

WARVRA Newsletter


WARVRA

PRESIDENT'S REPORT

The last few months have been challenging for the Committee of Management with both the President and Secretary resigning from the WARVRA Management Committee. I would like to pay tribute to both Ian and Rae Nordeck for their outstanding work with WARVRA; with Ian as President and Rae carrying out the work of both Secretary and Treasurer. Ian carried out his work as Membership Convener, with dedication and professionalism, as our membership climbed steadily to where it now stands at over 18,000 residents. Rae carried out much of the administrative work and her work is greatly appreciated.

Ian has also resigned as Convener of Membership and Education but is willing to assist Bernie Frayne to continue the important work of visiting villages and spreading the WARVRA message.

The Committee of Management is gradually getting on top of things. Maureen Miller has joined the Committee as Secretary and we have had an extra meeting to talk about planning and various responsibilities. A great deal of work has been done to develop a Strategic Plan for WARVRA and an Operational Plan to deal with the record keeping of the membership. The record keeping issue is a significant one especially in the first six months each year and we are looking at the possibility of employing a person to carry out this task and take some pressure off the Secretary and Treasurer.

The next eighteen months will be a critical period for all WARVRA members and for all residents in retirement villages. Amendments to the legislation will be developed during this time and WARVRA is charged with the responsibility of providing feedback on all of the issues raised in the Consultation Papers and member participation is a critical part of the process.

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THE GENERAL MEETING

of WARVRA will be held at
Department of Mines, Industry Regulation and Safety
Exhibition Hall. Second Floor 140 William St, Perth.

FRIDAY 9th August 2019 10am - 12.30pm

REPORTS

President - Ron Chamberlain
L&A Committee - Ron Chamberlain
Membership Convener - Bernie Frayne
Treasurer - Corry Knappers

GENERAL BUSINESS

Review of Constitution
Des Cousins

Morning Tea 11-11.30am

Interactive hour on Legislation Consultation Paper 1
from Consumer Protection

FINALITIES

Website Articles

Dave Porter our webmaster and general IT support person is about to start a series of articles on our website in the form of news items. The first one in the series will cover scams - how to be aware of them, how to deal with them and how to get help. It is scheduled to be released before the end of July.

Other articles of interest will follow..

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WARVRA Committee Directory

NAME	ROLE(S)	PHONE	MOBILE
Ron Chamberlain	President Convener, L&A*	08 9456 4598	0447 315 160
Lindsay Lane	Vice President	9304 5183	0421 989 625
Maureen Miller	Secretary	-----	0424 208 873
Corry Knappers	Treasurer	08 9550 4964	0488 059 103
Ned Stokes	Assist. Convener L & A	9433 5663	0405 545 573
Bernie Frayne	Convener, Membership	9305 9067	0420 837 746
Jill Cooper	Membership	9535 1788	0408 846 030
Lexie Beardmore	L & A	08 9311 4319	0406 539 720
Doug Sturrock	Membership	9498 7375	-----

Regional Committees Directory

NAME	POSITION	PHONE	MOBILE
Monika Cull	Convener (Great Southern)	08 9843 3786	0407 691 975
Ron Sparks	Co-Convener (South West Busselton)	08 9754 2614	0427 002 614
Dianne Wilson	Co-Convener (South West Bunbury)	08 9724 4889	-----
Ron Chamberlain	Convener (Peel)	08 9456 4598	0447 315 160
John Lewis	Convener (Mid West)	-----	0408 939 615 0437 780 798

PRESIDENT'S REPORT cont'd from page 1

The first Consultation Paper will be available on the WARVRA web site on Monday 29 July 2019. Your Committee of Management would like you to provide feedback using the Contact page on the WARVRA rather than personal web sites as it is possible that we could miss individual contributions. We invite you to comment if you agree or disagree and why you agree or disagree.

Consultation Papers 2/3/4 will arrive in approximately two monthly intervals until the end of 2019. We will devote a part of each Quarterly Meeting to these Consultation Papers.

The first of these discussions will take place at the August Quarterly Meetings. Please read the paper and bring your questions and concerns to the meeting. Should we be unable to answer your question, we are in a position to obtain advice or clarification from Consumer Protection.

At the August Meeting, Des Cousins will speak on the matter of the changes to the Constitution. We

had intended to ask you to vote on either accepting or rejecting the proposed Constitution but the Committee of Management considered that it would be better to have the explanation from Des and vote at the November Quarterly Meeting. The proposed Constitution is available on the WARVRA web-site.

There are some significant changes to the Constitution such as extending restrictive timelines regarding the payment of fees. The proposed Constitution will appear on the WARVRA website within a few days and will be discussed at the August Quarterly Meeting. The amended Constitution will be voted on at the November Quarterly meeting

I would urge you to attend the August Quarterly Meeting as this is going to be a very exciting year for WARVRA, an opportunity not to be missed.

Ron Chamberlain, President

WA Retirement Villages Legislation Reform

BRIEFING PAPER NO. 2

(prepared for the use of Members of the WA Parliament)

1. Background

The *Retirement Villages Act 1992* (WA) provided for a review 10 years after its enactment. The Review did not begin until 2006 and the Final Report of the Statutory Review was not presented to Parliament until November 2010 with 100 recommendations. Legislative changes to reflect about half the recommendations of the Review were enacted in 2012, followed by Regulations in 2014 and 2015 and a major revision of the *Retirement Villages Code* in 2015. It was the Government's intention that there be further legislative changes to complete the review process.

