

WARCRA
Annual General Meeting
Piney Lakes Environmental Centre, Booragoon
Friday 10 February 2012

The meeting opened at 10.00 am and the President welcomed everyone. He commented that this is the first time there has been the need for an election, with nine members nominating for seven positions.

Present: 54 members representing 33 villages [taken from the attendance register]

Apologies: Peter Wall (Beacon Hill), Betty Trinick (Freemasons Menora), Cliff Rocke, Brian McGill , Neil Honnor (Leschenault), Graham Walker (Meath Como), Bernie Sheridan (KLLV), Betty Williams, Ingrid Brighton (Belswan Mandurah), Val Francis, John Townsend, Pat Townsend, Phil Clarke, Julie Clarke (Jacaranda Gardens), Renee Blackett (Southern Cross Success), Valmae Black (Camelia Court), Peter Hunt (St. Louis Estate) Sally Forbes (Lewington Gardens)

Confirmation of the minutes of the last quarterly meeting, 11th November. Moved that they are a true and accurate record, Peter Boam (Leederville Gardens), Bob Ziegler (Lisle Village).....agreed.

Matters arising:

- **Seniors Housing Centre:** COTA has been selected as the NGO half of the Service.
- **COTA Connections:** A considerable number of people have opted not to receive this notification. In future the president will only forward copies to those who ask for it.
- *Q: Joyce Funke (Parklands) asked about the venue? Pr: This is listed for discussion later in the meeting (Other Business).*

Treasurer's Report (1st to 31st January 2012)

Opening Balance 01.01.12		\$12,993.89
INCOME		
Membership deposits	\$1,112.00	
Total		\$14,105.89
EXPENDITURE		
Balance of funds		\$14,105.89
Plus		
Term Deposit	\$5,493.31	
Term Deposit	\$10,804.34	
Total	\$16,297. 65	
Total Balance		\$30,403. 54
Account to be paid	Telstra	\$60.00

Auditor's Report 2011:

Audited report showed that the proposed budget for 2011 ended with a surplus

Presentation of 2012 Budget:

Member: would like copies of the Financial Report to be available for the Quarterly Meeting, rather than waiting for the minutes. Pr: this can be arranged for the future.

David Carlson (Forsyth): As individual membership is \$10.00 p.a. he urged members to so join.

Adoption of the financial Reports: On the motion of Peter Boam (Leederville Gardens) and Peter Seaton (Harold Hawthorne), the financial reports were received and the budget adopted.

The official audit this year was conducted by Margaret Holmes (Jacaranda Gardens). The President thanked her on behalf of the Association

President's Report

Graham Sinclair (Meath Mews Kingsley) gave a description of the process of developing and gathering signatures for a petition that was presented to his local politician. It concerned a section of the legislation to do with “ongoing charges”. The Petition is now a legal document and will be presented in Parliament.

ELECTION OF MEMBERS TO THE MANAGEMENT COMMITTEE

As there were 9 nominations for 7 positions, an election by secret ballot was carried out. Instruction on the process of the election was given, results to be announced before the end of the meeting.

Morning tea..... Meeting resumed at 11.12 a.m.

Other Reports:

- **Peel Region sub-committee:**

The representative (Frank McCarthy) is awaiting their last minutes. 20 Members attending the meeting representing 17 villages. Our major concern is to find out if we are representative of the intentions of those members.

Frank McCarthy **moved a vote of thanks** to the outgoing president and to Shirley Wyburn. Pres. thanked Frank for his very successful coordination of the sub-committee and as he was retiring from the committee for his very valuable contribution to WARCRA.

Other business:

- State of the Legislation:

Pr: As you are probably aware the legislation has been split into two sections so that the government can at least get one section of the Bill into the Parliament in the early part of this year. It is apparently considered that the first section of the Bill contains the less complex parts that will pass through Parliament fairly easily.

However this first section contains the recommendations on ‘ongoing charges’ and we are particularly concerned about how this is written. The drafting is well advanced at this stage and we can’t make any changes there. But we can make our politicians aware of how we feel about the unfairness of ongoing charges after we leave the village, carrying on sometimes for years until the unit is re-sold or leased, in order to influence discussion on the passage of the Bill in Parliament. Any changes to the ‘ongoing charges’ are unlikely to be retrospective so that current residents will not get the benefit of any changes, only those who sign up after the legislation is passed.

A suggestion has been made that in order for current residents to also get the benefit a phasing in period of 3 years be considered. It is worthwhile putting this to your local politician. We have a suggested letter covering the issue and can let you have a copy if you would like one. But we suggest that you don’t use it as a pro-former letter but rewrite it in your own words. Target your

local politicians, they take much more notice of people in their own electorate. Also target both lower and upper house politicians.

When the drafting is complete it will be given to the Minister and he will take it to Cabinet. When he releases it copies will be made available to the major stakeholders including WARCRA.

Member Q: Do we send the letter now?

