each dispute; and
 - any changes made or proposed in response to those disputes.
45. The report will not identify the parties to any dispute.
46. Additional reporting obligations apply in some states. In Victoria, a copy of the dispute report must be provided to the Director of Consumer Affairs Victoria within 14 days after the annual meeting – see Appendix 2. Any state-specific reporting obligation is set out in the relevant appendix.
47. Internally, the General Manager Community Living reports on dispute volumes, themes and outcomes to the Chief Executives, and to the Board through the established governance reporting cycle.

Availability of this policy

48. This policy will be:
 - published on the Apollo Care's website;
 - displayed or available at the village office and, where there is one, on the village notice board;
 - provided to prospective residents with the pre-contractual disclosure documents for the village; and
 - provided to any resident who requests a copy, within 2 business days of the request and at no charge.

Related documents and information

- > *The village rules or by-laws for the village*
- > *The resident's village contract and pre-contractual disclosure documents*
- > *Appendix 1 – Village details and nominated contact persons*
- > *Appendix 2 – Jurisdictional requirements: Victoria*
- > *Appendix 3 – Jurisdictional requirements: New South Wales*
- > *Appendix 4 – Jurisdictional requirements: Queensland*
- > *Appendix 5 – Jurisdictional comparison summary*

Jurisdictional differences

49. The body of this procedure is generic and applies in every state in which Apollo Care operates a retirement village. The appendices deal with the requirements that differ between jurisdictions.
50. Where the body of this procedure and an appendix are inconsistent, the appendix for the state in which the village is located prevails.

Review of this procedure

51. This policy is reviewed at least annually, and whenever the legislative requirements in any of Victoria, New South Wales or Queensland change. Where a change affects only one state, the relevant appendix is updated and the change is recorded in the Version History at the end of this procedure.

Roles and Responsibilities

52. The Village Manager is responsible for ensuring this policy is implemented and operational in the village/s they are responsible for.
53. All staff are responsible for ensuring grievances are communicated and escalated.

Learning and Development

54. The following resources are available to support this policy:
Retirement Living Code of Conduct Complaint Handling Guidelines, Ageing Australia
<https://ageingaustralia.asn.au/wp-content/uploads/2022/09/Retirement-Living-Code-of-Conduct-Complaints-Handling-Guidelines.pdf>

Quality Improvement

55. Apollo Care values feedback from stakeholders and is and process improvement. Feedback and suggestions about this policy should be directed to quality@apollocare.com.au.

Standard Definitions

Term	Definition
Agency Worker	A person engaged under a labour hire arrangement with an external agency to perform work duties. Apollo Care is the host employer; however, there is no employment relationship between the Agency worker and Apollo Care (for example, an Agency Nurse or Physiotherapist.)
Consultant	A person who is engaged to provide professional services on an 'as needed' or ad hoc basis, either as a sole trader or via an external business or a company to provide advice and/or support to Apollo Care's business activities. There is no employment relationship between the Consultant and Apollo Care. For example, a lawyer, auditor or business consultant. A Consultant is not a worker for the purpose of this Policy.
Contractor	A person who is engaged to provide professional services functions to Apollo Care either as a sole trader or via an external business or company that employs them. This person may be based in an office and/or on site to provide services for a limited term or for the duration of a project. Apollo Care is the host employer; however, there is no employment relationship between the Contractor and Apollo Care (for example, a Project Officer, Change Manager or Rehabilitation Services Contractor).
Apollo Care	Apollo Care Operations Ltd ABN 78 609 769 897
Leader	A person in a leadership and management role including, but not limited to, an Executive, 'Head of', Manager, Supervisor or Team Leader. Leaders may be responsible for a function, area and/or team.
Volunteer	A person that works for the Company without being paid and is not an employee.
Worker	A person who carries out work for the Company as: <ul style="list-style-type: none"> An employee. An apprentice or trainee. A student gaining work experience. A volunteer A consultant, or A contractor.

