

# WARVRA Newsletter

October 2015 Vol. 15 No. 4

Issued Quarterly



WARVRA

## Election of WARVRA Committee 2016

### The Annual General Meeting of WARVRA will be held on Friday 12 February 2016

At that meeting the WARVRA Committee for the coming year will be elected.

The constitution provides for a committee of ten members, elected for two year terms, some retiring each year. The Committee elects the President and office-bearers and may co-opt up to two additional members of the Committee.

These committee members were elected in February 2015 and their term of office continues until February 2017:

Colin EDWARDS, Julia LYNCH, Verelle WARD, Len RATHMANN and Arthur McCARTHY

The term of office for these members ends in February 2016:

Brian DAVIES, Ron HASLUCK, David STREET, Ian NORDECK and Des COUSINS

These co-opted members also complete their term:

Ron LULLFITZ and Val BROWN

**Please nominate members that are able to help with our workload.**

We particularly need members able to represent WARVRA in visits to villages and in helping residents solve their problems (advocacy).

### Nominations close on Friday 22 January 2016 with the Secretary

#### WARVRA Newsletter

This is the last Newsletter for 2015

Merry Christmas and a Happy New Year

Next Issue

29th JANUARY 2016

All contributions should be received by Wednesday 13th January. Contact Secretary for more information

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## NOTICE OF GENERAL MEETING

A General Meeting of the Association will be held at the

**Piney Lakes Environmental Education Centre,  
Leach Highway, Winthrop**

(The entry to the centre is on the south side of Leach Highway between Murdoch Drive and Winthrop Drive)

**FRIDAY 13th NOVEMBER 2015  
at 10am**

### **BUSINESS**

President's Report  
Treasurer's Report  
Legislation Update  
Seminars Committee Report  
General Business  
Members' Issues

### **GUEST SPEAKER**

**Clive Raymond**

Clive is a sessional (formerly senior) member of the State Administrative Tribunal.

The State Administrative Tribunal (SAT) has the power to deal with a number of matters in relation to retirement villages (see the Act, Regulations and Code).

What matters can the SAT deal with?

How do you make an application to the SAT?

How much does it cost?

How does the SAT work?

Do you need a lawyer?

Find out the answers to these and your other questions about the SAT

**Western Australian Retirement Villages Residents Association Inc**

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# WARVRA COMMITTEE DIRECTORY 2015-16

President	Colin Edwards	9535 6005	talworth40@gmail.com
Vice President	Verelle Ward	9204 3402	jonver2@bigpond.com
Secretary	Val Brown	9557 1845	gg.vb@bigpond.com
Treasurer/Membership	Ron Hasluck	9456 1991	rhasluck@bigpond.net.au
Membership Development	Ian Nordeck	9534 7650	ianandrae@internode.on.net
COTA Representative	Ron Lullfitz	9388 8645	rlullfitz@hotmail.com
Legislation & Advocacy (C) (on leave of absence)	David Street	9586 1667	pericles38@bigpond.com
Legislation & Advocacy (Acting Convener)	Des Cousins	9407 7849	dcousins@iimetro.com.au
Legislation & Advocacy	Arthur McCarthy	9447 4077	
Legislation & Advocacy	Len Rathmann	9332 7764	rhondalenr@yahoo.com.au
Seminars Co-Convener	Julia Lynch	9350 6872	julialynch@westnet.com.au
Seminars Co-Convener	Brian Davies	9387 3832	brilee5@optusnet.com.au

## CORRESPONDENCE ADDRESSES

<b>PRESIDENT</b>	Colin Edwards	11/10 Hungerford Avenue, Halls Head 6210
<b>SECRETARY</b>	Val Brown	145/38 Norwood Avenue, Baldivis 6171
<b>MEMBERSHIP</b>	Ron Hasluck	23/41 Geographe Way, Thornlie 6108

## WARVRA President's Report October 2015

A sincere Association welcome on board to all our new Individual and Village group members to date this year.

Many of you, our members, either individually or as village groups will have over the years, received valuable advice and help from our Committee member and Legislative matters convener David Street.

Unfortunately David and his partner Wendy have hit hard times with serious health issues that to quote them "knocked their health socks off". David's situation unfortunately has necessitated him standing down from his WARVRA roles and active participation for some time into the future.

***I'm sure you will join me in wishing both David and Wendy a speedy and permanent recovery!***

This situation has necessitated a slight Committee restructure with Des Cousins standing down as Secretary and picking up the Legislative Convener's Role.

