

MINUTES
ANNUAL GENERAL MEETING
Friday, 8 February 2013 at 10.00 am
Piney Lakes Environmental Education Centre, Winthrop

13.02.01 Opening:

The President, Des Cousins, declared the meeting open and welcomed all those in attendance.

13.02.02 Attendance and Apologies:

As per the attendance register: 53 attendees from 31 Villages
9 apologies from Villages

13.02.03 Minutes:

The minutes of the general meeting on 9 November 2012 were confirmed.

13.02.04 Business Arising from the Minutes:

4.1 Constitution: The change of name has been approved by the Commissioner for Consumer Protection as from 18 December 2012. Two small technical amendments to the constitution were required and the Committee will deal with these

4.2 Any other matters not to be dealt with elsewhere on the agenda.

None

13.02.05 Reports:

5.1 President (Des Cousins) – The President presented a written report and a copy is appended to these minutes.

5.2 Treasurer (Ron Hasluck) – The Treasurer presented an audited income and expenditure statement for the year 2012 and a summary of funds held on 31 December 2012. There was a surplus of income over expenditure for the year of \$4,882.79 and our total equity at the end of the year was \$35,160.06. Members were reminded that the retained equity is to ensure that the Association has adequate funds if it ever has to engage in legal action for the benefit of the members and village residents.

The Treasurer also presented a proposed budget for the year 2013. No change is proposed in the membership fees and the expected surplus is \$2,450.

The financial reports and the budget were approved.

5.3 Legislation (Patrick Wyburn) – The Convener advised on the current progress of the legislation and expressed appreciation of the support he has received. Patrick will retire as Convener of the Sub-Committee as from this meeting but has agreed to continue as a member of the Sub-Committee particularly while the regulations from Bill 1 are being completed.

5.4 Seminars and Forums (Jane Levett) – The Convener summarised the work that has been done this and thanked all those that had helped. Jane will retire from the Sub-Committee as from this meeting and Rob Waite has agreed to take over the responsibilities of Convener.

5.5 Peel Region Sub-Committee (David Street) – The Convener reported on the activities of the past year. It is considered that the Regional Sub-Committee is fulfilling a useful function and will continue in the coming year.

13.02.06 Election of Committee Members

The committee has a maximum membership of 10 elected members. The Committee may co-opt up to two additional members.

Continuing Members of the Committee (second year of term):

Des Cousins	(<i>Harbourside</i>)	Bernard Francis	(<i>Jacaranda Gardens</i>)
Ron Hasluck	(<i>Forest Lakes</i>)	Ron Lullfitz	(<i>Mercy</i>)
David Street	(<i>Lady Brand</i>)	Rob Waite	(<i>Arcadia Waters</i>)

There are four vacancies. Three nominations have been received (two year term):

Colin Edwards	(<i>Bethany Waters</i>)	Julia Lynch	(<i>River Pines</i>)
Denise Nicolay	(<i>RAAFA, Erskine</i>)		

The Committee has the responsibility and power under the constitution to fill the vacancy remaining as well any co-options.

13.02.07 General Business

7.1 Questions: A number of questions were asked and information provided.

MORNING TEA BREAK

13.02.08 Visiting Speaker:

Ms Shelley Whitaker spoke on "Wills, Powers of Attorney and Guardianship"

Shelley is the honorary legal adviser to WARVRA. Her topic is to help residents prepare for the management and decision making of your village property if by reason of death or incapacity you cannot do this yourself. The ability to make speedy and legal decisions will become more important as the Regulations on capping recurrent charges come into force later this year.

Shelley pointed out that less than 45% of the population have a will or have made any necessary updates.

An Enduring Power of Attorney only deals with financial, legal and property matters. It should be activated from the date of signing otherwise the attorney will need to make an application to the State Administrative Tribunal to begin the exercise of attorney responsibilities.

An Enduring Power of Guardianship deals with issues of health, welfare and life style.

Copies of the presentation are available by email from Seniors Legal (shelley@seniorslegal.net.au)

13.02.09 Next Meeting: Friday, 10 May 2013 at 10 am at Piney Lakes

13.02.10 Closure

The President declared the meeting closed at 12.30 pm

CONFIRMED

Des Cousins
PRESIDENT
10/05/2013

ATTACHMENT

PRESIDENT'S ANNUAL REPORT 2012 – 13

Introduction

I had not planned to be President of this organisation this past year when I offered my name for election to the Committee. But, after my unexpected election, I am pleased to say that I have found the role of President an enjoyable and rewarding experience.

It is a very pleasant thing to share with people who have a common interest and who work together entirely voluntarily to advance the cause of retirement village residents.

The rewards come when it is possible to help someone or a village group with an issue of concern or to provide them with resources to make their village life better.

The Retirement Villages Legislation

It is obvious to all without my stating it: the retirement villages legislation package has dominated this year! Much work had been done in the previous year after the Statutory Review of the Retirement Villages Legislation: Final Report was published in November 2010. WARCRA had produced many papers and comments on the Review and made submissions to Government and Parliamentarians. We participated in round table meetings with the Department of Commerce and the owner/operator groups.

2012 was a continuation of this process. There were more round table meetings. Finally, the matter disappeared from our sight into the secrecy of the parliamentary drafting process. The expected introduction of the Bill was delayed and we feared the worst. But in August 2012, the Minister introduced the amendment Bill and in a private briefing advised us that the Government had made the momentous decision to extend the proposed cap on the payment of recurrent charges after a residence in a non-owner village had been vacated to **current** residents as well as to new residents.