Version History

- 56.** The following table summarises changes and improvements made to this policy over time and the rationale for any changes and improvements.

Date	Description
14/10/26	Policy first implemented

Appendix 1 – Village details and nominated contact persons

A completed copy of this appendix must be maintained for each village, displayed on the village notice board, and updated whenever a nominated contact person changes.

Bundaleer Retirement Village

Village name	Bundaleer Retirement Village
Operating entity (operator)	Bundaleer Care Operations Limited
State / jurisdiction	New South Wales
Village address	142a Cameron St, Wauchope NSW 2446
Applicable Act	Retirement Villages Act 1999 (NSW)
Primary contact person	Sheree Cheetham – Village Manager Phone: 02 6586 9400 Email: retirement@bundaleer.org.au Postal address: 142a Cameron St, Wauchope NSW 2446
Alternative contact person	Cassie Simadas – General Manager Independent Living Phone: 0475 092 093 Email: cassie.simadas@apollocare.com.au Postal address: 142a Cameron St, Wauchope NSW 2446
Regulator for this village	NSW Fair Trading
Tribunal for this village	NSW Civil and Administrative Tribunal (NCAT)

Harden Grange Retirement Village

Village name	Harden Grange Retirement Village
Operating entity (operator)	HRDC Community Limited
State / jurisdiction	New South Wales
Village address	78 Swift St, Harden NSW 2587
Applicable Act	Retirement Villages Act 1999 (NSW)
Primary contact person	Laura Knight – Residential Service Manager Phone: 02 6586 9400 Email: laura.knight@hardengrange.org.au Postal address: 78 Swift St, Harden NSW 2587
Alternative contact person	Cassie Simadas – General Manager Independent Living

	Phone: 0475 092 093 Email: cassie.simadas@apollocare.com.au Postal address: 142a Cameron St, Wauchope NSW 2446
Regulator for this village	NSW Fair Trading
Tribunal for this village	NSW Civil and Administrative Tribunal (NCAT)

Yackandandah Health Retirement Village

Village name	Yackandandah Health Retirement Village
Operating entity (operator)	Yackandandah Health Limited
State / jurisdiction	Victoria
Village address	20 Isaacs Ave, Yackandandah VIC 3749
Applicable Act	Retirement Villages Act 1986 (Vic)
Primary contact person	Aatqa Ameer – Residential Service Manager Phone: 02 6028 0100 Email: aatqa.ameer@yackhealth.org.au Postal address: 78 Swift St, Harden NSW 2587
Alternative contact person	Cassie Simadas – General Manager Independent Living Phone: 0475 092 093 Email: cassie.simadas@apollocare.com.au Postal address: 142a Cameron St, Wauchope NSW 2446
Regulator for this village	Consumer Affairs Victoria
Tribunal for this village	Victorian Civil and Administrative Tribunal (VCAT)

Appendix 2 – Jurisdictional requirements: Victoria

Legislative basis

Retirement Villages Act 1986 (Vic), as amended by the Retirement Villages Amendment Act 2025 (Vic), and the Retirement Villages Regulations 2026 (Vic).

Regulator, conciliation service and tribunal

- > Regulator – Consumer Affairs Victoria, 1300 55 81 81, www.consumer.vic.gov.au
- > Conciliation service – VicAssist Retirement Villages, a free conciliation service that helps residents and operators resolve retirement village disputes without going to a tribunal. Conciliation is voluntary, informal and confidential, and is conducted by an independent conciliator. Residents can find out more and apply at www.vic.gov.au/retirement-village-dispute-help
- > Tribunal – Victorian Civil and Administrative Tribunal (VCAT)

