



Western Australian Retirement Villages Residents Association Inc

Minutes of the Annual General Meeting

9th February 2018 10.00 am

Dept. of Mines, Industry Regulation and Safety Auditorium Perth

1. PRELIMINARIES

1.1 Welcome

President Ian Nordeck extended a welcome to all, expressing appreciation for the new meeting venue and its facilities, and invited feedback from membership.

- 1.2 Attendance:** 62 as per Register
Apologies: 9 as per Register

2. MINUTES OF MEETING

Resolved: That the Minutes of the Annual General Meeting of the Association on 10th February 2017 be adopted. *Moved: Bernie Francis Seconded: Syd Brooker Carried*

- 2.1 Business Arising from Minutes** Nil

3. CORRESPONDENCE Nil

4. REPORTS

4.1 President

President Nordeck presented a comprehensive Report. *(See attachment to Minutes)*

4.2 Treasurer

In presenting the Report, Treasurer Rae Nordeck acknowledged with thanks the work of the late Treasurer, Bob Hamilton, and the assistance of Lorraine Woods in setting up the new Financial Programme. *(Reports: See attachment to Minutes)*

Question: Are Term Deposits added to the Financial Statement and what is the total?

(Keith Edwards – Maddington)

Response: The Treasurer advised that the Term Deposit Investments total \$37,287.50 and do not form part of the presented statement.

Resolved: That the Treasurer's Report be accepted. *Moved: Syd Brooker Seconded: Wim Bresser Carried*

4.3 Legislation and Advocacy

Des Cousins addressed the meeting and provided a Report. *(See attachment to Minutes)*

5. ELECTIONS

President Ian informed the meeting that the Constitution provides for a Committee of Management of 10 members; 10 nominations only were received and so no ballot for election was required.

The meeting agreed that 5 names be drawn to determine a 2 year term with the remaining 5 having a term of one year.

Lyneve Amooore – Pearson Village, Menora	1 year term
Alexis Beardmore – RAAFA Estate, Bull Creek	1 year
Eugene Browne – Juniper Rowethorpe, Bentley	1 year
Ron Chamberlain – Joseph Banks, Canning Vale	1 year
John Hudson – Parkland Villas, Woodlands	2 years
Corry Knappers – Teranca Mews, Mandurah	2 years
Maureen Miller – Regents Garden, Aubin Grove	2 years
Rae Nordeck – St Ives, Mandurah	2 years
Ian Nordeck – St Ives, Mandurah	1 year
Brian Woods – St Ives, Mandurah	2 years

6. GENERAL BUSINESS

6.1 State Administrative Tribunal

Question: In matters referred, does the Tribunal have powers to impose a fine?

(Bernie Francis – Jacaranda Gardens, Canning Vale)

Response: No, but in some cases may issue significant orders. Magistrate and District Courts impose fines.

(Des Cousins – Legislation and Advocacy)

6.2 Purple Tiles

Question: From where can information re Purple Titles in Villages be obtained?

(Darrell Govan – Parkland Villas, Mandurah)

Response: From his experience, Des Cousins offered to provide the questioner with information.

6.3 Payment of Local Government Rates

Comments: Following unsuccessful negotiation with the City of Melville, St Ives, Murdoch lobbied its local member with the outcome that the Village is now exempt from paying Local Government Rates.

(Syd Brooker - St Ives, Murdoch)

[This is because of the taxable status of the owner of the land, Murdoch University, not because it is a retirement village

Des Cousins, Legislation and Advocacy]

6.4 **Thanks** were expressed to Rae Nordeck for transcribing the recording of the WARVRA General Meeting with the Commissioner for Consumer Protection and his Senior Executives on 10th November 2017

7. FINALITIES

President Ian closed the meeting at 12 noon with special thanks to Des Cousins for ongoing support, Noelene Edwards as Newsletter editor, Val Brown retiring Secretary, Fiona Myles Executive Assistant to David Hillyard, and all who assisted with this meeting.

Minutes adopted: / / _____ **Chairperson**

(These Minutes will be presented for adoption at the 2019 AGM)

PRESIDENT'S REPORT**DECEMBER 2017 & JANUARY 2018**

Welcome to the New Year and may you and your families have a happy and healthy 2018.

The coming year may well be a watershed year for WARVRA as there are many significant issues being discussed and reviewed as the environment in which we live, and WARVRA functions, continues to change.

