



Western Australian Retirement Villages Residents Association Inc

Minutes of the General Meeting

Friday 10th August 2018 10.00am

Dept of Mines, Industry Regulation and Safety Exhibition Hall

1. PRELIMINARIES

1.1 Welcome

President Ian Nordeck welcomed all in attendance including Consumer Protection Officers Penny Lipscombe (Director, Legislation and Policy) and Susan O'Brien (Senior Legal Policy Officer).

1.2 Attendance: 56 as per Register
Apologies: 9 as per Register

2. MINUTES OF GENERAL MEETING 11th May 2018

Resolved: That the Minutes of the Meeting be adopted.

Moved: Corry Knappers

Seconded: Patricia McGreevey

Carried

2.1 Business Arising from Minutes

2.1.1 WARVRA Legal Representative

(See attachment)

Vice President Ron Chamberlain presented a progress Report on the search for Legal support.

3. CORRESPONDENCE Nil

4. REPORTS

4.1 President

The President reported:

- (a) the WA Liquor Control Act has been amended permitting the optional sale of liquor in the Clubhouse of Retirement Villages; special thanks to Paul Fricker, Nev Thorpe and Des Cousins for preparation of the submission;
- (b) the Draft Code of Conduct prepared by the Property Council of Australia Retirement Living Council has not been accepted by WARVRA and all other states. WARVRA has submitted the need for the Code to be mandatory for all operators, sanctions to apply, and the appointment of an independent arbitrator (Ombudsman).
No reply has been received;
- (c) a Committee Training Course will be held for half days on 10th, 17th, 24th October and encouragement was provided to residents to promote and attend.
- (d) WARVRA Associates applications have been received and promotion is encouraged;
- (e) 100% renewal of Village membership with the addition of Halls Head, Mandurah and Bethanie Geneff.

Ken Deane questioned whether any conditions/reporting is required for the serving of liquor in Retirement Villages. Des Cousins replied that restrictions are that liquor served must be purchased from retail outlets only, may not be served to anyone under 18 years of age or to people intoxicated.

4.2 Treasurer

(See attachment)

Treasurer Rae Nordeck presented the January – June 2018 Second Quarter Statement, summarised as:

Opening Bank Balance	\$	5,786.52
Income		23,495.33
Expenses		4,960.60
Closing Bank Balance		18,534.73
Term Deposit Investments		37,287.50
Total Funds	\$	55,822.23

Resolved: That the Report be received.

Moved: Darryl Govan

Seconded: Lexie Beardmore

Carried

5. GENERAL BUSINESS

5.1 General Meetings Finish Time

The President advised that to accommodate an increasing volume of matters under consideration, General Meetings in future will commence at 10.00am and conclude by 12.30pm.

5.2 Email Addresses

The Treasurer appealed for WARVRA to be advised of changes in email addresses, and suggested that WARVRA be placed into the address list of members to avoid communications being received as SPAM.

5.3 “Retirement Villages Legislation Reform – Consultation Paper” was presented by Penny Lipscombe supported by Susan O’Brien. At the conclusion of the presentation explanations were provided for questions raised.

6. FINALITIES

6.1 Vote of Thanks

In extending special thanks to Penny and Susan, Des Cousins acknowledged the good work in progress in continuing to listen and address problems within the Retirement Village Industry.

6.2 Closing Formalities

Des Cousins encouraged residents to lobby their Local Members of Parliament. The President declared the meeting closed at 12.10pm.

Minutes adopted: / /

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Chairperson

Legal Advice

Ian, Des and I met with Lavan Legal who were represented by Alex McGlue (Senior Associate) and Craig Wallace (Partner) in mid June.

We discussed our needs in terms of our seeking occasional legal advice in relation to wording of documents and the possibility of Lavan Legal joining us in discussions which we may have with Consumer Protection in relation to the legislative changes, we anticipate in the near future.

Alex McGlue had previously represented my village on a “pro bono” basis when we were involved in an action in SAT against our Administrating Body over fees and other matters. We found that he was very prompt and thorough in representing our position.

We made it clear to Lavan Legal that the service we were seeking would only be available to the Legislative and Advocacy Committee and that members seeking legal assistance would do so at their own cost.

Craig Wallace was very interested in expanding our relationship to members in terms of initial consultations, but on discussion with the firm’s partner, this was not possible due to a possible conflict of interest, as they had represented a number of retirement village operators. They would h1ow ever be prepared to offer legal advice on an “ad hoc” basis depending on the circumstances, depending upon unacceptable legal conflicts.

Last week, Ian, Des, David Street and I met with representative of the firm Birman and Ride who were represented by Michael Hodgkins (Partner) and Lucy Dickens (lawyer).

Birman and Ride are the only firm listed by the Law Society as representing residents of villages and Michael Hodgekins pointed out that his firm was dedicated to taking on the “big guys” (and bullies) which operate within the industry. We spoke about the need to read contracts before signing and Michael has responded with an email in which he talked about fixed pricing for services and a willingness to attend some of our meetings. We will meet again with Michael Hodgkins in the near future.

Both firms were eager to talk with us and willing to provide legal advice at reasonable rates, but we don’t know what the cost are, until we “test the water”. They are both impressed by the size of the membership of our organisation, which is why we must continue to recruit non-member villages.

We expect to make a decision in the near future.

Presented By Vice President Ron Chamberlain

10th August 2018

**TREASURERS REPORT - END OF SECOND QUARTER - 30th June, 2018**

	Year to date \$				
Opening Balance 1 Jan 2018	5,786.52				
<u>Receipts</u>					
Village Membership	16,288.00				
Individual Memberships	1,192.00				
Associate Memberships	130.00				
Bank Interest	4.53				
Donations	10.00				
O/S Cheque	84.28				
Total	23,495.33				
<u>Expenditure</u>					
General	4,410.60				
Annual Honorarium - D Porter	550.00				
Total	4,960.60				
Cash Book Balance at 30/6/2018	18,534.73				
Bank Reconciliation at 30/6/2018					
Closing Balance	18,534.73				
Unpresented Cheques					
Outstanding Deposits					
Total Funds	18,534.73				
Plus Term Deposit Investments	37,287.50				
Total Funds	\$55,822.23				