Statutory requirements specific to Victoria

- > Apollo Care will establish, maintain, publish and provide a village dispute procedure. Penalties apply for failing to do so.
- > Apollo Care will nominate a primary contact person and an alternative contact person for the village.
- > A resident may give notice of a dispute verbally or in writing. A resident is not required to put a dispute in writing.
- > As soon as practicable after receiving notice, the contact person must make a written record of the dispute and give a copy of that record to the resident who gave notice. This does not apply if the contact person reasonably believes the dispute has already been settled to the resident's satisfaction.
- > The 72-hour rule – if a dispute is not resolved to the resident's satisfaction within 72 hours of notice being given, Apollo Care will create and maintain its own written record of the dispute, including the reasons the dispute is considered unresolved and the actions that will or may be taken to resolve it.
- > When the dispute is resolved, or cannot be resolved, the resident must be notified as soon as practicable – with the details of the resolution, or with the reasons the dispute cannot be resolved.
- > Where the dispute cannot be resolved, the resident must be informed that they may contact Consumer Affairs Victoria, apply for conciliation through VicAssist Retirement Villages, and/or seek independent legal advice.
- > A dispute between residents that relates to the village is dealt with under the statutory village dispute procedure.
- > At each annual meeting of residents Apollo Care will present a report on village disputes for the previous year, which must not identify the parties to any dispute.
- > Within 14 days after the annual meeting Apollo Care will must provide a copy of the dispute report to the Director of Consumer Affairs Victoria via myCAV.

- > A copy of this procedure must be provided to any resident who requests one, within 2 business days and at no charge.

Appendix 3 – Jurisdictional requirements: New South Wales

Legislative basis

Retirement Villages Act 1999 (NSW), in particular Part 8 (Disputes), and the Retirement Villages Regulation 2025 (NSW).

Regulator, mediation service and tribunal

- > Regulator – NSW Fair Trading, which provides a free complaint service for residents and operators of retirement villages. Fair Trading may provide information to help resolve the complaint and may contact the other party to try to resolve the dispute.
- > Mediation – NSW Fair Trading offers free voluntary on-site mediation for disputes it considers suitable.
- > Tribunal – NSW Civil and Administrative Tribunal (NCAT), Consumer and Commercial Division.

Statutory requirements specific to New South Wales

- > Part 8 of the Act deals with disputes between an operator and a resident, preserves the parties' existing rights, and provides for the informal resolution of disputes before Tribunal proceedings are commenced.
- > The rules of conduct for operators under the Regulation contemplate that an operator has an internal dispute resolution process. Residents are directed to raise a dispute with the Village Manager first.
- > NCAT hears disputes between an operator and one or more residents, including disputes about village contracts and village rules, recurrent charges, budgets and accounts, capital maintenance and replacement, and the sale or letting of premises. Retirement village matters are first listed for conciliation and, if not resolved, may be listed for a contested hearing.
- > Application fees apply and time limits for applying to NCAT vary depending on the orders sought.
- > Where the village is part of a strata or community scheme, a dispute about the scheme itself is dealt with under the strata or community scheme legislation, and mediation with NSW Fair Trading generally must be completed before the Tribunal will hear the matter.
- > A dispute between residents is dealt with under the village rules. A resident must not interfere with the reasonable peace, comfort or privacy of other residents, and Apollo Care may apply to NCAT for an order requiring compliance.

Apollo Care policy positions applied in New South Wales

New South Wales does not prescribe nominated contact persons, a form of notice, a 72-hour record rule, or an annual dispute report to residents. Apollo Care applies each of those steps in New South Wales as a matter of policy, as set out in the body of this procedure, so that residents receive a consistent standard of service across all villages.

Appendix 4 – Jurisdictional requirements: Queensland

Legislative basis

Retirement Villages Act 1999 (Qld), in particular Part 9 (Dispute resolution) and Part 10 (Applications to the tribunal), and its subordinate regulations.

Regulator, mediation service and tribunal

- > Regulator – the Queensland Department of Housing, which is responsible for the regulation of retirement villages. Guidance for operators and residents is published at www.business.qld.gov.au
- > Mediation – the Queensland Civil and Administrative Tribunal (QCAT) administers mediation of retirement village disputes and appoints the mediator.
- > Tribunal – Queensland Civil and Administrative Tribunal (QCAT).

