

Lifestyle SA

91 King William Road, Unley SA 5061 | ABN 13 092 002 858

GOLDEN GROVE LIFESTYLE VILLAGE

MINUTES OF ANNUAL MEETING

Held on the 24th October 2019

1. PRELIMINARIES

Meeting Attendees:

Residents of Golden Grove Lifestyle Village
Trish Sentinella, Community Coordinator, Lifestyle SA
Paul Hosking, Operations Manager, Lifestyle SA

Apologies:

As per list in office

Introductions:

Trish Sentinella opened the Annual Meeting at 9.30am and welcomed everyone in attendance.
Paul Hosking discussed the agenda of the meeting.

Minutes recorded by:

Trish Sentinella, Lifestyle SA

2. AGENDA ITEMS

Paul advised that every resident would have received a Notice to Convene an annual Meeting with the following information:

- Audited statement of income received from residents and expenditure of that income, for the previous financial year.
- Statement of estimates of income from residents and expenditure of the income for the current financial year.
- Statement of the estimates of income and expenditure for the current financial year in relation to the any capital item funds.

A schedule of the maintenance fees was based on these figures and issued to residents in June which showed that a 2% increase would be applicable for the financial year 2019/2020. Another copy can be obtained from the Co-ordinator if required.

Paul Hosking read the following message from the Directors of Lifestyle SA:

"I am quite aware that residents would like to have seen a Director present here today, and I'm here to let you know that they have listened to you.
So before we move forward with answering questions I would like to advise that Lifestyle SA management is committed to achieving improved communication with all residents and have decided to host small informal discussion groups with residents.
Whereby residents will be able to participate in open dialogue with the working Directors.
All residents will be contacted in due course of the proposed discussion dates and times.
We see this as a positive move in working together and encourage as many residents to participate."

Residents were invited to submit questions in writing prior to this meeting and as such we received the following questions.

3. WRITTEN QUESTIONS RECEIVED

Question 1: Doug Ramsay Unit 90

At a recent Residents Committee meeting Paul Hosking gave an undertaking that the committee would be included in any future consultations regarding contract renewals. Can you please tell us how these consultations will be arranged?

Answer:

These consultations will be arranged by Lifestyle SA sending a written notice to the residents committee setting out the time, place and business agenda of the meeting.

Question 2:

What are Lifestyle SA policies for the replacement of floor coverings? When are Lifestyle SA going to provide these written policies for the replacement of floor coverings?

Answer:

The matter of the floor covering replacement is not a policy. It is a contractual arrangement between the resident and the owners of the relevant village, as such each resident needs to check their individual contracts in relation to this matter. Lifestyle SA and the owners will abide by their contractual obligations.

Question 3: Doug Ramsay

Until recently if a resident installed their own new carpet, they were compensated from the CIRF for not having Lifestyle SA carpet installed. Can you please explain why this compensation no longer applies?

Answer:

Our advice recently is that if a resident chooses to install their "own" new carpet this is a variation to the standard, and is considered an alteration and addition to the residence which therefore needs to be funded by the resident and not the CIRF, as the CIRF is there to replace existing with like for like and cannot be used as a "compensation fund" for issuing reimbursements to residents.

The CIRF account is established for the purposes of capital replacement or improvements, long term maintenance or other similar items in respect of a retirement village not reimbursements.

Question 4:

Why does a resident who chooses to have their carpets replaced, not allowed to ask and pay the carpet company to move their furniture?

Answer:

Our carpet supplier has advised us that he does not want the liability for his employees to be moving furniture when under his employment agreements with his staff they are not employed to carry out this type of work. You will appreciate that the carpet supplier owes a duty of care to its employees and statutory work, health and safety obligations.

Question 5:

What are Lifestyle SA policies for the insurance claims including excess? When are Lifestyle SA going to provide written policies for insurance claims including excess?

Answer:

The matter of insurance claims including excess is not a policy but a contractual arrangement between the resident and the owners of the relevant village, as such each resident needs to check their individual contracts in relation to this matter.

Question 6:

What are Lifestyle SA policies for the treatment of alterations and additions when vacating a unit? When are Lifestyle SA going to provide written policies for the treatment of alterations and additions when vacating a unit?

Answer:

The matter of the alterations and additions when vacating a unit is not a policy but a contractual arrangement between the resident and owners, as such each resident needs to check their individual contracts in relation to this matter. If anyone is unsure please arrange to meet with Lifestyle SA.