Progress has been very slow and late in 2017, the Government advised that a "Consultation Paper" was under preparation to enable the stakeholders to respond to the Government's proposals for the next round of legislative changes which would also include some matters not in the Statutory Review which had arisen during the long period since the Review was completed.

The Commissioner for Consumer Protection has now advised that the Government's proposals will be released progressively, with the first group of proposals available on 29 July 2019.

2. A Summary of the Reform Proposals to the Retirement Villages Legislation

(This information is taken from an article written by Penny Lipscombe, Director Legislation and Policy, Consumer Protection, dated 12 April 2019)

The reform proposals will be released in several thematic groups, Ms Lipscombe suggests, over "the next 12 months or so". At present these groups are:

- 2.1 **Retirement Village Product and Price** – the purchase of accommodation, amenities and services in a managed community
- 2.2 **Operator Responsibilities** – including repayment of exit entitlements and the ongoing responsibility of the operator for a "managed community" including capital works, resident approval for budgets and refurbishment obligations.
- 2.3 **Application of the Retirement Village Legislation** – identifying when the RV legislation applies and when it does not, including options for a public database.
- 2.4 **Multi-site Villages, RV Scheme Termination, Memorials and the Statutory Charge** – including minimum resident notice and consultation requirements for scheme termination.
- 2.5 **Village Development, Leasing "Off-the-Plan", Wait List and Holding Fees, Village Redevelopment and Excision of Land from a Village** – including minimum resident notice and consultation requirements and requiring SAT permission when residents object.
- 2.6 **Compliance and Enforcement** – moving the Code to the RV Act, improved enforcement mechanisms, introduction of civil pecuniary penalties, infringement notices and the creation of new offences.
- 2.7 **Strata and Purple Title Villages** – simplifying the way that legislation controlling these two types of property holding interacts with the RV legislation. Final proposals are awaiting new strata title regulations and the introduction of community titles.

3. WARVRA's Comments on the Reform Proposals

- 3.1 **General** – the summary of the reform proposals recently released covers many of the issues on which WARVRA has been advocating reform for some time. None of the proposals outlined so far are opposed in principle by WARVRA though we await the detail.
- 3.2. Issues of concern to WARVRA not made explicit in the Summary – some issues of concern do not appear in the summary provided so far: these issues may be covered as the proposals are given in more detail. This is a list of our areas of concern currently:
 - a) Plain English contracts and common terminology;
 - b) Clarification of the financial obligations of operators/managers and resident-provided operating funds – a further clarification of item 2.2 above;
 - c) Fit for purpose properties – obligations on owners to undertake necessary maintenance and to rectify design/construction faults;
 - d) Compulsory adequate reserve/sinking funds for major maintenance and capital upgrades of Villages funded by the owners;

- e) Separation of Residential Contracts from the common Village Scheme – which would allow for varying individual contracts without impinging on the Scheme and would allow variation of the Scheme;
- f) Clarification of the insurance obligations of the operator/manager and the resident;
- g) Qualifications and training of village managers;
- h) More options for the resolution of internal disputes such as orders made by the Commissioner, a referee/tribunal/ombudsman, and a widening of the jurisdiction of the State Administrative Tribunal.

4. Reform is Urgent

Residents have been waiting for 17 years for some of the reforms promised and are still not fully aware of what the reform proposals will do to improve our lifestyle and provide us with the environment in which to live out our days for which we made major financial contributions.

Des Cousins - 7 June 2019

TREASURER'S REPORT	
Period ending 30 JUNE 2019	
Opening Balance 1 Jan 2019	7,254.54
Receipts January - June 2019	
Village Membership	14,964.00
Individual Memberships	1,240.00
Associates	640.00
Bank Interest	6.56
Total receipts	16,850.56
Expenditure January - June 2019	
General	7,610.43
Total expenses	7,610.43
Cash Book Balance at 30/06/2019	16,494.67
Total Funds ANZ Bank account	16,494.67
Plus Westpac Business Cash Reserve	1,724.05
Plus Term Deposit Investments	47,287.50
Total Funds as at 30/06/2019	\$65,506.22

Briefing Papers

It is our intention to supply the members of the WA Parliament with "Briefing Papers" on the legislation amendments, written from the perspective of retirement village residents.

The most recent of these, written by Des Cousins, is included in this newsletter. The next of these "Briefing Papers" will be prepared after the first Consultation Paper is released.

Members should feel free to use these Papers in

speaking with their State Parliamentary representatives and encouraging them to get the legislative reform completed as soon as possible.

Des Cousins



WARVRA Newsletter

Next Issue 18 October 2019

*All contributions should be received by
11 October 2019*

*Contact Secretary for more information
(See Directory at top of page 2 of this issue.)*

Legislation & Advocacy Report

The L & A Committee met with the Commissioner, David Hillyard and his deputy, Phil Payne, on 7 June and we discussed the launch of the first Consultation Paper on 29 July. We were promised that WARVRA Committee would be provided with a copy one week earlier in order to prepare us for questions and comments from members after the launch. The L & A Committee decided to cancel its meeting on 14 July and meet on 25 July by which time we should have a copy of the Consultation Paper.

Discussion on the legislation amendments will conclude by the end of 2020 and the Bill will be prepared. Our estimate is that the Bill will be presented to Parliament by mid to late 2021 (which it should be noted is after the next state election).

Ron Chamberlain, Convener L & A Committee