The three-step process

The Act establishes a three-step process for resolving a dispute between a resident and Apollo Care as the village operator. An application fee is payable for each step that involves QCAT.

- > Step 1 – Preliminary negotiation. The parties must first try to resolve the dispute within the village. The party raising the dispute writes to the other party stating the matters in dispute and nominating a date for a meeting, giving at least 14 days' notice. The other party must respond in writing within 7 days of receiving the notice. The parties then meet to try to resolve the dispute.
- > Step 2 – QCAT mediation. If the dispute is not resolved through preliminary negotiation, a party may apply to QCAT to refer the dispute to mediation. QCAT appoints a mediator within 14 days and gives the parties at least 7 days' notice of the date, time and place of the mediation conference. The conference is held in private, no official record is kept, and attendance cannot be compelled. A party may be represented by a lawyer or agent if the mediator approves. Where agreement is reached the mediator records it, the parties sign it, and a copy is given to QCAT.
- > Step 3 – QCAT hearing. If the dispute is not resolved at mediation, a party may apply to QCAT for a hearing and for orders resolving the dispute.

Other requirements specific to Queensland

- > The statutory dispute resolution provisions apply only to a dispute between a resident, or a former resident, and Apollo Care. They do not apply to a dispute between residents, which is dealt with under the village rules or general law.
- > A group of residents may make a joint application to QCAT where the dispute relates to the same or similar facts or circumstances.
- > In some circumstances an application may be made directly to QCAT for a hearing without completing the three-step process.
- > QCAT may make orders including orders about a contravention of or failure to comply with the Act, orders giving effect to a settlement agreed by the parties, and orders setting aside a mediation agreement.

- > Apollo Care has this documented internal processes for resolving disputes, and information about those processes should be included in the village documents provided to residents.

Apollo Care policy positions applied in Queensland

Queensland does not prescribe nominated contact persons, a 72-hour record rule, or an annual dispute report to residents. Apollo Care applies each of those steps in Queensland as a matter of policy, as set out in the body of this procedure. Village management must not treat the Queensland preliminary negotiation step as the first response to a dispute – the internal steps from How a resident gives notice of a dispute through to Advising the resident of the outcome are followed first, and the preliminary negotiation step applies only where the dispute is heading towards external referral.

Appendix 5 – Jurisdictional comparison summary

This table is a quick-reference summary only. The requirements in Appendices 2 to 4 prevail.

Requirement	Victoria	New South Wales	Queensland
Principal Act	Retirement Villages Act 1986	Retirement Villages Act 1999	Retirement Villages Act 1999
Regulator	Consumer Affairs Victoria	NSW Fair Trading	Queensland Department of Housing
Conciliation / mediation	VicAssist Retirement Villages (conciliation)	NSW Fair Trading complaint service and voluntary on-site mediation	QCAT-appointed mediator
Tribunal	VCAT	NCAT (Consumer and Commercial Division)	QCAT
Nominated contact persons	Required by statute	Apollo Care policy	Apollo Care policy
Form of notice from resident	Verbal or written; writing not required	Not prescribed	Written notice required for the preliminary negotiation step
Written record given to resident	Required as soon as practicable	Apollo Care policy	Apollo Care policy
Operator's own record where unresolved	Required if unresolved after 72 hours	Apollo Care policy	Apollo Care policy
Prescribed pre-referral steps	None before conciliation	Informal resolution; Fair Trading complaint before Tribunal in scheme matters	Preliminary negotiation: 14 days' notice of meeting, 7 days to respond in writing
Disputes between residents	Within the statutory procedure	Under the village rules	Outside the statutory procedure
Report to residents' annual meeting	Required	Apollo Care policy	Apollo Care policy
Report to the regulator	Copy to the Director of Consumer Affairs Victoria via myCAV within 14 days of the annual meeting	Not required	Not required