ShirleyW: By all means put forward your thoughts now. There will need to be a strong groundswell of opinion from residents, then when the Report comes out, WARCRA and everyone will need to write again.

Pr: WARCRA will contact members of the Cabinet.

Member: Simon O'Brien is in our Electorate and we have had a long meeting with him. It will be easier to contact him again.

Denise Sinclair (Meath): Suggested that we sit in the gallery when it is discussed in Parliament and do some heckling.

Pr: We can get information as to what is on daily from the Parliamentary website *Business of the Day*.

Len Rathmann (St. Ives Murdoch): Is it best from the Resident's Committee or a volume of residents?

Pr: Both.

Pr: It has been suggested that a phasing in period be included for current residents.

ShirleyW: Another suggestion as a compromise is that two years after the Legislation has been proclaimed it be applied to all contracts. We want to hold this idea until later.

Member: There was hardship to some of our residents and the managers suggested that a type of Reverse Mortgage be applied to the maintenance fee.

Pr: One village ownership offered a reverse mortgage to their residents, which fortunately no one took up and later this owner went under.

ShirleyW: In some villages they will allow the recurrent charges to accumulate until the unit is sold. Under the new legislation interest can be charged on the accumulated charges.

- **Receiverships:** Lady Brand.

David Street reported on the state of receivership at Lady Brand Village. He stressed the importance of a Memorial on the estate. Unfortunately, Brian Brand (50% shareholder) died suddenly, intestate. His wife had no say and had to fight the existing directors to get recognition. The remaining director had been a bankrupt twice and should not have been a director.

Through the sale of some villa units they were able to complete some of the amenities. It ended with them trading insolvent. In the meantime they also took out \$2.5 million in director's loans and another \$2 million to finance another company within the framework of their own company.

We took them to the Tribunal over a written agreement that those residents residing in the village over a number of years prior to amenities being completed, would be able to claim a small percentage discount off deferred management fees. The Department acted on our behalf and we won the case and then the company went into voluntary administration.

All the administrator was interested in was selling the village. We could not access bank accounts, but we had to pay bills etc. Then the administrator walked and we found out that the payment on the Memorial had not been made, even though the paper work was done.

The owners were in debt to \$18 million. And one of the lenders (\$10million) wanted to put the owners into liquidation. This would mean that the residents who had a contract would become a creditor and the pecking order would depend on the number of their years in the village.

Hence my interest in this mechanism. In addition to the memorial another important point is the qualifications of those brought in to run the village. Hopefully, there are much more reputable owners taking over.

Election of members to the management committee:

Pr: commented on the high quality of nominees and said that he was anxious to make use of the skills they all offered. It should be remembered that there are sub-committees where such skills were valuable.

Election: Scrutineer Peter Thobaven announced those elected, in alphabetical order: Des Cousins, Bernard Francis, Ron Hasluck, Ron Lullfitz, David Street, Rob Waite, Joan Worthy.

Pr: congratulated incoming members and called for a short committee meeting immediately after this meeting to elect officers. He then thanked those who missed out on election for their previous valuable contributions to WARCRA and reiterated his previous comments about sub-committees.

KLLV: They had probably not only the worst management in WA but across Australia. There are ongoing issues, particularly with money, although the new owner is actually listening. It is reported that the previous administrator was paid \$55,000.00 for a maximum of two hours a week. The previous owner threatened to put onto the budget \$100,000.00 for his legal fees. They are still working through the financial matters with Consumer Protection but it seems that figure has been substantially reduced.

Peter Boam: How do you find out about the Memorial on the land?

Pr: Contact Landgate. It might cost you about \$10. 00

Venue for further meetings: Pres. asked for comments from the members so that the committee would have a flavour of how members felt. There are several venues under consideration including Parkland Villas Booragoon where we have had a long history of cooperation.

Comments on Piney Lakes - the parking is good, -air conditioning is not needed, - do we have the choice of rooms? -This room is suitable, -cost \$37 p.h. x 2, Parklands similar, approx. \$20 difference -great venues, -convenient to the Freeway -easy to find, -does the isolation of the car park attract vandals? (ans: overall little vandalism) - Parklands parking is more restricted, - Community Safety Officer patrols the area,

Pres. thanked members for their comments and referred the matter to the incoming committee.

Pres. then thanked all members for their attendance.

Ted Brindal (Mercy): **Offered a vote of thanks** to the outgoing president and to Shirley Wyburn.

The meeting closed at 11.55 a.m.

Next quarterly meeting: Friday 11th May 2012 - Venue to be decided by the committee.

**Patrick Wyburn,
President**

ADDENDUM

Following the AGM, a short committee meeting was held to elect office bearers for the ensuing year, the results were as follows:-

PRESIDENT	Des Cousins (Harbourside Village)
VICE-PRESIDENT	Jane Levett (St.Ives Centro)
SECRETARY	Bernard Francis (Jacaranda Gardens)
TREASURER	Ron Hasluck (Forrest Lakes)

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