

Solar for Apartments: Notice of proposed special resolution by ballot

Note to applicant: This template can be used by an Owners Corporation (OC) as a guide for what to include in a notice of ballot to seek authorisation to participate in the Solar for Apartments Program. It is not mandatory for this template to be used in complying with Solar Victoria's application requirements.

A notice of ballot must be given to each lot owner 14 days before the ballot.

If you use this template, please complete all form fields.

It is the OC's responsibility to ensure it complies with the requirements in the *Owners Corporations Act 2006* (Vic) in relation to all aspects of the Program. The OC must ensure that any notice of ballot or meeting is tailored to its own specific circumstances if necessary.

If there are other requirements or decisions to be made, these will need to be added in addition or determined separately as required (for example, where the OC requires authorisation to incur additional fees, such as management or financing fees).

Owners Corporation No.

Plan of Subdivision (PS)

(OC)

Notice of proposed Special Resolution by Ballot

The attached document sets out the text of a proposed special resolution by ballot pursuant to section 85(2)(b) of the *Owners Corporation Act 2006* (Vic) **(Act)**.

In accordance with section 85(2)(c) of the Act, a lot owner may authorise a person in writing to act as its proxy to vote on its behalf in this ballot. If voting by proxy, please ensure that a copy of the document appointing the proxy is included when the vote is returned.

If you wish to vote in favour of the special resolution, please communicate that intention in writing – that may be done by replying “yes” to the email to which this notice was attached.

If you wish to vote against the special resolution, please communicate that intention in writing - that may be done by replying “no” to the email to which this notice was attached.

Pursuant to section 85(2)(a) of the Act:

- the **closing date** for this ballot is _____ (being a date not less than 14 days after the date of this document);
- this ballot is effective as a special resolution of the OC if, by that date, lot owners representing at least 75% of the total lot entitlements of all of the lots in the OC vote in favour of the proposed resolution.

Dated:

Insert full name of person authorised to arrange the ballot,
e.g. the name of the Chairperson. See s 83 of the *Owners Corporation Act 2006* (Vic)

Background to the proposed project and the Solar for Apartments Program:

In this resolution:

- **Eligibility Requirements** means the 'Solar for Apartments Program Round 1: Eligibility requirements and how to apply' including the Terms and Conditions published at www.solar.vic.gov.au;
- **Final Quote** means the final detailed quote from the Authorised Retailer at Attachment A;
- **Funding Agreement** means a funding agreement to be entered into between Solar Victoria and the OC if the OC's application for a grant under the Program is granted final approval, in substantially the same form as the funding agreement at Attachment B;
- **Program** means the Solar for Apartments Program administered by the State of Victoria through Solar Victoria within the Department of Energy, Environment and Climate Action ABN 90 719 052 204;
- **Proposed Project** means the project described in this resolution, including the purchase and installation of the solar PV system described in the Final Quote by the OC; and
- **Terms and Conditions** means the 'Solar for Apartments Program Terms and Conditions' published at www.solar.vic.gov.au.

Noted that:

- The Program is administered in accordance with the Eligibility Requirements.
- The OC is proposing to undertake the Proposed Project.
- The OC considers that the OC and the Proposed Project meet the Eligibility Requirements.
- The participating lots are proposed to be (eg. Units 1-5, 7 and 11-14):
- The solar PV system is proposed to be installed on the following common property (eg. roof):
- To facilitate the Proposed Project, each participating occupiable lot owner will be required to:
 - agree to a transfer of connection type for their direct connect system, for which a fee may be charged by the energy retailer;
 - Insert any other responsibilities of the occupiable lot owner:
- The OC submitted an application for conditional approval of a grant under the Program. By submitting an application, the OC agreed to be bound by the Terms and Conditions.
- As set out in the Final Quote, the total amount for the purchase and installation of the solar PV system is \$
- \$ will be paid per participating lot/for lots
and (insert where relevant) \$ will be paid for lots
- If the OC is granted final approval for a grant under the Program, the OC expects that \$ will be funded by the grant.
- The above costs do not include other fees that may be incurred in connection with the Proposed Project, for example, management, legal and financing fees.
- To be eligible for final approval, the OC is required to enter into a Funding Agreement.
In summary, under the Funding Agreement the OC:
 - will own the solar PV system;
 - is responsible for any implications and costs associated with the Funding Agreement;
 - must ensure costs and benefits of the solar PV system are passed on equitably to participating occupiable lots;
 - must monitor performance of and maintain the solar PV system;
 - must arrange insurance for the solar PV system;
 - must provide certain warranties about its participation in the Program and the installation of the solar PV system; and
 - must collect, store and share data including 'Program Data' for the purpose of the Program.
- Insert other items relevant:

Special Resolution for the OC to enter into a Funding Agreement:

Resolved as a special resolution that:

Pursuant to section 52 of the Act, the OC is authorised to enter into a Funding Agreement and do all things necessary to give effect to the Funding Agreement, including to accept the Final Quote for the purchase and installation of the Eligible System.

Dated:

Attachment A

A copy of the final quote for the solar PV system is attached.

Attachment B

A copy of the sample funding agreement provided by Solar Victoria is attached.