Question 7:

What are Lifestyle SA policies for guest speakers in the village? When are Lifestyle SA going to provide written policies for guest speakers in the village?

Answer:

Guest speakers are welcome in the village and we do expect residents to advise the Village Manager of who they will be inviting into the Community Centre so that a community facilities booking form can be completed and for us to ensure day and time availability in the communal facilities. The facilities were established for all residents to use however we do expect this to occur as a general courtesy.

Question 8: Dianne Shrive Unit 193

Considering the large amount of money spent on lawn maintenance and increased water costs, would management consider replacing existing lawns which may have become tired with artificial turf or bark garden areas. Could a report be conducted to determine costs and potential savings in the future and could you advise residents of your findings?

Answer:

Yes, this is an idea worth considering and we will take on board your suggestion of conducting a report.

4. QUESTIONS ASKED FROM THE FLOOR

Question 1: Pat Bowen Unit 2

Why have some residents received pro rata payments for installing their own carpet and if we injure ourselves moving our own furniture will this be covered by insurance?

Answer:

Our advice is that the CIRF account is established for the purposes of capital replacement or improvements, long term maintenance or other similar items in respect of a retirement village not reimbursements. The CIRF account cannot be used as a "compensation fund" for issuing reimbursements to residents.

In relation to insurance cover

1. If a resident performs a voluntary act that would result in a personal injury whereby there was no onus on the Insured, the policy would not respond.
2. Our insurance broker has advised the importance to have professional removalists who are capable of carrying heavy items.

Question 2: John Moore Unit 26

The carpet contractor had agreed to move my furniture but then he was advised by Roxanne Norris not to do it. I do know that they remove furniture for outside customers but not for LSA, can we arrange different contractors that would be prepared to move the furniture?

Answer:

The current carpet contractor is the approved standard contractor for the Lifestyle SA group. A resident can choose a variation to the standard and select their own contractor.

Comment from Choices Flooring

As per our agreement, unfortunately Choices Flooring Keswick are not in a position to provide the service of furniture removal to any of our commercial clients including Lifestyle SA. We do acknowledge that from time to time we can offer this service to our Retail customers only. As this function is completed by our installers, who the industry needs to be installing flooring and not shifting furniture, the offering is very limited. Installers in the flooring industry are extremely sort after so we must have them completing installations the majority of time and not have them risk any physical injury shifting heavy furniture they would not normally be responsible for. We apologize if this causes any inconvenience to you or your customers.

Question 3: Unit 112 Kate Mills

Can it be considered to put more seating throughout the village?

Answer from Trish

We have conducted a review of seating around the village previously and deemed that we have adequate seating. You would also note that many residents have chairs positioned on their front verandas and I am sure that if a resident needed to sit down for a short period any resident would offer them a seat on their porch.

Question 4: Unit 9 Doug Ramsay

I have no doubt you have heard of ARVAS the Australian Retirement Village Accreditation Scheme. ARVAS was set up by two key industry bodies to provide operators with a focus on retirement living standards. Do you plan to join this group and if not why?

Answer:

We have no plans to join this group at this stage as there are fees involved that would increase your maintenance fee.

Additional information:

Whilst we are always open to consider joining an accreditation scheme the costs of accreditation and ongoing maintenance of the accreditation are significant and would lead to an increase in maintenance fees. We are conscious that the Act, the Regulations, the Dispute Resolution Policy, the code of conduct, as well as the quality of the resources available at the Office for Ageing Well already provide a robust framework for the protection and benefit of residents.

Question 5: Unit 144 Jenny Glasson

Are you removing solar panels from resale units?

Answer:

We quote what each resident signed prior to having approval to install solar panels:-

On termination, if we request the removal of the solar energy system, the resident (or their estate) will be responsible for all costs associated with, but not limited to:-

- *the removal and disposal of the equipment*
- *making good any damage, discolouring or alteration to the residence*
- *reconnecting to the standard electricity supply.*

In view of the above an incoming resident is reluctant to take on the responsibilities.

Comment: Unit 20 Meg Smith

I have been in the village for 6 weeks now and we were given the opportunity to keep the solar panels on our unit and advised that they become our property and we are liable for any repairs.