Change of Meeting Venue

Your Committee has taken the decision to move our General Meetings from Piney Lakes to Perth City. This decision was not taken lightly, but in the interests of the majority of Members, it was considered a beneficial move because:

- It is centrally located in relation to our villages and membership
- It is easily accessible by all public transport
- It will hold a significantly larger number of attendees in comfort
- And....there is no charge for the use of the facilities

Membership Renewals

Membership Renewals are now being issued to Village and Individual Members. This is a very large task and some hiccups have already occurred for which we apologise. One problem that has been identified by some Members is that some emails forwarded by "WARVRA" are being directed to "Junk Mail" – and if you have not received your renewal, be sure to look in your "Junk Mail" folder. Please let me know if you experience any further problems.

Meetings with the Commissioner and Executives

Our three-monthly meetings with the Commissioner of Consumer Protection and Executives continue and are proving very effective. We are given an excellent hearing and every opportunity to present our views and ideas and to date; these have been very well received.

The Legislative & Advocacy Committee is investigating the concept of developing WARVRA policies in regard to significant issues, which can be presented and promoted to the Commissioner.

We believe a significant problem area has been the management of complaints by the Department and its Officers. WARVRA made a submission on how this may be better managed, and this was discussed with the Department and has been accepted by them, in principle. This new development should be finalised at our next quarterly meeting in February. An example of the change in procedure is that I shall soon be accompanying two Investigators from the Department on a country visit to a Village experiencing difficulties. Full details of this new development will be disclosed at our AGM.

Retirement of Stephen Meagher, Director, Consumer Protection

It is very disappointing to report that Stephen has retired as a consequence of Government cutbacks. In the short time that we dealt with Stephen, he was very supportive of WARVRA and our ideals and very helpful in assisting us to make changes within the Retirement Villages industry.

Stephen's knowledge will be sorely missed, and we wish him a long and enjoyable retirement.

National CAANZ Working Group

Five of our L & A Committee Members attended a video conference and contributed significantly to the debate and in the identification of areas of concern.

The fact that it has been conducted by the Federal Government is significant, and we now await the final report, which will be developed from similar meetings held throughout Australia.

Meetings with Government Ministers

In November last, Members of the L & A Committee met with Minister David Templeman, Minister for Local Government, to discuss industry issues and WARVRA's concerns with these issues.

On 23 January 2018, the same group met with Minister Bill Johnston, Minister for Industrial responsible for the Retirement Villages Act in Western Australia.

A summary report of these meetings has been prepared by Des Cousins was included in the Newsletter.

Associate Membership

What is apparent from my reading of interstate Newsletters is that similar Associations in other States generally suffer from the same problems as ourselves.

A significant problem that creates a lot of anger and concern for our families and estate executors is the difficulties that can be experienced in finalising the sale of one's villa. The problem is created by multiple reasons, but in many cases, the families/executors are totally unprepared and uninformed for what can be required and may cause serious delays in finalising an estate. It is the single most common form of complaint in our industry on which WARVRA has to frequently offer advice and help. The causes are the process involved in selling the villa, and the process/cost of refurbishing the villa.

One of the other State Associations has introduced the concept of "Associate Membership", the purpose of which is to encourage families of Village Residents to become subscribers to our Newsletters and industry updates, so that they are kept informed of the latest changes and developments. In addition, when the time comes to finalise the estate by selling the villa, WARVRA can offer guidance and assistance on the two significant problem areas. There would be a small annual fee involved to become an Associate Member, and such members would not have any voting rights. An idea on which your thoughts would be appreciated.

WARVRA Committee Nominations 2018

The following nominations from Members were received by the closing date of 18 January 2018.

* Lyneve Amoore	Pearson Village, Menora
* Alexis Beardmore	RAAFA Estate, Bull Creek
* Eugene Browne	Juniper Rowethorpe, Bentley
* Ron Chamberlain	Joseph Banks, Canning Vale
* John Hudson	Parkland Villas, Woodlands
* Corry Knappers	Teranca Mews, Mandurah
* Maureen Miller	Regents Garden, Aubin Grove
* Rae Nordeck	St Ives, Mandurah
* Ian Nordeck	St Ives, Mandurah
* Brian Woods	St Ives, Mandurah

A ballot will not be necessary as the WARVRA Constitution provides for a Committee of 10 members, and 10 nominations only have been received.

Ian Nordeck
President

Legislation and Advocacy

9 February 2018

A. LEGISLATION

Little progress to report!