Val Brown of Affinity Village Baldivis, who has been assisting Ian Nordeck with our membership drive, has generously stepped in as Secretary for the remainder of the Association year. Thank you Val!

Your Committee continues to work hard for you in their respective roles including Advocacy, Training, Legislation Review, Branch and Membership promotion, General Administration and Fellow Organisation representations with some reports published in this newsletter.

I have received advice from Western Power that they have completed their survey identifying all Retirement Villages, and identifying those with solar and domestic/commercial billing issues. We'll keep you in touch with further developments.

Des and I recently attended our National Association's Teleconference which included information and discussions:

- Retirement Living Council, Australia works on caring for people with Alzheimers /Dementia in retirement villages.
- Training of Village Managers
- A model easier to use generic village contract
- Issues for discussion at the National Council Conference in November.

We, your Committee, have initiated a review of our activities and processes largely recognising;

- the significant increase in our membership
- additional workloads related to the ongoing Review of the Retirement Villages Code and Regulations.
- increased requests for advice & Advocacy

Many of your Committee Group members have represented you for quite a few years and are feeling the pressure.

To address these issues –

### **WARVRA NEEDS YOUR HELP!**

Soon there will be a call for nominations for Committee for 2016 but in addition, it is proposed to create avenues of Committee group support to do some leg-work to support the actual Committee Teams.

If you feel you can help in any capacity, please contact our review Coordinator **Arthur Mc Carthy on 9447 4077** for further information.

Finally, I shall be having a holiday break combined with attending the Retirement Village Industry Conference and our Association's National AGM in Queensland during November.

During this period, Verelle Ward our Vice President, will chair the next General Meeting and respond to any phone and general enquiries.

Regards to you all

**Colin Edwards, President**

## Seminar Committee

Our Forum for prospective Village residents was held last month at Piney Lakes. The attendance was small.

The attendees were provided with presentations by WARVRA committee members on the subjects of; "What is a Retirement Village", "Selecting a Retirement Village" and "Retirement Village Life", as well as a WARVRA information leaflet.

As we have now completed our Seminar programme for this year the Committee needs to consider what subjects our members would like presented next year. Please contact the Committee and tell us what issues are important to you, so that we can look to providing Seminars of interest and information on current topics.

**Brian Davies, Co-Convener Seminar Committee**

## MEMBERSHIP MATTERS

### Membership

Since beginning our membership drive in September 2014, membership has increased from 71 to 86 group villages, with an increase of 1,500 new members to a total of 10,500. The Membership Committee is to be congratulated on their efforts but there is still much more to achieve.

What is very encouraging, is the growth in interest once village residents learn and understand how WARVRA membership can be of significant benefit to them.

### Member Education

The WARVRA Committee believes that a fundamental, important benefit of membership is learning about changes to village legislation and conditions and to understand how the conditions have improved.

To this end, WARVRA has developed the following three powerpoint presentations:

- The Benefits of WARVRA Membership – very important for all villages and new residents.
- Exiting your Villa – what is involved and needs to be done.
- New Budget and Financial Reporting – a must for all Finance Committees and interested residents.

These presentations are available as a free service to all village residents – to arrange a presentation at your village, please call:

Ian Nordeck – Phone: 9534 7650

Email: [ianandrae@internode.on.net](mailto:ianandrae@internode.on.net)

### Database/Communication

The great news is that our new database is "live" but in serious need of upgrading.

Each member village will soon receive a request for important contact information, including email address which will assist the WARVRA committee to better communicate with you and your village and substantially reduce costs.

Please treat this request as important and help us provide you with better services.

## LEGISLATION REPORT

**Regulations and Code:** Both of these were brought up-to-date as from 1 October 2015 with earlier drafted changes becoming operative. In the case of the Regulations, the parts now becoming operative relate to what must or must not be included in a residence contract. Much of this is not new, it simply takes over material previously in the Code (Division 4) and most of it only affects new contracts. The matters affecting existing contracts are set out in full on page 4. The newly operative part of the Code deal with service contracts (such as laundry, cleaning etc.)

**Form 1:** The pre-purchase disclosure statement (Form 1) is currently under review. Consumer Protection hopes to have it completed in time for it to become operative from the New Year. It is mainly an improved form but, of course, has no implications for existing residents. The Department is also preparing a shorter version of Form 1 for use when a retirement village residential unit is being rented (that will be called Form 1A)

**Retirement Villages on Crown Land:** The review of the Retirement Village Legislation recommended that villages on Crown Land should come fully under the Act and Regulations. Our Legislation Working Group agrees, but before acting would be interested to hear from any residents who live in villages on Crown Land – are you happy with this change? Are there any reasons why we should not support it?