Question 6: Unit 213 Charmaine Zauch

Could you look at the seating in the village? (As per question 3)

Answer:

We can review the seating again, perhaps any suggestions for further seating could be given to Trish.

Question 7: Unit 240 Colin Miller

I have some cracked tiles in my unit what is happening with cracked tiles?

Answer: from Trish

I have looked at cracked tiles in the village about 2 years ago whereby I went out to each unit and conducted a review. If there were only a few cracked tiles and they were hair line no action was taken, it was noted on your file. We also sent out a letter to each resident advising you that you are not liable for any cost for cracked tiles as part of the refurbishment of your unit at a later date. Those units that had multiple tiles cracked and they were more than hairline had the tiles replaced. The only issue with replacing the tiles is that you have no guarantee that they will not crack again due to ground movement.

Question 8: Unit 109 Ray Humphrey

What is the legal liability regarding tradespeople coming into our units, with regards to furniture being moved if they are not covered where does that leave us?

Answer:

A tradesperson whose job it is to move furniture carries all the professional liability for this work.

Question 9: Unit 200 Don Mahoney

What should be the lifespan of our carpet, mine is 7 years old and is wavy, and it has been stretched twice.

Answer:

This is all dependent on how a person looks after their carpets. Some people can live in their units and their carpets can look brand new after 10 years, while others could be very worn after 3 years, all depends on use and care.

Question 10: Unit 90 Alan Douglas

I have been advised verbally that if my carpet is replaced after 10 years then I move out at say 3 years I will be charged full cost?

Answer:

Refurbishment costs will be calculated in accordance with your residence contract.

Question 11: Unit 213 Charmaine Zauch

Why don't you have answers for this meeting?

Answer:

All residents were given the opportunity to forward questions in writing prior to this meeting and those questions were answered. I would prefer to give you a written response rather than give you an incorrect answer.

Question 12: Unit 50 Alan Douglas

I have put in my own flooring and I have received no compensation from the CIRF, if I move out I do not expect to be charged for new carpet.

Answer:

Correct, you would not be charged.

Question 13: Unit 15 Pat Goddard

Will every resident receive a copy of these answers?

Answer:

All residents will receive a copy of the meeting minutes 14 days after this meeting.

Comment: Unit 90 Doug Ramsay

I Doug Ramsay propose a motion of no confidence in the owners of Lifestyle SA and the staff at Head Office because they have no consideration, empathy or understanding of the needs and rights of residents living in a Lifestyle Village; in particular the residents rights to self-determination of their social and recreational activities.

This motion was seconded by Andy Marr unit 44 and a show of hands showed the majority of residents agreed with the motion.

Question 15: Unit 26 John Moore

When can we expect painting done to the interiors of our homes, what is the duration of fair wear and tear?

Answer:

If the internal walls show areas of concern please complete a maintenance request form to have the area touched up.

Question 16: Unit 50 Alan Douglas

When you paint the unit who will have to move the furniture?

Answer:

Internal walls may only require touch up paint and as such furniture may not require to be moved.

Question 17: Unit 166 Alan Wilkinson

If you make improvements such as flooring why do these have to be removed when you exit?

Answer: from Trish

I think you need to consider that a new resident coming into our village purchasing for example a 3 bedroom double garage and paying over \$600K may not feel the same way about your 10 or 11 year old alterations. The other issue you can have is that the first person putting down their \$500 holding deposit is not always the person that purchases the unit, they may not sell their home and then the next person coming along may not agree to keeping the alteration then we have further costs to the outgoing resident in bringing back trades to return the unit to standard.

Question 18: Unit 50 Alan Douglas

I have had my kitchen renovated at my own cost, if I move out in say another 10 years and you remove it that means you are taking out a 20 year kitchen, surely this should not be charged to me?

Answer:

No you would not be charged.

Question 19: Unit 294 Mark Jones

I am finding the a/c unit in my unit to be very inefficient, will it be replaced by LSA? Can a resident replace with a more modern unit and if so would LSA agree to pay half?

Answer:

Replacement of your a/c unit would only occur if the unit broke down and replacement was recommended by the technician. At that time you would need to pay the difference between a standard model and the one of your choice.

Question 20:

Would I have to pay for the maintenance of the a/c unit if I upgraded on my own?

Answer:

You would only need to pay the portion that maybe above the maintenance that a standard air conditioner would require. Same applies to replacing parts and if a new air conditioner is required we would supply the standard model.