- A “Consultation Paper” is coming sometime. Last promise is for the end of this month. We think it will deal mostly with “definitional” issues such as “who is a resident?” and also with memorials on RV sites. The Minister has indicated that he is reluctant to allow other business activities on RV sites despite lobbying from the Property Council.
- We are continuing, however, on preparation of material supporting our concerns (trying to be proactive). Issues we have before us are:
 - » parallel provisions with the Residential Tenancies Act;
 - » reserve funds and capital maintenance expenditure
 - » exit fees (caps, pro rata charges, no front loading)
 - » moving the Code to the Regulations (more enforceable if Commissioner acts!)
 - » standard contracts (outline/structure)
 - » owner/developer responsibility for construction faults
- Code expires on 31 March 2018 and would normally be rolled over for another three years. We sought some minor amendments to rectify poor drafting etc. but Commissioner refused saying not enough time. Consumer Protection is talking about an interim Code (which means they don’t expect it to last the full three years, which would be good but we are not confident!)

B. ADVOCACY

- Disappointing responses from Consumer Protection – some matters progressing very slowly, others lack of real action.
- But one victory! The Willow Creeks Mews owners (the May family) have been fined \$5000 in the Magistrates Court for failing to provide Form 1 to prospective residents. They had previously been forced to correct false promises on their website.
- Local Government rates discount – we have discovered that a review of the Local Government Act is underway and the Minister (David Templeman) has suggested we make a submission on this matter – David Street and Ian Nordeck are doing this for us.

C. GOVERNMENT CONTACTS

- A meeting was held with David Templeman, Member for Mandurah and Minister for Local Government. With the many changes to the Parliamentary membership following the last election, we need to be meeting with members and explaining to them the issues of concern for Retirement Village residents. If residents of any Village would like a member of the Committee to support them or provide speaking notes, please contact us.
- A meeting was held with Bill Johnston, Minister for Commerce and Industrial Relations (responsible for administering the Retirement Villages legislation). The Minister seemed well

briefed and keen to progress the legislation now that the new Government has had time to deal with its priorities. We were also able to meet his Chief of Staff and Senior Policy Officer.

- Quarterly meetings with the Commissioner for Consumer Protection continue and the next one will be on 20 February 2018.

D. A WISH LIST

Some items that we want to put before the Government:

- More resources and power for the Seniors Housing Centre to be able to give advice rather than being limited to information.
- An Advocacy Service to mediate for residents, seeking compliance by village operators and providing an opportunity for early resolution of complaints.
- Extend the powers of the State Administrative Tribunal to hear and judge complaints from resident bodies about village operation, unfair or unconscionable conduct by operators and expenses included in village budgets (not just increases or levies).

Des Cousins
For the Committee

FINANCIAL REPORT FOR YEAR ENDED 31 DECEMBER 2017

Receipts

Opening Balance 1 Jan 2017	24,324.18
Village Memberships	14,526.00
Individual Memberships	1,344.00
Interest	18.10
Donation	20.00
IBD Maturity	17,287.50
Total Income	57,519.78

Expenses

Legislation & Advocacy	110.49
Membership & Education	6,604.52
Committee	7,259.76
Term Deposits Reinvestment	37,287.49
Dishonoured Cheque	10.00
Venue Hire	136.00
Publicity	325.00
Total Expenses	51,733.26

Cashbook Balance 31 Dec 2017	5,786.52
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Bank Reconciliation at 31 Dec 2017

Closing balance as per bank	6,950.74
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Unpresented cheques

1569	84.28
1638	89.94
1640	990.00
	1,164.22

Total Funds	5,786.52
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ASSET REGISTER AS AT 1 JANUARY 2018

- 1 x HP 10" Laptop Computer, Serial No CND447CT34
- 1 x Epsom Projector, Model EMP-1710 with carry case
- 1 x 1.8m Projector Screen with stand and carry case
- 1 x 10m, 4 socket extension reel – HCR10S
- 1 x HP 12" Laptop Computer, with Remote, carry case & all cords
- 1 x 1.5m Projector Screen with Stand
- 1 x Hitachi Projector, Serial No CP-WX3541WN with carry case
- 1 x 10m Cord Tech extension reel
- 1 x Timber portable lectern
- 1 x Tripod speaker stand
- 1 x Minor speaker (converted to latest technology)
- 1 x WARVRA portable banner 1 x metres with carry case
- 1 x Large Carry Bag with assorted cables and 2 microphones
- 1 x Large wheeled carry-all (morning tea equipment)
- 1 x Zoom Handy Recorder with carry case
- 1 x Powertech Battery Charger
- 1 x Shure Lapel Microphone set with carry case
- All held by Ron Chamberlain, the balance of items held by Ian Nordeck.