**Registration of Retirement Villages:** We have strongly supported this proposal and our member Peter Thobaven has taken on the project of preparing a submission to the Consumer Protection Division. It is just about ready for submission and will be our first completed contribution to Amendment Bill #2.

## New Photo Card Fact Sheet

To provide the Western Australian community with an additional secure form of photographic identification, a new photo card will be available from 1 July 2014. The new photo card will have the same level of integrity as a drivers' licence and will be recognised by the Department of Transport as a form of primary identification.

It's a voluntary card that will assist people who do not hold a driver's licence or passport to conveniently prove their identity. The photo card will be available to people aged 16 years and older and be valid for five years.

Card-holders will have the option of including their address on the card, and can choose to have two cards – one showing their address and one without it.

### Goodbye To Proof Of Age Cards

The photo card replaces the proof of age card and no new proof of age cards have been issued since 1 July 2014. Current proof of age cardholders will be able to receive replacement cards until 31 December 2014.

### How to Apply

To apply for a photo card, applicants will need to visit a Driver and Vehicle Services or Department of Transport centre or agent with an approved combination of five original documents to verify their full name, date of birth and current residential address.

## ADDITIONS TO ALL RESIDENT'S CONTRACTS SIGNED BEFORE 1 OCTOBER 2015

The Retirement Villages Amendment Regulations 2015 and section 14A(3) of the Retirement Villages Act 1992 provide that some new provisions are deemed to be included in your Contract.

Your contract does **not** have to be amended but the Consumer Protection Office has suggested all Administering Bodies (AB) advise their residents of the changes which operate automatically (they are "written law").

There are three changes:

1. The Administering Body must not vary the provision or availability of any communal amenity unless the residents of the village, by a special resolution, consent to the variation. (Regulation 7E, table item 4)

*For your information, **communal amenity** means any amenity provided or made available by the administering body of a retirement village for the use of all residents of the village. (Regulation 4A)*

2. The Administering Body must not vary the availability of communal services, including by providing a new communal service, unless the residents of the village, by a special resolution, consent to the variation. (Regulation 7E, table item 3)

*For your information, **communal service** means any service provided or made available by the administering body of a retirement village to all the residents of the village that –*

- (a) *is not provided or made available under a separate service contract; and*
- (b) *is not an administrative or management service; and*
- (c) *is not a service for the maintenance or repair of a residential premises or personal amenity; and*
- (d) *is not a communal amenity; and*
- (e) *is not a personal service. (Regulation 4A)*

3. Urgent Repairs (Regulation 7H)

- (a) If an urgent repair is in relation to an item that the Administering Body is responsible for, then the Resident is entitled to arrange for an urgent repair on the AB's behalf if:
  - (i) the Resident has made all reasonable attempts to notify the AB of the need for an urgent repair; and
  - (ii) the AB has failed to carry out an urgent repair in a timely manner having regard to the nature of the repairs and any process established by the AB for the carrying out of an urgent repair; and
  - (iii) the Resident arranges for the urgent repair work to be carried out in accordance with any process established by the AB for the carrying out of urgent repairs; and
  - (iv) the Resident arranges for the urgent repair work to be carried out by a repairer who is on a list of repairers approved by the AB and displayed at a prominent place in the Village, or if no such list is displayed, by a repairer qualified to undertake repairs of that nature.
- (b) If the Resident arranges for urgent repairs to be carried out in accordance with paragraph (a) the AB will be responsible for payment for the urgent repairs including reimbursement to the Resident of any amount paid by the Resident in respect of the repairs.

*For your information, **urgent repair** means a repair that is necessary:*

- (a) *for the supply or restoration of an essential service; or*
- (b) *to avoid:*
  - (i) *risk of injury to a resident;*
  - (ii) *damage to the residential premises;*
  - (iii) *the residential premises being or becoming unsafe or unsecure; or*
  - (iv) *undue hardship to a resident.*

*For your information, **essential service** means each of the following:*

- (a) *electricity; (b) gas; (c) refrigeration; (d) sewerage, septic tank or other waste water management treatment; and (e) water, including the supply of hot water.*

*(Definitions in Regulation 7H(1))*

**WE SUGGEST YOU KEEP THIS NOTICE WITH YOUR COPY OF THE RESIDENCY CONTRACT**