Question 21: Unit 226 Rob MacGregor

Who is responsible for white ants?

Answer:

The village is responsible for white ant treatment.

Comment:

There has been a fair wear and tear case in the courts and this needs to be considered for charges to the resident in refurbishments

Trish responded that fair wear and tear is considered when completing the Premises Condition Report for the outgoing resident.

Comment from resident not identified:

I have never seen Roxanne Norris at a meeting

Response:

As stated at the beginning of the meeting, Lifestyle SA are looking to improve communication with residents and will be conducting informal discussion groups with residents and we would like to encourage as many residents to participate.

Question 22: Unit 257 Lesley Atrill

The Preventative Maintenance checks were conducted every 6 months and are now done every 12 months, why have things been dropped from the list, my paving was not checked and why do we have to put in a form for maintenance?

Answer from Trish

Paving is checked on the Preventative Maintenance Checklist, and I am not aware of anything being dropped from the checklist. We do conduct the checks every 12 months and rely on residents to complete a Maintenance Request form for any issues they identify in the interim.

Added: As we are conducting 347 checks that are scheduled with each resident the person conducting the check is on a strict time schedule that is why he is advised to cover the checklist only and any other maintenance issues identified need to be handled by our maintenance form process.

Question 23: Unit 44 Andy Marr

I put in a request for a gas heater and this was refused and yet others in the village have been approved. I would like to know in writing why it was not approved.

Answer:

We will give this topic further consideration.

Comment from unit 182 Ray Sweeney

If residents are wanting gas heating it shows that the a/c units are underrated

Question 24: Unit 2 Pat Bowen

Why have some residents been paid a pro rata compensation for upgrading their carpets after 7 years and I can't get compensation after 11 years?

Answer:

Our advice is that the CIRF account is established for the purposes of capital replacement or improvements, long term maintenance or other similar items in respect of a retirement village not reimbursements. The CIRF account cannot be used as a "compensation fund" for issuing reimbursements to residents and if some residents have been paid pro rata compensation unfortunately this was an oversight and cannot be repeated again and again.

Comment from Unit 90 Doug Ramsay

With all these changes to pro rata payments, gas heaters, it just reinforces my comment of no confidence in LSA and I think Roxanne is taking the easy path with these planned communication discussions with residents which seems like a divide and conquer attempt.

Comment from Unit 177 Tom Martin

I replaced my own carpet and underlay after 5 years and the underlay was of inferior quality and fell apart.

5. CLOSURE

Minutes of the meeting will be available 14 days after this meeting and the meeting was declared closed at 10.25am.

Response to Lifestyle Annual General Meeting Questions of the 24th October 2019

Written Questions

Q 1 Electricity Supplier.

This item needs to be kept on the agenda to ensure that the residents have a say in the electricity supplier. I note that at least one other Lifestyle village has a choice of supplier.

I note references in my contract under FEES AND CHARGES DURING OCCUPATION, Utilities, services etc..... the operator has an interest that it would obtain a fee or reward

Answer..... Nil

There would appear that there is no reason for the residents to obtain supply from whoever.

Q5 Insurance Excess.

I note that my particular contract in the Disclosure Statement only mentions that Lifestyle hold an insurance but does not mention any excess. Do any contracts in the village include an excess clause?

Q 7 Notification of Guest Speakers

Answer was Lifestyle expect to be advised of who the speaker is?

What authority does Lifestyle base this condition.

Floor Questions

Q 2 Carpet Contractors – conditions of work

My contract says if I want a new carpet that's something I must organise and pay for.

It would seem that Lifestyle have locked in their supplier to supply and install carpets. Lifestyle go on further and state. "A resident can choose a variation to the standard and select their own contractor."

Does this mean that as a variation the resident pays all?

Why should variation apply if the resident only needs to employ a layer who will move some furniture and install the standard carpet.

In basic terms does the standard carpet come only with Lifestyle contractor.

Q 12 I have put in my own flooring and I have received no compensation from CIRF, if I move out I do not expect to be charged for new carpet.

My contract says there is a charge for returning the residence to its original state. The answer seems to contradict the agreement.

Not sure what the answer relates to, the flooring or charge for carpet?

Q17 If you make improvements such as flooring why do these have to be removed when you exit?

This question was answered by a double answer.

The first part reinforced the reversion back to original condition.