As soon as we were able to see the whole Bill, we wrote briefing papers for members of parliament and visited the key personnel of the non-government parties. Many of our members contacted their local members and when the legislation was debated speaker after speaker referred to the contact they had had either with us as an organisation or with residents who lived in their electorates.

While the legislation changes in Bill 1 are relatively minor and many of them will not affect the day to day life of our villages, we have made our voice well heard and the owner/operator groups feel that they did not fare well.

We now have good standing in the process of developing the regulations that will implement the new powers in the legislation. A lot of what is currently in the Code will become regulations under the Retirement Villages Act and the opportunity is being taken to bring the content up-to-date wherever possible. The regulation writing process is moving quite slowly and we do not expect to see the new regulations proclaimed until late in the year: If we believe the process is becoming bogged down, we may need to engage once more in some political lobbying, having questions asked in Parliament and so on, to encourage more speedy action.

It does seem to me, and this was confirmed at a meeting with the Department of Commerce just earlier this week, that we will probably not see Bill 2 in the Parliament before late 2015 – some work has been done on it but nothing more will be done until the regulations from Bill 1 are completed. Bill 2 promises to be very complicated and contentious as it will contain all the provisions in regard to our two major financial issues – what is appropriate to be included in (and excluded from) a village operating budget? **and** how will reserve or sinking or refurbishment funds be established and managed and what say will residents have in their use? When that Bill is passed, there will be at least another year of regulation writing to follow.

So, a review that began in 2006 is not likely to be fully implemented until 2016 at the earliest, a less than creditable performance by the government that is supposed to provide a regulatory regime for retirement villages and their residents.

Our Other Activities

- **Seminars and Resource Papers:** We conducted two seminars on the “Role and Functioning of Residents Committees” this year, building on the first one in 2011. I consider it to be one of our major tasks to continue providing information and resources for Residents Committees and residents in general. So, we have already begun planning for Seminars in 2013 and will attempt three in the year, serving the north and south areas of the Perth Metro area and the Peel Region. We are proposing two topics – “Operating Budgets” and “Disputes and Complaints” – to reflect some of the matters on which we receive many enquiries.

We are also available to give talks to community groups (such as Probus Clubs or Community Action Centres) and to visit villages to help them address their own issues.

- **Meetings and the Newsletter:** Keeping you informed and ensuring that as many residents as possible hear about the work we are doing is important to us. We still struggle with easy communication as we are still sending out nearly 100 hard copies of the Newsletter – this is both expensive and time consuming. If you have email, or can access email through your village, please save us the expense and effort of sending material by post – you will get more and get it more quickly!
- **Peel Region:** Quarterly meetings have been held in the Peel Region again this year with varying attendances. By rotating the meetings around the Villages in the Region, we often have the opportunity of engaging residents of the host village who may not have heard of our work before.

We have also met with three small villages to discuss their specific concerns and held a seminar in Mandurah.

- **Advocacy:** We receive many phone calls, letters and emails from residents and others with queries about retirement villages. We try to respond to all of these, even the ones that are obviously mis-directed (enquiring about residential aged care or thinking that we run a village). We are now planning to focus many of your concerns into issues that are frequent or common to villages and to then develop a plan for action to achieve results for both the original enquirer and for more widespread groups. This will use our limited resources better but will require us to set up a system of reporting the enquiries we receive and our answers or findings or actions for others to receive. The website may be the vehicle to do this.
- **Partnerships:** We are trying to work with as many other groups in our area of interest as we can. We are in constant contact with COTA, Advocare and WACOSS. We are also seeking to maintain open and productive relationships with the bodies that represent the owners and operators of villages – Aged and Community Services WA and the Property Council of Australia’s Retirement Living Council (formerly the Retirement Villages Association). It is not always easy as our interests are sometimes in conflict. We do take the view that a well-run and profitable retirement village industry is beneficial to both owners and residents and the absence of conflict and misunderstanding caused by the lack of information and paternalistic attitude of some is detrimental to us all. We try to ensure that our communication with them is frequent, open and honest even when we are in disagreement.

Thanks

There are many people who work hard for the interests of retirement village residents and it is always dangerous to single out some.

However, I must say something about five people who have made special contributions to our Association. This year marks the conclusion of the committee memberships of Patrick and Shirley Wyburn. They have been a formidable team working for us. Patrick has given so much upfront leadership, become known and recognised far and wide a spokesperson for village residents and a source of deep and impressive knowledge of the systems and laws and experiences of retirement villages. He has been supported, often behind the scenes, by Shirley who has been the author of much written material and the organiser of seminars and forums that have done so much to enhance our profile and usefulness as an organisation. We are all deeply in their debt and wish them well as they enjoy more time for themselves and their family. Jane Levett, our vice President is standing down from the Committee after 6 years of membership. She has been ever willing to contribute and I have much appreciated her contribution. Philip Griffin, currently a co-opted member but formerly an elected member of the committee is also standing down this year – he has been our representative on the COTA policy committee. We have also thanked Doris Thobaven for her regular contribution to our morning teas with the presentation of a plant.

I have enjoyed working with my fellow committee members this year – they come to this task with such a diverse range of life experiences and, apart from the business we do for the Association, it is simply a pleasure to enjoy their company.

And the support of all our members is much appreciated too.

Where to from here?

It is clear that our major focus in the coming years will continue to be the legislation. That is a task that only a few can work on at the coal face, in meetings and submission writing. But it can only be done successfully if we know and can say that all of you are behind us.

Seminars, advocacy and communication will be our other foci. Your support and promotion is important here and volunteers to help will be always welcome.

Des Cousins
President

8 February 2013